

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS,

Plaintiff,

v.

MERRICK GARLAND, in his official
capacity as Attorney General, et al.,

Defendants.

No. 5:23-CV-034-H

FINAL JUDGMENT

For the reasons stated in the Court's Memorandum Order and Opinion issued under Rule 52 of the Federal Rules of Civil Procedure on this date, it is hereby ORDERED, ADJUDGED, and DECREED that:

Final Judgment is entered in favor of the State of Texas on Count II of its Amended Complaint as to the Pregnant Workers Fairness Act because that the Consolidated Appropriations Act, 2023, was passed in violation of the Constitution's Quorum Clause. Dkt. No. 4. As a result, the Attorney General, the United States Department of Justice, the Equal Employment Opportunity Commission, Charlotte A. Burrows, Jocelyn Samuels, Keith E. Sonderling, Andrea R. Lucas, Christopher W. Lage, their divisions, bureaus, agents, officers, commissioners, employees, and anyone acting in concert or participation with them, including their successors in office, are permanently enjoined from enforcing the Pregnant Workers Fairness Act, 42 U.S.C. §§ 2000gg et seq., including accepting any charges or issuing any right-to-sue letters in relation to charges brought under the Pregnant Workers Fairness Act, or any implementing regulations thereto, against the State of Texas and its divisions and agencies. Notwithstanding the foregoing, the Attorney General, the

United States Department of Justice, the Equal Employment Opportunity Commission, Charlotte A. Burrows, Jocelyn Samuels, Keith E. Sonderling, Andrea R. Lucas, Christopher W. Lage, their divisions, bureaus, agents, officers, commissioners, employees, and anyone acting in concert or participation with them, including their successors in office, may send a written notice upon receipt of a PWFA claim against the State of Texas and its divisions and agencies to the claimant stating that, due to this Final Judgment, they are unable to accept the charge, investigate it, or issue a right-to-sue letter.


The State of Texas's claims against (1) Alejandro Mayorkas, in his official capacity as the Secretary of the Department of Homeland Security (DHS); (2) DHS; (3) Patrick J. Lechleitner, in his official capacity as the Acting Director of Immigration and Customs Enforcement; (4) Peter E. Mina, in his official capacity as the official exercising the authority of the Officer for Civil Rights and Civil Liberties of DHS; (5) the Office for Civil Rights and Civil Liberties; (6) Deanne Criswell, in her official capacity as the Administrator of the Federal Emergency Management Agency (FEMA); (7) FEMA; and (8) Joseph R. Biden, Jr., in his official capacity as the President of the United States are dismissed without prejudice for lack of standing.

All other relief is denied.

The Court stays the effect of this Final Judgment for seven days from the date of entry to allow the defendants to seek relief, if any, at the appellate level.

The Clerk of Court is directed to close the case.

So ordered on February 27, 2024.



JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE