

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
Case Type: Civil/Other

Minnesota Gun Owners Caucus;
Plaintiff,

Court File No. 62-CV-25-9927

v.

**ATTORNEY CERTIFICATION
REGARDING NOTICE AND THE
NEED FOR EX PARTE RELIEF**

City of Saint Paul, Minnesota
Defendant.

I, Rob Doar, hereby certify as follows:

1. I am counsel for Plaintiff Minnesota Gun Owners Caucus in the above-captioned matter and make this certification in support of Plaintiff's Ex Parte Motion for a Temporary Restraining Order pursuant to Minn. R. Civ. P. 65.01. This certification is submitted pursuant to Minn. Gen. R. Prac. 118 as a written statement describing the manner in which notice of this application has been provided to Defendant and, pursuant to Minn. Gen. R. Prac. 115.10, to explain why further meet-and-confer efforts are not feasible in the context of this emergency motion.

EFFORTS TO PROVIDE NOTICE

2. Defendant City of Saint Paul has been on formal notice of Plaintiff's intent to initiate this legal action since at least October 22, 2025. On that date, Plaintiff sent a detailed written notice by email to the Saint Paul City Council and the Saint Paul

City Attorney advising that enactment of Ordinance 25-65 would violate Minn. Stat. § 471.633 and would result in immediate legal action.

3. On November 5, 2025, I appeared and testified at the public hearing on Ordinance 25-65, again warning the Council that the Ordinance was preempted under Minn. Stat. §§ 471.633 and 624.714 and that its passage would lead to immediate litigation seeking declaratory and injunctive relief.

4. On November 12, 2025, immediately following the City Council's vote to pass Ordinance 25-65, Plaintiff caused the Summons and Complaint to be personally served on the City of Saint Paul in accordance with Minn. R. Civ. P. 4.

5. On November 21, 2025, I provided notice under Minn. Gen. R. Prac. 118 by emailing the Saint Paul City Attorney's Office a copy of Plaintiff's Notice of Motion and Motion for Temporary Restraining Order and Preliminary Injunction, supporting memorandum, affidavits, and proposed order.

MEET-AND-CONFER-STATEMENT (MINN. GEN. R. PRAC. 115.10)

6. Consistent with Minn. Gen. R. Prac. 115.10, Plaintiff certifies that it has attempted in good faith to resolve this dispute without court intervention through the written notice described above and through public testimony before the City Council. The October 22, 2025 letter expressly invited the City to refrain from enacting an ordinance that would be void under state law, and Plaintiff reiterated those concerns at

the November 5, 2025 public hearing.

7. The City nonetheless proceeded to pass Ordinance 25-65 on November 12, 2025, and the Mayor signed the Ordinance on November 19, 2025. Given the City's decision to enact the Ordinance with full knowledge of Plaintiff's legal objections and stated intent to sue, further meet-and-confer efforts would be futile and are not feasible in the compressed timeframe presented by the Ordinance's imminent publication and codification.

REASONS WHY EX PARTE RELIEF IS NECESSARY

8. Ex parte relief is required because "immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party can be heard in opposition," as set forth in Minn. R. Civ. P. 65.01. The Saint Paul City Council passed Ordinance 25-65 on the evening of November 12, 2025. The legal injury—the ultra vires enactment of a void ordinance in a field expressly preempted by state law—began at that moment and continues so long as the City moves toward publication and codification.

9. The immediate irreparable harm consists of the imminent publication and codification of a void ordinance. These ministerial acts would place the Ordinance in the Saint Paul Legislative Code, give it the false appearance of valid law, deepen legal uncertainty, and directly chill the exercise of fundamental rights by Plaintiff's

members, who must decide now how to structure their lives, property, and self-defense choices in light of the Ordinance's existence.

10. The Ordinance was signed by the Mayor on November 19, 2025 and, absent court intervention, will be published within 30 days. Once published and codified, the Ordinance will be treated by the City and the public as part of the binding code, and the risks of enforcement, misunderstanding, and chilled conduct will be substantially heightened.

11. Ex parte relief is necessary to prevent the City from completing the ministerial acts required to publish, codify, or otherwise give effect to Ordinance 25-65 before this Court can rule on the legality of the Ordinance and on Plaintiff's request for preliminary injunctive relief. The City already has full written notice of Plaintiff's objections and of this lawsuit. What Plaintiff seeks to avoid is an additional delay, during which the City could accelerate publication and codification of the Ordinance after learning the specific time and date of the emergency hearing.

12. Plaintiff has not provided advance notice of the specific time and place of this application for a temporary restraining order because immediate and irreparable injury will occur if that information is given. Providing the City with further advance notice of the precise time and place of this ex parte application would create a window of opportunity for the City to accelerate the administrative process of final approval, publication, and codification of the Ordinance before the Court can issue an

order—inflicting the very irreparable harm the temporary restraining order is designed to prevent.

13. Proceeding *ex parte* on the TRO preserves the status quo by temporarily prohibiting publication, codification, and enforcement of a facially void ordinance until the Court can conduct a noticed hearing on Plaintiff's motion for a preliminary injunction, at which time the City will have a full and fair opportunity to be heard.

14. A Temporary Restraining Order will cause no cognizable harm to the City. It will only temporarily enjoin the City from taking further administrative steps to implement an ordinance that is void under state law, while leaving the City free to defend the Ordinance on the merits at the preliminary-injunction hearing.

For these reasons, Plaintiff respectfully requests that the Court consider and issue a Temporary Restraining Order on an *ex parte* basis pursuant to Minn. R. Civ. P. 65.01.

Dated: November 21, 2025

/s/ Rob Doar
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