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KRISTON CHAPMAN
COUNTY CLERK
COLUMBIA CO. WA

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF COLUMBIA

NEIGHBORS UNITED FOR PROGRESS, a
Washington political committee; ELISE
SEVERE, an Individual; GERALD KAISER,
an Individual;

Plaintiffs,

v.

JESSICA RUFFCORN, an Individual;
COLUMBIA COUNTY, WASHINGTON;
COLUMBIA COUNTY AUDITOR'S
OFFICE; COLUMBIA COUNTY AUDITOR,
WILL HUTCHENS, an Individual in his
Official Capacity; COLUMBIA COUNTY
DIRECTOR OF ELECTIONS, CATHY
ABEL, an Individual in her Official Capacity;

Defendants.

CAUSE NO. 23-2-00034-07

**ORDER GRANTING PLAINTIFFS'
MOTION FOR A TEMPORARY
RESTRAINING ORDER**

This matter came before the Court on Plaintiffs' motion for a temporary restraining order. The Court heard oral argument on the matter. All parties appeared and were heard on the record; and the Court having considered the following when reaching its decision:

1. The original Complaint and Exhibits in this matter;
2. Plaintiffs' Motion for a Temporary Restraining Order;
3. Declaration of Dru Van Ausdle;
4. Declaration of Elise Severe;
5. Declaration of Elise Severe in Support of Temporary Restraining Order;

**ORDER GRANTING PALINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER**

- 1 6. Declaration of Robin McQuary-Billow in Support of Motion for a Temporary Restraining
2 Order and Injunctive Relief;
- 3 7. Declaration of Christopher Billow in Support of Motion for a Temporary Restraining
4 Order and Injunctive Relief;
- 5 8. Declaration of Carol J. Anderson in Support of Motion for a Temporary Restraining
6 Order and Injunctive Relief;
- 7 9. Declaration of Michael J. McQuary in Support of Motion for a Temporary Restraining
8 Order and Injunctive Relief;
- 9 10. Declaration of Counsel Richard A. Jacobs in Support of Plaintiffs' Motion for a
10 Temporary Restraining Order
- 11 11. Declaration of Counsel Re: Fraud in the Inducement of Petition Signatures
- 12 12. Argument by Plaintiff through Attorney, Ric Jacobs;
- 13 13. Argument by Defendants (Columbia County) by and through their attorney of record Mr.
14 Dale Slack;
- 15 14. Argument by Defendant Jessica Ruffcorn, pro-se litigant;
- 16

17 Being fully advised on the matter, the Court GRANTS Plaintiffs' Motion for a
18 Temporary Restraining Order and ORDERS that:

- 19 1. Columbia County's ballot initiative Proposition 2 ("Proposition 2") is invalid on the
20 grounds that (a) it exceeds the scope of the initiative authority granted to the people of the
21 Unincorporated County; (b) the dissolution statute, RCW 27.12.320, as applied, is
22 unconstitutional and internally inconsistent such that the petition process and a vote are
23 invalid; (c) there is substantial evidence of fraud and good cause to restrain Defendants to
24 permit the mandatory investigation of these allegations and/or vitiate the validity of
25 petition signatures; (d) it clearly appears from specific facts by affidavit that immediate
26 and irreparable injury, loss or damage will result before all parties can be heard; (e) that
27 actual and substantial injury will occur without the temporary restraining order in place.
28

**ORDER GRANTING PALINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER**

2. Defendants Columbia County; the Columbia County Auditor's Office; Columbia County Auditor, Will Hutchens, in his official capacity; Columbia County Election Director Cathy Abel, in her official capacity; and all agents of Columbia County and Columbia County Elections are prohibited and enjoined from including or placing Proposition 2 on the November 7, 2023 ballot.
3. This order is in effect as of 11:14 a.m. PDT, September 6, 2023;
4. Per CR 65, a security bond of \$1.00, US Currency, shall be placed with the Clerk of Court;
5. The temporary restraining order shall remain in effect for 14 days or until the matter can be heard on a motion for preliminary injunction, in front of Commissioner Julie Karl on 20 September, 2023, at 3:30 a.m./p.m.

IT IS SO ORDERED this 6 day of September 2023.


Honorable Julie E. Karl
Superior Court Commissioner

Presented by:

Richard A. Jacobs, WSBA #59292
Nathan R. Viavant, WSBA #41991, *Of Counsel*
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**ORDER GRANTING PALINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER**