

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN JANOSKO, et al.,
Plaintiffs,
v.
CITY OF OAKLAND,
Defendant.

Case No. [3:23-cv-00035-WHO](#)

**ORDER MAINTAINING TEMPORARY
RESTRAINING ORDER**

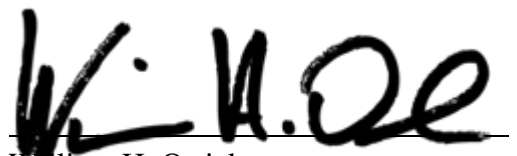
Re: Dkt. Nos. 18, 28, 29

I previously entered a Temporary Restraining Order (“TRO”) in this case, prohibiting defendant City of Oakland from closing the homeless encampment at 1707 Wood Street (“1707 Encampment”). [Dkt. No. 18]. Subsequently, I issued an Order Dissolving the TRO, explaining that the balance of equities no longer favored the plaintiffs because, in part, the City represented it would have adequate shelter beds for the plaintiffs, including at the new cabin community. [Dkt. No. 28]. I stated the TRO would dissolve on February 10, 2023, at 8:00 a.m. *Id.* I conditioned the dissolution “on the representations made by the City’s counsel in the papers and at the hearing, including that the cabin site will be open and ready for residents, with a final living agreement, on February 6.” *Id.* (emphasis added).

The plaintiffs now represent that the cabin site is still not available for move-in. [Dkt. No. 29]. Because the condition for dissolution is not met, the TRO remains in place. The City shall not proceed with posting notices or beginning the closure of the 1707 Encampment until the conditions from my prior Order are met. When the City attests that the cabins are open and the other conditions are met, the TRO can be lifted.

IT IS SO ORDERED.

Dated: February 10, 2023


William H. Orrick
United States District Judge

United States District Court
Northern District of California

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