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Attorneys for Pacific Seafood Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

JEFF BOARDMAN, et al.,

Case No.: 1:15-cv-00108-MC

Plaintiffs,

**PACIFIC SEAFOOD
DEFENDANTS' AND
INTERVENORS' MOTION TO
DISSOLVE PRELIMINARY
INJUNCTION**

v.

PACIFIC SEAFOOD GROUP, et al.,

Defendants,

Expedited Hearing Requested

and

JACQUELYN RYDMAN; MARK RYDMAN;
FRANCIS MILLER; and SHERRY MILLER,

Intervenor-Defendants.

LOCAL RULE 7-1(A) CERTIFICATION

Pursuant to Local Rule 7-1(a), the Pacific Seafood Defendants (“Pacific Seafood”) hereby certify that their counsel made a good faith effort through a telephone conference with Plaintiffs’ counsel to resolve the dispute and has been unable to do so. Plaintiffs oppose the Motion to Dissolve and the request for expedited hearing.

MOTION

Pacific Seafood and the Intervenors hereby move to dissolve the preliminary injunction entered by this Court on March 6, 2015 (Dkt. No. 55).

ARGUMENT

On May 15, 2018, the Court entered an order granting the Pacific Seafood Defendants’ motion for summary judgment against all of Plaintiffs’ claims. (Dkt. No. 244.) When summary judgment has been granted against a plaintiff’s claims, “it follow[s]” that the plaintiff is “no longer entitled to a preliminary injunction.” *Self-Realization Fellowship Church v. Ananda Church of Self-Realization*, 59 F.3d 902, 913 (9th Cir. 1995); *see also id.* at 906 (summary judgment order “removed any legal basis for the preliminary injunction”). Here, the Court’s summary judgment order removed any legal basis on which to afford preliminary injunctive relief to Plaintiffs, and it follows that Plaintiffs are no longer entitled to the preliminary injunction issued by this Court in 2015. The Court should enter an order dissolving the preliminary injunction.

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CONCLUSION

For all the foregoing reasons, Pacific Seafood and the Intervenors respectfully request that the Court enter an order dissolving the preliminary injunction.

DATED: May 16, 2018.

STOEL RIVES LLP

/s/ Rachel C. Lee

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