

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

4 **David White, Pro Se.**  
5 [research@cctruth.org](mailto:research@cctruth.org),  
6 **503-608-7611**

**Case**

7 **COMPLAINT FOR  
DECLARATORY  
JUDGEMENT, INJUNCTION  
AND DAMAGES**

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11 **Plaintiff**

12 v.

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14 Scott Ashford, in his personal  
15 capacity and his official capacity of  
16 Dean of Engineering, Jeff Nason  
17 in his personal capacity and his  
18 official capacity of Environmental  
19 Engineering Leader, Philip Mote in  
20 his personal capacity and his  
21 official capacity of  
22 vice provost and dean of the  
23 Graduate School; Edward Feser in  
24 his personal capacity and his  
25 official capacity of Provost of  
26 Oregon State University  
27 Defendants.

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29 **Legal Counsel for Defendants**

30 **Michael Porter, P.C.**

31 **Miller Nash LLP**

32 **1140 SW Washington St, Ste 700 |**

33 **Portland, OR 97205**  
34

1 **Direct: 503.205.2330 |**

2 **Cell: 503.577.1325 |**

3 **Office: 503.224.5858**

4

5 **Preliminary Injunction**

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7 **TABLE OF AUTHORITIES**

8

9 Article 11 of the US constitution.

10 ArtI.S8.C3.7.1.

11 Law 117 - 58 - Infrastructure Investment and Jobs Act, Executive Order  
12 13990 86 Fed. Reg. 7037 Section 40434a; relating to protecting public  
13 health and the environment and restoring science to tackle the climate  
14 crisis. However, no climate crisis exists.

15 ArtI.S8.C3.7.1 Overview of Dormant Commerce Clause

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17 Federal Case Law

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19 Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002): Pagtalunan was Pro Se

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21 and made numerous mistakes in filing his complaint resulting in the case being

22

23 dismissed. However, upon appeal, the higher Court ruled that the lower Court

24

25 was in error because they did not give allowance for Pagtalunan’s lack of legal

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27 training. Loper Bright Enterprises v. Raimondo and Relentless, Inc. v. Department

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29 of Commerce US Supreme Court Ruled on 6/28/2024 that courts can no

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longer function as administrative law courts. They must be article III of the US constitution courts, in compliance with the judge’s sworn oath of office.

STUDENTS FOR FAIR ADMISSIONS, INC. *v.* PRESIDENT AND FELLOWS OF HARVARD COLLEGE

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

[https://www.supremecourt.gov/opinions/22pdf/20-1199\\_hgdj.pdf](https://www.supremecourt.gov/opinions/22pdf/20-1199_hgdj.pdf)

At Harvard, each application for admission is initially screened by a “first reader,” who assigns a numerical score in each of six categories: academic, extracurricular, athletic, school support, personal, and over all. For the “overall” category—a composite of the five other ratings— a first reader can and does consider the applicant’s race. Harvard’s admissions subcommittees then review all applications from a particular geographic area. These regional subcommittees make recommendations to the full admissions committee, and they take an applicant’s race into account. When the 40-member full admissions committee begins its deliberations, it discusses the relative breakdown of applicants by race. The goal of the process, according to Harvard’s

1  
2 director of admissions, is ensuring there is no “dramatic drop-off” in  
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4 minority admissions from the prior class. An applicant receiving a  
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6 majority of the full committee’s votes is tentatively accepted for  
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8 admission. At the end of this process, the racial composition of the  
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10 tentative applicant pool is disclosed to the committee. The last stage of  
11  
12 Harvard’s admissions process, called the “lop,” winnows the list of  
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14 tentatively admitted students to arrive at the final class. Applicants that  
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16 Harvard considers cutting at this stage are placed on the “lop list,” which  
17  
18 contains only four pieces of information: legacy status, recruited athlete  
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20 status, financial aid eligibility, and race. In the Harvard admissions  
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22 process, “race is a determinative tip for” a significant percentage “of all  
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24 admitted African American and Hispanic applicants.” UNC has a similar  
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26 admissions process.  
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28 Eliminating racial discrimination means eliminating all of it. Accordingly, the  
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30 Court has held that the Equal Protection Clause applies “without regard to  
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32 any differences of race, of color, or of nationality”—it is “universal in [its]  
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34 application.” *Yick Wo v. Hopkins*, 118 U. S. 356,369. For “[t]he guarantees  
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1 of equal protection cannot mean one thing when applied to one individual  
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3 and something else when applied to a person of another color.” *Regents of*  
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5 *Univ. of Cal. v. Bakke*, 438 U. S. 265, 289–290. (c)

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7 This Court first considered whether a university may make race-based  
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9 admissions decisions in *Bakke*, 438 U. S. 265. In a deeply splintered  
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11 decision that produced six different opinions, Justice Powell’s opinion for  
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13 himself alone would eventually come to “serve as the touchstone for  
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15 constitutional analysis of race-conscious admissions policies.” *Grutter*, 539  
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17 U. S., at 323. After rejecting three of the University’s four justifications as  
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19 not sufficiently compelling, Justice Powell turned to its last interest asserted  
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21 to be compelling—obtaining the educational benefits that flow from a  
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23 racially diverse student body. Justice Powell found that interest to be “a  
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25 constitutionally permissible goal for an institution of higher education,”

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2 which was entitled as a matter of academic freedom “to make its own  
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4 judgments as to . . . the selection of its student body.” 438 U. S., at 311–  
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6 312. But a university’s freedom was not unlimited racial and ethnic  
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8 distinctions of any sort are inherently suspect,” Justice Powell explained,  
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10 and antipathy toward them was deeply “rooted in our Nation’s constitutional  
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12 and demographic history.” *Id.*, at 291. Accordingly, a university could not  
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14 employ a two-track quota system with a specific number of seats reserved  
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16 for individuals from a preferred ethnic group. *Id.*, at 315. Neither still could a  
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18 university use race to foreclose an individual from all consideration. *Id.*, at  
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20 318. Race could only operate as “a ‘plus’ in a particular applicant’s file,”  
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22 and even then it had to be weighed in a manner “flexible enough to  
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24 consider all pertinent elements of diversity in light of the particular  
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1 qualifications of each applicant.” *Id.*, at 317. Pp. 16–19. (d)

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3 For years following *Bakke*, lower courts struggled to determine whether

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5 Justice Powell’s decision was “binding precedent.” *Grutter*, 539 U. S., at

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7 325. Then, in *Grutter v. Bollinger*, the Court for the first time “endorse[d]

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9 Justice Powell’s view that student body diversity is a compelling state  
10 interest that can justify the use of race in university admissions.” *Ibid.* The

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12 *Grutter* majority’s analysis tracked Justice Powell’s in many respects,

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14 including its insistence on limits on how universities may consider race in

15  
16 their admissions programs. Those limits, *Grutter* explained, were intended

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18 to guard against two dangers that all race-based government action

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20 portends. The first is the risk that the use of race will devolve into

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22 “illegitimate . . . stereotyping[.]” *Richmond v. J. A. Croson Co.*, 488 U. S.

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24 469, 493 (plurality opinion). Admissions programs could thus not operate

1 on the “belief that minority students always (or even consistently) express  
2  
3 some characteristic minority viewpoint on any issue.” Grutter, 539 U. S., at  
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5 333 (internal quotation marks omitted). The second risk is that race would  
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7 be used not as a plus, but as a negative—to discriminate against those  
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9 racial groups that were not the beneficiaries of the race-based preference.

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11 A university’s use of race, accordingly, could not occur in a manner that  
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13 “unduly harm[ed] nonminority applicants.” *Id.*, at 341.

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15 To manage these concerns, Grutter imposed one final limit on race-based  
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17 admissions programs: At some point, the Court held, they must end. *Id.*, at  
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19 342. Recognizing that enshrining a permanent justification for racial  
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21 preferences would offend” the Constitution’s unambiguous guarantee of  
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23 equal protection, the Court expressed its expectation that, in 25 years, “the  
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25 use of racial preferences will no longer be necessary to further the interest

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approved today.” *Id.*, at 343. Pp. 19– 21. (e)

Twenty years have passed since *Grutter*, with no end to race-based college

admissions in sight. But the Court has permitted race-based college

admissions only within the confines of narrow restrictions: such admissions

programs must comply with strict scrutiny, may never use race as a

stereotype or negative, and must—at some point—end. Respondents’

admissions systems fail each of these criteria and must therefore be

invalidated under the Equal Protection Clause of the Fourteenth

Amendment.

Affirmative Action is ruled illegal by this Opinion. Diversity, Equity and

Inclusion as criteria are a subset of Affirmative action and are also illegal.

(f) Because Harvard’s and UNC’s admissions programs lack sufficiently

1 focused and measurable objectives warranting the use of race, unavoidably  
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3 employ race in a negative manner, involve racial stereotyping, and lack  
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5 meaningful end points, those admissions programs cannot be reconciled  
6  
7 with the guarantees of the Equal Protection Clause. At the same time,  
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9 nothing prohibits universities from considering an applicant's discussion of  
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11 how race affected the applicant's life, so long as that discussion is  
12  
13 concretely tied to a quality of character or unique ability that the particular  
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15 applicant can contribute to the university. Many universities have for too  
16  
17 long wrongly concluded that the touchstone of an individual's identity is not  
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19 challenges bested, skills built, or lessons learned, but the color of their skin.  
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21 This Nation's constitutional history does not tolerate that choice.

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24 WEST VIRGINIA ET AL. v. ENVIRONMENTAL PROTECTION AGENCY  
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1 ET AL. <https://www.hsph.harvard.edu/news/features/the-supreme-court->

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3 curbed-epas-power-to-regulate-carbon-emissions-from-power-plants-what-

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5 comes-next/  
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7 The Clean Air Act of 1967 directed the EPA to tackle issues like Acid Rain

8  
9 and other environmental dangers. The Act instructs the EPA to make a

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11 “toxic chemicals” list. Anything the EPA wants to regulate must be on that

12  
13 list, Section 111, subsection D. In 2015, the EPA illegally began to regulate

14  
15 “greenhouse gases” without including them on the toxic chemicals list as

16  
17 prescribed by The Clean Air Act. Carbon dioxide and Methane, to name a

18  
19 few, are not toxic chemicals. In fact, every living animal and human being

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21 on earth breathes out carbon dioxide. It’s not a toxic chemical.

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23 **INTRODUCTION**  
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26 Cause of Action.

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1. In *Gibbons v. Ogden*, 9 Wheat. 1 (1824), the issue involved a state-granted monopoly that conflicted with a federal licensing law for the operation of steamboats. Ogden's New York monopoly, according to the Court would render the federal law impotent in New York, and therefore the Supremacy Clause required the Court to enforce the federal law.

2. Article 11 of the US constitution provides that the federal government and states can't have tort (Complaint) actions filed against them. This does not apply to this tort action because the defendants are individuals or businesses.

This Act may be cited as the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001".

### Preliminary Injunction

Plaintiff requests and moves the court to approve this preliminary injunction to stop Defendants from using the current textbook for 200 series

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Environmental Science because it's clearly not an Environmental Textbook.

Plaintiff reviewed the textbook the defendants are using for Sophomore

Environmental science and it is not such a book. It is a plagiarism of Welty

Wicks and Wilson, Momentum heat and Mass transfer. The book is called

"Mechanics in the Earth and Environmental Sciences". The title is the only

place in the book which says "Environmental Sciences". Our book for

Environmental Science second edition is almost 200 pages. The

Intergovernmental Panel On Climate Change Reports are Deliberate

Science fiction (IPCC).

Second Edition on [cctruth.org](http://cctruth.org)

College Textbook for Environmental Science

## **COMPLAINT**

Defendants have failed to proceed in compliance with approved scientific

1  
2 method. They have failed to perform preliminary research by obtaining or  
3  
4 ignoring actual science instead of approving junk science. This must stop

5  
6 Fall 2024  
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8  
9 **The above complaint details the urgent need for injunctive relief.**

## 10 11 **Executive Summary**

12 **Defendants have failed to proceed in compliance with approved**  
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14 **scientific method. Defendants are pseudo scientists who operate on**  
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16 **a belief scientific system instead of the universally required open**  
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18 **mind scientific system.**

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21 **Already the Northwest Power grid is projected to crash this year due**  
22  
23 **to the added burden of electric vehicles. What EV owners were not**  
24  
25 **informed about is the recharging load. Power outages and brownouts**  
26  
27 **are inevitable because of too many EVs and lower power generation.**

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29 **Starting next year, by recent analysis, The Northwest power grid will**  
30  
31 **be short by 927 Megawatts and growing. In ten years the grid will be**  
32  
33 **short 8150 Megawatts, according to data provided by 2023 PNUCC**  
34  
35 **Northwest Regional Forecast.**

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38 **Also, anything that is done to reduce emissions of carbon dioxide**  
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40 **takes 150 years to have an effect due to the phenomenon of residence**

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2 **time. Believe it or not, It takes that long for existing Carbon Dioxide**  
3  
4 **to dissipate, so Electric Vehicles have zero effect on any imagined ill-**  
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6 **effects of current CO2 levels.**

7  
8 [https://cctruth.org/residence\\_time.pdf](https://cctruth.org/residence_time.pdf)

9  
10 **But guess what does reduce atmospheric CO2? It's called**  
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12 **photosynthesis and thanks to massive reforestation efforts in China,**  
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14 **India and Pakistan, it's already solved the problem in the Northern**  
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16 **hemisphere. Only fraudulent measurement techniques at NOAA have**  
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18 **concealed this, but we at the official IPCC watchdog team have**  
19  
20 **recently forced the firing of the fraud perpetrators.**

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22 [https://www.google.com/search?q=ev+kilowatt+use+per+day&oq=ev+kilowatt+use+per+day&gs\\_lcrp=EgZjaHJvbWUyBggAEEUYOTIHCAEQIRigATIHCAIQIRigATIHCAIQIRigATIKCAQQIRgWGB0YHjIKCAUQIRgWGB0YHjIKCAYQIRgWGB0YHjIKCAQIRgWGB0YHjIKCAQIRgWGB0YHjIKCAkQIRgWGB0YHtIBCjE5NTUyajBqMTW oAgCwAgA&sourceid=chrome&ie=UTF-8](https://www.google.com/search?q=ev+kilowatt+use+per+day&oq=ev+kilowatt+use+per+day&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIHCAEQIRigATIHCAIQIRigATIHCAIQIRigATIKCAQQIRgWGB0YHjIKCAUQIRgWGB0YHjIKCAYQIRgWGB0YHjIKCAQIRgWGB0YHjIKCAQIRgWGB0YHjIKCAkQIRgWGB0YHtIBCjE5NTUyajBqMTW oAgCwAgA&sourceid=chrome&ie=UTF-8)

27  
28 **One EV consumes an average 353 kilowatts of power per month, 4.3 Megawatts**  
29  
30 **per year. We currently have about 150,000 EV's in Washington and 70,000 in**  
31  
32 **Oregon. It's very easy to see we must discourage the purchase of EV's as soon**  
33  
34 **as possible. In light of our looming power crisis removal of this vital source of**  
35  
36 **clean, renewable energy can only aggravate the problem. Removal of the Iron**  
37  
38 **Gate dam is insanity.**

39  
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41 **The table below, along with other critical information, was presented by a grid**  
42  
43 **expert at an October 18, 2023 Cascade Policy Institute Conference. Note that for**

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**this Winter, 2024-2025 the Northwest electric grid is projected to fall 927 megawatts short of demand. It is projected to be almost nine times as bad in 10 years.**

**The grid expert said they are talking about activating virtual generators at homes to help make up the difference when needed. For example, a virtual generator is equipped to switch the smart meter on a home which is charging an electrical vehicle at night and drain the Ev battery charge back into the grid.**

# Northwest Region Requirements and Resources

**Table 1. Northwest Region Requirements and Resources – Annual Energy** shows the sum of the individual utilities' requirements and firm resources for each of the next 10 years. Expected firm load and exports make up the total firm regional requirements.

Average Megawatts	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33
<b>Firm Requirements</b>										
Load <sup>1/</sup>	21,814	22,791	23,694	24,558	25,545	26,225	26,485	26,681	26,841	27,006
Exports	520	502	502	501	501	501	501	501	501	501
<b>Total</b>	<b>22,334</b>	<b>23,293</b>	<b>24,195</b>	<b>25,060</b>	<b>26,046</b>	<b>26,726</b>	<b>26,986</b>	<b>27,182</b>	<b>27,342</b>	<b>27,507</b>
<b>Firm Resources</b>										
Hydro <sup>2/</sup>	11,459	11,439	11,424	11,462	11,424	11,402	11,200	11,200	11,161	11,005
Small Thermal/Misc.	28	28	28	28	28	18	11	11	11	11
Natural Gas <sup>3/</sup>	4,107	4,497	4,801	4,551	4,546	4,544	4,474	4,426	4,225	4,222
Renewables-Other	276	275	273	274	269	268	268	266	264	260
Solar	503	503	503	502	502	501	501	500	498	483
Wind	1,757	1,747	1,747	1,721	1,661	1,623	1,611	1,596	1,596	1,622
Cogeneration	41	41	34	32	31	31	31	31	31	31
Imports	488	488	467	467	453	380	324	310	310	222
Nuclear	1,116	994	1,116	994	1,116	994	1,116	994	1,116	994
Coal	2,583	2,356	1,593	1,065	1,068	891	593	479	497	508
<b>Total</b>	<b>22,357</b>	<b>22,366</b>	<b>21,985</b>	<b>21,096</b>	<b>21,097</b>	<b>20,652</b>	<b>20,127</b>	<b>19,810</b>	<b>19,708</b>	<b>19,357</b>
<b>Surplus (Deficit)</b>	<b>22</b>	<b>(927)</b>	<b>(2,210)</b>	<b>(3,963)</b>	<b>(4,949)</b>	<b>(6,074)</b>	<b>(6,859)</b>	<b>(7,372)</b>	<b>(7,634)</b>	<b>(8,150)</b>

<sup>1/</sup> Load net of energy efficiency

<sup>2/</sup> Firm hydro for energy is the generation expected assuming critical (8%) water condition (the methodology is changed for the 2023 report)

<sup>3/</sup> More energy may be available from natural gas power plants

## Conclusion

Defendants have failed to proceed in compliance with approved scientific method. They have failed to perform preliminary research by obtaining or ignoring actual science instead of approving junk science. This must stop Fall 2024 True science starts with informed

1 **research.**

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3 **Relief Sought**

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5 **Prayer for relief.**

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7 **1. Defendants have failed to proceed in compliance with approved**  
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9 **scientific method. They have failed to perform preliminary research**  
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11 **by ignoring actual science instead of approving junk science. This**  
12  
13 **must stop Fall 2024**

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15 **2. Defendants must replace their 200 series Environmental Science**  
16 **book with the second edition of cctruth.org college textbook on the**  
17 **website.**

18  
19 **3. Defendants must remove Dr. Jeff Nason and replace him with**  
20 **Plaintiff. Plaintiff will straighten out the department quickly while**  
21 **finishing the 22 credits needed to finish a PhD**

22  
23 **4. Defendants must pay \$1 million to cctruth.org bank account.**

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26 **This injunction is to stop the Defendants from using their current 200**  
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28 **series Environmental Science book and replace it with the second**  
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30 **edition of cctruth.org college textbook on the website.**

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33 **Federal Judges approval of injunction.**

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35 **Date:\_\_\_\_\_**

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38 **Signature Honorable Judge \_\_\_\_\_**

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1 Scott Ashford, in his personal capacity and his official capacity of  
2 Dean of Engineering, Jeff Nason in his personal capacity and his  
3 official capacity of Environmental Engineering Leader, Philip Mote  
4 in his personal capacity and his official capacity of  
5 vice provost and dean of the Graduate School; Edward Feser in  
6 his personal capacity and his official capacity of Provost of  
7 Oregon State University  
8 Defendants.

9  Via hand delivery

10  Via U.S. Mail, 1st Class,  
11 Postage Prepaid

12  Via Overnight Delivery

13  Via Facsimile

14  Via Email

15  Via CM/ECF notification

16 to the extent registered DATED: July 31st, 2024.

17 By: David White

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