

# Cooley

August 25, 2022

On August 18, 2022, the US District Court for the Northern District of Florida temporarily blocked enforcement of the Individual Freedom Act (IFA), also known as the Stop the Wrongs to Our Kids and Employees (WOKE) Act, against employers by the Florida Commission on Human Relations and the Florida attorney general. We reported on the IFA's broad scope [in a previous client alert](#).

In the matter of [Honeyfund.com Inc. v. Ron DeSantis, et al.](#), No. 4:22-cv-00227 (N.D. Fla. Aug. 18, 2022), the court ruled that the IFA violates the First Amendment because it is not sufficiently narrowly tailored and is "impermissibly vague" as to violate the due process clause of the 14th Amendment. The court also denied a stay of the injunction pending a likely appeal by the state, so the injunction remains in place for the foreseeable future. **However, employers should be aware that the injunction does not prohibit individuals, such as purportedly aggrieved employees, from bringing a private cause of action.**

Cooley will continue to follow updates to the IFA. If you have any questions about the IFA, please reach out to a member of the Cooley employment team.

This content is provided for general informational purposes only, and your access or use of the content does not create an attorney-client relationship between you or your organization and Cooley LLP, Cooley (UK) LLP, or any other affiliated practice or entity (collectively referred to as "Cooley"). By accessing this content, you agree that the information provided does not constitute legal or other professional advice. This content is not a substitute for obtaining legal advice from a qualified attorney licensed in your jurisdiction and you should not act or refrain from acting based on this content. This content may be changed without notice. It is not guaranteed to be complete, correct or up to date, and it may not reflect the most current legal developments. Prior results do not guarantee a similar outcome. Do not send any confidential information to Cooley, as we do not have any duty to keep any information you provide to us confidential. This content may be considered **Attorney Advertising** and is subject to our [legal notices](#).

---

## Key Contacts

Ann Bevitt London	abevitt@cooley.com +44 (0) 20 7556 4264
Wendy Brenner Palo Alto	brennerwj@cooley.com +1 650 843 5371
Leslie Cancel San Francisco	lcancel@cooley.com +1 415 693 2175

Helennane Connolly Reston	hconnolly@cooley.com +1 703 456 8685
Joseph Lockinger Washington, DC	jlockinger@cooley.com +1 202 776 2286
Joshua Mates San Francisco	jmates@cooley.com +1 415 693 2084
Anna Matsuo New York	amatsuo@cooley.com +1 212 479 6827
Gerard O'Shea New York	goshea@cooley.com +1 212 479 6704
Miriam Petrillo Chicago	mpetrillo@cooley.com +1 312 881 6612
Ryan Vann Chicago	rhvann@cooley.com +1 312 881 6640
Summer Wynn San Diego	swynn@cooley.com +1 858 550 6030

---

This information is a general description of the law; it is not intended to provide specific legal advice nor is it intended to create an attorney-client relationship with Cooley LLP. Before taking any action on this information you should seek professional counsel.

Copyright © 2023 Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304; Cooley (UK) LLP, 22 Bishopsgate, London, UK EC2N 4BQ. Permission is granted to make and redistribute, without charge, copies of this entire document provided that such copies are complete and unaltered and identify Cooley LLP as the author. All other rights reserved.