

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

DR. JAMES DOBSON FAMILY INSTI-  
TUTE and USATRANSFORM d/b/a  
UNITED IN PURPOSE,

Plaintiffs,

v.

Case No. 4:24-cv-00986-O

XAVIER BECERRA, Secretary of the  
United States Department of Health and  
Human Services; UNITED STATES  
DEPARTMENT OF HEALTH AND HU-  
MAN SERVICES; CHARLOTTE BUR-  
ROWS, Chair of the United States Equal  
Employment  
Opportunity Commission; and UNITED  
STATES EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

Defendants.

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**PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY  
IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT  
AND PERMANENT INJUNCTION**

**April 17, 2025**

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Plaintiffs Dr. James Dobson Family Institute and USATransform D/B/A United In Purpose hereby notify the Court of a recent decision directly relevant to the issues in this case. On April 15, 2025, the United States District Court for the District of North Dakota issued a permanent injunction against the Equal Employment Opportunity Commission in *Catholic Benefits Association v. Lucas*, Case No. 1:24-cv-00142-DMT (D.N.D. Apr. 15, 2025), a copy of which is attached as **Exhibit A**. The court granted the Catholic Benefits Association’s motion for summary judgment and permanently enjoined the EEOC from enforcing the PWFA Final Rule and EEOC Harassment Guidance that require CBA’s present and future members to violate their religious beliefs regarding abortion, infertility treatments, and gender identity.<sup>1</sup> The court’s order in *Catholic Benefits Association* addresses nearly identical claims to those pending in this case.

The Court first addressed jurisdictional issues, finding that the CBA had standing and that the issues were ripe for adjudication. Doc. No. 59 at 4-5, ¶¶ 10-14. The Court observed that EEOC had initiated several enforcement actions under the PWFA since the preliminary injunction stage, which demonstrated the agency’s clear intent to enforce the Act. *Id.* at 4-5, ¶ 12 (collecting cases). The Court also acknowledged that while there had been a change in administrations since the preliminary injunction, the Final Rule remained in effect and thus CBA’s claims were ripe. *Id.* at 5, ¶ 13. The Court relied on the Eighth Circuit’s recent decision in *Tennessee v. EEOC*, which held that states had standing to challenge the PWFA as “direct objects of the EEOC’s rule” even without enforcement action against them. Doc. No. 59 at 4, ¶ 11 (citing *Tennessee v. EEOC*, 129 F.4th 452, 458 (8th Cir. 2025)). The Court also found the reasoning persuasive in *The Stanley M. Herzog*

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<sup>1</sup> The Court’s order incorporates by reference its ruling on CBA’s motion for preliminary injunction issued in the case on September 23, 2024, which is attached here as **Exhibit B**. See *Cath. Benefits Ass’n v. Burrows*, 732 F. Supp. 3d 1014 (D.N.D. 2024).

*Foundation v. EEOC*, 4:24-cv-00651 (W.D. Mo. Mar. 18, 2025), which noted that despite the change in administration the Final Rule remained good law and thus CBA had standing to challenge it. *Id.* at 5, ¶ 13.

On the merits, the Court determined that the Final Rule and Enforcement Guidance violated the Religious Freedom Restoration Act. *Id.* at 6, ¶¶ 15-18. The Court reasoned that non-compliance with the PWFA would “have substantial adverse practical consequences” for CBA’s members while compliance would force them to violate their religious beliefs. *Id.* at 6, ¶ 17 (citing *Little Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania*, 591 U.S. 657, 692 (2020) (Alito J., concurring)). And the Court found that the EEOC had failed to meet its burden of demonstrating a compelling government interest. *Id.* (citing *Braidwood Mgmt., Inc. v. EEOC*, 70 F.4th 914, 940 (5th Cir. 2023)).

Regarding the scope of relief, the Court concluded that a broad permanent injunction was necessary and appropriate to protect CBA members’ religious rights. *Id.* at 6, ¶¶ 19. The injunction prohibits the EEOC from enforcing PWFA regulations in ways that would require CBA members to accommodate abortion or infertility treatments contrary to Catholic teaching, or to speak in favor of such practices. *Id.* at 7, ¶ 21(1)-(2). It also shields CBA’s present and future members from Title VII enforcement that would compel them to use pronouns inconsistent with biological sex or allow persons to use private spaces reserved for the opposite sex. *Id.* at 7, ¶ 21(2). The injunction specifically bars the EEOC from initiating investigations or issuing notice-of-right-to-sue letters under the prohibited interpretations of Title VII and the PWFA, providing comprehensive protection for current and future CBA members. *Id.* at 7, ¶ 21(4). The Court also made clear that its injunction did not prevent the EEOC from “issuing a letter to employees saying the employer is

covered under this injunction and investigation is precluded.” *Id.* 8, ¶ 22. Finally, the Court declared the challenged interpretations to be unlawful. *Id.* at 7, ¶ 20.

The Court’s decision directly addresses the interplay between religious liberty protections under RFRA and the EEOC’s regulatory implementation of both the PWFPA and Title VII, making it highly relevant, if not dispositive, to the pending matter before this Court.

Dated: April 17, 2025

Respectfully submitted.

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