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CIRCUIT COURT
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LINCOLN
225 W. Olive St. Newport Oregon 97365

Case No: 21CV46092

Judy Cammann; John Blackburn; Lauri Hines; Peter Prehn
Plaintiff

v.

Dana W. Jenkins; Curtis L. Landers; Lincoln County
Defendant

ORDER ON MOTION FOR PRELIMINARY INJUNCTION

This matter came before the Court on December 6, 2021 on Plaintiffs' motion for a preliminary injunction. Steven Berman appeared and argued on behalf of Plaintiffs. Christopher Crean appeared and argued on behalf of Defendants. Daniel Kearns appeared and was allowed to argue on behalf of intervenor applicants. The court having considered the arguments of counsel and reviewed the pleadings hereby finds as follows:

1. The Circuit Court has jurisdiction.
2. It appears from the pleadings that the plaintiffs are entitled to some relief from the language of Lincoln County Ballot Measure 21-203.
3. If immediately enacted, Lincoln County Ballot Measure 21-203 will result in injury to the plaintiffs.
4. If Lincoln County Ballot Measure 21-203 is immediately enacted and enforced, defendants may also be harmed as they could be subject to additional litigation and monetary damages.
5. The parties have agreed to a motion timeline that will likely result in resolution of the case by March 2022.
6. The harm to the public in delaying any enactment of Lincoln County Ballot Measure 21-203 by a matter of months is outweighed by the potential harm to both the plaintiffs and defendants in this matter.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Plaintiff's motion for preliminary injunction is GRANTED.
2. Defendants shall be enjoined from enacting and enforcing Lincoln County Ballot Measure 21-203 pending a determination of its validity or further order of this court.

12-8-2021

Amanda Benjamin, Circuit Court Judge