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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

INDEX NEWSPAPERS LLC, a Washington limited-liability company, dba **PORTLAND MERCURY**; **DOUG BROWN**; **BRIAN CONLEY**; **SAM GEHRKE**; **MATHIEU LEWIS-ROLLAND**; **KAT MAHONEY**; **SERGIO OLMOS**; **JOHN RUDOFF**; **ALEX MILAN TRACY**; **TUCK WOODSTOCK**; **JUSTIN YAU**; and those similarly situated,

Plaintiffs,

v.

CITY OF PORTLAND, a municipal corporation; **JOHN DOES 1-60**, officers of Portland Police Bureau and other agencies working in concert; **U.S. DEPARTMENT OF HOMELAND SECURITY**; and **U.S. MARSHALS SERVICE**,

Defendants.

Case No. 3:20-cv-1035-SI

SUPPLEMENTAL DECLARATION OF JOHN RUDOFF IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION AGAINST DEFENDANTS U.S. DEPARTMENT OF HOMELAND SECURITY AND U.S. MARSHALS SERVICE

I, John Rudoff, declare:

1. I am an Oregon resident who lives in the City of Portland. I am a photojournalist. My work has been published nationally and internationally, including my extensive reporting from many areas of urban civil conflict. Since this lawsuit began, I have been published in *Rolling Stone*, *The Nation*, and on the front page of the July 18, 2020 national edition of the *New York Times*. I have attended the protests in Portland over the last two months for the purpose of documenting and reporting on them. If called as a witness, I could, and would, testify competently to the facts below.

2. On July 20, I submitted a declaration to the Court in support of Plaintiff's motion for a temporary restraining order because federal officers targeted and shot me in my right shoulder, inches from my head, with what I believe was a 40mm rubber bullet. Despite my injury, I returned to document the protests in my capacity as a journalist and newsgatherer last night (July 21 into July 22).

3. Early in the morning on July 22, 2020, I was documenting the protests in downtown Portland. I was wearing my helmet and vest that say "PRESS" in large block letters. I was wearing my 4x6" laminated press credential issued by the National Press Photographers' Association, which clearly states that I am press. Additionally, I was wearing light-colored clothing and heavy boots.

4. At approximately 12:40 a.m., I was standing on the east sidewalk of SW 4th Avenue, just north of the intersection of SW 4th and SW Salmon, where I was photographing a police skirmish line, who were arranged facing north in that intersection. They were all federal officers. I was photographing their line, facing north, and the protestors who were arrayed facing south.

5. The following is a true and correct copy of a photo I took documenting this incident:



6. Minutes later, I suddenly felt a tremendous strike and extreme pain in the lower medial aspect of my left tibia, directly above the line of my boot. I stopped photographing at once and hobbled north on SW 4th for about 50 yards, crossed the street from east to west, and hid in a concrete alcove of a big building.

7. Friends saw me sitting and came to render first aid – betadine, a gauze pad, and light wrap. I could not continue working after this (even though I was on assignment for a large European news agency) because I was hobbled and in too much pain. Another friend drove me to my car, about six blocks away, and I drove home to try to tend to my injury.

8. The following is a true and correct copy of a photograph that I took at 1:30 a.m. today, June 22, showing a deep anterior abrasion, medial extension of the abrasion, and significant circumferential swelling:



9. During the night, I and my family attended to my injury, including topical cleaning, topical antibiotics, gauze pads, and light wrap. I was in significant pain all night and I still am in significant pain. I have been soaking my leg in hot water throughout the day.

10. The following is a true and correct copy of a photograph that I took of my leg at approximately 10:50 a.m. this morning, the morning after the injury:



11. Despite my desire to continue reporting on and photographing the protests, I do not think that I can work today and probably will not be able to work tomorrow due to this injury and the pain that I am in. I am also fearful of being injured even more severely by the ever-escalating behavior of the federal agents.

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct.

Dated: July 22, 2020

DocuSigned by:
John Rudoff
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John Rudoff