

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
LOUISIANA

Military-Veterans Advocacy, Inc. et al. v. Jeff Landry et al.

Military-Veterans Advocacy, Inc. v. Landry, Civil Action No. 24-00446-BAJ-RLB · No. 24-00446-BAJ-RLB ·
Decided February 6, 2026

SUMMARY

The United States District Court for the Middle District of Louisiana grants Plaintiffs’ motion for summary judgment and denies Attorney General Liz Murrill’s cross-motion in a challenge to Louisiana’s PLUS Act regulating compensated veterans’ benefits services. The court concludes that the Act’s compelled disclosure requirement, as applied to the plaintiffs, fails the Central Hudson standard for commercial speech because the defendant did not adequately demonstrate that the disclosure directly advances a substantial governmental interest or is no more extensive than necessary. The excerpt does not include the order’s date or page number.

CASE DETAILS

COURT	United States District Court for the Middle District of Louisiana
JURISDICTION	United States District Court for the Middle District of Louisiana
DECIDED	February 6, 2026
DOCKET	24-00446-BAJ-RLB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs sought summary judgment on their constitutional and federal-preemption challenges to Louisiana's Preserving Lawful Utilization of Services for Veterans Act. Remaining Defendant Liz Murrill filed a cross-motion for summary judgment. The court granted Plaintiffs' motion, denied Defendant's cross-motion, declared the Act unconstitutional, and enjoined its enforcement.
STANDARD OF REVIEW	Summary judgment is proper under Federal Rule of Civil Procedure 56(a) when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views reasonable inferences in the light most favorable to the nonmoving party.
PRECEDENTIAL VALUE	Unpublished federal district court order; persuasive authority only.

PARTIES

Military-Veterans Advocacy, Inc., Law Office of John B. Wells v. Jeff Landry, in his official capacity as Governor of the State of Louisiana, Liz Murrill, in her official capacity as Attorney General of Louisiana

TOPICS

veterans benefits preemption free speech summary judgment supremacy clause

PRACTICE AREAS

constitutional law federal courts veterans benefits commercial speech civil procedure

QUESTIONS PRESENTED

1. Whether Louisiana Revised Statutes section 29:296 is conflict-preempted because its restrictions on veterans-benefits representatives obstruct Congress's purposes and objectives under the federal veterans-benefits statutory and regulatory scheme.
2. Whether section 29:296(E)(1)'s mandatory disclosure violates Plaintiffs' First Amendment right to free expression as applied to Plaintiffs.
3. Whether the Act violates the Contracts Clause.

HOLDINGS

1. The PLUS Act is conflict-preempted because its significant restrictions on services offered by veterans-benefits representatives obstruct Congress's objective of ensuring that veterans have access to authorized, qualified private representatives to assist them in pursuing federal veterans-benefits claims.
2. Louisiana Revised Statutes section 29:296(E)(1)'s mandatory disclosure violates Plaintiffs' First Amendment right to free expression as applied to them.

KEY QUOTATIONS

"The Act is preempted by its conflict with federal law."

"Without at least some evidence to support the reasonableness of the Act's required disclosure, the Court finds that the Act violates Plaintiffs' rights under the First Amendment and is therefore unconstitutional as applied to Plaintiffs."

"The Court finds that the Act, as written, necessarily impedes the realization of Congress's goal of ensuring that veterans have access to qualified representatives to assist them in pursuing claims for VA benefits, in violation of the Supremacy Clause."

FACTUAL BACKGROUND

Louisiana enacted Senate Bill 159, the Preserving Lawful Utilization of Services for Veterans Act, codified at Louisiana Revised Statutes section 29:296. The Act regulates persons compensated for advising, assisting, or consulting on veterans' benefits matters by imposing fee caps, compensation restrictions, disclosure

requirements, and other conditions. Plaintiffs are a veterans-advocacy nonprofit and a law practice that provide veterans-benefits services, including representation before federal veterans-benefits tribunals. Plaintiffs challenged the Act because they alleged that its restrictions conflicted with federal regulation of veterans-benefits representatives and that its mandated disclosure compelled unconstitutional commercial speech.

PROCEDURAL HISTORY

Plaintiffs filed suit challenging the PLUS Act under the Supremacy Clause, the First and Fourteenth Amendments, and the Contracts Clause, and initially sought a temporary restraining order. The court continued the TRO hearing after the Attorney General's Office represented that it would not enforce the Act during the litigation. The court dismissed Governor Landry for lack of subject-matter jurisdiction but denied the Attorney General's motion to dismiss, finding that Plaintiffs had standing and that the Act applied to them. The parties then filed cross-motions for summary judgment.

DISPOSITION

other

CASES CITED

- Harris v. Mexican Specialty Foods, Inc., 564 F.3d 1301 (11th Cir. 2009)
- Turtle Island Foods, S.P.C. v. Strain, 65 F.4th 211 (5th Cir. 2023)
- United States v. Stevens, 559 U.S. 460 (2010)
- Washington State Grange v. Washington State Republican Party, 552 U.S. 442 (2008)
- Voting for America, Inc. v. Steen, 732 F.3d 382 (5th Cir. 2013)
- Jennings v. Rodriguez, 583 U.S. 281 (2018)
- Express Oil Change, L.L.C. v. Mississippi Board of Licensure for Professional Engineers & Surveyors, 916 F.3d 483 (5th Cir. 2019)
- Ohralik v. Ohio State Bar Association, 436 U.S. 447 (1978)
- National Institute of Family & Life Advocates v. Becerra, 585 U.S. 755 (2018)
- Chamber of Commerce of the United States v. United States Securities & Exchange Commission, 85 F.4th 760 (5th Cir. 2023)
- Thompson v. Western States Medical Center, 535 U.S. 357 (2002)
- Bolger v. Youngs Drug Products Corp., 463 U.S. 60 (1983)
- Ibanez v. Florida Department of Business & Professional Regulation, 512 U.S. 136 (1994)
- Wyeth v. Levine, 555 U.S. 555 (2009)
- United States v. Locke, 529 U.S. 89 (2000)
- Louisiana Health Service & Indemnity Co. v. Rapides Healthcare System, 461 F.3d 529 (5th Cir. 2006)
- Pacific Gas & Electric Co. v. State Energy Resources Conservation & Development Commission, 461 U.S. 190 (1983)
- Simmons v. Sabine River Authority Louisiana, 732 F.3d 469 (5th Cir. 2013)

- *Kurns v. Railroad Friction Products Corp.*, 565 U.S. 625 (2012)
- *City of El Cenizo, Texas v. Texas*, 890 F.3d 164 (5th Cir. 2018)
- *Hines v. Davidowitz*, 312 U.S. 52 (1941)
- *Jewell v. Herke*, 526 F. Supp. 3d 459 (D. Minn. 2021)
- *Gade v. National Solid Wastes Management Association*, 505 U.S. 88 (1992)
- *Rice v. Santa Fe Elevator Corp.*, 331 U.S. 218 (1947)
- *United States v. Texas*, 144 F.4th 632 (5th Cir. 2025)
- *DeCanas v. Bica*, 424 U.S. 351 (1976)
- *Sperry v. State of Florida ex rel. Florida Bar*, 373 U.S. 379 (1963)
- *Ogden v. Saunders*, 25 U.S. 213 (1827)
- *Fears v. Wilkie*, 31 Vet. App. 309 (2019)
- *Comer v. Peake*, 552 F.3d 1362 (Fed. Cir. 2009)
- *Cook v. Marshall*, 68 F.3d 447 (Fed. Cir. 1995)
- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986)
- *Matsushita Electric Industrial Co. v. Zenith Radio Corp.*, 475 U.S. 574 (1986)
- *Coleman v. Houston Independent School District*, 113 F.3d 528 (5th Cir. 1997)
- *Auguster v. Vermilion Parish School Board*, 249 F.3d 400 (5th Cir. 2001)
- *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986)
- *Ragas v. Tennessee Gas Pipeline Co.*, 136 F.3d 455 (5th Cir. 1998)
- *Broussard v. Oryx Energy Co.*, 110 F. Supp. 2d 532 (E.D. Tex. 2000)