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Lawsuit Filed Against the City of Lincoln for Required Mask Mandate

LINCOLN, NEBRASKA, September 10, 2020 - Today Berry Law and Mattson Ricketts Law Firm filed a lawsuit in the District Court of Lancaster County against the City of Lincoln with regard to their issuance of Directive Health Mandates 07-2020 and 08-2020. In addition to establishing that these mandates are void, the lawsuit seeks damages for the economic harm they have caused to Lincoln's business owners and employees. For this reason, we have filed the lawsuit as a class action.

While it is impossible to avoid the politics surrounding these controversial mandates, this lawsuit is not meant to be political. The purpose of the lawsuit is to ensure that those entrusted with exercising the power of government do so in a way that is consistent with their legal authority. This is important because the government holds significantly more power than the law allows it to use. When the government exceeds its authority in exercising power, it is appropriate for citizens to seek redress through the courts.

It is also important to understand that this lawsuit is not intended to convey a specific message as to whether or not wearing a mask is appropriate. Our clients respect that their own customers have differing views and our clients understand that those views can be deeply personal. Instead, we have filed this lawsuit at the request of numerous business owners and employees who simply want the opportunity to earn a living without the unlawful intervention of government. The inconsistent micro-managing of the situation by the City of Lincoln violates the law.

The role of business is not to serve as a posse for government enforcement of the law. The City cannot force, under the threat of criminal prosecution and closure, businesses to exercise police power that they do not inherently possess.

Berry Law Firm was founded in 1965 by legendary attorney John S. Berry, Sr., to protect Americans' constitutional rights. With over 250 years of combined legal experience, Berry Law is well equipped to handle the most serious legal needs.

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If you would like more information about this topic, or to schedule an interview, please call Emily Schweitzer at 402-466-8444, or email marketing@jsberrylaw.com.