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December 5, 2022

The Honorable Karin J. Immergut  
U.S. District Court for the District of Oregon

RE: *Oregon Firearms Federation v. Governor Kate Brown*  
USDC Case No.: 2:22-cv-01815-IM

Dear Judge Immergut:

As you know, I represent the Plaintiffs in this civil action seeking to enjoin the enforcement of 2022 Oregon Ballot Measure 114.

I write to briefly respond to the December 4, 2022 letter from Mr. Brian Marshall, attorney for Defendants.

On page 1 of his letter, Mr. Marshall summarizes his view of the “three basic challenges to Measure 114.”

He first references “facial challenges.”

I wish to clarify that my clients also make **only** a “facial challenge” to 114.

And Mr. Marshall omits that my clients also argue that the “permit to purchase” provisions of 114 will not be able to be implemented by the December 8, 2022 effective date of 114 due to the massive backlog. That is like the claims made by the plaintiffs in the related lawsuits he references. My clients also rely on these “anticipated implementation difficulties.”

And Mr. Marshall’s vague promise of an undefined “limited window in which Oregonians will be able to purchase firearms even if they do not have a permit” does not end the necessity for the injunctive relief Plaintiffs request.

Respectfully, a significant part of the reason for filing the lawsuit, and the preliminary injunction motion, is to block the “permits to purchase” provisions from going into effect, and not for an unspecified “limited window.”

Sincerely,

s/ John Kaempf

CC: Brian Simmonds Marshall