

CAUSE NO. DC-22-08603

HILDA RAMIREZ DUARTE; RENE MARTINEZ; HENRY RODRIGUEZ; FEDERICO GARZA; and HECTOR CARRILLO

Plaintiffs,

**SINDY BENAVIDES; ERIC CEDILLO;
DOMINGO GARCIA; ROGER ROCHA;
RICHARD ESTRADA; ELSIE VALDES
RAMOS; MARI CORUGEDO; ANDRES
RODRIGUEZ; ELIA MENDOZA;
RICHARD ESTRADA; LINDA
CHAVEZ; JOSE LOPEZ; RALINA
CARDONA; IVONNE QUINONES; and
PAUL MARTINEZ**

Defendants.

IN THE DISTRICT COURT

162nd JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

ORDER GRANTING EX PARTE TEMPORARY RESTRAINING ORDER

On this day came for consideration Plaintiffs’ Original Petition and Application for Ex Parte Temporary Restraining Order and Temporary Injunction (the “Application”). Plaintiffs Hilda Ramirez Duarte, Rene Martinez, Henry Rodriguez, Federico Garza, and Hector Carrillo, as Members of the League of United Latin American Citizens (“LULAC”) have filed the Application in this case seeking relief including issuance of a temporary injunction and, in connection with that Application, have presented an application for a temporary restraining order. On July 29, 2022, the Court considered Plaintiffs’ application for temporary restraining order.

Having considered the Application, the evidence submitted, the applicable legal authorities, and all other matters properly before it, the Court finds that the Application should be granted and hereby is GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT:

1. This Court has jurisdiction over this matter and the authority necessary to issue the orders set forth herein.

2. The Court hereby finds, for the purposes of this temporary restraining order, that Plaintiffs have adequately pled a cause of action against Defendants and that it is likely that Plaintiffs will succeed on the merits of their claim against Defendants. Specifically, the Court finds, for purposes of this temporary restraining order only, that Defendants, in holding the upcoming national LULAC elections, have and continue to engage in a fraudulent and illicit scheme to place LULAC under the irreversible control of a foreign political party in violation of LULAC's internal governing rules.

3. Plaintiffs and the constituent members of LULAC, along with thousands of members across Texas and hundreds of thousands of members across the United States, will suffer imminent and irreparable harm should the election proceed on Saturday July 30, 2022. The Court finds, for purposes of this temporary restraining order only, that imminent and irreparable harm will include the counting of hundreds of votes cast in direct contravention of LULAC's internal rules and bylaws. The counting and entering of these impermissible votes will irreparably harm LULAC by placing under the control of individuals not duly elected under the procedures described in LULAC's internal policies and bylaws, expose LULAC to litigation, expose LULAC to significant tax liabilities, and divert resources of the organization in a manner that the Court finds, for purposes of this temporary restraining order only, will be in violation of and contrary to LULAC's mission and governance.

4. The Court finds for purposes of this temporary restraining order that the above substantial immediate harm is likely given the history of the individuals allegedly involved, who have been indicted for misappropriating government funds and abusing their authority within the

LULAC organization in the past. The Court further finds that, for purposes of this temporary restraining order, the imminence of the July 30, 2022 vote makes substantial immediate harm likely and irreparable.

5. The Court additionally FINDS that all other requirements of Texas Rule of Civil Procedure 680 et seq. and Texas Civil Practice & Remedies Code § 65.001 have been satisfied with respect to the entry of this temporary restraining order.

6. Accordingly, to preserve the status quo during the pendency of this action, the Court ORDERS that all Defendants, both individually and in their capacities as officers and members of the National Board of Directors of LULAC, are hereby RESTRAINED AND ENJOINED AND MUST DESIST FROM:

- a. Participating in, convening, or exercising any power, or taking any action relating to the 2022 LULAC elections.
- b. Delegating, transferring, or conferring any power relating to the 2022 LULAC elections.
- c. Taking any action that directly or indirectly results in, or leads to, the election or appointment of any LULAC national officers.

7. IT IS FURTHER ORDERED THAT Defendant Sindy Benavides, both in her capacity as Chief Executive Officer and as member of the National Board of Directors of LULAC, is hereby RESTRAINED AND ENJOINED AND MUST DESIST FROM from transferring, sharing, or deleting any materials, including, but not limited to, documents, communications, memoranda, digital files, and written records, obtained by Benavides in her capacity as Officer and/or Board member of LULAC.

8. IT IS FURTHER ORDERED THAT Defendant Domingo Garcia, both in his capacity as National President and as member of the National Board of Directors of LULAC, is hereby RESTRAINED AND ENJOINED AND MUST DESIST FROM exercising power in connection to Rule 3 of the Convention Rules, pursuant to which Defendant Garcia is to appoint an “Election Judge ... to conduct the elections.”

9. IT IS FURTHER ORDERED that Defendant Eric Cedillo, both in his capacity as National Legal Advisor and member of the National Board of Directors of LULAC, is hereby RESTRAINED AND ENJOINED AND MUST DESIST FROM exercising any power in connection to Convention Rule 12, stating that “Challenges to any election must be issued to the National Legal Advisor immediately after the outcome is announced and before another election has begun.”

10. It is further ORDERED that Plaintiffs shall post a bond or cash deposit in lieu thereof in the amount of \$1000.00.

11. It is FURTHER ORDERED that Plaintiffs’ Application for Temporary Injunction will be heard on August 12, 2022, at 1:00 P.M., in the 162nd District Court, in Dallas County, Texas. If this Temporary Restraining Order is extended by agreement of the parties or pursuant to the Texas Rules of Civil Procedure, this Order shall remain in place until such temporary injunction hearing takes place.

12. The Clerk of Court shall forthwith, on the filing of the bond by Plaintiffs, and on approving the bond according to the law, issue a temporary restraining order in conformity with the law and the terms of this ORDER.

SIGNED THIS 29th DAY OF July, 2022, AT 4:55 p. M.



JUDGE PRESIDING

Associate Judge