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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 09 2020

R. Gonzalez



7 Attorneys for Plaintiff, COUNTY OF RIVERSIDE
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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF RIVERSIDE

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12 COUNTY OF RIVERSIDE;)

Case No. PSC2002064

13 Plaintiff,)

14 vs.)

**~~PROPOSED~~ ORDER GRANTING IN PART
AND DENYING IN PART THE COUNTY OF
RIVERSIDE'S EX PARTE APPLICATION
FOR TEMPORARY RESTRAINING
ORDER**

15)
16 CHURCH UNLIMITED, a religious non-profit)
organization; JAMES MOFFATT, an)
17 individual; DOES 1 THROUGH 100,)

**DATE: April 9, 2020
TIME: 8:30 a.m.
DEPARTMENT: 32**

18 Defendants.)

Complaint Filed: April 8, 2020

19)
20)
21 **TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:**

22 Plaintiff COUNTY OF RIVERSIDE's Ex Parte Application came on for hearing on April 9, 2020
23 at 9:30 a.m. in Department 32 before the Honorable Presiding Judge John Vineyard, presiding in the above-
24 entitled court, located at 4100 Main Street, Riverside, California 92501. Kelly A. Moran appeared
25 telephonically on behalf of the Plaintiff, COUNTY OF RIVERSIDE. Pastor James Moffatt appeared
26 telephonically on behalf of Defendants, CHURCH UNLIMITED and JAMES MOFFATT. Due to the
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1 urgent nature of the hearing, the Court permitted the special appearance by non-lawyer, Pastor James
2 Moffatt, on behalf of both Defendants.

3 Having considered the County of Riverside's ("County") Ex Parte Application, Memorandum of
4 Points and Authorities in support thereof, Declaration of Kelly Moran, the written Opposition of Pastor
5 James Moffatt Ordered filed on April 9, 2020, the arguments and representations of all counsel and parties
6 at the hearing on the matter, and good cause appearing herein,

7 **THE FOLLOWING IS HEREBY ORDERED:**

8 1. The Court accepts the representations of Pastor James Moffatt that CHURCH UNLIMITED
9 will not host in-person church services, including but not limited to on Easter Sunday, April 12, 2020. The
10 Court notes that an in-person church service would be a violation of the Orders of the County's Public
11 Health Officer and would pose a threat to public health.

12 2. Based upon the aforementioned representations of Pastor James Moffatt, and based upon the
13 fact that the Orders of the County's Public Health Officer are valid and enforceable in their own right, the
14 Court **denies** as moot the County's Ex Parte Application for a Temporary Restraining Order.

15 3. The County and its personnel or hired vendors, including employees of the Sheriff's
16 Department, City Police Departments, Code Enforcement Departments, Department of Public Health, the
17 Fire Department and other applicable governmental agencies are hereby authorized to: enter onto the
18 property at 45520 Clinton Street, Indio, California 92201, to post notice of the April 6th Order of the Public
19 Health Officer, and any other applicable public health orders, in visible locations on said Property,
20 including, but limited to, on exterior fences, gates, structures, doors or any other structure thereupon and to
21 distribute this Order to Defendants and/or any other persons present on the Property.

22 4. A gathering of no more than ten (10) persons, strictly adhering to social distancing
23 guidelines, is permitted at Church Unlimited for the limited purpose of broadcasting or streaming church
24 services, including but not limited to on Easter Sunday, April 12, 2020.

25 **IT IS SO ORDERED.**

26 Dated: 4/9/2020

27 By: 
28 Judge of the Superior Court