



261ST DISTRICT COURT

LORA J. LIVINGSTON

Judge
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January 17, 2019

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Re: Cause No. D-1-GN-16-003340; *Paxton v. City of Austin, et al.*; In the 53rd District Court of Travis County, Texas

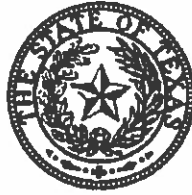
Dear Counsel:

I have considered the pleadings, any responses or replies, evidence and the arguments of counsel and hereby make the following rulings:

- Plaintiff met its burden to establish a violation of Section 411.209(a) on the following dates:
 - April 4, 2016;
 - April 6, 2016;
 - April 12, 2016;
 - July 1, 2016;
 - July 29, 2016; and
 - September 7, 2016.

Defendants did not meet their burden to establish an exception to Section 411.209(a) on any of the dates listed above.

- Plaintiff did not meet its burden to establish a violation on any other date.



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- The Court assesses a civil penalty of \$1,500.00, for each violation, and a total of \$9,000.00 for all violations.
- As for Plaintiff's request for a writ of mandamus, Plaintiff presents no evidence that the City will not comply with these rulings, and Plaintiff has a remedy for subsequent violations, if necessary. The Court denies Plaintiff's request for a writ of mandamus.

Now that you have my rulings, please contact my staff, if necessary, to set a hearing to address any matters remaining from the bifurcation. If no matters remain pending, please prepare a judgment, circulate it for approval as to form, and submit it for signature at your earliest convenience. If you have any questions, please contact my Staff Attorney, Brent McCabe.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lora J. Livingston".

Lora J. Livingston
Judge, 261st District Court

cc: Ms. Velva L. Price, Travis County District Clerk