

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

POWELL'S BOOKS, INC., et al.,

Plaintiffs,

v.

HARDY MYERS, in his official
capacity as Attorney General of the
State of Oregon, et al.,

Defendants.

No. CV 08-501-MO

JUDGMENT

MOSMAN, J.,

The court having issued its December 12, 2008 Opinion and Order (#48), in which the court denied plaintiffs' Motion for Permanent Injunction and Declaration of Unconstitutionality, and the court hereby incorporating that Opinion and Order in this judgment,

NOW, THEREFORE, IT IS HEREBY ADJUDGED as follows:

(1) ORS 167.054 and 167.057, as interpreted by the court in its Opinion and Order, are not substantially overbroad under the First and Fourteenth Amendments to the United States Constitution;

PAGE 1 - JUDGMENT

(2) ORS 167.054 and 167.057, as interpreted by the court in its Opinion and Order, are not unconstitutionally vague under the Fifth and Fourteenth Amendments to the United States Constitution;

(3) ORS 167.054 and 167.057, as interpreted by the court in its Opinion and Order, are not facially invalid;

(4) Plaintiffs' complaint is dismissed with prejudice, plaintiffs taking nothing thereby.

DATED this 6th day of January, 2009.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge