

XIMENA LOPEZ, M.D.,

Plaintiff,

IN THE COUNTY COURT AT LAW

v.

No. 2

CHILDREN'S MEDICAL CENTER AT
DALLAS,

DALLAS COUNTY, TEXAS

Defendant.

ORDER GRANTING AGREED TEMPORARY INJUNCTION

Based on the agreement of the Parties and the pleadings in this case and the evidence before the Court, the Court GRANTS Ximena Lopez M.D.'s Application for Temporary Injunction and makes the following findings and orders:

1. The Court has jurisdiction to hear the Application and issue appropriate injunctive relief pursuant to it.
2. Pursuant to TEXAS RULE OF CIVIL PROCEDURE 683, the Court has the authority and discretion to enjoin Children's Medical Center at Dallas and its officers, agents, servants, employees, attorneys, as well as any individuals and entities in active concert or participation with them who receive actual notice of the Order by personal service or otherwise (together "CMC").
3. The Court finds that Plaintiff has carried her burden at this stage by proving temporary injunctive relief is appropriate and that Plaintiff has demonstrated a probable right to relief on her claims. In support of that, the Court finds that, unless the injunction issues as set forth below, Dr. Lopez will suffer imminent and irreparable harm through being precluded from exercising her independent medical judgment as a licensed physician with privileges at CMC to provide pediatric endocrinology and by being prevented from providing a level of care to her patients that jeopardizes her licensure or impacts her reputation or business. Each of these bases for probable imminent and irreparable harm independently supports the issuance of the requested temporary injunction.
4. The Court finds the *status quo* to be preserved during the pendency of this temporary injunction—that is, the last, actual, peaceable time before the instant controversy as reflected in the historical practices and operations at CMC—was the situation prior to any restriction on providing gender-affirming endocrinology care to new patients



at CMC. The *status quo* to be maintained therefore permits providers at CMC to provide gender-affirming endocrinology care to both new and existing patients.

5. IT IS THEREFORE ORDERED that the Clerk of this Court issue a Writ of Injunction, operative until final judgment in this matter, restraining Children's Medical Center at Dallas and its officers, agents, servants, employees, attorneys, as well as any individuals and entities in active concert or participation with them who receive actual notice of the Order by personal service or otherwise as follows:
 - a. Children's Medical Center at Dallas and its officers, agents, servants, employees, attorneys, as well as any individuals and entities in active concert or participation with them who receive actual notice of the Order by personal service or otherwise are restrained during the pendency of this Order from enforcing any policy or limitation that restricts or prohibits gender-affirming endocrinology care, including specifically pubertal suppression or hormone therapy, to new or established patients due the patient's gender identity or gender dysphoria;
 - b. Children's Medical Center at Dallas and its officers, agents, servants, employees, attorneys, as well as any individuals and entities in active concert or participation with them who receive actual notice of the Order by personal service or otherwise are restrained during the pendency of this Order from discriminating against patients seeking gender-affirming endocrinology care by restricting or prohibiting care because of the patient's gender identity;
 - c. Children's Medical Center at Dallas and its officers, agents, servants, employees, attorneys, as well as any individuals and entities in active concert or participation with them who receive actual notice of the Order by personal service or otherwise are restrained from interfering with, controlling, or otherwise directing any physician's professional judgment with respect to the provision of gender-affirming endocrinology care at CMC; and
 - d. Children's Medical Center at Dallas and its officers, agents, servants, employees, attorneys, as well as any individuals and entities in active concert or participation with them who receive actual notice of the Order by personal service or otherwise are restrained from imposing any limitation on Dr. Lopez's exercise of her clinical privileges to provide pediatric endocrinology care, including, but not limited to, prohibiting her from providing gender-affirming endocrinology care, in the absence of any formal due process under CMC's by-laws by the appropriate parties to restrict Dr. Lopez's clinical privileges.
6. IT IS FURTHER ORDERED that the discovery previously identified and ordered produced within 10 days of May 12, 2022 (due May 23, 2022), is due within sixty (60) days of the date of this Order, the scope of which will be subject to good faith negotiations by counsel.

7. IT IS FURTHER ORDERED that, in lieu of requiring Dr. Lopez to execute and file a new bond for issuance of the Temporary Injunction, the \$100.00 cash deposit filed by Dr. Lopez and accepted by the Dallas County Clerk on May 12, 2022 in connection with the Temporary Restraining Order signed in this lawsuit is hereby deemed extended in conformity with the law to the period during which the Temporary Injunction is in effect.

IT IS FURTHER ORDERED that trial on the merits is set for April 18 ²⁰²³ at 9, a.m., which is a trial date more than ten (10) months from the date of the original filing of this proceeding.

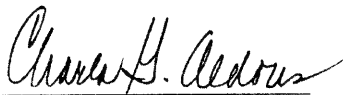
It is so Ordered.

Signed: May 23, 2022



HON. MELISSA BELLAN,
Presiding Judge of County Court at Law No. 2
Dallas County, Texas

Agreed to on behalf of Dr. Lopez by:



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