

analyzed whether the private Plaintiffs in case 3:21-CV-178 were authorized under *Ex Parte Young*, 209 U.S. 123 (1908), to bring this lawsuit against Defendant Governor Abbott. *See Abbott*, 85 F.4th at 333. The Fifth Circuit concluded that *Ex Parte Young* did not allow the private Plaintiffs to sue Governor Abbott and therefore sovereign immunity barred their lawsuit against him. *Id.* at 338.

Accordingly, the Court **ORDERS** that all claims against Defendant Governor Greg Abbott in case 3:21-CV-178 are **DISMISSED** with prejudice. The private Plaintiffs' claims against Defendant Steven McCraw, as well as all claims brought by the United States in case 3:21-CV-173, remain pending.

IT IS FURTHER ORDERED that the stay of these proceedings, entered on March 21, 2022, is **VACATED**. *See* Mar. 21, 2022, Order, ECF No. 89.

IT IS FURTHER ORDERED that the parties meet, confer, and submit a joint report of parties' planning meeting as specified in the Court's Standing Order on Pretrial Deadlines **no later than January 26, 2024.**

SO ORDERED.

SIGNED this 20th day of December, 2023.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE