

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF OREGON  
3 MEDFORD DIVISION

4 **Case 3:24-cv-00755-JR**

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**GAG ORDER REQUEST**  
**United States Magistrate**  
**Judge Jolie A. Russo**

9  
10  
11 **vs.**

12  
13 **Defendant 1. (D1)**  
14 **Dave Coffman, as geoscientist**  
15 [dcoffman@res.us](mailto:dcoffman@res.us)  
16 **Resource Environmental Solutions,**  
17 **Corporate Headquarters – Houston**  
18 **6575 West Loop South, Suite 300**  
19 **Bellaire, TX 77401**  
20 **713.520.5400 x6134**

21 **Defendant 2. (D2)**  
22 **Mark Bransom in his capacity as Chief Executive Officer of**  
23 **Klamath River Dam Renewal Corp.**  
24 [info@klamathrenewal.org](mailto:info@klamathrenewal.org)

25 **Defendant 3 (D3)**  
26 **Klamath River Renewal Corporation**  
27 **2001 Addison Street, Suite 317**  
28 **Berkeley, CA 94704**  
29 **Phone: 510-560-5079**

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32 **(D3)**

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18 *Attorneys for Defendants Mark Bransom and*  
19 *Klamath River Renewal Corporation*

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### **Table of Authorities**

22

18 USC 3 accessory after the fact.

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16 USCA § 1532(19); see also Goble, D. D.; George, S. M.; Mazaika, K.;

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Scott, J. M. & Karl, J. (1999) "Local and national protection of endangered species: An assessment," *Environmental Science & Policy*, 2, pp. 43-59.

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18 U.S. Code § 41 - Hunting, fishing, trapping; disturbance or injury on wildlife refuges.

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Gag orders

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<https://www.opb.org/article/2024/05/25/klamath-river-water-improving-california-water-board/>

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Defendants performed a chemical test after plaintiff suggested in writing

1 that it needed to be done and after destroying 3 of 4 dams, producing  
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3 critically needed electricity for the coming winter. Defendants seem to have  
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5 the attitude, "Let's just go ahead and break the law, and apologize later."  
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7 Except instead of apologizing, they make a feeble attempt to excuse their  
8  
9 illegal activity. We're too big to fail."

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12 However, their chemical test was leaked to the media instead of first being  
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14 presented as evidence to the Court or to Plaintiff. This is another example  
15  
16 of Defendants and Defendants Legal Counsel gaming the system by  
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18 treating Plaintiff as a feeble or insignificant adversary. The report should  
19  
20 have been delivered to Plaintiff as soon as it was available. Instead, it was  
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22 leaked to the California Water Board where it was released to the media.

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25 Plaintiff has training in graduate level statistics and as a Chemical Engineer

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has grave reservations about the tests. What is the sample size? Was the sample size statistically significant? What location and depth in the silt were the samples taken? What was the chemistry test equipment? Was it NIST certified? Were the NIST certifications up to date? Did the defendants cherry pick data? Plaintiff has not seen the report and can only speculate. This is an egregious attempt to circumvent court procedure and influence the public and the judge ex parte. Even more important is the fact these test results are contrary to evidence at the site, which may be ascertained by simple observation. If the site is so free of poisonous contaminants, how do Defendants explain the fact that all aquatic wildlife between the dam and the Pacific Ocean is now destroyed.

1 According to the Siskiyou News “There is no debate that the release of  
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3 about 5-million metric yards of sediment from Iron Gate Dam on January  
4  
5 23, 2024 virtually killed all aquatic life forms in the Klamath River all the  
6  
7 way to the coast.”

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9 <https://www.siskiyou.news/2024/03/09/anyone-remember-the-1964-klamath-river-flood/>  
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12 Plaintiff however, follows all court rules and procedure. As an example, the  
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14 press release Plaintiff paid for was emailed to Defendants Legal Counsel  
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16 within an hour of creation. Also plaintiff notified the court by putting a link to  
17  
18 the press release later that same day.

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20 Therefore, a gag order against the Defendants is in order because they  
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22 don't notify Plaintiff. Defendants legal counsel still has not served Plaintiff  
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24 with what they filed early on May 24<sup>th</sup> 2024 as ECF29.

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26 Rulings requested.

1 Plaintiff moves the Honorable District Judge Nelson to a gag order against  
2 the defendants.

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- 4 1. Defendants must consult Plaintiff for any chemistry test.
- 5 2. Defendants must not talk to the media nor through a third party.
- 6 3. Defendants must send the detailed chemistry test to Plaintiff asap or  
7 be found in contempt of court.



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9 David C. White Pro Se. 5/28/2024