

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

TELADOC, INC., ET AL.,

Plaintiffs,

V.

TEXAS MEDICAL BOARD, ET AL.,

Defendants.

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1-15-CV-343 RP

ORDER

Before the Court is the parties' Joint Stipulation and Dismissal of Certain Defendants, filed July 22, 2015 (Clerk's Dkt. #62). Plaintiffs Teladoc, Inc. and Teladoc Physicians, P.A., Kyon Hood, M.D., and Emmette Clark, M.D. have named as defendants in this action the Texas Medical Board ("TMB"), and fourteen members of the TMB in their official and individual capacities. By way of the motion, the parties agree Plaintiffs may obtain the full relief sought from the TMB members in their official capacities, and thus ask the Court to dismiss Plaintiffs' claims against the TMB and the TMB members in their individual capacities. The parties additionally stipulate to a waiver of a jury for the trial in this matter and agree to proceed with a non-jury trial.

Accordingly, the parties' Joint Stipulation and Dismissal of Certain Defendants (Clerk's Dkt. #62) is GRANTED and

IT IS THEREFORE ORDERED that all claims and causes of action asserted by Plaintiffs against the Texas Medical Board and the fourteen named members of the Texas Medical Board in their individual capacities are hereby DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that the Scheduling Order (Clerk's Dkt. #59) is hereby

amended to reflect that this action is set for a bench trial commencing at 9:00 a.m. on Monday, February 13, 2017. All other deadlines previously imposed in this action remain in effect.

SIGNED on July 23, 2015.

A handwritten signature in blue ink, appearing to read "R. Pitman", with a long horizontal flourish extending to the right.

ROBERT L. PITMAN
UNITED STATES DISTRICT JUDGE