

IN THE COURT OF COMMON PLEAS  
DELAWARE COUNTY, OHIO

JOHN DOE 1, et al.,	)	CASE NO: 23-cv-H-02-0089
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	JUDGE: DAVID M. GORMLEY
CITY OF COLUMBUS, et al.,	)	
	)	
Defendants.	)	
	)	

**SUPPLEMENT TO PLAINTIFFS’ MOTION FOR LEAVE TO PROCEED  
PSEUDONYMOUSLY**

On February 24, 2023, Plaintiffs filed their Motion for Leave to Proceed Pseudonymously. On February 27, 2023, Defendant City of Columbus enacted ordinance 0680-2023 (the “New Ordinance”), which explicitly repealed three of the provisions challenged in Plaintiffs’ Complaint and then enacted new provisions similar to the provisions just repealed. Those new provisions are also unlawful. On March 10, 2023, Defendants filed their opposition to Plaintiffs’ motion for leave to proceed pseudonymously. On March 10, 2023, Plaintiffs filed an Amended Complaint to respond to the provisions enacted by the New Ordinance and to add a new Plaintiff—John Doe 5. Am. Compl. This Supplement seeks leave to allow John Doe 5 to also proceed pseudonymously in this case.

**I. John Doe 5 should be granted leave to proceed pseudonymously.**

Plaintiffs brought this action to protect themselves from arrest and prosecution pursuant to an unlawful and unconstitutional law. Plaintiffs filed this action pseudonymously to prevent the disclosure of their names and addresses to the very entity that would prosecute them for how they store their firearms and for possessing 30-round magazines. By virtue of filing this lawsuit and attaching their affidavits to the Amended Complaint, Plaintiffs have admitted to possessing

magazines ostensibly banned by Columbus inside the City. Because these disclosures not only provide probable cause to obtain a search warrant but could also be used as evidence in a criminal trial against the Plaintiffs, they are entitled to proceed pseudonymously.

Plaintiff John Doe 5 is as much at risk of arrest and prosecution as the other Plaintiffs. Plaintiffs' motion sought leave to proceed with the action, in its entirety, pseudonymously—it was not limited to the original Complaint. Instead, because Plaintiffs meet the standards of the Ohio Supreme Court to proceed pseudonymously, Plaintiffs requested permission to continue to proceed in such fashion. Plaintiff John Doe 5 likewise respectfully requests permission to continue pseudonymously.

For the reasons outlined in Plaintiffs' Motion for Leave to Proceed Pseudonymously, Reply of Plaintiffs to Defendants' Memorandum Contra to Motion Filed February 24, 2023, and Memorandum Contra of Plaintiffs' to Defendants' Motion to Dismiss Amended Complaint or, in the Alternative, to Transfer Venue Filed March 24, 2023, this court has jurisdiction to, and should, allow Plaintiffs to proceed pseudonymously.

## **II. Conclusion**

For the foregoing reasons, Plaintiffs' Motion for Leave to Proceed Pseudonymously—with the addition of John Doe 5—should be granted.

Respectfully submitted,

/s/ David C. Tryon

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### **CERTIFICATE OF SERVICE**

This will certify that a true and accurate copy of the foregoing Supplement to Plaintiffs' Motion for Leave to Proceed Pseudonymously has been served by operation of this court's electronic filing system this 12th day of April 2023.

/s/ David C. Tryon  
David C. Tryon