

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION**

**BEVERLY CLARNO, GARY
WILHELMS, JAMES L. WILCOX, and
LARRY CAMPBELL,**

Case No. 21CV40180

**ORDER APPROVING MOTION TO
DISMISS PETITIONERS' FOURTH
CLAIM FOR RELIEF WITH PREJUDICE**

Petitioners,

v.


**SHEMIA FAGAN, in her official capacity as
Secretary of State of Oregon,**

Respondent.

Petitioners moved to dismiss their Fourth Claim for Relief with Prejudice. After reviewing the Motion and Certificate of Compliance, the ~~Court~~ **Special Judicial Panel** has concluded that good grounds exist, and it is therefore:

ORDERED AND ADJUDGED that the Motion to Dismiss Petitioners' Fourth Claim for Relief with Prejudice is hereby GRANTED.

11/1/2021 10:06:29 AM


Senior Judge Mary M. James

SUBMITTED BY:
Shawn M. Lindsay, OSB #020695
Of Attorneys for Petitioners

Order Approving Motion to Dismiss Petitioners' Fourth Claim for Relief with Prejudice

1 **CERTIFICATE OF READINESS – UTCR 5.100**

2 The submission is ready for judicial signature because:

- 3 1. Each opposing party affected by this order or judgment has stipulated to the order
4 or judgment, as shown by each opposing party's signature on the document being
submitted.
- 5 2. Each opposing party affected by this order or judgment has approved the order or
6 judgment, as shown by signature on the document being submitted or by written
confirmation or approval sent to me.
- 7 3. I have served a copy of this order or judgment on all parties entitled to service and:
- 8 a. No objection has been served on me.
- 9 b. I received objections that I could not resolve with the opposing party
10 despite reasonable efforts to do so. I have filed a copy of the objections
I received and indicated which objections remain unresolved.
- 11 c. After conferring about objections **[OPPOSING PARTY]** agreed to
12 independently file any remaining objection.
- 13 4. The relief sought is against an opposing party who has been found in default.
- 14 5. An order of default is being requested with this proposed judgment.
- 15 6. Service is not required pursuant to subsection (3) of this rule, or by statute, rule or
otherwise.
- 16 7. This is a proposed judgment that includes an award of punitive damages and notice
17 has been served on the Director of the Crime Victims' Assistance Section as required
by subsection (4) of this rule.

18 DATED this 29th day of October 2021.

19 **HARRIS BERNE CHRISTENSEN LLP**

20 s/Shawn M. Lindsay
21 Shawn M. Lindsay, OSB #020695
shawn@hbclawyers.com
22 Of Attorneys for Petitioners
23
24
25
26

Certificate of Readiness