

1 **SPINELLI, DONALD & NOTT**

A Professional Corporation

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6 Attorneys for Defendants County of

Siskiyou; Jeremiah LaRue and Jesus

7 Fernandez, in their official capacities

as members of the Siskiyou County

8 Sheriff's Department and in their individual

capacities; Brandon Criss, Ed Valenzuela,

9 Michael N. Kobseff, Nancy Ogren, and

Ray A. Haupt, in their official capacities

10 as members of the Siskiyou County Board

of Supervisors and in their individual

11 capacities; Edward Kiernan, in his official

capacity as County Counsel for Siskiyou

12 County and in his individual capacity;

and DOES 1-100

13 UNITED STATES DISTRICT COURT

14 FOR THE EASTERN DISTRICT OF CALIFORNIA

15 SACRAMENTO DIVISION

16
17 Dilevon Lo, Jerry Vang, Nathan Thao, Mao
Thao, Pao Lee, Antonio Lee, Koua Lee, Nhia
18 Thai Vang, Zeng Lee, Der Lee and Khue Cha,

19 Plaintiffs,

20 vs.

21 County of Siskiyou; Jeremiah LaRue and
Jesus Fernandez, in their official capacities as
22 members of the Siskiyou County Sheriff's
Department and in their individual capacities;
23 and Brandon Criss, Ed Valenzuela, Michael N.
Kobseff, Nancy Ogren, and Ray A. Haupt, in
24 their official capacities as members of the
Siskiyou County Board of Supervisors and in
25 their individual capacities; Edward Kiernan, in
his official capacity as County Counsel for
26 Siskiyou County and in his individual
capacity; and DOES 1-100,

27 Defendants.
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Case No. 2:21-cv-00999-KJM-DMC

**DEFENDANTS' NOTICE OF MOTION
AND MOTION FOR DISSOLUTION OF
THE COURT'S ORDER GRANTING A
PARTIAL PRELIMINARY INJUNCTION**

Complaint Filed: June 4, 2021

First Amended Complaint Filed: July 15, 2021

Date: March 25, 2022

Time: 10:00 AM

Courtroom: 3, 15th Floor

Judge: Hon. Kimberly J. Mueller

**[FEES EXEMPT PURSUANT TO
GOVERNMENT CODE SECTION 6103]**

1 **NOTICE IS HEREBY GIVEN** that on **March 25, 2022 at 10:00 a.m.**, in the Courtroom of
2 the Honorable Kimberly J. Mueller, Courtroom 3, 15th Floor, located at 501 I Street, Sacramento,
3 California, 95814, Defendants County of Siskiyou; Jeremiah LaRue and Jesus Fernandez, in their
4 official capacities as members of the Siskiyou County Sheriff's Department and in their individual
5 capacities; Brandon Criss, Ed Valenzuela, Michael N. Kobseff, Nancy Ogren, and Ray A. Haupt, in
6 their official capacities as members of the Siskiyou County Board of Supervisors and in their
7 individual capacities; Edward Kiernan, in his official capacity as County Counsel for Siskiyou
8 County and in his individual capacity, will and do file a Motion for Dissolution of The Court's Order
9 Granting a Partial Preliminary Injunction.

10 This Motion will be based upon this Notice; the Memorandum of Points and Authorities in
11 support hereof; the Affidavits of Jeremiah LaRue, Rick Dean and Ray A. Haupt, and all records and
12 documents on file herein, and such other and further evidence or matters as may be presented or
13 offered here, in the reply brief and at the time of the hearing on this Motion.

14 Dated: February 18, 2022

SPINELLI, DONALD & NOTT

15
16 By /s/ J. Scott Donald
17 J. SCOTT DONALD
18 Attorneys for Defendants
19 COUNTY OF SISKIYOU

20 **CERTIFICATION OF MEET AND CONFER EFFORTS**

21 Counsel for Defendants met and conferred with counsel for Plaintiffs through written
22 correspondence on February 9, 2022, February 12, 2022, and February 16; and a telephone
23 conference on February 17, 2022 regarding the issues raised in this motion. As of the filing of this
24 motion, the parties had not come to an agreement with respect to the issues raised in this motion.

25 Dated: February 18, 2022

SPINELLI, DONALD & NOTT

26 By /s/ J. Scott Donald
27 J. SCOTT DONALD
28 Attorneys for Defendants
COUNTY OF SISKIYOU