

D. Angus Lee, OSB No. 213139
ANGUS LEE LAW FIRM, PLLC
9105 NE Highway 99, Suite 200
Vancouver, WA 98665-8974
(360) 635-6464
angus@angusleelaw.com

Endel Kolde
(pro hac vice)
INSTITUTE FOR FREE SPEECH
1150 Connecticut Ave., NW, Suite 801
Washington, D.C. 20036
(202) 301-1664
dkolde@ifs.org

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

BRUCE GILLEY,

Plaintiff,

v.

TOVA STABIN, in her individual
capacity; and the
COMMUNICATION MANAGER of
the University of Oregon's Division of
Equity and Inclusion, in his or her
official capacity,

Defendants.

Case No. 3:22-cv-01181-HZ

PRELIMINARY INJUNCTION [PROPOSED]

In accordance with the parties' briefing and evidence presented in this lawsuit, and the Ninth Circuit's opinion (Dkt. 67), this Court finds that Bruce Gilley has raised serious questions going to the merits of his claim that UO's Communication Manager blocked him from interacting with @UOEquity in violation of the First Amendment and that there is some cognizable danger of a recurrent violation, making it appropriate to issue the following preliminary injunction. Accordingly, it is hereby ORDERED that:

1. The Court enjoins the Communication Manager for the University of Oregon's (UO's) Division of Equity and Inclusion (DEI), the manager's agents, servants, employees, and all person in active concert or participation with them who receive actual notice of this injunction from enforcing certain provisions of UO's social media blocking guidelines against X¹ user @BruceDGilley with respect to interacting with the X account @UOEquity, that is:
 - a. Blocking, hiding, muting, or in any way deleting posts, replies, re-tweets, or re-posts by user @BruceDGilley because they are deemed "hateful," "racist," or "otherwise offensive;"
 - b. Blocking, hiding, muting, or in any way deleting posts, replies, re-tweets, or re-posts by user @BruceDGilley because they are deemed

¹ The term "X" refers to the social-media platform formerly known as Twitter. The term posting is equivalent to the functionality formerly called tweeting, and re-posting is equivalent to the functionality formerly called re-tweeting.

“out of context,” “off topic” or “not relevant” where @BruceDGilley is expressing an opinion on the issues of race, racism, equality, colorblindness, race consciousness, diversity, equity, or inclusion;

- c. Blocking, hiding, muting, or in any way deleting posts, replies, re-tweets, or re-posts by user @BruceDGilley because his posted content is deemed “obnoxious,” “talking something about the oppression of white men,” critical of UO or DEI, or promotes views with which the Communication Manager disagrees; or
 - d. Blocking or banning @BruceDGilley from all interaction with @UOEquity.
2. Nothing in this injunction prevents the Communication Manager from posting content on @UOEquity that promotes the views of DEI, UO, or the Communication Manager; replying to or disagreeing with an opinion or viewpoint posted by @BruceDGilley, or engaging in counter-speech using @UOEquity.
 3. This injunction takes effect immediately and remains in effect during the pendency of this lawsuit, unless modified by a final judgment or other order of the Court, the agreement of all parties, or there is some other binding change in the law.

IT IS SO ORDERED on July ___, 2024.

MARCO A. HERNANDEZ
U.S. DISTRICT JUDGE

Respectfully submitted,

Dated: June 26, 2024

s/Endel Kolde
Endel Kolde
(pro hac vice)
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Suite 801
Washington, D.C. 20036
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dkolde@ifs.org

s/D. Angus Lee
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Attorneys for Bruce Gilley