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HOUSTON FIREFIGHTERS' RELIEF AND RETIREMENT FUND
Plaintiff,

IN THE DISTRICT COURT OF

VS.

CITY OF HOUSTON, SYLVESTER TURNER, TANTRI EMO, CHRIS B. BROWN, BRENDA STARDIG, JERRY DAVIS, ELLEN COHEN, DWIGHT BOYKINS, DAVE MARTIN, STEVE LE, GREG TRAVIS, KARLA CISNEROS, ROBERT GALLEGOS, MIKE LASTER, MARTHA CASTEX-TATUM, MIKE KNOX, DAVID ROBINSON, MICHAEL KUBOSH, AMANDA EDWARDS, JACK CHRISTIE, AND KEN PAXTON, IN HIS OFFICIAL CAPACITY AS ATTORNEY GENERAL FOR THE STATE OF TEXAS
Defendants.

FILED
Marilyn Burgess
District Clerk

OCT 07 2020
Time: 9:24 AM
Harris County, Texas
By: *[Signature]*
Deputy

HARRIS COUNTY, TEXAS

190TH JUDICIAL DISTRICT

FINAL ORDER

On this day, came on for consideration Intervener Ken Paxton's Plea To the Jurisdiction, City Defendants' Plea To The Jurisdiction, the Defendants' Motion for Summary Judgment, filed by the City of Houston, and the Plaintiff's Motion for Summary Judgment, filed by the Houston Firefighters' Relief and Retirement Fund. After considering the motions, responses, the evidence, and arguments of counsel, the Court is of the opinion that the Defendants' and the Intervener's Pleas to the Jurisdiction should be Denied, the Defendants' Motion for Summary Judgment should be Denied, and the Plaintiff's Motion for Summary Judgment should be Granted.

It is Therefore,

ORDERED that Defendants' and Intervener's Pleas to the Jurisdiction are DENIED;

ORDERED that Defendants' Motion for Summary Judgment is DENIED; and

ORDERED that Plaintiff's Motion for Summary Judgment is GRANTED.

The Court Further,

ORDERS that Plaintiff Houston Firefighter's Relief and Retirement Fund be granted a Declaratory Judgment against all Defendants holding that SB 2190, Article 1 is unconstitutional as applied to the Houston Firefighter's Relief and Retirement Fund because it impermissibly infringes on the Board's exclusive authority to select an actuary and determine sound actuarial assumptions under Texas Constitution Article XVI, Section 67(f);

ORDERS a Declaratory Judgment that the City of Houston and City of Houston officials must allocate funding in accordance with Texas Constitution article XVI, Section 67 and the prior, un-amended Article 6243e.2(1);

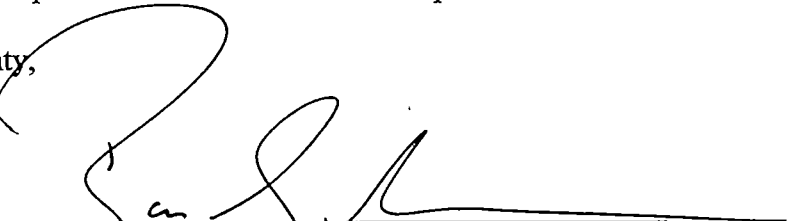
ORDERS a Writ of Mandamus compelling the City of Houston and City of Houston officials to allocate funding in all City of Houston budgets in accordance with Texas Constitution article XVI, Section 67 and the prior, un-amended Article 6243e.2(1); and

ORDERS a Permanent Injunction prohibiting the City of Houston and City of Houston officials from taking action under SB 2190 and requiring them to allocate funding in accordance with Texas Constitution article XVI, Section 67 and the prior, un-amended Article 6243e.2(1).

This Order is stayed and shall not become effective until November 15, 2020.

This is a final appealable Order that disposes of all claims between all parties.

SIGNED on October 7, 2020 in Harris County,
Texas, United States of America.



The Honorable Beau A. Miller, Presiding Judge
190TH Judicial District Court, Harris County, Texas