

Katherine C. Chamberlain, OSB #042580
katherinec@mhb.com
Jesse A. Wing, *pro hac vice*
jessew@mhb.com
Of Attorneys for Plaintiff Prison Legal News
MacDonald Hoague & Bayless
705 Second Avenue, Suite 1500
Seattle, Washington 98104-1745
(206) 622-1604

Marc D. Blackman, OSB #730338
marc@ransomblackman.com
Of Attorneys for Plaintiff Prison Legal News
Ransom Blackman LLP
1001 SW 5th Ave., Suite 1400
Portland, OR 97204
(503) 228-0487

Lance Weber, *pro hac vice*
lweber@humanrightsdefensecenter.org
Of Attorneys for Plaintiff Prison Legal News
Human Rights Defense Center
1037 Western Ave., 2nd Floor
West Brattleboro, VT 05303
(802) 257-1342

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

PRISON LEGAL NEWS, a project of the
HUMAN RIGHTS DEFENSE CENTER,

Plaintiff,

v.

COLUMBIA COUNTY; COLUMBIA
COUNTY SHERIFF'S OFFICE; JEFF
DICKERSON, individually and in his capacity
as Columbia County Sheriff,

Defendants.

No. 3:12-CV-71-SI

PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT ON CLAIMS
FOR DECLARATORY AND
INJUNCTIVE RELIEF

Request for Oral Argument

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON
CLAIMS FOR DECLARATORY AND INJUNCTIVE RELIEF (CV 12-
71-SI) - 1

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MACDONALD HOAGUE & BAYLESS
705 Second Avenue, Suite 1500
Seattle, Washington 98104
Tel 206.622.1604 Fax 206.343.3961

COMES NOW Prison Legal News and respectfully moves for an order: (1) declaring that Plaintiff has organizational standing to challenge Defendants' mail policies and practices; (2) declaring that Defendants' Postcard-Only Policy and No-Magazines Policy violated the First Amendment of the United States Constitution, and Defendants' Due Process Policy violated the Fourteenth Amendment of the United States Constitution; (3) declaring that Defendants violated the First and Fourteenth Amendment rights of prisoners and their correspondents; (4) declaring that Defendants censored Plaintiff's mail in violation of the First and Fourteenth Amendments, violations for which Defendants must pay damages to Plaintiff; (5) permanently enjoining Defendants from rejecting or otherwise censoring mail (a) on the ground that it is not in the form of a postcard, or (b) on the ground that it is a magazine or periodical; and (6) permanently enjoining Defendants from denying due process to prisoners and their correspondents when rejecting or otherwise censoring mail.

Pursuant to Local Rule 7-1, the parties have made a good faith effort through telephone conferences, letters and email communications to resolve the issues identified in this motion and have been unable to do so. *See* Declaration of Katherine Chamberlain, ¶77.

Submitted in support of this Motion are Plaintiff's Memorandum in Support of Motion for Summary Judgment on Claims for Declaratory and Injunctive Relief, the Declaration of Katherine Chamberlain, the Declaration of Jesse Wing, and the Second Declaration of Brad Berg, filed with this motion. Plaintiff also relies on the declarations and exhibits previously filed in support of its Motion for Preliminary Injunction, Dkts. 7 through 15, 34 through 40, and 44 through 46.

DATED this 13th day of September, 2012.

RANSOM BLACKMAN LLP

/s/ Marc D. Blackman

MARC D. BLACKMAN

OSB #730338

(503) 228-0487

Of Attorneys for Plaintiff Prison Legal News

MACDONALD HOAGUE & BAYLESS

/s/ Katherine C. Chamberlain

KATHERINE C. CHAMBERLAIN

OSB #042580

(206) 622-1604

Of Attorneys for Plaintiff Prison Legal News

CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2012, I electronically filed the foregoing to the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

- **Marc D. Blackman**
marc@ransomblackman.com, pat@ransomblackman.com
- **Steven A. Kraemer**
sak@hartwagner.com, rcd@hartwagner.com
- **Gregory R. Roberson**
grr@hartwagner.com, cej@hartwagner.com
- **Lynn S. Walsh**
walsh@europa.com
- **Lance Weber**
lweber@humanrightsdefensecenter.org, ahull@humanrightsdefensecenter.org

MACDONALD HOAGUE & BAYLESS

/s/ Katherine C. Chamberlain
KATHERINE C. CHAMBERLAIN
OSB #042580
(206) 622-1604
Of Attorneys for Plaintiff Prison Legal News