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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

COCINA CULTURA, LLC,

Case No.: 3:20-cv-2022-IM

Plaintiff,

v.

Plaintiff's Notice of Motion and
Motion for Preliminary Injunction

STATE OF OREGON, et al.

Defendants.

Plaintiff's Notice of Motion & Motion

TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

Certification Pursuant to Local Rule 7-1(a) (1):

On November 25, 2020, Counsel for Plaintiff conferred with Clifford S. Davidson, Counsel for Defendants State of Oregon, Oregon Department of Administrative Services, and Katy Coba,. Scott Dec. par. 7. Counsel for Plaintiff notified Mr. Davidson that Plaintiff intends to file the present Motion. *Id.* The parties made a good faith effort to resolve the issue and were unable to do so. *Id.* On November 25, 2020, Counsel for Plaintiff conferred with Amanda T. Gamblin, Counsel for Defendants The Contingent and The Black Fund of Oregon, Inc.. Scott Dec. par. 8. Counsel for Plaintiff notified Ms. Gamblin that Plaintiff intends to file the present Motion. *Id.* The parties made a good faith effort to resolve the issue and were unable to do so. *Id.*

PLEASE TAKE NOTICE that Plaintiff Cocina Cultura hereby moves this Court for a preliminary injunction that enjoins Defendants, or any other person or entity acting in concert with them or under the authority of the State of Oregon, during the pendency of this action, from discriminating against Plaintiff by reason of its owner's race and national origin in distributing funds allocated to the state by the Federal government from the CARES Act's Coronavirus Relief Fund. Defendants' continuing operation of the \$62 million Oregon Cares Fund for Black Relief and Resiliency (the "Fund") violates the Equal Protection Clause, 42 U.S.C. § 1981, and Title VI of the Civil Rights Act of 1964.

Immediate relief is necessary, as Plaintiff has and continues to suffer irreparable harm

from defendants' ongoing discrimination.

This motion shall be based on this notice of motion and motion, the memorandum of points and authorities in support, the declarations, and evidence filed concurrently herewith, and upon any further matters the Court deems appropriate.

Dated: November 25, 2020

Respectfully submitted,

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