

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION, *et al.*,

Defendants.

Case No. 2:24-cv-173

District Judge Matthew J. Kacsmaryk

**DEFENDANTS' RESPONSE IN OPPOSITION  
TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT  
AND CROSS-MOTION FOR SUMMARY JUDGMENT**

Defendants the Equal Employment Opportunity Commission; Charlotte A. Burrows, in her official capacity as Chair of the Equal Employment Opportunity Commission; and Merrick A. Garland, in his official capacity as Attorney General of the United States now move for summary judgment against all claims and causes of action asserted by Plaintiffs the State of Texas and the Heritage Foundation. Pursuant to local civil rules 56.3(b) and 56.4(b), each of the matters required by local civil rules 56.3(a) and 56.3(a) are set forth in the accompanying brief. For the reasons given therein, it is requested that summary judgment be granted in Defendants' favor and that this action be dismissed.

Dated: November 13, 2024

Respectfully submitted,

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Principal Deputy Assistant Attorney General

EMILY B. NESTLER  
Assistant Branch Director

/s/ Jacob S. Siler \_\_\_\_\_

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