

CAUSE NO. 348-367652-25

THE STATE OF TEXAS

Plaintiff,

v.

ROBERT FRANCIS O'ROURKE and
POWERED BY PEOPLE

Defendants.

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IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

348th JUDICIAL DISTRICT

**MODIFIED TEMPORARY RESTRAINING ORDER
AND ORDER RE-SETTING HEARING FOR TEMPORARY INJUNCTION**

After considering Plaintiff State of Texas's Emergency Motion to Modify the Court's August 8, 2025, Temporary Restraining Order, Defendants' Opposition to State's Motion to Modify the Temporary Restraining Order, pleadings, affidavits, relevant legal authority, and arguments of counsel, and after holding a hearing on the State's Motion to Modify, wherein attorneys for all parties appeared in person before the Court, the Court grants the State's motion and issues this Modified Temporary Restraining Order.

The Court finds that harm is imminent to the State, and if the Court does not issue this order, the State will be irreparably injured. Specifically, Defendants' fundraising conduct constitutes false, misleading, or deceptive acts under the Texas Deceptive Trade Practices Act, TEX. BUS. & COM. CODE §§ 17.46(a), (b)(2), (b)(5), (b)(7), and (b)(24), because Defendants are raising and utilizing political contributions from Texas consumers to pay for the personal expenses of Texas legislators, in violation of Texas law. Because this conduct is unlawful and harms Texas consumers, restraining this conduct is in the public interest. TEX. BUS. & COM. CODE § 17.47(a); *see also* TEX. CONST. art. III, § 5.

Furthermore, Defendants have and will continue to engage in unlawful fundraising practices and utilization of political funds in a manner that either directly violates or causes Texas

legislators to violate: (1) TEX. PENAL CODE § 36.01(3); (2) TEX. ELEC. CODE § 253.035; (3) Rule 5, § 3 of the House Rules of Procedure; and (4) TEX. PENAL CODE §§ 36.08, 36.10. Consumers have and continue to suffer irreparable harm through these unlawful acts because they are making political contributions that are being used to fund personal expenses and violate State law.

Therefore, by this order, the Court issues this Modified Temporary Restraining Order, immediately restraining Defendants, their officers, agents, servants, employees, and attorneys, and those persons or entities in active concert or participation with Defendants, who receive actual notice of this Modified Temporary Restraining Order by personal service or otherwise, from the following:

- i. Using political funds for the improper, unlawful, and non-political purposes of (1) funding out-of-state travel, hotel, or dining accommodations or services to unexcused Texas legislators during any special legislative session called by the Texas Governor, or (2) funding payments of fines provided by Texas House rules for unexcused legislative absences;
- ii. Raising funds for non-political purposes, including to (1) fund out-of-state travel, hotel, or dining accommodations or services to unexcused Texas legislators during any special legislative session called by the Texas Governor, or (2) fund payments of fines provided by Texas House rules for unexcused legislative absences, through the ActBlue platform or any other platform that purports to exist for political fundraising purposes; and

- iii. Offering, conferring, or agreeing to confer, travel, hotel, or dining accommodations or services (or funds to support such accommodations or services) to unexcused Texas legislators during any special legislative session called by the Texas Governor as consideration for a violation of such legislators' Constitutional duties.

Additionally, by this Modified Temporary Restraining Order, Defendant Powered by People, and any filing entity or foreign filing entity in active concert or participation with Defendant Powered by People and/or Defendant O'Rourke (including banks, financial institutions, and ActBlue), are immediately restrained from removing any property or funds that belong to, or are being held for, Defendant Powered by People and/or Defendant O'Rourke, from the State of Texas during the pendency of this lawsuit.

Defendants are ordered to immediately serve a copy of this Modified Temporary Restraining Order on the registered agent of ActBlue and any bank or financial institution with whom such Defendant(s) does business.

This Modified Temporary Restraining Order shall remain in effect until September 5, 2025, or as agreed by the parties or as otherwise ordered by this Court, whichever occurs first.

This Court further orders the Clerk to issue notice to Defendants Robert Francis O'Rourke and Powered by People that the hearing on the State's Application for Temporary Injunction is set for **September 2, 2025, at 10:00 a.m.** The purpose of the hearing will be to determine whether a temporary injunction should be issued upon the same grounds and particulars as specified herein or as requested in Plaintiff's then-current petition. This hearing will take place in person in the courtroom of the 348th District Court, Tom Vandergriff Civil Courts Building, 100 North Calhoun Street, Fort Worth, Texas 76196.

The Clerk shall, forthwith, issue a temporary restraining order in conformity with the law and the terms of this Order.

Pursuant to TEX. CIV. PRAC. & REM. CODE § 6.001(a), the State is exempt from bond requirements. *See also* TEX. BUS. & COM. CODE § 17.47(b).

Signed: August 15, 2025, at 3:11 p.m.


DISTRICT COURT JUDGE