

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MARION**

**BEVERLY CLARNO, GARY  
WILHELMS, JAMES L. WILCOX, and  
LARRY CAMPBELL,**

Petitioners,

v.

**SHEMIA FAGAN, in her official capacity as  
Secretary of State of Oregon,**

Respondent.


Case No. 21CV40180

**ORDER APPROVING MOTION TO  
DISMISS PETITIONERS' FOURTH  
CLAIM FOR RELIEF WITH PREJUDICE**

Petitioners moved to dismiss their Fourth Claim for Relief with Prejudice. After reviewing the Motion and Certificate of Compliance, the ~~Court~~ **Special Judicial Panel** has concluded that good grounds exist, and it is therefore:

ORDERED AND ADJUDGED that the Motion to Dismiss Petitioners' Fourth Claim for Relief with Prejudice is hereby GRANTED.

11/1/2021 10:06:29 AM

  
Senior Judge Mary M. James

**SUBMITTED BY:**  
Shawn M. Lindsay, OSB #020695  
Of Attorneys for Petitioners

*Order Approving Motion to Dismiss Petitioners' Fourth Claim for Relief with Prejudice*

1 **CERTIFICATE OF READINESS – UTCR 5.100**

2 The submission is ready for judicial signature because:

- 3  1. Each opposing party affected by this order or judgment has stipulated to the order  
4 or judgment, as shown by each opposing party's signature on the document being  
submitted.
- 5  2. Each opposing party affected by this order or judgment has approved the order or  
6 judgment, as shown by signature on the document being submitted or by written  
confirmation or approval sent to me.
- 7  3. I have served a copy of this order or judgment on all parties entitled to service and:
- 8  a. No objection has been served on me.
- 9  b. I received objections that I could not resolve with the opposing party  
10 despite reasonable efforts to do so. I have filed a copy of the objections  
I received and indicated which objections remain unresolved.
- 11  c. After conferring about objections **[OPPOSING PARTY]** agreed to  
12 independently file any remaining objection.
- 13  4. The relief sought is against an opposing party who has been found in default.
- 14  5. An order of default is being requested with this proposed judgment.
- 15  6. Service is not required pursuant to subsection (3) of this rule, or by statute, rule or  
otherwise.
- 16  7. This is a proposed judgment that includes an award of punitive damages and notice  
17 has been served on the Director of the Crime Victims' Assistance Section as required  
by subsection (4) of this rule.

18 DATED this 29<sup>th</sup> day of October 2021.

19 **HARRIS BERNE CHRISTENSEN LLP**

20 s/Shawn M. Lindsay  
21 Shawn M. Lindsay, OSB #020695  
shawn@hbclawyers.com  
22 Of Attorneys for Petitioners  
23  
24  
25  
26

*Certificate of Readiness*