

**U.S. District Court
District of Oregon (Portland (3))
CIVIL DOCKET FOR CASE #: 3:20-cv-01161-MO**

Rosenblum v. John Does 1-10 et al
Assigned to: Judge Michael W. Mosman
Cause: 28:2201 Declaratory Judgment

Date Filed: 07/17/2020
Date Terminated: 09/18/2020
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: Federal Question

Plaintiff

Ellen Rosenblum

represented by **Steven M. Lippold**
Oregon Department of Justice
CLS
1162 Court St NE
Salem, OR 97301-4096
503-947-4700
Fax: 503-947-4791
Email: Steve.Lippold@doj.state.or.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sheila H. Potter
Oregon Department of Justice
Trial Division
100 SW Market Street
Portland, OR 97201
971-673-1880
Fax: 971-673-5000
Email: sheila.potter@doj.state.or.us
ATTORNEY TO BE NOTICED

V.

Defendant

John Does 1-10

represented by **Andrew Warden**
DOJ-Civ
1100 L St., N.W.
Ste 7301
Washington, DC 20005
202-616-5084
Email: andrew.warden@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

**United States Department of
Homeland Security**

represented by **Andrew Warden**
(See above for address)
ATTORNEY TO BE NOTICED

David M Morrell
DOJ-Civ
337 Maryland Ave. NE
Unit 3
Washington, DC 20002
909-938-6498
Email: david.m.morrell@usdoj.gov
TERMINATED: 09/11/2020

Defendant

**United States Customs and
Border Protection Service**

represented by **Andrew Warden**
(See above for address)
ATTORNEY TO BE NOTICED

David M Morrell
(See above for address)
TERMINATED: 09/11/2020

Defendant

United States Marshals Service

represented by **Andrew Warden**
(See above for address)
ATTORNEY TO BE NOTICED

David M Morrell
(See above for address)
TERMINATED: 09/11/2020

Defendant

Federal Protective Service

represented by **Andrew Warden**
(See above for address)
ATTORNEY TO BE NOTICED

David M Morrell
(See above for address)
TERMINATED: 09/11/2020

Amicus

City of Portland, Oregon

represented by **Robert L. Taylor**
Office of City Attorney
1221 SW Fourth Ave.
Room 430

Portland, OR 97204
503-823-4047
Fax: (503) 823-3089
Email:
robert.taylor@portlandoregon.gov (*Inactive*)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tracy Pool Reeve
City of Portland
City Attorney's Office
1221 SW 4th Avenue
Suite 430
Portland, OR 97204
503-823-4055
Fax: 503-823-3089
Email: Tracy.Reeve@portlandoregon.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Denis M. Vannier
City Attorney's Office
1221 SW Fourth Avenue
Room 430
Portland, OR 97204
503-823-4047
Fax: 503-823-3089
Email: denis.vannier@portlandoregon.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/17/2020	<u>1</u>	Complaint. Filing fee in the amount of \$400 collected. Agency Tracking ID: AORDC-7002755 Jury Trial Requested: No. Filed by Ellen F Rosenblum against FEDERAL PROTECTIVE SERVICE, John Does 1-10, THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, United States Customs and Border Protection Service, United States Marshals Service (Attachments: # <u>1</u> Attachment Declaration or Mark Pettibone, # <u>2</u> Proposed Summons United States Department of Homeland Security, # <u>3</u> Proposed Summons United States Customs and Border Protection, # <u>4</u> Proposed Summons United States Marshals Service, # <u>5</u> Proposed Summons Federal Protective Service, # <u>6</u> Civil Cover Sheet Civil Cover Sheet). (Potter, Sheila) (Entered: 07/17/2020)

07/20/2020	<u>2</u>	Notice of Case Assignment to Judge Marco A. Hernandez and Discovery and Pretrial Scheduling Order. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. Discovery is to be completed by 11/17/2020. Joint Alternate Dispute Resolution Report is due by 12/17/2020. Pretrial Order is due by 12/17/2020. Ordered by Judge Marco A. Hernandez. (ecp) (Entered: 07/20/2020)
07/20/2020	<u>3</u>	Summons Issued Electronically as to Federal Protective Service, United States Customs and Border Protection Service, United States Department of Homeland Security, United States Marshals Service. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. (Attachments: # <u>1</u> issued summons, # <u>2</u> issued summons, # <u>3</u> issued summons) (ecp) (Entered: 07/20/2020)
07/20/2020	<u>4</u>	Notice of Case Reassignment: This case has been reassigned from Judge Marco A. Hernandez to Judge Michael W. Mosman. (eo) (Entered: 07/20/2020)
07/20/2020	<u>5</u>	Motion for Temporary Restraining Order . Oral Argument requested.Expedited Hearing requested. Filed by Ellen Rosenblum. (Potter, Sheila) (Entered: 07/20/2020)
07/20/2020	<u>6</u>	Declaration of Sheila Potter . Filed by Ellen Rosenblum. (Related document(s): Motion for Temporary Restraining Order <u>5</u> .) (Attachments: # <u>1</u> Exhibit 1 of 7, # <u>2</u> Exhibit 2 of 7, # <u>3</u> Exhibit 3 of 7, # <u>4</u> Exhibit 4 of 7, # <u>5</u> Exhibit 5 of 7, # <u>6</u> Exhibit 6 of 7, # <u>7</u> Exhibit 7 of 7) (Potter, Sheila) (Entered: 07/20/2020)
07/20/2020	<u>7</u>	Declaration of Mark Pettibone <i>in Support of Rosenblum's Motion for a Temporary Restraining Order and Preliminary Injunction</i> . Filed by Ellen Rosenblum. (Related document(s): Motion for Temporary Restraining Order <u>5</u> .) (Potter, Sheila) (Entered: 07/20/2020)
07/20/2020	<u>8</u>	Declaration of Jennifer Arnold . Filed by Ellen Rosenblum. (Related document(s): Motion for Temporary Restraining Order <u>5</u> .) (Potter, Sheila) (Entered: 07/20/2020)

07/20/2020	<u>9</u>	Declaration of Terri Preeg Riggsby . Filed by Ellen Rosenblum. (Related document(s): Motion for Temporary Restraining Order <u>5</u> .) (Potter, Sheila) (Entered: 07/20/2020)
07/20/2020	<u>10</u>	Declaration of Tiffany L. Chapman . Filed by Ellen Rosenblum. (Related document(s): Motion for Temporary Restraining Order <u>5</u> .) (Potter, Sheila) (Entered: 07/20/2020)
07/21/2020	<u>11</u>	Declaration of Stephanie Debner . Filed by Ellen Rosenblum. (Related document(s): Motion for Temporary Restraining Order <u>5</u> .) (Lippold, Steven) (Entered: 07/21/2020)
07/21/2020	<u>12</u>	Notice re Motion for Temporary Restraining Order <u>5</u> <i>Withdrawing Evidence in Support of Motion for Temporary Restraining Order</i> Filed by Ellen Rosenblum. (Related document(s): Motion for Temporary Restraining Order <u>5</u> .) (Lippold, Steven) (Entered: 07/21/2020)
07/21/2020	13	Scheduling Order by Judge Michael W. Mosman regarding Motion for Temporary Restraining Order <u>5</u> . Oral Argument is set for 7/22/2020 at 09:00AM-11:00AM in Portland by videoconference before Judge Michael W. Mosman. Ordered by Judge Michael W. Mosman. (kms) (Entered: 07/21/2020)
07/22/2020	<u>14</u>	Notice of Appearance of Andrew Warden appearing on behalf of Federal Protective Service, John Does 1-10, United States Customs and Border Protection Service, United States Department of Homeland Security, United States Marshals Service Filed by on behalf of Federal Protective Service, John Does 1-10, United States Customs and Border Protection Service, United States Department of Homeland Security, United States Marshals Service. (Warden, Andrew) (Entered: 07/22/2020)
07/22/2020	<u>15</u>	Memorandum in Opposition to Motion for Temporary Restraining Order <u>5</u> . Filed by Federal Protective Service, John Does 1-10, United States Customs and Border Protection Service, United States Department of Homeland Security, United States Marshals Service. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit) (Warden, Andrew) (Entered: 07/22/2020)

07/22/2020	<u>16</u>	Notice of Appearance of David M Morrell appearing on behalf of Federal Protective Service, United States Customs and Border Protection Service, United States Department of Homeland Security, United States Marshals Service. Filed by on behalf of Federal Protective Service, United States Customs and Border Protection Service, United States Department of Homeland Security, United States Marshals Service. (eo) (Entered: 07/22/2020)
07/22/2020	17	MINUTES of Proceedings: Temporary Restraining Order Hearing held, regarding Motion for Temporary Restraining Order <u>5</u> . Formal Order to follow. Steven M. Lippold and Sheila H. Potter present as counsel for plaintiff(s). David Morrell and Andrew Warden present as counsel for defendant(s).(Court Reporter Bonita Shumway.)Judge Michael W. Mosman presiding. (dls) (Entered: 07/22/2020)
07/22/2020	<u>18</u>	<i>Proof of Service</i> Return of Service Executed as to Federal Protective Service served on 7/20/2020, answer due on 9/18/2020. Service specifically made upon Local U.S. Attorney. (Potter, Sheila) (Entered: 07/22/2020)
07/22/2020	<u>19</u>	<i>Proof of Service</i> Return of Service Executed as to United States Marshals Service served on 7/20/2020, answer due on 9/18/2020. Service specifically made upon Local U.S. Attorney. (Potter, Sheila) (Entered: 07/22/2020)
07/22/2020	<u>20</u>	<i>Proof of Service</i> Return of Service Executed as to United States Customs and Border Protection Service served on 7/20/2020, answer due on 9/18/2020. Service specifically made upon Local U.S. Attorney. (Potter, Sheila) (Entered: 07/22/2020)
07/22/2020	<u>21</u>	<i>Proof of Service</i> Return of Service Executed as to United States Department of Homeland Security served on 7/20/2020, answer due on 9/18/2020. Service specifically made upon Local U.S. Attorney. (Potter, Sheila) (Entered: 07/22/2020)
07/22/2020	<u>22</u>	<i>Proof of Certified Mailing</i> Return of Service Unexecuted as to Federal Protective Service, United States Customs and Border Protection Service, United States Department of Homeland Security, United States Marshals Service. (Potter, Sheila) (Entered: 07/22/2020)
07/24/2020	<u>23</u>	OPINION & ORDER: Plaintiffs Motion for a Temporary Restraining Order(# <u>5</u>) is DENIED . (See attached Opinion & Order.) Signed on July 24, 2020 by Judge Michael W. Mosman. (eo) PDF replaced on 7/24/2020 (eo). (Entered: 07/24/2020)

07/24/2020	24	Unopposed Motion to Appear as Amicus Curiae <i>and Memorandum in Support Thereof</i> . Filed by City of Portland, Oregon. (Vannier, Denis) (Entered: 07/24/2020)
07/24/2020	25	Order for Administrative Correction of the Record pursuant to Fed. R. Civ. P. 60(a) regarding # 23 Opinion & Order. A Clerical error has been discovered in the case record: The attached PDF contained minor typographical errors. The following corrections were made to the record: A PDF that corrects these minor typographical errors has been uploaded and has replaced the incorrect attachment. The Notice of Electronic Filing will be regenerated to all parties. (eo) (Entered: 07/24/2020)
07/27/2020	26	ORDER: : The City of Portland's Unopposed Motion to Appear as Amicus Curiae 24 is GRANTED. Ordered by Judge Michael W. Mosman. (dls) (Entered: 07/27/2020)
09/11/2020	27	Notice of Attorney Withdrawal: <i>David Morrell</i> Filed by Federal Protective Service, John Does 1-10, United States Customs and Border Protection Service, United States Department of Homeland Security, United States Marshals Service. (Warden, Andrew) (Entered: 09/11/2020)
09/16/2020	28	Notice of Voluntary Dismissal Filed by Ellen Rosenblum. (Potter, Sheila) (Entered: 09/16/2020)