

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**A & R ENGINEERING AND TESTING,  
INC.**

*Plaintiff,*

**V.**

**CITY OF HOUSTON, and KEN PAXTON,**  
**in his official capacity as Attorney General**  
**of Texas,**

***Defendants.***

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**CIVIL ACTION NO.  
4:21-cv-03577**

**CITY OF HOUSTON’S RESPONSE TO A & R ENGINEERING AND  
TESTING, INC.’S APPLICATION FOR A PRELIMINARY INJUNCTION**

Defendant the City of Houston (“City”) files its Response to A & R Engineering and Testing, Inc.’s Application for a Preliminary Injunction as follows:

As a home rule municipality, the City is required to follow state law. Texas Government Code section 2271, *et. seq.* requires the City to include in certain contracts “written verification” that the party contracting with the City “does not boycott Israel” and “will not boycott Israel during the term of the contract.” Plaintiff challenges the constitutionality of this requirement. At this time, the City takes no position on the constitutionality of section 2271, *et seq.* The City will continue to follow valid state law in accordance with these these proceedings.

Respectfully submitted,

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CHIEF, GENERAL LITIGATION SECTION

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**THE CITY OF HOUSTON**

**CERTIFICATE OF SERVICE**

This Pleading was served in compliance with the *Federal Rules of Civil Procedure* on the 6th day of December, 2021, to all attorneys of record.

**Via Certified Mail, Return Receipt Requested**

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