

CAUSE NO. D-1-GN-21-004632

**PLANNED PARENTHOOD OF
GREATER TEXAS SURGICAL HEALTH
SERVICES, on behalf of itself, its staff,
physicians, and patients; PLANNED
PARENTHOOD SOUTH TEXAS
SURGICAL CENTER, on behalf of itself,
its staff, physicians, and patients;
PLANNED PARENTHOOD CENTER FOR
CHOICE, on behalf of itself, its staff,
physicians, and patients; BHAVIK
KUMAR, M.D., on behalf of himself and his
patients,**

**In the District Court of
Travis County, Texas**

250th Judicial District

Plaintiffs,

v.

**TEXAS RIGHT TO LIFE, an organization;
JOHN SEAGO; and JANE/JOHN DOES 1–
100,**

Defendants.

**AGREED ORDER ON APPLICATION FOR
TEMPORARY INJUNCTION**

On September 13, 2021, the Court heard the application of Plaintiffs Planned Parenthood of Greater Texas Surgical Health Services, Planned Parenthood South Texas Surgical Center, Planned Parenthood Center for Choice, and Bhavik Kumar, M.D., (collectively “Plaintiffs”) for a temporary injunction prohibiting Defendants Texas Right to Life, John Seago, and the Jane/John Does (collectively, “Defendants”), and all persons in active concert and participation with Defendants, from instituting private enforcement lawsuits against Plaintiffs, their physicians, or their staff under S.B. 8 until final judgment is entered in this lawsuit.

In the interest of resolving the Plaintiffs' motion, the Defendants agreed to stipulate to the entry of this order provided that Defendants do not admit to the truth of Plaintiffs' allegations or to liability, and Defendants do not waive any defenses or objections to this suit.

The Court, having considered the Plaintiffs' Original Verified Petition, applications and pleas, the evidence admitted under the rulings of the Court, the parties' stipulation to the entry of a temporary injunction, and the oral arguments submitted by counsel, **finds that this agreed order should be GRANTED.** It specifically finds as follows:

1. The Court finds that Plaintiffs will be imminently and irreparably harmed in the interim absent a temporary injunction. Plaintiffs reasonably fear that Defendants and those acting in concert with them will file claims against them under S.B. 8.

2. The Court finds that Defendants have not shown that they will suffer any harm if a temporary injunction is granted.

3. The Court finds that Plaintiffs have shown that they have a probable right to relief on their claims that S.B. 8 violates the Texas Constitution.

4. The Court finds that Plaintiffs have no other adequate remedy at law.

5. The parties agree that the amount previously deposited with the Travis County District Clerk constitutes sufficient security as bond for any foreseeable harm or compensable damages that could result from the granting of this temporary injunction until further order of this Court or final judgment on the merits.

It is therefore **ORDERED** that Defendants Texas Right to Life, John Seago and their officers, agents, servants, employees, and attorneys, and all persons in active concert and participation with Defendants, including all persons listed in the sealed Exhibit A attached to this Order, are enjoined from instituting private enforcement lawsuits against Plaintiffs, their

physicians, or their staff under S.B. 8 for the pendency of this lawsuit. This temporary injunction shall become effective immediately.

It is **FURTHER ORDERED** that Defendants shall provide notice of this temporary injunction to their officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them, including the individuals listed in Exhibit A to this Order.


It is **FURTHER ORDERED** that Exhibit A to this Order is temporarily sealed pending the filing and disposition of an appropriate sealing motion. A hearing on the forthcoming sealing motion is set for September 30, 2021, at 9:00 a.m.

It is **FURTHER ORDERED** that trial on the merits of this case is set for April 4, 2022, at 9:00 a.m. in Travis County, Texas.

It is **FURTHER ORDERED** that the clerk of this Court shall forthwith issue this Order Granting Temporary Injunction and Writ of Temporary Injunction. Once effective, this Order shall remain in full force and effect until final Judgment in this matter.

SO ORDERED.

Dated: September 13, 2021



KARIN CRUMP
Judge, 250th District Court

AGREED AS TO FORM AND SUBSTANCE:

/s/ Austin Kaplan

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