

CAUSE NO. D-1-GN-21-004316

MICHELLE TUEGEL

Plaintiff,

v.

STATE OF TEXAS, et. al

Defendants.

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In the District Court of

Travis County, Texas

261st Judicial District

**TEMPORARY RESTRAINING ORDER**

On the 31<sup>st</sup> day of August, 2021, the Court considered Plaintiff Michelle Tuegel’s (“Plaintiff”) *Application for Temporary Restraining Order* (the “Application”) seeking to restrain an organization, Texas Right to Life, and individuals John Seago and John Does 1-10 (collectively, the “Injunctive Defendants”) and all persons in active concert and participation with the Injunctive Defendants from instituting private enforcement lawsuits against Plaintiff under SB8 when it becomes effective on September 1, 2021. After consideration of the Plaintiff’s Application and the evidence attached thereto, and pursuant to Texas Rule of Civil Procedure 680, the court hereby finds:

**FINDINGS**

The Court finds there exists a probable, irreparable, and imminent injury in the interim for which Plaintiff has no adequate remedy at law if Plaintiff is subjected to private enforcement lawsuits against her under SB8. Money damages are insufficient to undo the injury to Plaintiff if the Injunctive Defendants are not enjoined from instituting private enforcement lawsuits against Plaintiff under SB8. Further, money damages would be less

complete, less practical, and less efficient than injunctive relief. Conversely, the Injunctive Defendants will not be harmed if the Court restrains them and anyone in active concert and participation with them from instituting private enforcement lawsuits against Plaintiff under SB8.

The Court further finds that granting this request preserves the status quo preceding this controversy and follows precedent from the Supreme Court of Texas. *See In re Newton*, 146 S.W.3d 648, 651 (Tex. 2004); *In re Greg Abbott*, No. 21-0720, in the Supreme Court of Texas (August 26, 2021) (granting a stay on a petition for mandamus from the Fourth Court of Appeals that reinstated a trial-court injunction and holding that the primary consideration for temporary emergency relief is preserving the status quo while courts consider whether plaintiffs have demonstrated a probable right to the relief sought).

The Injunctive Defendants were served notice and appeared for the hearing with counsel. Further, the Texas Attorney General's Office was also provided notice of the cause of action, the Application, and the hearing conducted.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

A. A temporary restraining order is entered enjoining the Injunctive Defendants, and any and all parties in active concert and participation with them, from instituting any private enforcement lawsuits against Plaintiff under SB8.

B. This matter is scheduled for a preliminary injunction hearing on the 13<sup>th</sup> day of September, 2021, at 9 a.m. The hearing will be conducted using Zoom videoconference technology. Since several cases are scheduled 9:00 a.m., your case may be called later in the day on September 13, 2021, and you must be available when your case is called. When

you receive the notice of this hearing, please contact the Court Administrator's Office, at [Travis.CivilCourts@traviscountytx.gov](mailto:Travis.CivilCourts@traviscountytx.gov) with your contact information so that you may receive information on how to access the Zoom teleconference for your particular hearing. Once your case is assigned to a specific court, information will be provided to the contact information that you submitted to the Court Administrator's Office with specific credentials to participate in this videoconference court proceeding.

C. Plaintiffs' bond is set at \$100. A law firm check is sufficient to post the bond. Upon the filing of the bond required herein, the Clerk of this Court shall issue a Temporary Restraining Order in conformity with the law and the terms of this Order Granting Plaintiffs' Application for Temporary Restraining Order.

D. All parties may be served with notice of this Temporary Restraining Order and of the hearing on the request for Preliminary Injunction in any manner provided under Rule 21a of the Texas Rules of Civil Procedure.

E. This temporary restraining order shall expire on September 14, 2021 at 5:00 p.m.

Dated this 31<sup>st</sup> day of August 2021.

  
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AMY CLARK MEACHUM  
201<sup>st</sup> District Court Judge

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