

Ramsey County, Minnesota, by its County
Attorney, John J. Choi, and the State of
Minnesota, by
its Attorney General, Keith Ellison,

Judge: Sara R. Grewing
Court File No. 62-CV-26-5544

ORDER

Plaintiff,

vs.

Muddy, a criminal gang, sued as an
Unincorporated association,
Defendant.

The above-titled matter came before the undersigned in person on August 13 and 19, 2026, on Plaintiffs' motion for a temporary injunction. Attorneys John Kelly, Marcelo Neblett, Jacob Harris, and Keaon Dousti appeared on behalf of Plaintiffs Ramsey County and the State of Minnesota and attorneys Eric Rice and John Fee appeared on behalf of the individuals listed in Appendix A.

Based on all the files, pleadings, records, and proceedings, as well as on the arguments of the parties, this Court makes the following:

ORDER:

1. Plaintiffs' motion for an order declaring Defendant and its members a public nuisance under Minnesota's Civil Gang Injunction law is granted.
2. Individual 1, Nasrudin Abdirashid Warsame, identified in Exhibit A, Individual 3, Mustafe Yusuf Omar, and Individual 6, Bilal Abdi Farah,¹ are hereby enjoined, prohibited and restrained from engaging in or performing directly or indirectly, any of the following activities in the Safety Zone, between 7:00 A.M. (C.D.T.) on August 27, 2026 and 6:00 A.M. (C.D.T.) on September 8, 2026.

¹ Across this matter and Case No. 62-CV-26-5545, a total of seven individuals have stipulated that they will not attend the 2026 Minnesota State Fair or enter the surrounding area during the relevant period. The three individuals named in this matter are the only individuals who remain subject to the injunction issued by this Court.

- a. No Associations With Known Criminal Gang Members: Associating, standing, sitting, walking, driving, bicycling, gathering or appearing, anywhere in public view or any place accessible to the public, with any and all of the Enjoined Persons, or with any other person reasonably known to an Enjoined Person to be a member of the Defendant criminal gang known as Muddy, but not including when any such Enjoined Persons are within the Safety Zone attending a bona fide religious worship facility or event approved by the State Fair;
 - b. No Intimidation: Confronting, intimidating, annoying, harassing, threatening, challenging, provoking, assaulting or battering any person known to be a witness to, known to be a victim of, or known to have complained about any of the criminal gang activities of the Defendant criminal gang known as Muddy;
 - c. No Use of Gang Signs: Using words, phrases, physical gestures, or symbols commonly known as “gang signs”, or “gang hand signs”, or engaging in other forms of communication visible and audible to the general public, which an Enjoined Person knows describes, refers to, or identifies the Defendant criminal gang known as Muddy, and abbreviations and variations thereon, including, but not limited to the phrase, “Muddy,” the letter “W”, or what appears to be a pitchfork;
 - d. Don’t Force Any Person to Join The Defendant: Making any threats or doing anything threatening, including without limitation to striking, battering, destroying personal property or disturbing the peace, to cause a person to join the Defendant criminal gang known as “Muddy”;
 - e. Don’t Prevent Any Person From Leaving the Defendant: Making any threats or doing anything threatening, including without limitation to shoot, strike, batter, destroy the personal property, or disturb the peace (1) to prevent a person from leaving the Defendant criminal gang known as Muddy or (2) to any person known to have left the Defendant criminal gang known as Muddy; and
3. Pursuant to Minn. Stat §574.18, the Plaintiffs, acting on behalf of their respective political subdivisions, shall not be required to give any form of security.
 4. The attached memorandum is incorporated herein.

BY THE COURT

Dated: August 20, 2026

The Honorable Sara R. Grewing
District Court Judge

Factual and Procedural Background

The Minnesota State Fair

The Minnesota State Fair occupies a unique and significant place in the civic, cultural, and social life of this State. Known for generations as the “Great Minnesota Get-Together,” the Fair annually draws millions of visitors from throughout Minnesota and beyond. Attendance has exceeded two million people in a single year. *See* State Fair Fact Sheet, Minn. State Fair, <https://www.mnstatefair.org/about/media/media-fact-sheet> (last visited Aug. 20, 2026). On the Fair’s busiest days, daily attendance can substantially exceed 200,000 visitors. *Id.* The Fair’s own published statistics reflect an all-time annual attendance record of 2,126,551 visitors and a single-day attendance record of 270,426 visitors. *Id.*

The extraordinary concentration of people associated with the Fair is particularly significant given the geographic area in which the event occurs. The Minnesota State Fair is held on the State Fairgrounds, a roughly 322-acre area situated between Minneapolis and Saint Paul and bounded generally by Como Avenue to the south, Snelling Avenue to the east, the University of Minnesota’s Saint Paul campus to the west, and Larpenteur Avenue to the north. Decl. of Minn. State Fair Police Chief Ron Knafla ¶ 8. Thus, for twelve days each year, a relatively compact geographic area becomes the destination for a population that, on the Fair’s busiest days, exceeds that of many Minnesota cities.

Nor is the Fair’s practical footprint confined to the formal boundaries of the State Fairgrounds. On-site parking is necessarily limited given the extraordinary number of people who attend the Fair each day. As a result, Fair-related parking and pedestrian activity extend well into the surrounding neighborhoods and transportation corridors, including areas along Cleveland Avenue North, Hamline Avenue North, Larpenteur Avenue West, and Energy Park Drive. *See* Pl.’s Compl. app. 1. The State Fair therefore affects not only the 322 acres within its formal

boundaries, but also a substantially larger surrounding area through which tens of thousands of visitors travel, park, and walk each day.

The Minnesota State Fair is held annually for a twelve-day period concluding on Labor Day. In 2026, the Fair will run from Thursday, August 27, through Monday, September 7. The Fairgrounds are open to the public each day from 7:00 a.m. until 11:00 p.m., except on Labor Day, when the Fair closes at 8:00 p.m. The Fair's operational activity, however, extends beyond its public hours, as vendors, employees, and other event participants routinely arrive before the Fair opens and remain on the grounds after it closes. Knafla Decl. ¶ 7.

The scale and character of the Minnesota State Fair are consequently unlike those of any other public gathering. For twelve days each year, an exceptionally large number of Minnesotans converge upon a defined geographic area for a shared civic and cultural institution that has operated at its present location since 1885. *See* State Fair Fact Sheet, *supra*. The Fair's distinctive importance to Minnesota, the extraordinary size and density of the crowds it attracts, and the manner in which Fair activity necessarily extends beyond the physical boundaries of the fairgrounds provide important context for the issues before this Court.

Public Safety Concerns

Sworn affidavits provided by law enforcement note that the security needs at the State Fair have changed dramatically over the past several decades. *Id.* ¶ 12. While firearms are prohibited on the fairgrounds, there was a shooting that injured a fairgoer in 2024, where it was determined that the shot came from outside of the fairgrounds. *Id.* ¶ 15. An additional shooting occurred in 2024 where the shooter was later observed following the victim through the fairgrounds and shot the victim a few blocks away to avoid police presence. *Id.* In 2025, a large brawl broke out between dozens of participants during the final weekend of the State Fair between rival gangs. *Id.*

Plaintiffs introduced video recordings of at least five social media posts depicting those separate fights in the Midway area of the State Fair in 2025. Decl. of Deputy Benjamin Seidl, Ex. A. Plaintiffs' exhibits appeared to include incidents in which families and other fairgoers were caught in the midst of the violence. Plaintiffs also introduced evidence of another fight posted to social media during which Andy's Grill, a restaurant located on the State Fairgrounds, closed its garage doors to protect and keep fairgoers inside while the altercation unfolded. *Id.* Ex. B. Deputy Seidl credibly testified that the families and other fairgoers depicted in these incidents were in serious fear for their safety.

Plaintiffs also introduced evidence of threatening social media posts relating to the 2026 State Fair. One such social media post references Muddy and its primary rival, the Ville, among other rival gangs, under the heading "State fair bumps" which Deputy Seidl noted is slang for violent altercations. Seidl Decl. ¶ 44. The post also asks, "Who getting spanked," which is slang for who will be attacked the worst during the State Fair. *Id.* ¶ 45. The post was made by someone with a profile picture depicting a male flashing, or "throwing down" a hand sign that stands for the Ville, Muddy's rival gang, while holding a long gun. *Id.*

Another post resembles a poster for a fighting or boxing event and states "THE BIGGEST BATTLE OF THE SUMMER" and the date "August 29th LIVE AT THE MINNESOTA STATE FAIR." *Id.* ¶ 46-47. Ville is listed with other affiliated gangs underneath the "Suburbs" moniker. *Id.* Muddy is listed underneath the "Southside" moniker along with its affiliated gangs. *Id.*

Defendant and Its Alleged Members

Plaintiff alleges that Defendant is an organization consisting of at least six confirmed members whose primary activities include the commission of serious criminal offenses, including weapons violations, aggravated assaults, and drive-by shootings. *Id.* ¶ 12. Individuals 1-6 listed in

Plaintiff's Exhibit A are all young men who have names suggesting they are of Somali or East African descent.² All are between the ages of 19 and 22.

Individuals 2, 4, and 5 reached a stipulation with Plaintiff under which they agreed not to attend the Minnesota State Fair or enter the designated safety zone from August 26 through September 8 at 6:00 a.m. That stipulation was approved by this Court. Accordingly, the remaining individuals at issue in this action are Mr. Warsame, Mr. Omar, and Mr. Farah. Mr. Warsame (Individual 1) and Mr. Farah, (Individual 6), strongly dispute that they are members of the Muddy gang.

On August 5, 2026, Plaintiffs moved this Court for an order declaring Defendant and its individual members a public nuisance as defined by the aforementioned statutes, and enjoining Defendant and its individual members from engaging in certain nuisance-causing activities during the 2026 Minnesota State Fair. Individuals 1 and 6 were personally served with copies of the Complaint and Summons, as well as the legal pleadings relating to Plaintiffs' Motion for Temporary Injunction. Mr. Omar (Individual 3) was served by mail and has not appeared in this action.

Conclusions of Law

A. Minnesota's Civil Gang Injunction Statute

² This Court would be remiss if it failed to acknowledge the broader cultural and political context in which this case arises. Somali Minnesotans have recently been the subject of unusually pointed and, at times, sweeping public rhetoric by prominent elected officials. *See, e.g.*, Atra Mohamed, Somali Leaders; Hateful Rhetoric is Leading to Widespread Harassment, Minn. Reformer (May 8, 2026). This Court, of course, decides this matter solely upon the evidence presented and the governing law. But that obligation also requires particular care to ensure that the conduct of particular individuals is not attributed to a broader racial or cultural community, and that this Court's findings neither rest upon nor reinforce generalized assumptions about Somali Minnesotans. Of particular concern to this Court is that enforcement of any injunction entered in this matter not become a vehicle for the intimidation, or unwarranted scrutiny of law-abiding Minnesotans, Somali or otherwise, who are not subject to its terms. The constitutional rights of those individuals are no less deserving of protection. The conclusions reached here are therefore individualized findings, based solely upon the evidentiary record concerning Defendant's organization and the particular individuals before this Court.

Minnesota Statutes sections 617.91 through 617.97 establish a civil enforcement framework, commonly referred to as the Criminal Gang Public Nuisance Law, that allows county attorneys, city attorneys, and the Attorney General to seek injunctions against criminal gangs and property owners who knowingly permit gang activity on their premises. Minn. Stat. §§ 617.91 through 617.97 (2026). Enacted effective August 1, 2007, through Laws 2007, chapter 150, the statutes create a distinct public nuisance cause of action targeting gang-related conduct, authorizing courts to issue temporary and permanent injunctive orders with reasonable behavioral restrictions, and establishing both civil and criminal penalties for violations of those orders.

Specifically, Plaintiffs here seek an order declaring Defendant and its individual members a public nuisance and enjoining Defendant and its individual members from engaging in certain nuisance-causing activities during the 2026 Minnesota State Fair. *See*, Minn. Stat. §617.94 (2)(b).

a. Standard for Relief

Given the statutory framework governing this action, Plaintiffs' motion is not analyzed in the same manner as a conventional motion for a temporary injunction. Minnesota courts have long recognized that when injunctive relief is expressly authorized by statute, the proper exercise of judicial discretion requires issuance of an injunction when “(1) the prerequisites for the remedy have been demonstrated, and (2) the injunction would fulfill the legislative purposes behind the statute’s enactment.” *Wadena Implement Co. v. Deere & Co.*, 480 N.W.2d 383, 389 (Minn. App. 1992); *see also State ex rel. Hatch v. Cross Country Bank*, 703 N.W.2d 562, 572 (Minn. App. 2005).

Accordingly, because injunctive relief is expressly authorized by Minn. Stat. § 617.94(a), Plaintiffs are not required to make the traditional threshold showing that an injunction is necessary to prevent great and irreparable injury for which there is no adequate remedy at law. Nor is this

Court required to apply the factors ordinarily governing temporary injunctive relief under *Dahlberg Bros., Inc. v. Ford Motor Co.*, 272 Minn. 264, 137 N.W.2d 314 (1965).

b. Evidentiary Record

Similarly, Plaintiffs may also rely at this preliminary stage on hearsay and other evidence that may not ultimately be admissible at trial. Minnesota Rule of Civil Procedure 65.02(b) permits a temporary injunction to issue “if by affidavit, deposition testimony, or oral testimony in court, it appears that sufficient grounds exist therefor.” By expressly authorizing the use of affidavits, the rule contemplates that a court considering temporary injunctive relief may receive evidence containing out-of-court statements rather than requiring that all evidence satisfy the evidentiary standards applicable at trial. Rule 65.02(c) reinforces that distinction. It provides that evidence received at the temporary-injunction hearing “which would be admissible at the trial on the merits becomes part of the trial record and need not be repeated at trial.” Minn. R. Civ. P. 65.02(c). The rule therefore recognizes a distinction between evidence this Court may consider in determining Plaintiffs’ motion for temporary relief is warranted and evidence that could ultimately be admissible at a trial on the merits.

B. Defendant is a Criminal Gang Under Minnesota Statutes Section 609.229

Under Minnesota law, a “criminal gang” is defined as an association of three or more persons, whether formal or informal, that (1) has, as one of its primary activities, the commission of one or more statutorily enumerated serious crimes; (2) has a common name or common identifying sign or symbol; and (3) includes members who individually or collectively engage in or have engaged in a pattern of criminal activity. Minn. Stat. §§ 609.11; 609.229 (2026).

Plaintiffs have proven by clear and convincing evidence that Muddy satisfies this statutory definition of a criminal gang. Deputy Benjamin Seidl provided both affidavit testimony and in-person testimony regarding Muddy, its members, and their activities. This Court finds Deputy

Seidl's testimony credible. Among other things, Deputy Seidl testified that Muddy members have committed assaults against rival gang members and subsequently posted those assaults to social media. Specifically, the evidence reflects that Muddy's members have been charged or convicted of first and second degree assaults, offenses involving the possession or unlawful use of firearms, and disorderly conduct. Deputy Seidl further testified regarding Muddy's involvement in a drive-by shooting outside the Minnesota State Fair, a separate shooting in Little Canada, and a shooting near the Grand Casino Arena following the graduation ceremonies for Metro State University. *See*, i.e. Decl. of Deputy Benjamin Seidl ¶¶ 66-71.

Deputy Seidl also credibly testified that Muddy utilizes a collective name and identifying symbol. Members of Muddy use a common hand sign both to identify themselves to one another and to communicate their affiliation with the gang. *Id.* ¶ 34. The sign is also displayed openly toward rival gang members, or those perceived to be rivals, as an expression of Muddy affiliation. *Id.* Muddy's identifying hand sign is a "W," formed by tucking the thumb against the palm, extending the pinky and index fingers outward, and crossing the middle and ring fingers to create the appearance of the letter "W." *Id.* ¶ 35-36.

This evidence demonstrates that Muddy is an association whose activities include the commission of serious criminal offenses and whose members have collectively engaged in a pattern of criminal activity. Based on Deputy Seidl's credible testimony, including his description of Defendant Muddy's identifying characteristics and the criminal conduct attributable to its members, this Court finds that Defendant Muddy meets the statutory definition of a "criminal gang" under Minn. Stat. § 609.229.

C. Defendant is a Public Nuisance

This Court finds by a preponderance of the evidence that Defendant constitutes a public nuisance because it has continuously engaged in gang activity, including at least three predicate

offenses occurring within a twelve-month period. First, in June 2025, a member of Defendant's organization was charged with discharging an automatic weapon into the parking lot of a Bloomington restaurant where confirmed members of a rival gang were present. *Id.* ¶ 68.

Second, a member of Defendant's organization was charged in connection with a large fight at a coffee shop in Little Canada. During that incident, the individual was observed displaying the Muddy gang sign, further connecting the charged conduct to Defendant's gang activity. *Id.* ¶¶ 66–69.

Finally, a member of Defendant's organization has been charged with first-degree assault arising from the shooting at Metropolitan State University. *Id.* ¶ 67. Taken together, these incidents establish by a preponderance of the evidence that Defendant's gang activity was not isolated or sporadic, but continuous, and included at least three qualifying predicate offenses within the relevant twelve-month period. Accordingly, this Court finds that Defendant constitutes a public nuisance.

D. The Parties Have Been Provided Adequate Due Process under *Eldridge*

Individual 6 opposes the relief sought by Plaintiffs on several constitutional grounds. U.S. Const. amend. XIV, § 1; Minn. Const. art. I, § 7. Individual 6 notes that the proposed injunction would prevent him from associating with other people, engaging in conduct, or expressing certain gestures or speech. Individual 6 asserts that these restrictions encroach on his rights protected by the Due Process Clause.

The United States Supreme Court established the foundational framework for analyzing procedural due process claims in *Mathews v. Eldridge*. 424 U.S. 319, 321 (1976). The Supreme Court held that due process is flexible and calls for such procedural protections as the particular situation demands. *Id.* To determine what process is constitutionally required, courts must weigh three factors: (1) the private interest that will be affected by the official action; (2) the risk of an

erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and (3) the government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail. *Id.*

The *Mathews* test has become the standard framework for procedural due process analysis across a wide range of cases alleging governmental deprivations of liberty and property interests. Before *Mathews* balancing can apply, however, this Court must first determine whether the challenged government action interferes with a constitutionally protected liberty or property interest. Courts in jurisdictions outside of Minnesota have uniformly held that civil gang injunctions can implicate such interests. In *City of Chicago v. Morales*, the U.S. Supreme Court recognized that the freedom to loiter for innocent purposes is part of the liberty protected by the Due Process Clause of the Fourteenth Amendment, and that an individual's decision to remain in a public place of his choice is as much a part of his liberty as the freedom of movement. 527 U.S. 41, 53 (1999).

Similarly, the Ninth Circuit in *Vasquez v. Rackauckas*, built directly on this foundation, holding that a civil gang injunction profoundly implicates liberty interests protected by the Due Process Clause, including rights of free movement, association, and speech. 734 F.3d 1025, 1043 (9th Cir. 2013). That court identified multiple distinct liberty interests at stake: the fundamental right of free movement; the constitutionally protected freedom of intimate association, burdened by provisions barring association with family members in public places; and First Amendment expressive freedoms, restricted by provisions banning the use or display of gang-related words, phrases, and hand signs. *Id.* Because these liberty interests were clearly implicated, the court proceeded to apply the *Mathews* framework.

The civil gang injunction sought by Plaintiffs here is substantially narrower than the restrictions considered by the United States Supreme Court in *City of Chicago v. Morales* and by the Ninth Circuit in *Vasquez*. In *Morales*, the challenged ordinance prohibited criminal street gang members from loitering in “any public place” throughout the City of Chicago. *Morales*, 527 U.S. 41 at 46. Similarly, the injunction at issue in *Vasquez* imposed permanent restrictions on gang members within a 3.78-square-mile “Safety Zone,” including restrictions on their presence and activities within that geographic area. *Vasquez*, 734 F.3d 1025 at 1034.

The relief sought here is materially different in both duration and scope. The proposed injunction is limited to the twelve days of the Minnesota State Fair and does not prohibit the six affected individuals from entering or attending the Fair, though it does restrict who they could associate with and what they could say once inside. The relief sought therefore does not impose the type of permanent or broadly applicable geographic exclusion considered in *Morales* and *Vasquez*. Given these substantial distinctions, this Court is not persuaded that the same “profoundly implicated liberty interests” identified in those cases are implicated to the same degree here. *Id.*

Nevertheless, recognizing that any liberty interests may be affected by any injunction restricting an individual’s movement or association in a public space, this Court will analyze the adequacy of the procedures afforded here under the framework set forth in *Mathews* out of an abundance of judicial caution. 424 U.S. 319 at 321.

a. The Private Liberty Interests at Stake are Limited

In assessing the impact of official action on private interests, the *Vasquez* court found that the scope of conduct covered by the injunction at issue in that case was wide, intruding considerably on the daily lives of those subject to it. 734 F.3d 1025 at 1034. The injunction covered a geographically expansive safety zone that encompassed dense residential areas, schools, parks,

a university campus, government buildings, a hospital, and hundreds of homes and businesses. *Id.* The court also emphasized that the permanent nature of the injunction, which lacked any expiration or sunset date, compounded the deprivation.

The rights implicated by the proposed injunction are substantially more limited than those at issue in *Vasquez*. Unlike the injunction considered there, the relief sought by Plaintiffs here is both narrowly confined in geographic scope and brief in duration. It applies only to the State Fairgrounds and the immediately surrounding area. It encompasses no hospitals, schools, parks, or other locations necessary to the individuals' daily lives. It would remain in effect for only twelve days. Nor does the proposed injunction prohibit the individuals from attending the State Fair altogether; instead, it places restrictions on specified conduct while they are present. The rights to attend a public event and to associate with other law-abiding individuals of one's choosing are significant, to be sure. But the intrusion on those rights contemplated here is materially less substantial than the restrictions at issue in *Vasquez* and the other authorities cited by counsel for Individual 6.

b. There Is Little Risk of Erroneous Deprivation

The second *Mathews* factor, the risk of erroneous deprivation and the probable value of additional procedural safeguards, has likewise weighed in favor of individuals challenging gang injunctions. The *Vasquez* court concluded that the process of identifying an individual as an active gang member carried a substantial risk of error. 734 F.3d 1025 at 1045. The court emphasized the informal and fluid nature of gangs, the absence of objective criteria for determining membership, and the difficulty of assessing an individual's current status based on historical information. *Id.* Expert testimony established that gangs are generally loose-knit organizations with shifting membership, that most individuals eventually leave gangs, and that a person's affiliation may

change over time. *Id.* at 1050. These characteristics made reliance on past reports particularly problematic when determining whether an individual remained an active gang member. *Id.*

That risk in *Vasquez* was compounded by the procedures law enforcement used to make those determinations. The challenged process in that case consisted largely of unilateral, fact-intensive assessments based on evidence that had not been subjected to any adversarial process. Law enforcement witnesses acknowledged that there was no formula, bright-line rule, or fixed set of criteria for determining active gang membership. *Id.* A Utah court in *McCubbin v. Weber County* identified similar concerns, noting that actual gang membership was not required for an individual to be served with the injunction; rather, an individual could be subjected to its restrictions based on law enforcement's application of its own criteria. 2019 WL 4736966 at * 24 (D. Utah Sept. 27, 2019). Nor was the commission of a crime necessary for an individual to be included on the gang intelligence list. *Id.*

In addition to the limited scope of the proposed injunction discussed above, this Court finds Deputy Seidl's expert testimony credible and his methodology reasonable, distinguishing this case from *Vasquez* and *McKubbin*. Deputy Seidl identified the nine specific criteria upon which he relied in reaching his conclusions, explained the basis for his opinions, and was subject to cross-examination regarding both his methodology and his ultimate determinations. The process employed here therefore provides substantially greater transparency and an opportunity for meaningful adversarial testing than the procedures criticized in *Vasquez*. Moreover, because the proposed injunction would remain in effect for only twelve days, the concerns identified in *Vasquez* regarding the fluid and transitory nature of gang membership are significantly diminished. There is considerably less risk that an individual's affiliation with Defendant's organization will materially change during such a brief period.

This Court has also repeatedly expressed concern that enforcement of the proposed injunction could inadvertently infringe upon the constitutional rights of other law-abiding fairgoers, particularly individuals who share the same racial or cultural background as the individuals subject to the injunction or who have similar-sounding names. In response to those concerns, Plaintiffs submitted the sworn affidavit of Undersheriff Mike Martin, jointly filed with Chief Knafla, and presented Undersheriff Martin's testimony at the hearing.

During the Minnesota State Fair, Undersheriff Martin serves as Commander of the Field Identification Teams ("FIT"). The FIT teams consist of officers, deputies, and agents from multiple law-enforcement agencies who receive specialized training to identify and intervene in situations that are escalating and may lead to fights or other violence. Undersheriff Martin testified that enforcement of the proposed injunction against the three named individuals would be limited exclusively to officers assigned to the FIT teams. In short, the injunction may not be enforced by any officer generally assigned to patrol the Fairgrounds; rather, any enforcement action involving the three named individuals is reserved to a discrete, specialized unit whose members have received appropriate training.

This limitation substantially alleviates this Court's concern that enforcement of the injunction could devolve into a broader "stop-and-frisk" approach that might sweep in individuals who are not subject to the injunction and thereby implicate the constitutional rights of other fairgoers.

c. The Affected Liberty Interest is Comparatively Limited

Under the third *Mathews* factor, federal courts have focused the inquiry not on the government's general interest in combating gang violence, an interest that is unquestionably significant, but on the government's interest in declining to provide additional procedural protections before imposing the restrictions of a gang injunction. In *Vasquez* the Ninth Circuit

framed the relevant question as whether the government had a substantial interest in denying individuals a pre-deprivation opportunity to challenge the determination that they were active gang members before becoming subject to the injunction.

Here, as in *Vasquez*, Plaintiffs have a substantial and ongoing interest in preventing and addressing gang violence at the State Fair. The significance of that governmental interest is self-evident and requires little further elaboration.

Unlike in *Vasquez*, however, the individuals named here were afforded a meaningful pre-deprivation opportunity to challenge the narrow and temporary injunction sought by Plaintiffs. Individuals 1 and 6 were personally served with the summons and complaint, while service upon Individual 3 was attempted by mail and not returned. Individuals 1 and 6 were represented at the hearing by highly capable counsel, who had the opportunity to challenge Plaintiffs' evidence, cross-examine witnesses, and present argument on their clients' behalf. Although counsel raised legitimate concerns regarding the compressed timeline, and this Court does not discount those concerns, Individuals 1 and 6 nevertheless received notice and an opportunity to be heard before the injunction was imposed. In that important respect, the procedures afforded here differ materially from those at issue in the authorities upon which they rely.

In sum, and as Plaintiffs note in their written submissions, the proposed injunction withstands constitutional scrutiny even under the authorities most skeptical of civil gang injunctions. The relief sought here is narrowly tailored in its scope, duration, geographic reach, and application, and it identifies with sufficient clarity the conduct subject to restraint.

First, the proposed injunction applies only to those members of Defendant's organization who were served with the pleadings in this action and seeks to restrain only the specified public-nuisance conduct. Cf. *People ex rel. Totten v. Colonia Chiques*, 156 Cal. App. 4th 31, 42–43 (Cal. Ct. App. 2007). Second, the injunction is geographically confined to nuisance activity occurring

within the specifically defined Safety Zone. *People ex rel. Gallo v. Acuna*, 929 P.2d 596, 609 (Cal. 1997). Third, the injunction is temporary, remaining in effect for only twelve days—a significant distinction from the permanent injunctions considered in the gang-injunction authorities discussed above.

Finally, the proposed injunction describes the prohibited conduct with sufficient specificity to permit an ordinary person of common intelligence to understand, with reasonable certainty, what conduct is prohibited within the Safety Zone. See *Acuna*, 929 P.2d at 613–14. Taken together, these limitations distinguish the relief sought here from the substantially broader gang injunctions considered in the authorities discussed above and support this Court’s conclusion that the proposed injunction is sufficiently narrow, definite, and limited to withstand constitutional scrutiny.

E. This Court has Jurisdiction Over the Parties Named in Appendix A

Counsel for Individual 6 asserts that this Court lacks jurisdiction over him because he is not a party to this litigation. Counsel correctly notes that Minnesota courts have consistently held that a district court may not exercise jurisdiction over a nonparty. *In re Ferlitto*, 565 N.W.2d 35, 37 (Minn. App. 1997).

Although a court generally may not directly enjoin a nonparty, Rule 65.04 provides that certain nonparties may nevertheless be bound by an injunction. The Rule identifies two categories of persons, in addition to the named parties, who may fall within the scope of an injunction.

First, an injunction can bind the officers, agents, servants, employees, and attorneys of the named parties. Their inclusion derives from their relationship to the enjoined party and does not require a separate showing that they acted in active concert or participation with that party. *Medtronic, Inc. v. Doerr*, No. A14-1283, 2015 WL 506768 at *3. (Minn. Ct. App. Feb. 9, 2015),

Second, Rule 65.04 binds persons who receive actual notice of the injunction and act in active concert or participation with a named party. This provision permits an injunction to reach

third parties who coordinate with an enjoined party in carrying out the prohibited conduct. *See TestQuest, Inc. v. Lafrance*, No. C0-02-783, 2002 WL 1969287 at * 6 (Minn. Ct. App. Aug. 27, 2002).

The purpose of the active-concert-or-participation provision is to prevent an enjoined party from circumventing a court's order by accomplishing through others what the injunction prohibits the party from doing directly. Its reach, however, is not unlimited. There must be a sufficient relationship of coordination or participation between the nonparty and the enjoined party; Rule 65.04 does not independently subject an otherwise unrelated third party to an injunction merely because that person engages in conduct similar to that prohibited by the order.

Under either prong, a nonparty that a movant wishes to subject to an injunction must have actual notice. Rule 65.04 states that such people are bound only when they "receive actual notice of the order by personal service or otherwise." Minn. R. Civ. P. 65.04 This requirement has both a procedural and a constitutional dimension.

Procedurally, the rule requires that the nonparty actually receive notice of the order—not merely constructive notice through publication or the filing of court records. The phrase "by personal service or otherwise" is permissive as to the method of delivery, but the notice must be actual. *Id.*

Applying the same reasoning here, Individuals 1 and 6 do not dispute that they were personally served with the summons and complaint in this action and therefore received actual notice of the proceedings. As discussed *infra*, this Court has further found that Individuals 1, 3, and 6 are members or agents of Defendant's organization. Accordingly, to the extent they fall within the categories of persons identified in Rule 65.04, they may be bound derivatively by an injunction directed at Defendant. This Court therefore concludes that it has authority under Rule 65.04 to subject them to the injunction's terms for this limited purpose.

F. Individuals 1, 3 and 6 are members of Defendant Organization

As evidence of Individuals 1, 3 and 6's membership in Defendant's organization, Plaintiffs rely on the gang membership criteria developed by the Violent Crime Coordinating Council. *See* Minn. Stat. § 299A.642, subd. 3 (2026). Plaintiffs contend that they satisfy their burden by proving, by a preponderance of the evidence, that each individual meets at least three of those statutory criteria.

The Minnesota Nine-Point Gang Criteria identify nine indicators that may be used to assess an individual's gang affiliation. A person qualifies as a "gang member" under the criteria if the person is at least 14 years old and satisfies at least three of the following nine criteria: (1) admits gang membership; (2) is arrested with a gang member for an offense consistent with gang-related criminal activity; (3) displays a gang tattoo or brand; (4) wears clothing or displays symbols intended to identify with a gang; (5) appears in a photograph or image with a gang member while engaging in gang-related activity or displaying gang signs or symbols; (6) has their name appear on a gang roster; (7) is identified as a gang member by a reliable source with a demonstrable basis for that identification; (8) is regularly observed or communicates with a gang member in furtherance or support of gang-related activity; or (9) produces gang-specific writing or graffiti in furtherance or support of gang-related activity. The criteria further provide that a single fact may not be used to satisfy more than one criterion. *See generally*, Pl. Ex. 1.

a. Individual 1: Mr. Warsame

Plaintiffs have established by a preponderance of the evidence that Mr. Warsame satisfies at least three of the criteria used to identify an individual as a member of Defendant's organization. First, Deputy Seidl testified that officers from both the Minneapolis and Bloomington Police Departments have identified Mr. Warsame as affiliated with Defendant's organization. *See also*

Seidl Decl. ¶ 66. This Court finds these identifications constitute identification by reliable sources with a demonstrable basis for their knowledge, satisfying criterion seven.

Second, Plaintiff's Exhibit 17 depicts Mr. Warsame in a social-media photograph displaying a gang sign associated with Defendant's organization. This evidence satisfies criterion five, which applies when an individual appears in a photograph or image displaying gang signs or symbols.

Mr. Warsame raises legitimate concerns about relying on the use of a "W" hand signal, standing alone, as evidence of gang membership. Mr. Warsame notes that the "W" sign has been widely used in California hip-hop culture since the early 1990s and offers examples of several celebrities displaying the same or a similar gesture. *See Warsame Br. at 2, Ex. 1.* But that concern underscores why the use of gang signs is not, by itself, determinative of gang membership. Rather, the use of gang signs is only one of nine criteria that law enforcement may consider in assessing gang membership. Thus, for purposes of this proceeding, the relevant question is not whether an individual has displayed a "W" sign, but whether the totality of the evidence, considered under the applicable criteria, establishes gang membership by a preponderance of the evidence.

Third, Mr. Warsame was arrested and charged with third-degree riot and disorderly conduct on July 8, 2026, arising from a July 2025 incident at a coffee shop in Little Canada. According to the evidence presented, Mr. Warsame and others known to law enforcement allegedly displayed signs indicating their affiliation with Defendant's organization and incited a large-scale altercation involving more than one hundred people. Seidl Decl. ¶ 66; Case No. 62SU-CR-26-2620. This Court finds that this evidence establishes that Mr. Warsame was arrested with a gang member for an offense consistent with gang-related criminal activity, thereby satisfying criterion two. Accordingly, Plaintiffs have established by a preponderance of the evidence that Mr.

Warsame satisfies at least three of the nine gang-identification criteria and is a member of Defendant's organization.

b. Individual 6: Mr. Farah

Plaintiffs have likewise established by a preponderance of the evidence that Mr. Farah satisfies at least three of the criteria used to identify an individual as a member of Defendant's organization. First, Deputy Seidl testified that two Minneapolis Police Department officers, in separate police reports, identified Mr. Farah as affiliated with Defendant's organization. *See also* Seidl Decl. ¶ 71. This Court finds that these independent identifications were made by reliable sources with a demonstrable basis for their knowledge and therefore satisfy criterion seven.

Second, Plaintiff's Exhibit 9 depicts Mr. Farah in a social-media photograph displaying a gang sign associated with Defendant's organization. This Court finds that this evidence satisfies criterion five, which encompasses an individual's appearance in a photograph or image displaying gang signs or symbols.

Third, on November 4, 2025, Mr. Farah pleaded guilty to second-degree assault in Case No. 27-CR-25-3106. The complaint in that matter identifies Mr. Farah as known to law enforcement as a member of Defendant's organization and alleges that he possessed an AR-style pistol equipped with a green laser, consistent with a firearm capable of firing ".300 Blackout" ammunition. During his guilty plea, Mr. Farah admitted that he intentionally initiated a gunfight in the Cedar-Riverside neighborhood. *See* Seidl Decl. ¶ 71; Pl. Ex. 11. This Court finds that the information contained in the complaint provides an additional, independent identification of Mr. Farah as a member of Defendant's organization by a reliable law enforcement source. Accordingly, Plaintiffs have established by a preponderance of the evidence that Mr. Farah satisfies at least three separate instances of the nine gang-identification criteria and is a member of Defendant's organization.

c. Individual 3: Mr. Omar

As noted above, Mr. Omar did not participate in court proceedings relating to the proposed injunction, despite being served by mail. As such, this Court grants Plaintiffs’ motion to enjoin Mr. Omar by default. This Court further finds that Deputy Seidl’s sworn affidavit and testimony provide an independent substantive basis for concluding that Mr. Omar is a member of Defendant’s organization. First, on March 16, 2024, Mr. Omar was arrested with another known gang member and was charged with two counts of First-Degree Aggravated Robbery and one count of Fleeing a Peace Officer. Seidl Decl. ¶ 68. On October 27, 2024, Mr. Omar was arrested with a Muddy associate who was arrested for carrying a pistol in public without a permit and fleeing a peace officer. *Id.* On June 6, 2025, Mr. Omar was arrested with a fellow Muddy associate after Muddy fired gunshots at The Ville at the Burnsville High School Graduation. *Id.* This evidence satisfies criterion two. Second, Mr. Omar has been seen in social media posts “throwing up” Muddy gang signs, satisfying criterion 5. *Id.* Third, Mr. Omar has appeared on a roster posted by an opposing member’s Instagram account, satisfying criterion 6. Finally, Mr. Omar has been identified by the Bloomington Police Department as a Muddy associate, which has been documented in a police report. This evidence satisfies criterion 7. Accordingly, this Court finds both by default and on the substantive evidence presented that Mr. Omar is a member of Defendant’s organization.

Conclusion

The relief sought in this case implicates important and competing interests. Plaintiffs have a substantial and legitimate interest in protecting the hundreds of thousands of Minnesotans who attend the State Fair from violence and in preventing the Fairgrounds from becoming a venue for criminal gang activity. At the same time, the constitutional rights implicated by a civil gang injunction are significant. Those rights belong not only to the individuals subject to the injunction, but also to the many law-abiding fairgoers who must remain free to attend and enjoy the State Fair

without being subjected to unwarranted scrutiny, or interference based upon their race or perceived similarity to persons subject to this Order.

This Court does not minimize those concerns. Civil gang injunctions present unusual constitutional questions precisely because they permit significant restrictions on individual conduct through a civil proceeding and, in other jurisdictions, have sometimes been imposed through procedures that provided insufficient opportunity to challenge the underlying determination of gang membership. The authorities discussed above appropriately require courts to scrutinize such relief carefully.

The injunction before this Court, however, is materially different from the broad and indefinite injunctions struck down as constitutionally flawed. The proposed injunction is geographically confined to the State Fairgrounds and the narrowly defined Safety Zone. It lasts only twelve days. It identifies with specificity the conduct that is prohibited. Its enforcement against the three remaining named individuals is limited to specially trained members of the Field Identification Teams rather than officers generally patrolling the Fairgrounds. And, critically, the individuals against whom relief is granted either received notice and an opportunity to contest Plaintiffs' evidence or are subject to relief by default. Individuals 1 and 6 appeared through highly capable counsel, challenged Plaintiffs' evidence, cross-examined Plaintiffs' witnesses, and presented argument in opposition to the requested relief.

After considering that record, this Court finds that Plaintiffs have met their burden. Plaintiffs have established the statutory prerequisites for injunctive relief, including that Defendant constitutes a criminal gang within the meaning of Minnesota law and that the individuals subject to this Order are members or agents of Defendant's organization. This Court further concludes that the relief ordered is consistent with Minnesota Rule of Civil Procedure 65.04 and satisfies the requirements of procedural due process. Even when measured against the authorities most critical

of civil gang injunctions, the limited relief granted here is sufficiently narrow in its duration, geographic scope, substantive restrictions, and manner of enforcement to withstand constitutional scrutiny.

This Court reaches this conclusion mindful of both what this Order does and what it does not do. It does not authorize generalized enforcement against persons who share a background with the individuals subject to its terms. It does not give law enforcement license to expand the injunction beyond the individuals, conduct, geographic area, and twelve-day period expressly identified by this Court. Rather, the Order addresses three specific individuals, based upon an individualized evidentiary record, for a discrete period of time and in a discrete location.

The Legislature has expressly authorized injunctive relief as a means of abating the public nuisance established here. Having found the statutory prerequisites satisfied, and having carefully considered the constitutional interests at stake, this Court concludes that the narrowly tailored injunction set forth below appropriately serves that legislative purpose while preserving the constitutional protections that remain paramount. Plaintiffs' motion for injunctive relief is therefore GRANTED to the extent and subject to the limitations set forth in this Order.