

J. SCOTT MOEDE, OSB 934816
Chief Deputy City Attorney
scott.moede@portlandoregon.gov
NAOMI SHEFFIELD, OSB 170601
Deputy City Attorney
naomi.sheffield@portlandoregon.gov
ROBERT YAMACHIKA, OSB 065560
Senior Deputy City Attorney
rob.yamachika@portlandoregon.gov
Portland City Attorney's Office
1221 SW 4th Ave., Rm. 430
Portland, OR 97204
Telephone: (503) 823-4047
Facsimile: (503) 823-3089
Of Attorneys for Defendant City of Portland

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

DON'T SHOOT PORTLAND, a nonprofit corporation, in its individual capacity, NICHOLAS J. ROBERTS, in an individual capacity and on behalf of themselves and all others similarly situated, MICHELLE "MISHA" BELDEN, in an individual capacity and on behalf of themselves and all others similarly situated, ALEXANDRA JOHNSON, in an individual capacity and on behalf of themselves and all others similarly situated,

PLAINTIFFS,

v.

CITY OF PORTLAND, a municipal corporation, and MULTNOMAH COUNTY, a political subdivision of the State,

DEFENDANTS.

3:20-cv-00917-HZ

**JOINT STIPULATION TO
PRELIMINARY INJUNCTION**

Pursuant to this Court's Minute Order on March 30, 2021, the City of Portland ("City") and Plaintiffs have conferred regarding Plaintiffs' outstanding Motion for Preliminary Injunction

(ECF 45). This Court entered a temporary restraining order on the use of tear gas on June 9, 2020 (ECF 29 (“Tear Gas Order”)) and a temporary restraining order on the use of certain other less lethal munitions as stipulated by the City and Plaintiffs, on June 26, 2020 (ECF 43 (“Less Lethal Order”)). The City and Plaintiffs have agreed, consistent with the treatment by the parties throughout the case, that the Tear Gas Order and the Less Lethal Order will remain in effect as a preliminary injunction until this Court issues a final decision on the merits of this case, unless otherwise modified or rescinded.

This stipulation is made without prejudice to the respective legal positions of the parties and without any party waiving any argument or the right to request modifications, clarifications, or rescissions of this preliminary injunction as circumstances may warrant.

Dated: April 8, 2021

Submitted by:

/s/ Jesse Merrithew

J. Ashlee Albies, Franz Bruggemeier,
Juan C. Chavez, Alex Meggitt, Jesse
Alan Merrithew, Brittney Plessner,
Viktoria Safarian and Whitney Stark
Attorneys for Plaintiffs

/s/ Naomi Sheffield

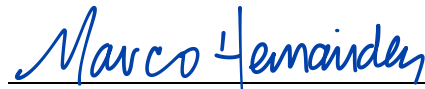
J. Scott Moede
Naomi Sheffield
Robert Yamachika

Attorneys for Defendant City of Portland

The Court adopts the above Amended Stipulated Preliminary Injunction in this action.

IT IS SO ORDERED.

Dated: April 9, 2021


Honorable Marco A. Hernandez