

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN DOE and JANE DOE 1 through 20, JOHN
DOE and JANE DOE A through K, DOE 12 on
behalf of DOES H and K, minors, and DOE G on
behalf of DOE I, minor,

8:09CV456

Plaintiffs,

MEMORANDUM AND ORDER

v.

STATE OF NEBRASKA, et al.,

Defendants.

Based on federal *and* state constitutional claims, Plaintiffs sued every County Attorney, every County Sheriff, the State of Nebraska, the Highway Patrol, the Nebraska Attorney General and various police chiefs in this court. Plaintiffs attacked the Nebraska Sex Offender Registration Act. Suit was commenced on December 16, 2009. Plaintiffs were given an expedited preliminary injunction hearing on December 23, 2009. On December 30, 2009, I entered a limited injunction, but allowed the great bulk of the law to become effective.

At about the same time as my ruling, I am informed that Plaintiffs' counsel instituted a similar suit and sought similar relief in one or more state district courts and that a temporary restraining order has been issued by one of said courts. I also understand that a further hearing has been set. This turn of events is disturbing. Inasmuch as I acquired jurisdiction over the federal and state claims first and inasmuch as the defendants should not be put to the burden of defending a multitude of suits on the same or similar claims particularly after Plaintiffs' counsel have been given a full and fair opportunity to be heard, it is appropriate for me to step in. Therefore, and on my own motion,

IT IS ORDERED that:

1. Counsel for Plaintiffs shall advise any state judge before whom they appear seeking similar relief to the relief sought here that I respectfully request that said judge grant no relief. Counsel shall provide the judge with a copy of this order. In addition to the normal electronic notice, the Clerk's office shall call Plaintiffs' counsel and counsel for the State of Nebraska and advise them of this order.
2. If a state court enters an order that conflicts with mine, there is high likelihood that I will take further more direct action to stop any such interference. In a spirit of comity and respect, I hope to avoid such an unseemly dispute by issuing this order.

January 4, 2010.

BY THE COURT:

Richard G. Koff
United States District Judge