

1 HARDY MYERS  
Attorney General  
2 STEPHEN K. BUSHONG #85130  
Assistant Attorney General  
3 Department of Justice  
1162 Court Street NE  
4 Salem, OR 97301-4096  
Telephone: (503) 378-6313  
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6 Attorneys for Plaintiff

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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE DISTRICT OF OREGON

12 STATE OF OREGON,

13 Plaintiff,

14 v.

15 JOHN ASHCROFT, in his official capacity as  
United States Attorney General; ASA  
16 HUTCHINSON, in his official capacity as  
Administrator of the Drug Enforcement  
17 Administration, KENNETH W. MAGEE, in his  
official capacity as Director of the Drug  
18 Enforcement Administration, Portland Office,  
UNITED STATES OF AMERICA; THE  
19 UNITED STATES DEPARTMENT OF  
JUSTICE; and THE UNITED STATES DRUG  
20 ENFORCEMENT ADMINISTRATION,

21 Defendants.  
22

Case No.

PLAINTIFF'S MOTIONS FOR A TEMPORARY  
RESTRAINING ORDER AND A  
PRELIMINARY INJUNCTION

**(ORAL ARGUMENT REQUESTED;  
EXPEDITED CONSIDERATION  
REQUESTED)**

23 Pursuant to Fed. R. Civ. P. 65, plaintiff State of Oregon (Oregon) moves for (1) a  
24 temporary restraining order enjoining defendants from implementing defendant John Ashcroft's  
25 November 6, 2001 directive (copy attached as Exhibit 1) until plaintiff's motion for a  
26 preliminary injunction can be heard; and (2) a preliminary injunction enjoining defendants from

1 implementing defendant John Ashcroft's November 6, 2001 directive (Exhibit 1) pending final  
2 resolution of this matter on the merits. Oregon further requests waiver of the requirement for  
3 posting security for payment of any costs or damages incurred by defendants as a result of the  
4 temporary restraining order and preliminary injunction.

5 These motions are based on Oregon's complaint and supporting memorandum, and by  
6 the motions and affidavits to be filed by intervenor-plaintiffs herein. A proposed form of  
7 temporary restraining order is submitted with this motion. Expedited consideration is requested.  
8 The undersigned counsel has provided notice to defendants by telephone call to United States  
9 Attorney Michael Mossman on this date.

10 DATED this \_\_\_\_ day of November, 2001.

11 Respectfully submitted,

12 HARDY MYERS  
13 Attorney General

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16 STEPHEN K. BUSHONG #85130  
17 Attorney-in-Charge  
18 Trial Attorney  
19 Of Attorneys for Plaintiff  
20 1162 Court Street NE  
21 Salem, OR 97301-4096  
22 (503) 378-6313  
23  
24  
25  
26