

STATE OF MAINE
AROOSTOOK, SS.

DISTRICT COURT
Location: Fort Kent
Docket No:

Mary C. Mayhew, Commissioner)
State of Maine Department of Health)
and Human Services,)
Petitioner,)
v.)
Kaci Hickox,)
Respondent.)

Temporary Order

The State has filed a Verified Petition for Public Health Order pursuant to 22 M.R.S. § 811 and § 812, requesting that this Court issue an order regarding the public health threat allegedly posed by Respondent Kaci Hickox, whom the State avers has been exposed to the Ebola virus. Ebola is a Viral Hemorrhagic Fever and therefore a “notifiable disease or condition” under Maine Law. By statute, a full hearing must be held not less than 3 days and not more than 10 days from the date the petition was filed.

The State requests that the court issue an order restricting Respondent’s activities pending the final hearing in this case. This decision has critical implications for Respondent’s freedom, as guaranteed by the U.S. and Maine Constitutions, as well as the public’s right to be protected from the potential severe harm posed by transmission of this devastating disease. Respondent’s counsel stipulates that Respondent is willing to agree not to leave her home before 9:00 a.m. tomorrow (Friday, October 31, 2014) or such time as this court decides whether to issue an order pending the final hearing.

Accordingly, the Court hereby ORDERS that until further order of this court on October 31, 2014, Respondent shall:

1. Submit to Direct Active Monitoring;
2. Coordinate her travel with public health authorities to ensure uninterrupted Direct Active Monitoring;
3. Not to utilize long-distance commercial conveyances or local public conveyances;
4. Not be present in any public places (*e.g.*, shopping centers, movie theaters) or areas of congregate gatherings;
5. Not be present in workplaces (except to receive necessary healthcare);
6. Maintain a 3-foot distance from others when engaging in non-congregate public activities (*i.e.*, walking or jogging in the park);
7. Not leave the municipality of Fort Kent without direct consultation with public health authorities.

In addition, unless and until ordered otherwise by the court, this proceeding is confidential pursuant to 22 M.R.S. § 811(6)(E).

This Order shall be incorporated into the docket by reference pursuant to M.R.Civ. P. 79(a).

Dated: October 30, 2014

A handwritten signature in black ink, appearing to read "Charles C. LaVerdiere". The signature is written in a cursive style with a horizontal line underneath the name.

Charles C. LaVerdiere
Chief Judge, Maine District Court