



**Mannix Responds to Supreme
Court Stay of Circuit Court
Order as to Elkhorn Baptist
Church v. Governor Kate
Brown**

Kevin Mannix, attorney for Common Sense for Oregon, the organization which brought in intervenors to challenge the Governor's Executive Orders, has responded as presented below to the action of the Oregon Supreme Court, in which it issued an emergency stay of the Circuit Court Order.

The Circuit Court Judge ruled that the Governor's emergency powers, under the public health emergency law, expired because the law has a 28 day time limit.

The Circuit Court Judge ruled that the Governor's Executive Orders asserting emergency powers were no longer in effect.

Here is the Kevin Mannix commentary on the Supreme Court decision to grant an emergency stay:

"I am not surprised that the Supreme Court has granted an emergency stay as to the Circuit Court Order. After all, we have the Governor of the State asking for a little more time to allow her Executive Orders to remain in effect pending a decision on the merits. I am pleased that the Oregon Supreme Court has asked us to file our complete response to the Governor's challenge by a deadline of Friday, May 22. This tells me that the Court takes this entire case very seriously and wants to issue a decision as soon as possible. We will file a comprehensive response. We hope for a decision by the Supreme Court within the near future.

We all need to exercise our own common sense to voluntarily take steps which help protect against the spread of the coronavirus disease. This litigation is about the Governor acting outside of the time frame in which she is allowed to exercise extraordinary emergency powers. The public health emergency statute has a 28 day time limit and this expired on April 6, 28 days after the Governor's declaration of a public health emergency on March 8. While we await a final decision from the Supreme Court we are faced with

devastating unemployment, awful damage to our businesses, the closure of our colleges, universities, and schools, and dramatic restrictions on the capability of people to gather together to worship the Almighty."