Entered 20-CI-00376 07/09/2020 Tina Foster, Scott Circuit Clerk

COMMONWEALTH OF KENTUCKY
SCOTT CIRCUIT COURT
CASE NO. 20-CI-00376
Electronically filed

RYAN QUARLES, in his official capacity as Commissioners of Agriculture, *et al.*,

and

COMMONWEALTH OF KENTUCKY ex rel. Attorney General Daniel Cameron

Intervening Plaintiff

v.

ANDY BESHEAR, in his official capacity as Governor, *et al.*

Defendants

TEMPORARY RESTRAINING ORDER

This matter is before the Court on the motions of the Commonwealth of Kentucky ex rel. Attorney General Daniel Cameron, Ryan Quarles, in his official capacity as Commissioner of Agriculture, and Evans Orchard & Cider Mill, LLC for a temporary restraining order. The Court having heard the argument of counsel, and being otherwise sufficiently advised, hereby **GRANTS** the motions for a temporary restraining order as follows:

1. Defendants Governor Andrew Beshear, Secretary Eric Friedlander, Dr. Steven Stack, the Cabinet for Health and Family Services, the Kentucky Department for Public Health, the WEDCO District Health Department, and Crystal Miller, and all of their employees, attorneys, and agents, are **ENJOINED** from

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enforcing any Executive Order, Secretary's Order, or other order or guidance issued pursuant to KRS Chapter 39A related to the emergency declared by the Governor on March 6, 2020, against Evans Orchard & Cider Mill, LLC or any of the 548 agritourism businesses in Kentucky currently registered with the Department of Agricultural;

2. Prior to issuing or enforcing any Executive Order, Secretary's Order, or other order or guidance issued pursuant to KRS Chapter 39A related to the emergency declared by the Governor on March 6, 2020, the Governor or other person authorized by the Governor shall specifically state the emergency that requires the order, the location of the emergency, and the name of the local emergency management agency that has determined that the emergency is beyond its capabilities; and

3. Pursuant to CR 65.05(1), the Court finds it in the public interest to waive the bond requirement.

It is **SO ORDERED** this the __ day of _____, 2020, at _____ a.m./p.m.

/s/ HON. BRIAN PRIVETT
electronically signed
7/7/2020 1:28:52 PM ET

Circuit Judge, Scott Circuit Court

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CLERK'S CERTIFICATE OF SERVICE

I certify that on July __, 2020, a copy of the above was filed with the Court and served by U.S. Mail, postage prepaid, on the following:

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Clerk, Scott Circuit Court

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