IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

FOUNDATION FOR INDIVIDUAL RIGHTS AND EXPRESSION, INC., Plaintiff, v. TEXAS ETHICS COMMISSION, et al., Defendants.	§ § § § § §	Civil Action No. 6:26-cv-00699-LS

JOINT STIPULATION

Plaintiff Foundation for Individual Rights and Expression, Inc. ("FIRE") and Defendants stipulate and agree as follows:

RECITALS

1. No party concedes or waives any claim or defense by entering into this Stipulation.

DEFINITIONS

2. "Covered Persons" means FIRE; its officers, employees, and attorneys; any counsel associated with FIRE in the Covered Representation; and Ms. Adriane Hodges ("Ms. Hodges").

3. "Covered Representation" means legal services that FIRE asserts it provides to Ms. Hodges without charge in connection with litigation challenging Texas Local Government Code § 152.052, including investigation and preparation; the filing and prosecution of a lawsuit; any motion for preliminary or other relief; any appeal; and any related proceedings. The term includes Ms. Hodges's acceptance of those services.

4. "Enforcement Action" means any of the following, when based in whole or in part on the Covered Representation:

(a) initiating, accepting jurisdiction over, conducting a preliminary review of, investigating, setting for hearing, or resolving any sworn complaint or other proceeding under Chapter 571 of the Texas Government Code against a Covered Person, *see* Tex. Gov't Code §§ 571.122, 571.124;

(b) initiating or pursuing a civil enforcement action, or imposing a civil penalty, against a Covered Person, *see id.* §§ 571.171(a), 571.173;

(c) referring any matter concerning a Covered Person to any prosecuting attorney for criminal prosecution, *see id.* § 571.171(a);

(d) issuing any order, finding, or determination that a Covered Person violated § 253.003 or § 253.094 of the Texas Election Code; and

(e) taking any other step to enforce § 253.003 or § 253.094 of the Texas Election Code against a Covered Person.

STIPULATED TERMS

5. **Interim nonenforcement.** Defendants have not engaged in any Enforcement Action to date. Through and including December 15, 2026, Defendants will not take any Enforcement Action.

6. **No retroactive enforcement.** Defendants will not, at any time, including after December 15, 2026, take any Enforcement Action based on any conduct that occurs prior to December 15, 2026.

7. **Notice of Commission action.** Within two business days after the full Commission takes any action on the matters at issue in the lawsuit or on EAO 580, Defendants will notify counsel for FIRE in writing and will file a notice of the Commission's action in this case.

8. **Pending motion.** FIRE's request for preliminary injunction remains pending, and should any additional action or briefing be necessary on the request for preliminary injunction, the parties shall confer in good faith on a briefing schedule.

9. **No waiver.** Defendants do not concede any position that they may take in response to the claims made in the case, including but not limited to FIRE's position that §§ 253.003 and 253.094, as construed in EAO 580, are unconstitutional as applied to the Covered Representation. FIRE does not concede that this Stipulation, or any action Defendants take under it, moots any of its claims, renders them unripe, or defeats its standing. Defendants will not argue that this Stipulation, by itself, has any of those effects.

10. **Binding effect.** This Stipulation binds FIRE and its officers, employees, and agents, and Defendants and their successors in office, *see* Fed. R. Civ. P. 25(d), and the Commission's officers, employees, and agents.

11. **Duration and modification.** This Stipulation remains in effect until final judgment in this action, including any appeal, or until further order of the Court. It may be modified only by a written agreement of the parties filed with the Court or by order of the Court.

12. **Court enforcement.** The Court retains jurisdiction to enforce the Stipulation as needed.

Dated: November 18, 2026

Respectfully submitted,

/s/ Rachel Palmer Hooper
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