



JUN 13 2025

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
IN THE STATE OF OKLAHOMA

RICK WARREN  
COURT CLERK

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DIANE FORD, AINSLEY HOOVER, )  
LILLIAN LANG, JACK RAMEY, )  
JENNIE SCOTT, JAMES WELCH IV, and )  
ALANA WESTFALL, )  
Plaintiffs, )

Cause No.: CV-25-1133

vs. )

THE OKLAHOMA STATE DEPARTMENT OF )  
EDUCATION ("OSDE"), )

THE OKLAHOMA STATE BOARD OF )  
EDUCATION ("OSBE"), )

and )

RYAN WALTERS, in his official capacity as the )  
STATE SUPERINTENDENT OF PUBLIC )  
INSTRUCTION and CHAIR of the OKLAHOMA )  
STATE BOARD OF EDUCATION, )  
Defendants. )

ORDER DENYING PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

ON May 28<sup>th</sup>, 2025, this case came before this Court on the Plaintiff's Motion for Preliminary Injunction. The Plaintiffs appear by and through counsel, Michael J. Hunter and Lindsay N. Kistler. The Oklahoma State Board of Education ("Board") appears by and through counsel, Chad Kutmas. The Oklahoma State Department of Education ("Department") appears by and through counsel Michael T. Beason and Jacquelyne Phelps.

This Court: (a) having examined the pleadings, filings, and record of this case, (b) having received testimony and evidence, (c) having heard the arguments, objections, and the statements of counsel for the parties, and (d) otherwise being fully advised in the premises, makes the following findings and orders.

## COURT FINDINGS

1. The Plaintiffs commenced this case on or about May 7<sup>th</sup>, 2025, with the filing of the Petition therein levying one (1) claim for declaratory relief.
2. The Plaintiff's also filed a Motion for Preliminary Injunction, and the Department and the Board timely responded, separately.
3. The Plaintiffs have not levied a claim for a permanent injunction.
4. The central issues presented in this case are the legality of the Social Studies Standards ("Standards").
5. The Social Studies Standards were drafted by the Department, approved by the Board on or about February 27<sup>th</sup>, 2025, and sent for review and final approval by the Oklahoma Legislature ("Legislature").
6. A Joint Resolution to disapprove the Standards was drafted in the Legislature, but this measure failed, and the Standards were approved with no action taken by the Legislature to formally approve, or disapprove, in whole or in part, the Standards.
7. Science Standards were also promulgated at the same time and progressed through the same process; however, the Plaintiffs do not take issue with the Science Standards.
8. To obtain a preliminary injunction, the plaintiffs must show that four factors weigh in their favor: (1) the likelihood of success on the merits; (2) irreparable harm to the parties seeking injunctive relief if the injunction is denied; (3) their threatened injuries outweigh the injury the opposing party will suffer under the injunction; and (4) the injunction is in the public interest. See Dowell v. Pletcher, 2013 OK 50, ¶ 7, 304 P.3d 457, 460 (as corrected July 15, 2013).

9. The Plaintiffs seek relief under Title 75 O.S. § 306. However, pursuant to Title 75 O.S. §§ 250.1 and § 250.4, and Title 70 O.S. § 11-103.6a(A), and exemption exists and, under these exemptions § 306 does not apply to the subject matter standards.
10. Due to the absence of the claim for a permanent injunction, and the exemption from § 306, the Plaintiffs do not have a likelihood of success on the merits.
11. Irreparable harm to the Plaintiffs was also considered. “Injury is irreparable when it is incapable of being fully compensated for in damages or where the measure of damages is so speculative that it would be difficult if not impossible to correctly arrive at the amount of the damages.” Edwards v. Bd. of Cnty. Comm’rs of Canadian Cnty., 2015 OK 58, ¶ 29, 378 P.3d 54, 63 (citing Hines v. Indep. Sch. Dist. No. 50, Grant Cnty., 1963 OK 85, ¶ 14, 380 P.2d 943, 946).
12. Pursuant to Title 12 O.S. § 1382, and as stated supra, the Plaintiffs must establish irreparable harm to be granted an injunction. See In re Estate of Foresee, 2020 OK 88, ¶ 10, 475 P.3d 862, 865.
13. “Violation of a state statute is an injury to the State and its citizens, and a continuing violation is an irreparable injury for which injunctive relief is available.” See, Semke v. State Ex Rel. Okl. Motor Vehicle Com’n., 1970 OK 15, 465 P.2d 441, ¶ 8. The Plaintiffs do argue that the Oklahoma Open Meetings Act (“OMA”), codified at Title 25 O.S. § 301, et seq. may have been violated. However, Plaintiffs presented no evidence of such violation beyond mere speculation. There is no showing of an actual or definite violation of state statute, or the Oklahoma Constitution, or the U.S. Constitution.
14. The Plaintiffs have failed to make the requisite prima facie showing of irreparable harm.
15. Any potential injuries to Plaintiff do not outweigh potential injuries the opposing party may suffer under the injunction.

16. The injunction is not in the public interest. The Social Studies standards in question were created by the Oklahoma State Department of Education, under the oversight of the democratically-elected State Superintendent of Public Instruction. They were adopted and approved by the State Board of Education, a body appointed by the democratically-elected Governor. They were then adopted (albeit by inaction) of the democratically-elected Legislature, with full knowledge of the contents of the Social Studies Standards. The proper path of the Plaintiffs in addressing their concerns with these standards is political, not judicial.
17. An abuse of discretion standard applies to a trial court decision that is clearly against the weight of the evidence or contrary to law. See Owens v. Zumwalt, 2022 OK 14, ¶ 6, 503 P.3d 1211, 1214. A trial court order “will be reversed if the trial court is deemed to have erred with respect to a pure, simple and unmixed question of law.” Jones, Givens, Gotcher & Bogan, P.C. v. Berger, 2002 OK 31, ¶ 5, 46 P.3d 698, 701.
18. Issuing a preliminary injunction in this case, in favor of the Plaintiffs, violates Title 75 O.S. § 250.4 and Title 70 O.S. § 11-103.6a(A), and is contrary to Oklahoma law, and would be an abuse of discretion.
19. For the reasons stated supra, the Department’s argument that the Plaintiffs lack standing to bring the claim for declaratory relief need not be decided here.

**THIS COURT FURTHER FINDS, AND THEREFORE ORDERS, ADJUDGES AND DECREES AS FOLLOWS ...**

20. The Plaintiffs’ request for a preliminary injunction should be, and is hereby, denied.
21. The respective requests of the parties for an award of attorney fees, costs, and expenses incurred in the litigation of the preliminary injunction issues are denied. Each party shall pay, bear, and be responsible for their own respective attorney fees, costs, and expenses.

**IT IS SO ORDERED.**

Issued and dated June 13<sup>th</sup>, 2025:

  
C. BRENT DISHMAN  
DISTRICT JUDGE – OKLAHOMA COUNTY