

CITY OF SAN ANTONIO and
BEXAR COUNTY,
Plaintiffs,

vs.

GREG ABBOTT, in his official capacity
as Governor of Texas,

Defendant.

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IN THE DISTRICT COURT

45th JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

ORDER GRANTING TEMPORARY RESTRAINING ORDER

After considering Plaintiffs’ application for temporary restraining order, the pleadings, the affidavits, and the arguments of counsel, the Court finds that there is evidence that harm is imminent to Plaintiffs from Executive Order GA-38’s prohibition on Plaintiffs’ adoption of mask mandates as a measure to protect the public health from the spread of the COVID-19 virus, and if the Court does not issue the temporary restraining order, Plaintiffs will be irreparably injured.

It is accordingly ordered that the Clerk of this Court issue a temporary restraining order, operative until and pending hearing on Plaintiffs’ application for a temporary injunction, below ordered, restraining Defendant Greg Abbott, in his official capacity as Governor of Texas, and all those acting in concert with him, from enforcing Sections 3(b), 3(g), 4, and 5(a) of Executive Order GA-38 to the extent those provisions (1) prohibit the City of San Antonio and Bexar County from requiring City and County employees or visitors to City- and County-owned facilities to wear masks or face coverings; or (2) prohibit the San Antonio and Bexar County Public Health Authority from requiring masks in public schools in the City and County.

The Clerk shall issue such temporary restraining order, however, only upon Plaintiffs’ filing with the Clerk a cash bond or bond executed by them and adequate sureties in the amount of \$100, approved and conditioned as the law requires.

It is further ordered that Plaintiffs' application for a temporary injunction, as contained in the verified petition, be heard on the 16th day of August, 2021, at 9:00 a.m. The hearing will take place remotely on Zoom:

Link: <https://zoom.us/my/bexarpresidingcourtzoom>

Meeting ID: 917-895-6796.

Telephone access number: 1-346-248-7799.

SIGNED August 10, 2021, at ____:_____ am/pm.

Hon. Judge Antonia (Toni) Arteaga
Judge Presiding

APPROVED AS TO FORM:

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