

The Gonzales Plaintiffs conferred with the State Defendants in accordance with Western District of Texas Local Rule CV-7(G) before filing their Motion.⁴ The State Defendants “indicated that they oppose” the Motion.⁵ However, the State Defendants never filed a formal response to the Motion, and their time to do so has expired.⁶ Thus, under the Local Rules, the Court may grant the Motion as unopposed.⁷

In any event, the Court independently concludes that it’s proper to enter a partial final judgment on the malapportionment claim. Because the Gonzales Plaintiffs and the other Plaintiff Groups still have live claims in this case, the Court’s order dismissing the malapportionment claim “is an ultimate disposition of an individual claim entered in the course of a multiple claims action.”⁸ The Court also “expressly determines,” for the reasons stated in the Gonzales Plaintiffs’ Motion, “that there is no just reason for delay here.”⁹

Accordingly, the Court **GRANTS** the “Gonzales Plaintiffs’ Motion for Rule 54(b) Entry of Final Judgment as to Count IV of their Second Supplemental Complaint” (ECF No. 1265).

The Court will issue the partial final judgment separately.

⁴ See Mot. at 2; *see also* W.D. TEX. L.R. CV-7(G).

⁵ See Mot. at 2.

⁶ See W.D. TEX. L.R. CV-7(D)(2) (providing, with various exceptions, that a response to a motion “shall be filed not later than 14 days after the filing of the motion”).

⁷ See *id.* (“If there is no response filed within the time period prescribed by this rule, the court may grant the motion as unopposed.”).

⁸ See, e.g., *Briargrove Shopping Ctr. Joint Venture v. Pilgrim Enters., Inc.*, 170 F.3d 536, 539 (5th Cir. 1999).

⁹ See FED. R. CIV. P. 54(b); *see generally* Mot.

So ORDERED and SIGNED this 21st day of November 2025.

A handwritten signature in black ink, appearing to read "David C. Guaderrama", written over a horizontal line.

DAVID C. GUADERRAMA
SENIOR U.S. DISTRICT JUDGE

And on behalf of:

Jerry E. Smith
United States Circuit Judge
U.S. Court of Appeals, Fifth Circuit

-and-

Jeffrey V. Brown
United States District Judge
Southern District of Texas