

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

RICHARD ROE; VICTOR VOE; and )  
OUTSERVE-SDLN, INC., )  
 )  
Plaintiffs, )  
 )  
v. )

PATRICK M. SHANAHAN, in his official )  
capacity as Acting Secretary of Defense; )  
HEATHER A. WILSON, in her official )  
capacity as Secretary of the Air Force; and )  
the UNITED STATES DEPARTMENT OF )  
DEFENSE, )  
 )  
Defendants. )

No. 1:18-cv-1565-LMB-IDD

**ORDER**

Upon consideration of Defendants’ Unopposed Motion to Modify the Preliminary Injunction, the Court hereby

GRANTS Defendants’ Motion, and

AMENDS its February 15, 2019 Order, ECF No. 73, to state that it is “ORDERED, ADJUDGED, and DECREED that defendants be and are ENJOINED from separating or discharging from military service Richard Roe, Victor Voe, and any other similarly situated active-duty member of the Air Force because they are classified as ineligible for worldwide deployment or deployment to the United States Central Command (“CENTCOM”) area due to their HIV-positive status. If an Airman wishes to be excepted from this Order and be separated or discharged, the Air Force shall provide them a written notice that their consent to separation is not required and that a federal lawsuit may result in his or her retention. After receiving such a notice, the Airman may make a written request to proceed with his or her separation or discharge, and then the Air Force may proceed with the separation or discharge.”

/s/   
\_\_\_\_\_  
Leonie M. Brinkema 4/8/19  
United States District Judge