

Mark G. McDougal, OSB #89086
e-mail: mcDougal@kafourymcdougal.com
Natalie McDougal, OSB #04250
e-mail: nataliemcdougal@comcast.net
Gregory Kafoury, OSB #74166
e-mail: kafoury@kafourymcdougal.com
Kafoury & McDougal, Lawyers
320 SW Stark Street, #202
Portland, OR 97204
ph 503-224-2647; fx 503-224-2673

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GREGG SCHUMACHER and LINDA
SCHUMACHER, individually and as
husband and wife, and GREGG
SCHUMACHER FURS LLC dba
SCHUMACHER FURS & OUTERWEAR,

CV No. CV-07-601-HU

AFFIDAVIT OF MATT ROSSELL

Plaintiffs,

v.

CITY OF PORTLAND, a municipal
corporation; IN DEFENSE OF ANIMALS,
a foreign nonprofit corporation; ANIMAL
LIBERATION FRONT, an unincorporated
association; PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, INC., a
foreign nonprofit corporation; MATT
ROSSELL; KEVIN MIERAS aka "Bluejay";
CONNIE DURKKEE; ALEX LILLI; JOHN
DOES 1-10; and JANE DOES 1-10

Defendants.

AFFIDAVIT OF MATT ROSSELL

State of Oregon)
) ss:
County of Multnomah)

I, Matt Rossell, being duly sworn, depose and state:

1. I make this affidavit based upon my personal knowledge.
2. I am a named defendant in this lawsuit. I am also the Northwest Outreach Coordinator for Defendant In Defense of Animals ("IDA"). IDA is the only animal advocacy group that I am affiliated with.
3. I have on a regular basis gone to the area around the Schumacher Furs store in downtown Portland in order to educate the community about issues relating to the fur industry. I have never had control over the other individuals who expressed their viewpoints in front of the Schumacher Fur store, with the exception of one other staff member of IDA.
4. I have never concealed my identity. In fact, early on I attempted to introduce myself to Mr. Schumacher. I entered the store and asked to speak with him. I was told to wait a minute. I waited. I was then told he was busy and asked to leave the store. I left the store upon being requested to do so.
5. I have never entered the retail store other than on that one occasion.
6. I have never intentionally entered into any part of the Schumacher Furs property other than on that one occasion. On or about February 4, 2006, I accidentally stepped in the alcove area outside the front door for around ten seconds.
7. I drew chalk lines on the sidewalk to encourage people to make sure there was ingress and egress at the Schumacher Furs store and room for pedestrians to pass on the sidewalk.
8. IDA only has two staff persons in Oregon; I am one of them. I have constantly worked with the police to make sure that activities that I have been engaged in were not in

violation of any ordinances. I do not think the mission of IDA can be carried out unless it is done so in a peaceful and educational manner.

9. I have never directed an oral or written threat of death or injury to the Schumachers or any of their customers or any member of the public. I have never used the words “murderer” or “fur hag” towards the Schumachers, their employees or members of the public.

10. With regard to claims of threats of injury, I have seen a poster in the Schumacher store window saying that “All protesters should be beaten, strangled, skinned alive, anally electrocuted.” I was also present when a person inside the Schumacher store held up a sign in February of 2006 that said, “Sky Blichuk is a whore.” She was a young protester who would show up outside the store. Further, during some occasions I have seen a poster at the Schumacher store stating, “Protest sale, 50% off (during protests only).” Attached hereto is as exhibit A are photos I took of posters in the Schumacher for windows and doors.

11. I have never thrown or dispersed fecal matter, urine, or red paint on or around the building and adjoining sidewalks of the Schumacher store. I have never engaged in nudity in connection with activities involving Schumacher Furs.

12. I have never gone to the residence of the Schumachers or any of their employees or family members.

13. I have never used, appropriated or interfered with the SchumacherFurs.com domain name or variations of the name.


14. I have never attempted to interfere with the Schumacher Furs store relocating to another business location. I have read Mr. Schumacher’s sworn statement that protesters have blocked his ability to rent space at Bridgeport Village. Mr. Schumacher has sworn to the

statement although he is on notice of the Oregonian article, attached hereto as Exhibit B, wherein the representative of Bridgeport Village Fred Brunning plainly states that they did not want Schumacher Furs there due to his own viewpoint. He is quoted in the article as stating, "That's not a tenant we'd want to have on our property because I'd be on of the protesters, probably."

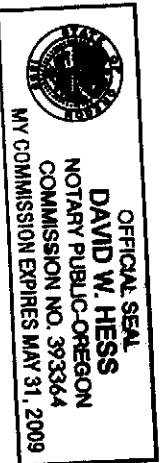
15. Mr. Schumacher has been on notice that he could pursue the option of an injunction at least since March 30, 2006, when Randy Leonard published a statement that police had advised Mr. Schumacher of the option of an injunction. The statement is attached as Exhibit C, Randy Leonards statement is posted online at: www.portlandonline.com/shared/cfm/image.cfm?id=112099


16. I have viewed the video footage by plaintiffs. The footage of the naked individuals is from February of 2006 and almost all of the video (if not all of it) are from more than a year ago. These videos are in no way representative of the nature of activities at Schumacher Furs within the last year.

DATED May 11, 07


MATT ROSSELL

SUBSCRIBED AND SWORN TO before me this 11 day of May, 2007,
in Multnomah, Oregon.




Notary Public in and for the State of Oregon
My Commission Expires: 05/09



5x A,
01

The New York Times

Annual Poster Award
for Best Political Poster



KPTV.COM

The

ALL
PROTESTERS
SHOULD BE
BEATEN
STRIPPED
SKINNED
AND
HUNG
BY THE NECK

I WOULD
RATHER
GO NAKED
THAN NOT
WEAR FUR



EX A
02

Fur Flies

With Schumacher's leaving downtown, what's next for animal rights activists?

Email | Print | Rate It | 9 comments | Digg It | delicious



BY JULIE SABATIER | JSABATIER AT WWEEK DOT COM

WEEKEND WARRIORS:
Demonstrators outside Schumacher Furs downtown will soon need a new place to protest.

For an extended interview with Matt Rossell, check out WWire at wwweek.com.

[December 6th, 2006] Now that Schumacher Furs is leaving downtown, where will the store's protesters take their enlarged photos of skinned animals and chants of "40 dead animals, one fur coat"?

In Defense of Animals outreach coordinator Matt Rossell, one of the regular demonstrators each Saturday afternoon for nearly a year outside Schumacher's, expects the weekly protests to continue until Schumacher's actually closes its doors on Southwest Morrison Street later this spring.

"I have no intentions to follow them," says Rossell, speaking on behalf of IDA. "I can't say what other people will do. If they move their store to a place that is no longer conducive to doing outreach, then it doesn't make sense to do outreach there."

The dozen or so activists who regularly protest Schumacher's are a loosely organized group, mostly connected through IndyMedia and not necessarily affiliated with IDA, according to Rossell. Some on the IndyMedia website (portland.indymedia.org) vow to follow Schumacher's wherever it relocates.

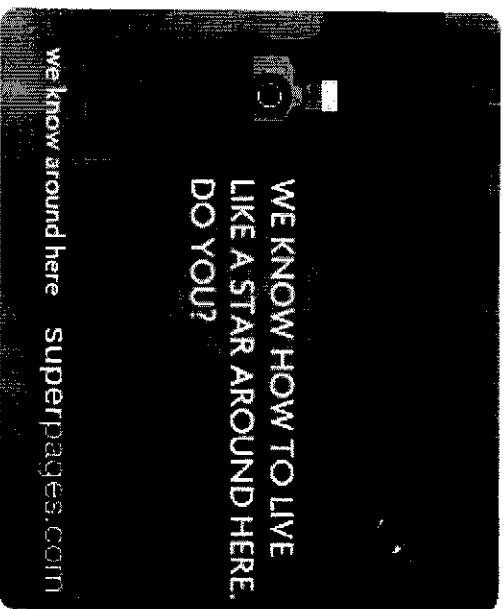
"Wherever they move, we're going to have to find out and protest there. I'm not stopping until they're out of business and have to burn their coats to warm their homes. Maybe we could organize a carpool to get to their new location for those of us who don't drive," reads a Nov. 28 IndyMedia comment posted by someone identified as "Sky."

Meanwhile, Rossell says IDA intends to "create a dialogue" with Nicholas Ungar Furs, which on Southwest Yamhill Street is the only other fur-centered retailer downtown. Store representatives had "no comment" for WW about the possibility they may be the next target for

Ex B
P1

protesters.

advertisement



As for Schumacher's owner Gregg Schumacher, he doesn't have any advice for future targets. But his anger toward protesters hasn't cooled since he announced last week that he'll move the 111-year-old store from downtown to an undisclosed location.

"I define them as 'animal rights terrorists,'" Schumacher says. "There's actual terrorist activity going on in front of our store."

Some protesters see the move as a clear victory in their "war on fur," but Rossell says it's not so clear.

"I don't see it as a defeat, but it was never our intention to try to have Schumacher's leave town," said Rossell, who says the main goal was education. "One thing that's come out of this is, fur is controversial. It's not just acceptable in our society."

Schumacher declined to reveal where his store will move, though he did indicate it would be outside Multnomah County. Any rumor about a move to Bridgeport Village in Washington County was quelled by a call to Fred Bruning, president of CenterCal, which owns the upscale shopping center.

"That's not a tenant we'd want to have on our property because I'd be one of the protesters, probably," says Bruning.

EB
12



CITY OF

PORTLAND, OREGON

OFFICE OF PUBLIC SAFETY

Randy Leonard, Commissioner
1221 S.W. 4th Avenue, Room 210
Portland, Oregon 97204
Telephone: (503) 823-4682
Fax: (503) 823-4019
randy@ci.portland.or.us

**Commissioner Leonard Statement RE: Schumacher Furs
March 30, 2006**

I find the recent actions of the Schumacher's very unfortunate, as they only perpetuate the problem with the protesters that they supposedly wanted my help to solve. I have come to the conclusion that they have chosen this path as a method of generating free advertisement for their business, and in fact are not interested in resolving the issue with the protesters.

The details of my involvement in this situation are as follows:

On March 23, 2006 I received an email from Linda Schumacher, owner of Schumacher Furs, asking for my assistance in resolving a situation between her business and protesters who she asserted were harassing their business, employees and customers.

As I consistently do when a citizen contacts me, I looked into it, contacting Commander Dave Benson of the Portland Police Bureau, who Ms. Schumacher listed as part of the problem. Based on her statement to me, I was very concerned and contacted the Police.

What I learned was that the Portland Police Bureau went out of their way to work with the Schumacher's on a solution to the issue, giving them several options which included a civil injunction, as well as suggesting that the Schumacher cease their consistent engagement of the protesters which included posters hung outside their business which stated the following:

All Protesters Should be!

**Beaten
Strangled
Skinned Alive
Anally Electrocuted**

Another poster had a picture of a protester with the words:

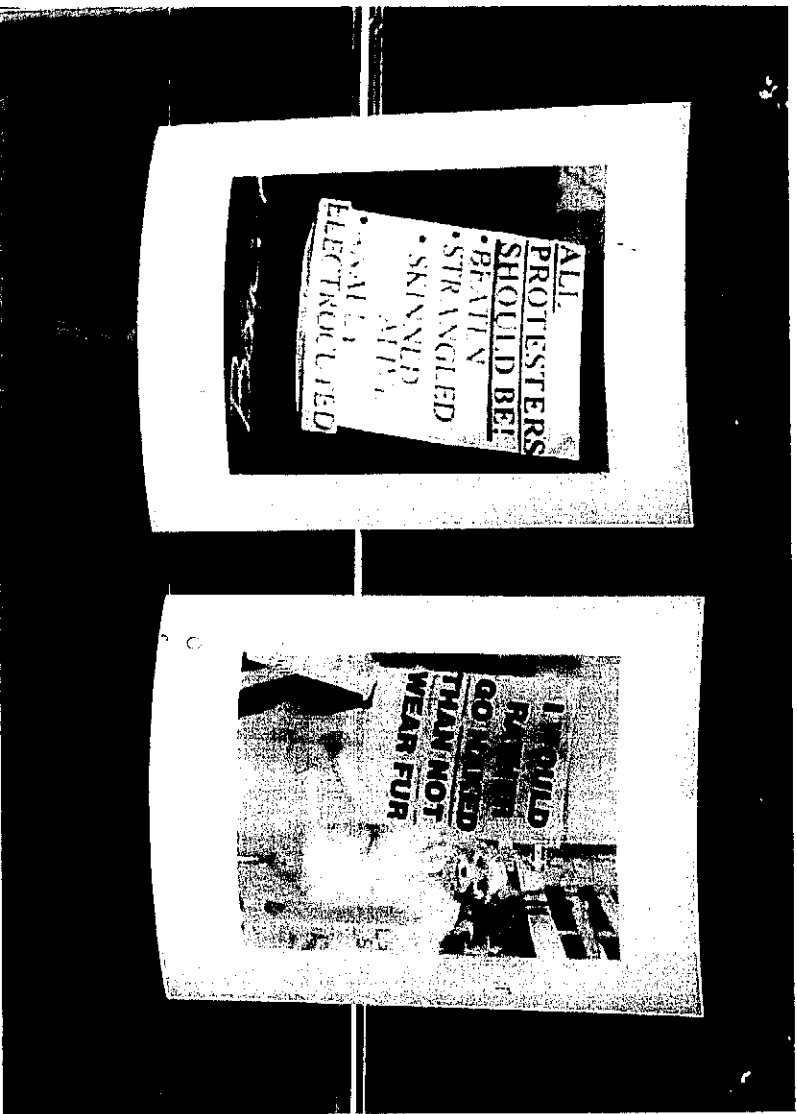
Poster Boy for Birth Control

After my own investigation, I wrote Linda Schumacher a letter on Saturday March 25, 2006, raising my concern that she and her husband chose to engage the protesters in this way, and offered my advice that they stop engaging the protesters in any way because it only fuels the energy of the protesters, and works against any effort the Police could undertake.

Ex-
r1

The Schumacher's chose not to even respond to my advice regarding ceasing any engagement of the protesters, and declined my invitation to meet with the Police to identify a solution. Instead chose to go to the media and portray themselves as faultless victims in this situation.

A copy of photographs of the posters and my email exchange with Ms. Schumacher are below:



CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the foregoing Affidavit of Matt Rossell on the following person(s) on the date indicated below, by the following method:

by electronically mailed notice from the court on the date set forth below;

William M. Manlove
Office of the City Attorney
1221 SW Fourth Avenue, Suite 430
Portland, OR 97204
bmanlove@ci.portland.or.us

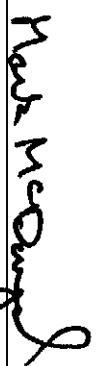
Eric Wilson
Lane Powell
601 SW 2nd Ave., Suite 2100
Portland, OR 97204
wilson@lanepowell.com
Attorney for People for the Ethical
Treatment of Animals

Herbert Grey
Attorneys at Law
4800 SW Griffith Ave., Ste. 320
Beaverton, OR 97005
hgrey.law1@verizon.net
Attorney for Plaintiffs

Jill Odell
4800 SW Griffith Ave., Ste. 320
10015 SW Terwilliger Blvd.
Beaverton, OR 97005
jillodell@verizon.net
Attorney for Plaintiffs

Jonathan A. Clark
960 Liberty Street SE, Suite 250
Salem, OR 97302
jonathan@jaclawoffice.com
Attorney for Plaintiffs

DATED: May 11, 2007


Gregory Kafoury, OSB #74166
Mark G. McDougall, OSB #89086
Natalie McDougall, OSB #04250 (admission pending)