

CAUSE NO. 2016-27417

BRISCOE CAIN,

Plaintiff,

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IN THE DISTRICT COURT OF

v.

HARRIS COUNTY, TEXAS

CHARLES G. UNTERMAYER, et al.,

Defendants.

270TH JUDICIAL DISTRICT

PINJX
RBONX
ATFEX
TJNOX
DC
8A

FINAL JUDGMENT

On this day came before the Court Plaintiff Briscoe Cain, by and through counsel, and Defendants Charles G. Untermeyer, in his official capacity as Chairman and Commissioner of the Texas Ethics Commission, and Natalia Luna Ashley, in her official capacity as Executive Director of the Texas Ethics Commission. The Court, after reviewing the pleadings, exhibits, the evidence presented and admitted at the temporary injunction hearing, and the arguments of counsel, FINDS and CONCLUDES as follows:

1. Plaintiff has sued for a declaratory judgment regarding the constitutionality of Texas Government Code section 306.005 as alleged in his petition.
2. The Court entered a temporary injunction on May 17, 2016, finding that Plaintiff had shown the right to the relief sought, namely a declaratory judgment that the Texas Government Code Section 306.005 is unconstitutional.
3. Following an extended period in which no parties or other stakeholders, including the Office of the Attorney General, have expressed an interest in defending the constitutionality of Texas Government Code Section 306.005, the Defendants do not oppose entry of the order in the form contained herein.


IT IS THEREFORE ORDERED AND ADJUDGED that Texas Government Code section 306.005 is violative of the provisions of the First Amendment to the United States Constitution and Article I, Section 8 of the Texas Constitution, and the Defendants are hereby permanently restrained and enjoined from administering or enforcing Texas Government Code Section 306.005.

IT IS ADDITIONALLY ORDERED that the Clerk of Court shall release any bond posted by Plaintiff in connection with the temporary injunction previously entered by the Court.

IT IS ADDITIONALLY ORDERED that Plaintiff is awarded \$20,743.08 in court costs and attorneys' fees. The parties otherwise bear their own court costs and attorneys' fees.

This judgment disposes of all claims and parties and is final and appealable for all purposes.

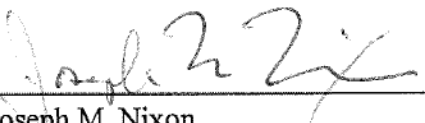
SIGNED this ____ day of November, 2016.

Signed: 
11/29/2016

JUDGE PRESIDING

Unofficial Copy Office of Chris Daniel District Clerk

APPROVED AS TO FORM:



Joseph M. Nixon
Counsel for Plaintiff



Eric J.R. Nichols
Counsel for Defendants

Unofficial Copy Office of Chris Daniel District Clerk