

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**MARIN COUNTY LOCAL OF THE
CALIFORNIA HOMELESS UNION, ET AL.**

Plaintiffs,

v.

CITY OF NOVATO, ET AL.,

Defendants.

Case No. 21-cv-5401-YGR

**ORDER GRANTING APPLICATION FOR
TEMPORARY RESTRAINING ORDER AND
ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

Plaintiffs Marin County Local of the California Homeless Union, Jason Sarris, Carrie Healon, Zach Boulware, Lea Deangelo, Donald Hobbs, Lisa Johnson, Bethany Allen, (“Plaintiffs”) have filed their Amended *Ex Parte* Application and Complaint for Injunctive Relief And A Declaratory Judgment, and supporting documents. (Dkt. Nos. 1, 3.)

The proof of service attached to Docket No. 1-1 indicates that counsel Jeffrey A. Walter, for defendants City Of Novato; City Manager, Adam McGill; Mayor Pat Eklund; Mayor Pro Tem Eric Lucan; Chief of Police Mathew McCaffrey; and Public Works Director Chris Blunk (“Defendants”), was served by electronic transmission and personal service on July 14, 2021. No response has been filed by Defendants as of the time of this Order.

Having reviewed the application for Temporary Restraining Order and Preliminary Injunction, the Memorandum of Points and Authorities, the Declarations of Jason Sarris, Carrie Healon, Zach Boulware, Lea Deangelo, Donald Hobbs, Lisa Johnson, Bethany Allen, Flojaune Cofer, PhD, MPH, and counsel Anthony D. Prince, and the amended complaint filed herein, and good cause appearing, the Court **GRANTS** the application and **ORDERS** as follows:

ORDER TO SHOW CAUSE

TO DEFENDANTS CITY OF NOVATO; ADAM MCGILL; PAT EKLUND; ERIC LUCAN; MATHEW MCCAFFREY; AND CHRIS BLUNK:

YOU AND EACH OF YOU ARE ORDERED TO SHOW CAUSE why a preliminary injunction should not be entered against you to restrain and enjoin you and your agents, assigns and/or transferees, from:

United States District Court
Northern District of California

1 (a) enforcing Novato Municipal Code Sections 7-11, 7-12, 14-20.5, 14-20.7 until further
2 order of this Court; and

3 (b) closing Camp Compassion at Lee Gerner Park or otherwise removing those encamped
4 therein.

5 **TEMPORARY RESTRAINING ORDER**

6 Pending hearing on the Order to Show Cause, Defendants and their agents, assigns and/
7 or transferees, are immediately restrained and enjoined from:

8 (a) enforcing Novato Municipal Code Sections 7-11, 7-12, 14-20.5, 14-20.7 until further
9 order of this Court; and

10 (b) closing Camp Compassion at Lee Gerner Park or otherwise removing those
11 encamped therein.

12 **IT IS FURTHER ORDERED THAT,**

13 1. Plaintiffs shall serve this Temporary Restraining Order and Order to Show Cause on
14 Defendants no later than **5:00 p.m. on July 16, 2021**, by personal service. Proof of such service
15 and signed copies of all declarations in support of the preliminary injunctions shall be filed no
16 later than **9:00 a.m. on Monday, July 19, 2021**.

17 2. Any opposition to the Order to Show Cause shall be filed no later than **Tuesday, July**
18 **20, 2021**.


19 3. Any written reply shall be filed no later than **Friday, July 23, 2021 at 12:00 noon**.

20 4. Hearing on the Order to Show Cause for Preliminary Injunction shall be held on **at 1:30**
21 **p.m. on Wednesday July 28, 2021** via the Zoom videoconference platform.

22 The Court will entertain a modified schedule for briefing and hearing, and extension of the
23 temporary restraining order, if presented by stipulation of the parties.

24 **IT IS SO ORDERED.**

25 Dated: July 15, 2021

26 
27 **YVONNE GONZALEZ ROGERS**
28 **UNITED STATES DISTRICT COURT JUDGE**