

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

U.S. NAVY SEALs 1-26, et al.,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., et al.,

Defendants.

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Civil Action No. 4:21-cv-01236-O

ORDER

Before the Court is Plaintiffs’ Motion for Order to Show Cause (ECF No. 95), filed January 31, 2022. Plaintiffs allege that, since the Court granted the Preliminary Injunction on January 3, Defendants have continued to take adverse action against Plaintiffs in violation of that Order. *See* ECF No. 66, 96.

In their Motion, at least six Plaintiffs identify violations of the Preliminary Injunction. Because of his vaccination status, SEAL 26 “has now been denied the ability to travel to a [traumatic brain injury] treatment program twice (both before and after the issuance of the injunction).” Mot. 6, ECF No. 96. Defendants have even denied his request to receive treatment on his own. *See* Ex. 1, ECF No. 97.

Other Plaintiffs allege they face harm in violation of the injunction. Diver 2 asserts that he has been prevented from relocating to his permanent duty station and is at risk of losing special pay, because he cannot perform his Diver duties. Ex. 2, ECF No. 97. To leave base for any reason, Diver 2 must obtain permission from his Commanding Officer. *Id.* SEALs 21 and 25 claim that their gear and training opportunities continue to be withheld from them. Ex. 4, ECF No. 97. In the meantime, their duties have included walking around base and picking up trash. *Id.* SEALs 14 and

22 have been denied training opportunities as recently as January 31, 2022. Ex. 6-7. Likewise, SEAL 13 has little to do at work. Ex. 5, ECF No. 97. Although he passed his Chief exam on January 26, 2022, he “will not be eligible for promotion to E7.” *Id.*

In light of these allegations, the Court **ORDERS** Defendants to respond to the Motion **by February 7, 2022**. Plaintiffs’ reply is due **by February 10, 2022**.

SO ORDERED on this **31st day of January, 2022**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE