

DSCC; DCCC; and MARY JENNINGS HEGAR,	§	IN THE DISTRICT COURT
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	
	§	
RUTH HUGHS, in her official capacity as Texas Secretary of State; GREEN PARTY OF TEXAS; DAVID B. COLLINS; THOMAS WAKELY; ALFRED MOLISON; and LAURA PALMER,	§	OF TRAVIS COUNTY, TEXAS
	§	
<i>Defendants.</i>	§	
	§	98TH JUDICIAL DISTRICT

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**TEMPORARY RESTRAINING ORDER AND  
ORDER SETTING HEARING FOR TEMPORARY INJUNCTION**

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On August 19, 2020, this Court heard the application for temporary restraining order of Plaintiffs DSCC, DCCC, and Mary Jennings (M.J.) Hegar. Plaintiffs appeared through counsel, Randy Howry, James Hatchitt, John Geise, and Alexi Velez. The Texas Secretary of State appeared through counsel, Texas Assistant Attorney General Anna Mackin. Laura Palmer appeared on her own behalf, *pro se*. Oliver Hall, counsel for the Green Party in the related federal court litigation, appeared, acknowledging he is not licensed to practice law in the State of Texas. Eric Brown, campaign manager for Defendant Wakely, also was present.

After consideration of the application, the pleadings, and evidence on file with this Court, and hearing the arguments of counsel and others, this Court finds that good cause exists to issue a temporary restraining order in this lawsuit and makes the following findings of fact and conclusions of law.

This Court finds and concludes that Plaintiffs have demonstrated a likelihood of success on the merits of their claims against Defendants Ruth Hughs (in her official capacity as Secretary of State of the State of Texas); the Green Party of Texas; David B. Collins; Thomas Wakely; Alfred Molison (as co-chair of the Green Party of Texas); and Laura Palmer (as co-chair of the Green Party of Texas), relating to the claims upon which the temporary restraining order is based.

This Court also finds and concludes that Plaintiffs' application for a temporary restraining order is authorized by Section 65.011(1)-(3) of the Texas Civil Practice and Remedies Code because Plaintiffs are entitled to the relief demanded and the relief demanded requires the restraint of some acts prejudicial to Plaintiffs; one or more Defendants is about to perform an act relating to the subject matter of this litigation, in violation of the rights of Plaintiffs, and the acts would tend to render the judgment in this litigation ineffectual; and Plaintiffs are entitled to a writ of injunction under the principles of equity and the statutes of this state relating to injunctions.

This Court further finds and concludes that harm is imminent to Plaintiffs and, if this Court does not issue this Order, Plaintiffs will be irreparably injured. This Court finds and concludes that absent this Order, one or more Defendants will take the actions that are enjoined by this Order, which would harm Plaintiffs and their legal rights. Such injury would result from, among other things, the inclusion of defendants David B. Collins and Thomas Wakely on the general election ballot, both of whom are indisputably ineligible; would irreparably threaten Plaintiffs' electoral prospects; and would further require Plaintiffs to spend and divert resources in order to compete against ineligible candidates who have been unlawfully certified for and included on the ballot.

Plaintiffs made reasonable efforts to notify Defendants of this legal dispute and the resulting litigation, and made reasonable attempts to provide notice to Defendants of the application for temporary restraining order and the hearing this morning. As a result of these efforts, the parties and counsel appeared as stated above and were given an opportunity to be heard. If this Order is not granted immediately, one or more Defendants may take actions prohibited by this Order, which would immediately and irreparably harm Plaintiffs and their legal rights.

**IT IS THEREFORE ORDERED** that Defendants refrain from certifying Defendants David B. Collins and Thomas Wakely for placement on the general election ballot in each Texas county in which the candidate's name is to appear on the ballot, as described in Section 161.008 of the Texas Election Code.

**IT IS FURTHER ORDERED** that the District Clerk shall issue notice to Defendants to appear, and Defendants are ORDERED to appear by videoconference on **August 26, 2020, at 2:00 p.m.** The hearing will be conducted using Zoom videoconference technology. Once your case is assigned to a specific court, you will be provided information with specific credentials to participate in this videoconference court proceeding. The purpose of the hearing is to determine whether the temporary injunction requested by Plaintiffs should be granted.

This Order will expire on the 14th day after the date this Order is signed, or the date this Court resolves Plaintiffs' request for temporary injunctive relief, whichever is earlier.

Bond for the issuance of this Order is set at \$1,000.00.

**SO ORDERED.**

SIGNED on August 19, 2020, at 1:43 p.m.

  
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Jan Soifer, Judge Presiding