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**FILED**  
ALAMEDA COUNTY

NOV 18 2020

CLERK OF THE SUPERIOR COURT

By \_\_\_\_\_ Deputy

7 Attorneys for Plaintiffs,  
 8 People of the State of California and  
 9 City of Oakland

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 11 **COUNTY OF ALAMEDA**

13 THE PEOPLE OF THE STATE OF  
 14 CALIFORNIA,  
 15 Plaintiff,

16 THE CITY OF OAKLAND, a municipal  
 17 corporation,  
 18 Plaintiff and Real Party  
 19 in Interest,

20 v.

21 DAVID OERTEL, an individual, THE  
 22 FELLOWSHIP OF HUMANITY, a domestic  
 23 non-profit organization, and DOES 1-20,  
 24 Defendants.

Case No. <sup>PDH</sup> RG20079455

**[PROPOSED] TEMPORARY  
 RESTRAINING ORDER AND ORDER TO  
 SHOW CAUSE RE: PRELIMINARY  
 INJUNCTION**

*PDH*

1 The Ex Parte Application for a Temporary Restraining Order and Order to Show Cause  
2 Re: Preliminary Injunction of Plaintiffs the People of the State of California and the City of  
3 Oakland (collectively, "Plaintiffs"), having been presented to the Court on November 18, 2020  
4 and it appearing that Plaintiffs have no plain, speedy or adequate remedy at law and that a  
5 Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction should issue,

6 **IT IS ORDERED** that an Order to Show Cause Re: Preliminary Injunction issue in this  
7 case enjoining and restraining Defendants David Oertel and Fellowship of Humanity  
8 (collectively, "Defendants") from failing to comply with Alameda County Health Officer Orders  
9 20-15 and 20-17 ("County Health Orders"), or in the alternative, to show cause before this Court  
10 in Courtroom 20, located at 1221 Oak Street, Oakland, CA 94612 on December 15, 2020, at  
11 11:00AM why Defendants should not do so;

12 **IT IS FURTHER ORDERED** that pending the Order to Show Cause Re: Preliminary  
13 Injunction and until this Court directs otherwise, a Temporary Restraining Order is hereby issued  
14 enjoining and restraining Defendants from violating the County Health Orders, and all  
15 subsequent amendments to those Orders and to refrain from conducting any and all public  
16 nuisance activity related to the hosting of events and gatherings at Humanist Hall, including but  
17 not limited to the following:

18 Defendants are directed to refrain from any and all business activity other than minimum  
19 basic operations, as required by County Health Order 20-15 §§ 4, 14(g)(i-ii), 15 and County  
20 Health Order 20-17 § 5, and all subsequent amendments to those Orders;

21 Defendants are directed to comply with the County Health Order's prohibition on any and  
22 all social gatherings, as required by County Health Order 20-15 §§ 2, 6, and all subsequent  
23 amendments to those Orders;

24 Defendants are directed to comply with any applicable requirements for social distancing,  
25 mask-wearing and other hygienic guidance as required by County Health Order 20-15 § 14(k)  
26 and County Health Order 20-17 § 5, and all subsequent amendments to those Orders; and  
27  
28

*ROH*

1 Defendants are directed to comply with any additional applicable restrictions on activity  
2 required by the County Health Orders and incorporated State Health Orders, including the State  
3 of California's Blueprint for a Safer Economy.

4 A copy of this Temporary Restraining Order and Order to show Cause Re: Preliminary  
5 Injunction is to be served on Defendants no later than November 24, 2020.

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Dated: 11/18/2020

Paul D. Herbert  
JUDGE OF THE SUPERIOR COURT

PAUL D. HERBERT