



In a 5-4 decision, the U.S. Supreme Court [vacated](#) the U.S. Court of Appeals for the Fifth Circuit's stay of a temporary injunction in *NetChoice, LLC v. Paxton*, a closely watched case involving a novel Texas law purporting to bar "social media platforms" from engaging in "viewpoint" discrimination.

The majority did not issue a written opinion, but Justice Samuel Alito authored a dissent that was joined by Justice Clarence Thomas and Justice Neil Gorsuch. The May 31, 2022, ruling is a win for the world's largest online social media platforms, albeit a temporary one. The decision reinstates a temporary injunction barring the Texas attorney general from enforcing the Texas law, known as H.B. 20. The decision does not prevent users from suing covered platforms under H.B. 20's private right of action.

This update summarizes the Texas law, the history of the litigation leading to the Supreme Court's decision, and the Supreme Court's decision yesterday. It also briefly forecasts the near future for state and private enforcement of H.B. 20.

[Read the full update here.](#)

## **Authors**



### **Ryan Mrazik**

Partner

[RMrazik@perkinscoie.com](mailto:RMrazik@perkinscoie.com) [206.359.8098](tel:206.359.8098)



### **Ryan Spear**

Partner

[RSpear@perkinscoie.com](mailto:RSpear@perkinscoie.com) [206.359.3039](tel:206.359.3039)



### **Eric B. Wolff**

Partner

[EWolff@perkinscoie.com](mailto:EWolff@perkinscoie.com) [206.359.3779](tel:206.359.3779)



## **Hayden Schottlaender**

Partner

[HSchottlaender@perkinscoie.com](mailto:HSchottlaender@perkinscoie.com) [214.965.7724](tel:214.965.7724)

### **Explore more in**

[Consumer Protection](#)

Blog series

## **Consumer Protection Review**

Consumer Protection Review helps businesses that market and sell to consumers navigate federal and state legal issues related to advertising, privacy, promotions, products liability, government investigations, unfair competition, class actions and general consumer protection. [Subscribe ?](#)

[View the blog](#)