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JMOHX

CAUSE NO. 2013-75301

JACK PIDGEON AND	§	IN THE DISTRICT COURT
LARRY HICKS,	§	
PLAINTIFFS,	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
MAYOR ANNISE PARKER AND	§	
CITY OF HOUSTON,	§	
DEFENDANTS.	§	<u>310</u> JUDICIAL DISTRICT

ORDER ON PLAINTIFFS' APPLICATION FOR TEMPORARY RESTRAINING ORDER

CAME ON FOR CONSIDERATION Jack Pidgeon and Larry Hicks ("Plaintiffs") application for a Temporary Order, presented to the Court today. The Court examined the pleadings of Plaintiffs, the evidence presented, and the argument of counsel, and after due consideration finds that:

- 1) a cause of action against the Defendants exists;
- 2) Plaintiffs have a probable right to the relief sought; and
- 3) Plaintiffs will suffer a probable, imminent, and irreparable injury in the interim.

FILED
Chris Daniel
District Clerk

DEC 17 2013

Time: _____ 5:30pm
By: _____
Harris County, Texas
Deputy

Therefore, Plaintiffs are entitled to a temporary injunction.

It is therefore ORDERED that the clerk of this Court issue a temporary injunction enjoining Defendants, Mayor Annise Parker and the City of Houston ("Defendants") and any other person(s) with knowledge of this Order, to cease and desist providing benefits to same-sex spouses of employees that have been married in jurisdictions that recognize same-sex marriage providing benefits to same sex couples. This order shall stand until further Order of this Court.

Plaintiffs have shown a probable injury because the harm is imminent; if the temporary restraining order does not issue, the injury would be irreparable; and the applicant has not other adequate legal remedy.

If the temporary injunction is not issued, the Defendants' unlawful policy providing benefits to same-sex spouses of employees that have been married in jurisdictions that recognize same-sex marriage providing benefits to same sex couples will remain in place; therefore, the harm to Plaintiffs' constitutional and statutory rights is imminent.

Plaintiffs' claims of statutory and constitutional injury and violation of the City of Houston's Charter, present a substantial threat that irreparable injury would result if the temporary restraining order does not issue.

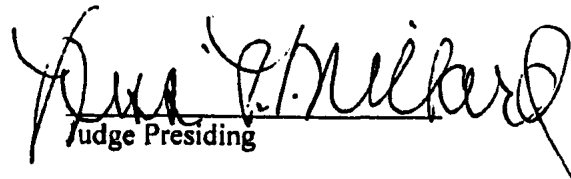
Finally, Plaintiffs have no other adequate remedy at law because no amount of money can compensate Plaintiffs for the loss of their constitutional and statutory rights. However, Plaintiffs are not required to prove that they have no adequate remedy at law when they have a statutory right to an temporary restraining order, as provided by sections 106.002(a) and 110.005(a)(2) of the Texas Civil Practice and Remedies Code.

This temporary injunction is effective immediately and shall continue in force and effect until further order of this Court. This order shall be binding on Defendants, and any other person(s) who receive actual notice of this order by personal service or otherwise.

IT IS FURTHER ORDERED that this temporary injunction be effective immediately and the bond paid by Plaintiffs in the amount of \$250.00 for each Defendant, \$500.00 total payable to Defendants will extend to this temporary injunction. The Clerk of this Court is hereby ORDERED to issue citation and notice to Defendants, Mayor Annise Parker and the City of Houston.

This cause is set for ~~trial~~ ^{hearing} on January 6, 2014 at 9:00am

SIGNED on DEC 17 2013, 2013 at _____ m.


Judge Presiding