

NINETEENTH JUDICIAL DISTRICT COURT
FOR THE PARISH OF EAST BATON ROUGE
STATE OF LOUISIANA

NO. _____

DIVISION " ____ "

MICHAEL FAULK; KATHERINE BAUDOUIN; AND DR. BELINDA DAVIS

Petitioners

versus

JEFF LANDRY, in his official capacity as Governor of the State of Louisiana; LOUISIANA
DEPARTMENT OF EDUCATION; CADE BRUMLEY, in his official capacity as Louisiana
State Superintendent of Education; DIVISION OF ADMINISTRATION; TAYLOR
BARRAS, in his official capacity as the Louisiana Commissioner of Administration;
LOUISIANA DEPARTMENT OF THE TREASURY; JOHN FLEMING, in his official
capacity as the chief executive officer of the Treasury Department

Defendants.

FILED

DEPUTY CLERK

TEMPORARY RESTRAINING ORDER

CONSIDERING THE FOREGOING Verified Petition for Declaratory Judgment and
Permanent Injunction and Request for Temporary Restraining Order and Preliminary Injunction,
and supporting Verifications attached thereto, filed by Petitioners, Michael Faulk ("Mr. Faulk"),
Katherine Baudouin ("Ms. Baudouin"), Dr. Belinda Davis ("Dr. Davis") (collectively,
"Petitioners"), filed on June 18, 2026:

THE COURT FINDS Petitioners have made ~~prima facie~~ showing that Executive Order
Number JML 26-047 (the "Executive Order") is manifestly unconstitutional because:

- ~~The~~ Executive Order violates the Doctrine of Separation of Powers expressly set
forth in the Louisiana Constitution¹ by usurping an exclusive Legislative function.
It oversteps the Executive Branch's limited constitutional power to **reduce** MFP
appropriations by also **redirecting** the same reduced appropriation to the purpose
of its choosing.²
- ~~The~~ Executive Order encroaches upon the exclusive constitutional authority of
BESE to develop the MFP formula and to equitably allocate MFP funds to parish
and city school systems.³

¹ La. Const. art. II, § 2.

² La. Const. art. III, § 16(A) and art. VII, § 10(D)(1).

³ *Id.*

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- The Executive Order lacks the constitutionally required “means provided in the act containing the appropriation” under Article VIII, § 13(B), as neither House Bill 1 nor House Bill 313 of the 2026 Regular Session provides substantive criteria, limitations, or procedures governing Governor Landry’s exercise of the reduction and redirection authority.
- The Executive Order’s reliance on a post-session, virtual “ballot” to obtain the two-thirds written consent required by Article VIII, § 13(B) cannot satisfy the Constitution’s design, because the Constitution does not authorize the Legislature to exercise legislative power between sessions and because the ballot impermissibly bundles the reduction and the redirection of MFP funds into a single binary question without committee hearings, floor debate, public testimony, or the other deliberative safeguards the supermajority requirement is meant to ensure.

THE COURT FURTHER FINDS THAT there is no opportunity for Defendants to be heard in opposition before the issuance of this Temporary Restraining Order in accordance with La. C.C.P. Art. 3603(A)(2) due the impending July 1, 2026, effective date of the Executive Order and the irreparable harm to Petitioners that would occur as a result of waiting to issue this this Temporary Restraining Order, which includes, but is not limited to, the unconstitutional reduction of MFP funding at the public schools attended by Mr. Faulk’s four grandchildren in the Monroe City School System, Ms. Baudouin’s two children at public school in Orleans Parish, and Dr. Davis’s ward enrolled in the East Baton Rouge Parish School System; the unconstitutional redirection of state funds that include the employer retirement contributions affecting the actuarial soundness of the TRSL pension system from which Mr. Faulk receives monthly retirement benefits; and the unlawful expenditure of Petitioners’ tax dollars in a manner that violates the constitutional structure protecting MFP funding, before Defendants can be heard in opposition in accordance with La. C.C.P. Art. 3603(A)(1).

THE COURT FURTHER FINDS that Petitioners have made a *prima facie* showing they will suffer immediate and irreparable injury as a result of the Executive Order for the reasons described above;

THE COURT FURTHER FINDS that Petitioners are only seeking to enjoin and restrain Defendants, Jeff Landry, in his official capacity as Governor of the State of Louisiana (“Governor

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Landry”); the Louisiana Department Of Education (“LDOE”); Cade Brumley, in his official capacity as Louisiana State Superintendent of Education (“Superintendent Brumley”); the Division Of Administration (“DOA”); Taylor Barras, in his official capacity as the Louisiana Commissioner of Administration (“Commissioner Barras”); Louisiana Department Of The Treasury (“Treasury”); and John Fleming, in his official capacity as the chief executive officer of the Treasury Department (“Treasurer Fleming”); and their officers, agents, and employees (collectively, “Defendants”), from implementing the Executive Order;

THE COURT FURTHER FINDS that Petitioners are, therefore, entitled to this *ex parte* Temporary Restraining Order;

THE COURT FURTHER FINDS THAT Petitioners gave express notice of their intent to seek this Temporary Restraining Order to Defendants as well as Attorney General Liz Murrill;

IT IS HEREBY ORDERED THAT Petitioners’ *Ex Parte* Motion for Temporary Restraining Order is GRANTED;

(a) IT IS HEREBY FURTHER ORDERED THAT Defendants are hereby RESTRAINED AND ENJOINED from: **all steps** in the implementation of the Executive Order, including the \$168 million reduction to the 2026–2027 MFP appropriation in HB1; the deposit of the reduced funds into the Overcollections Fund; the disbursement from the Overcollections Funds as teacher and staff stipends in amounts of \$2,000 for classroom teachers and \$1,000 for support staff, pursuant to procedures established by the executive branch; the direction to the LDOE, in consultation with BESE, to identify the specific allocations to be reduced; the efforts to obtain the written consent from two-thirds of the elected members of each house of the Legislature while not in session to impermissibly redirect MFP appropriations; and the requirement that local school districts look to use “unassigned fund balances” to offset the reductions.

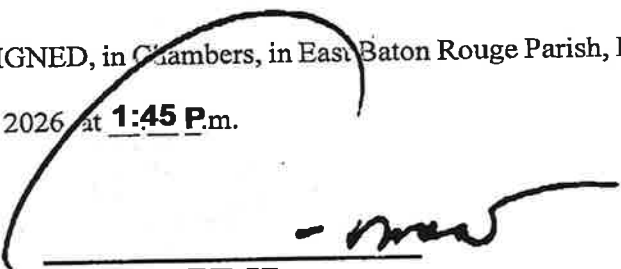
IT IS HEREBY FURTHER ORDERED THAT security is set in the amount of \$5,000,

IT IS HEREBY FURTHER ORDERED that this Temporary Restraining Order is endorsed with the date and hour of issuance noted below and shall expire by its terms at 29 of JUNE, 2026, at 1:00 p.m., which is 11 days from issuance.

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THUS DONE AND SIGNED, in Chambers, in East Baton Rouge Parish, Louisiana, on the
18 day of June, 2026 at 1:45 P.m.



JUDGE
19th JUDICIAL DISTRICT COURT
JUDGE RICHARD "CHIP" MOORE, III

PLEASE SERVE AS FOLLOWS:

1. Jeff Landry, in his official capacity as Governor of the State of Louisiana

By personal service
Office of the Governor
900 N. 3rd St.,
Baton Rouge, LA
70802

*If personal service cannot be effected through the above method, please effect
personal service on an employee of suitable age and discretion at:*

Office of the Governor
900 N. 3rd St.,
Baton Rouge, LA
70802

2. The Louisiana Department of Education

By personal service
The Office of the State Superintendent of Education Louisiana Department of
Education
1201 N. 3rd St., 5th Floor
Baton Rouge, LA
70802

*If personal service cannot be effected through the above method, please effect
personal service on an employee of suitable age and discretion at:*

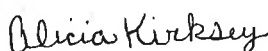
The Office of the State Superintendent of Education Louisiana Department of
Education
1201 N. 3rd St., 5th Floor
Baton Rouge, LA
70802

3. Cade Brumley, in his official capacity as the State Superintendent of Education Louisiana
Department of Education

By personal service
Cade Brumley
Louisiana Superintendent of Schools
1201 N. 3rd St., 5th Floor
Baton Rouge, LA
70802

*If personal service cannot be effected through the above method, please effect
personal service on an employee of suitable age and discretion at:*

The Office of the Superintendent of Schools of the Louisiana Department of
Education
1201 N. 3rd St., 5th Floor
Baton Rouge, LA





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4. The Louisiana Division of Administration

By personal service

The Office of the Commissioner of Administration of the Division of
Administration

1201 N. 3rd St., Suite 7-210, Baton Rouge, LA

70802

*If personal service cannot be effected through the above method, please effect
personal service on an employee of suitable age and discretion at:*

The Office of the Commissioner of Administration of the Division of
Administration

1201 N. 3rd St., Suite 7-210, Baton Rouge, LA

70802

5. The Honorable Taylor Barras, in his official capacity as Louisiana Commissioner of
Administration

By personal service

The Honorable Taylor Barras

Commissioner of Administration of the Division of Administration

1201 N. 3rd St., Suite 7-210, Baton Rouge, LA

70802

*If personal service cannot be effected through the above method, please effect
personal service on an employee of suitable age and discretion at:*

The Office of the Commissioner of Administration of the Division of
Administration

Commissioner of Administration of the Division of Administration

1201 N. 3rd St., Suite 7-210, Baton Rouge, LA

70802

6. Louisiana Department of the Treasury

By personal service

Louisiana Department of the Treasury

The Office of the Louisiana State Treasurer

900 N. 3rd St., Third Floor

Baton Rouge, LA

70802

*If personal service cannot be effected through the above method, please effect
personal service on an employee of suitable age and discretion at:*

Louisiana Department of the Treasury

The Office of the Louisiana State Treasurer

900 N. 3rd St., Third Floor

Baton Rouge, LA

70802

7. John Fleming, in his official capacity as the Louisiana State Treasurer

By personal service

John Fleming

Louisiana State Treasurer

900 N. 3rd St., Third Floor

Baton Rouge, LA

70802

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If personal service cannot be effected through the above method, please effect personal service on an employee of suitable age and discretion at:

Louisiana Department of the Treasury
The Office of the Louisiana State Treasurer
900 N. 3rd St., Third Floor
Baton Rouge, LA
70802

Alicia Kirksey

