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Docket Activity Report

U.S. District Court -- District of Oregon

Report Filed Period: 1/1/2021 - 5/25/2021

Case Number/Title	Dates	Category/ Event	Docketed by	Notes
6:20-cv-00253-AA Clark v. Wells Fargo Bank et al CASE CLOSED on 03/31/2021	<i>Entered:</i> 01/13/2021 09:06:11 <i>Filed:</i> 01/13/2021	<i>Category:</i> order <i>Event:</i> 1 - Scheduling <i>Document:</i> 123	C. Kramer <i>Type:</i> crt	<i>Cause:</i> 42:1983 Civil Rights Act <i>NOS:</i> Civil Rights: Other <i>Office:</i> Eugene (6) <i>Presider:</i> Ann L. Aiken <i>Jury demand:</i> Both <i>Case Flags:</i> APPEAL TERMINATED
Scheduling Order by Judge Ann L. Aiken regarding Motion to Dismiss for Failure to State a Claim 59 , Motion for Protective Order <i>and Motion to Declare Plaintiff a Vexatious Litigant</i> 62 , Motion to Dismiss for Failure to State a Claim <i>and FRCP 12(B)(1) & 12(B)(6)</i> 81 , Motion to Dismiss for Failure to State a Claim 52 , Motion to Dismiss for Failure to State a Claim 33 , Motion for Summary Judgment 95 , Request for Judicial Notice 56 , Motion to Dismiss for Failure to State a Claim 42 , Motion to Dismiss for Failure to State a Claim 58 , and Request for Judicial Notice 34 . Oral Argument is set for 3/2/2021 at 02:00PM in Eugene by telephone before Judge Ann L. Aiken. Motions are taken under advisement as of 3/2/2021. Ordered by Judge Ann L. Aiken. (<i>Mailed to Pro Se party on 1/13/2021.</i>) (ck)				
	<i>Entered:</i> 03/01/2021 12:47:58 <i>Filed:</i> 03/01/2021	<i>Category:</i> notice <i>Event:</i> Notice <i>Document:</i> 124	N. Chourey <i>Type:</i> aty	
Supplemental Notice <i>Supplemental Authority</i> Filed by Oregon State Bar Association. (Chourey, Nikhil)				
	<i>Entered:</i> 03/02/2021 14:55:59 <i>Filed:</i> 03/02/2021	<i>Category:</i> minute <i>Event:</i> Motion Hearing Held <i>Document:</i> 125	C. Kramer <i>Type:</i> crt	
MINUTES of Proceedings: Telephonic Motion Hearing held before Judge Ann L. Aiken regarding Motion to Dismiss for Failure to State a Claim 42 , Motion to Dismiss for Failure to State a Claim 33 , Motion for Summary Judgment 95 , Request for Judicial Notice 34 , Motion to Dismiss for Failure to State a Claim 58 , Request for Judicial Notice 56 , Motion for Protective Order 62 , Motion to Dismiss for Failure to State a Claim 81 , Motion to Dismiss for Failure to State a Claim 52 , and Motion to Dismiss for Failure to State a Claim 59 . The Court hears argument as stated on the record and takes the matters under advisement. Formal Written Opinion to follow. Andrew Clark present as pro se plaintiff. Christian Rowley, John Pollino, Nikhil Chourey, Jessica Spooner, Tom Spooner, Billy Sime, David Jacobs present as counsel				

for defendants. Court Reporter: Kelly Polvi. (Deposited in outgoing mail to pro se party on 3/2/2021.) (ck)

Entered:
03/31/2021
08:22:44
Filed:
03/31/2021

Category: order
Event: Opinion and Order
Document: [126](#)

C.
Kramer
Type: crt

OPINION AND ORDER: David Campbell, Wells Fargo, and Christian Rowley's requests for judicial notice (docs. [34](#), [45](#)) are GRANTED; plaintiff's request for judicial notice (doc. [56](#)) is DENIED; and defendants' motions to dismiss (docs. [33](#), [42](#), [52](#), [58](#), [59](#), [81](#)) are GRANTED and the claims against them are dismissed with prejudice. Signed on 3/31/2021 by Judge Ann L. Aiken. (Deposited in outgoing mail to pro se party on 3/31/2021.) (ck)

Entered:
03/31/2021
08:27:37
Filed:
03/31/2021

Category: order
Event: Opinion and Order
Document: [127](#)

C.
Kramer
Type: crt

OPINION AND ORDER: Defendants' Motion for Summary Judgment (doc. [95](#)) is GRANTED and the claims against Alex Gardner and Erik Hasselman are DISMISSED. Signed on 3/31/2021 by Judge Ann L. Aiken. (Deposited in outgoing mail to pro se party on 3/31/2021.) (ck)

Entered:
03/31/2021
14:40:21
Filed:
03/31/2021

Category: order
Event: Opinion and Order
Document: [128](#)

C.
Kramer
Type: crt

OPINION AND ORDER: The motions to declare Mr. Clark a Vexatious Litigant and enter a pre-filing order against him (docs. [42](#), [62](#)) are GRANTED, and the Court will issue a pre-filing order consistent with the terms outlined. Signed on 3/31/2021 by Judge Ann L. Aiken. (Deposited in outgoing mail to pro se party on 3/31/2021.) (ck)

Entered:
03/31/2021
14:43:33
Filed:
03/31/2021

Category: order
Event: Order
Document: [129](#)

C.
Kramer
Type: crt

PRE-FILING RESTRAINT ORDER. Signed on 3/31/2021 by Judge Ann L. Aiken. (Deposited in outgoing mail to pro se party on 3/31/2021.) (ck)

Entered:
03/31/2021
14:47:47
Filed:
03/31/2021

Category: order
Event: Order on Motion for Summary Judgment
Document: 130

C.
Kramer
Type: crt

ORDER: Lifting Stay, ECF no. 122, on plaintiff's Motion for Summary Judgment [120](#). Because all claims and defendants in this action have been dismissed, see [114](#), [117](#), [126](#), [127](#), plaintiff's Motion for Summary Judgment [120](#) is DENIED as MOOT. A final judgment shall be entered accordingly. Ordered by Judge Ann L. Aiken. (Deposited in outgoing mail to pro se party on 3/31/2021.) (ck)

Entered:
03/31/2021
14:53:03

Category: order
Event: Judgment
Document: [131](#)

C.
Kramer
Type: crt

	<p><i>Filed:</i> 03/31/2021</p>			
	<p>JUDGMENT: Pursuant to the Court's March 31, 2021 Orders (docs. 126 , 127 , 130), this action is DISMISSED. (<i>Deposited in outgoing mail to pro se party on 3/31/2021.</i>) (ck)</p>			
	<p><i>Entered:</i> 04/20/2021 16:48:25 <i>Filed:</i> 04/20/2021</p>	<p><i>Category:</i> appeal <i>Event:</i> Notice of Appeal <i>Document:</i> 132</p>	<p>J. Wall <i>Type:</i> crt</p>	
	<p>Notice of Appeal to the 9th Circuit as to: Opinion and Order 126 , Opinion and Order 127 , and Order on Motion for Summary Judgment 130 . (No IFP Granted and No Fee Paid). Filed by Andrew Clark. (jw)</p>			
	<p><i>Entered:</i> 04/21/2021 14:03:29 <i>Filed:</i> 04/21/2021</p>	<p><i>Category:</i> appeal <i>Event:</i> USCA Case Number</p>	<p>B. Davies <i>Type:</i> crt</p>	
	<p>USCA Case Number and Notice confirming Docketing Record on Appeal re Notice of Appeal 132 . Case Appealed to 9th Circuit, Case Number 21-35304 assigned. (bd)</p>			
	<p><i>Entered:</i> 04/26/2021 16:35:21 <i>Filed:</i> 04/23/2021</p>	<p><i>Category:</i> appeal <i>Event:</i> USCA Order <i>Document:</i> 133</p>	<p>B. Davies <i>Type:</i> crt</p>	
	<p>ORDER from USCA for the 9th Circuit, USCA # 21-35304 re Notice of Appeal 132 . A review of this court's docket reflects that the filing and docketing fees for this appeal remain due. Within 21 days after the date of this order, appellant shall pay to the district court the \$505.00 filing and docketing fees for this appeal and file in this court proof of such payment or file in this court a motion to proceed in forma pauperis. If appellant fails to comply with this order, this appeal may be dismissed by the Clerk for failure to prosecute. <i>See</i> 9th Cir. R. 42-1. (bd)</p>			
	<p><i>Entered:</i> 04/26/2021 16:59:28 <i>Filed:</i> 04/26/2021</p>	<p><i>Category:</i> appeal <i>Event:</i> Fee Paid</p>	<p>B. Davies <i>Type:</i> crt</p>	
	<p>USCA Appeal Fees re Notice of Appeal 132 : Received Fee in amount of \$505.00. Receipt number ORX600013777 issued. (bd)</p>			

Selection Criteria for Report

Case number	6:20-cv-253
Filed Date	1/1/2021 - 5/25/2021
Entered Date	All
Office	All
Nature of Suit	All
Cause	All

Case type	All
Case flags	All
Open Cases	No
Closed Cases	No
Event Category	All
Docket Text	full
Sort by	case number
Total Number of Docket Entries: 13	

PACER Service Center			
Transaction Receipt			
05/25/2021 07:13:44			
PACER Login:	OperationSunrise	Client Code:	
Description:	Docket Activity Report	Search Criteria:	6:20-cv-00253-AA Filed From: 1/1/2021 Filed To: 5/25/2021
Billable Pages:	3	Cost:	0.30

Docket Activity Report

U.S. District Court -- District of Oregon

Report Filed Period: 7/1/2020 - 12/31/2020

No docket entries found

Selection Criteria for Report

Case number	6:20-cv-253
Filed Date	7/1/2020 - 12/31/2020
Entered Date	All
Office	All
Nature of Suit	All
Cause	All
Case type	All
Case flags	All
Open Cases	No
Closed Cases	No
Event Category	All
Docket Text	full
Sort by	case number
Total Number of Docket Entries: 0	

PACER Service Center			
Transaction Receipt			
05/25/2021 07:12:14			
PACER Login:	OperationSunrise	Client Code:	
Description:	Docket Activity Report	Search Criteria:	6:20-cv-00253-AA Filed From: 7/1/2020 Filed To: 12/31/2020
Billable Pages:	1	Cost:	0.10

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Docket Activity Report

U.S. District Court -- District of Oregon

Report Filed Period: 1/1/2020 - 6/30/2020

Case Number/Title	Dates	Category/Event	Docketed by	Notes
6:20-cv-00253-AA Clark v. Wells Fargo Bank et al CASE CLOSED on 03/31/2021	Entered: 02/14/2020 17:12:42 Filed: 02/14/2020	Category: cmp Event: Complaint Document: 1	B. Davies Type: crt	Cause: 42:1983 Civil Rights Act NOS: Civil Rights: Other Office: Eugene (6) Presider: Ann L. Aiken Jury demand: Both Case Flags: APPEAL TERMINATED
Complaint. Filing fee in the amount of \$400 collected. Receipt No. 13301. Jury Trial Requested: Yes. Filed by Andrew Clark against All Defendants (Attachments: # 1 Exhibit, # 2 Civil Cover Sheet). (bd)				
	Entered: 02/14/2020 17:14:24 Filed: 02/14/2020	Category: order Event: 3 - Discovery and Pretrial Scheduling Order - FORM EVENT Document: 2	B. Davies Type: crt	
Notice of Case Assignment to Judge Ann L. Aiken and Discovery and Pretrial Scheduling Order. NOTICE: Counsel shall print and serve the summonses and all documents issued by the Clerk at the time of filing upon all named parties in accordance with Local Rule 3-5. Discovery is to be completed by 6/15/2020. Joint Alternate Dispute Resolution Report is due by 7/13/2020. Pretrial Order is due by 7/13/2020. Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 02/14/2020.) (bd)				
	Entered: 02/18/2020 13:38:38 Filed: 02/18/2020	Category: order Event: Order Document: 3	C. Kramer Type: crt	
CASE MANAGEMENT ORDER. Signed on 2/18/2020 by Judge Ann L. Aiken. (Mailed to Pro Se party on 2/18/2020.) (ck)				
	Entered: 02/19/2020 12:08:30 Filed: 02/18/2020	Category: service Event: Summons Issued Document: 4	B. Davies Type: crt	

	Summons Issued as to Wells Fargo Bank. (bd)		
	<i>Entered:</i> 02/19/2020 12:12:31 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 5	B. Davies <i>Type:</i> crt
	Summons Issued as to Oregon State Bar Association. (bd)		
	<i>Entered:</i> 02/19/2020 12:18:01 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 6	B. Davies <i>Type:</i> crt
	Summons Issued as to David Campbell. (bd)		
	<i>Entered:</i> 02/19/2020 12:24:17 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 7	B. Davies <i>Type:</i> crt
	Summons Issued as to Barry Davis. (bd)		
	<i>Entered:</i> 02/19/2020 12:27:13 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 8	B. Davies <i>Type:</i> crt
	Summons Issued as to Alex Gardner. (bd)		
	<i>Entered:</i> 02/19/2020 12:28:19 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 9	B. Davies <i>Type:</i> crt
	Summons Issued as to Benjamin Gutman. (bd)		
	<i>Entered:</i> 02/19/2020 12:30:31 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 10	B. Davies <i>Type:</i> crt
	Summons Issued as to Erik Hasselman. (bd)		
	<i>Entered:</i> 02/19/2020 12:31:43 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 11	B. Davies <i>Type:</i> crt
	Summons Issued as to Michael Hogan. (bd)		
	<i>Entered:</i> 02/19/2020 12:37:39 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 12	B. Davies <i>Type:</i> crt
	Summons Issued as to Leah C. Lively. (bd)		

	<i>Entered:</i> 02/19/2020 12:39:49 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 13	B. Davies <i>Type:</i> crt
Summons Issued as to Ben Miller. (bd)			
	<i>Entered:</i> 02/19/2020 12:40:53 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 14	B. Davies <i>Type:</i> crt
Summons Issued as to Christopher Mixon. (bd)			
	<i>Entered:</i> 02/19/2020 12:49:59 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 15	B. Davies <i>Type:</i> crt
Summons Issued as to Bruce Newton. (bd)			
	<i>Entered:</i> 02/19/2020 12:51:29 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 16	B. Davies <i>Type:</i> crt
Summons Issued as to Vanessa Nordyke. (bd)			
	<i>Entered:</i> 02/19/2020 13:04:36 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 17	B. Davies <i>Type:</i> crt
Summons Issued as to Ogletree Deakins Nash Smoak Stewert. (bd)			
	<i>Entered:</i> 02/19/2020 13:06:16 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 18	B. Davies <i>Type:</i> crt
Summons Issued as to Ellen Rosenblum. (bd)			
	<i>Entered:</i> 02/19/2020 13:08:08 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 19	B. Davies <i>Type:</i> crt
Summons Issued as to Christian Rowley. (bd)			
	<i>Entered:</i> 02/19/2020 13:09:13 <i>Filed:</i> 02/18/2020	<i>Category:</i> service <i>Event:</i> Summons Issued <i>Document:</i> 20	B. Davies <i>Type:</i> crt
Summons Issued as to Steven Seymour. (bd)			

<p>Entered: 02/19/2020 13:10:19 Filed: 02/18/2020</p>	<p>Category: service Event: Summons Issued Document: 21</p>	<p>B. Davies Type: crt</p>	
Summons Issued as to David P.R. Symes. (bd)			
<p>Entered: 02/19/2020 13:12:07 Filed: 02/18/2020</p>	<p>Category: service Event: Summons Issued Document: 22</p>	<p>B. Davies Type: crt</p>	
Summons Issued as to Sabastian Newton Tapia. (bd)			
<p>Entered: 02/19/2020 13:13:32 Filed: 02/18/2020</p>	<p>Category: service Event: Summons Issued Document: 23</p>	<p>B. Davies Type: crt</p>	
Summons Issued as to Peter Urias. (bd)			
<p>Entered: 02/24/2020 17:18:12 Filed: 02/21/2020</p>	<p>Category: service Event: Summons/Service Return (All Types) Document: 24</p>	<p>B. Davies Type: crt</p>	
Return of Service Executed as to All Defendants. (bd)			
<p>Entered: 03/03/2020 08:59:01 Filed: 03/03/2020</p>	<p>Category: motion Event: Dismiss for Failure to State a Claim Document: 25</p>	<p>S. Tapia Type: aty</p>	
Motion to Dismiss for Failure to State a Claim . Filed by Sabastian Newton Tapia. (Tapia, Sebastian)			
<p>Entered: 03/03/2020 09:00:48 Filed: 03/03/2020</p>	<p>Category: oth_sup Event: Declaration Document: 26</p>	<p>S. Tapia Type: aty</p>	
Declaration of Tapia . Filed by Sabastian Newton Tapia. (Related document(s): Motion to Dismiss for Failure to State a Claim 25 .) (Attachments: # 1 Attachment Fax from Clark) (Tapia, Sebastian)			
<p>Entered: 03/06/2020 10:51:21 Filed: 03/06/2020</p>	<p>Category: notice Event: xAttorney Appearance - retired Document: 27</p>	<p>T. Spooner Type: aty</p>	
Notice of Appearance of Tom C. Spooner appearing on behalf of Barry Davis Filed by on behalf of Barry Davis. (Spooners, Tom)			
<p>Entered: 03/09/2020 14:55:52</p>	<p>Category: motion Event: Extension of Time Document: 28</p>	<p>D. Jacobs Type: aty</p>	

<p>Filed: 03/09/2020</p>			
<p>Joint Motion for Extension of Time <i>for Defendants to File Their Respective First Appearances (Unopposed)</i>. Filed by Leah C. Lively, Christopher Mixon, Bruce Newton, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Jacobs, David)</p>			
<p>Entered: 03/09/2020 15:08:55 Filed: 03/09/2020</p>	<p>Category: oth_sup Event: Declaration Document: 29</p>	<p>D. Jacobs Type: aty</p>	
<p>Declaration of David A. Jacobs <i>in Support of Defendants' Unopposed Joint Motion for Extension of Time to File Their Respective First Appearances</i>. Filed by Leah C. Lively, Christopher Mixon, Bruce Newton, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Related document(s): Motion for Extension of Time, 28 .) (Jacobs, David)</p>			
<p>Entered: 03/10/2020 14:11:14 Filed: 03/10/2020</p>	<p>Category: order Event: Order on Motion for Extension of Time Document: 30</p>	<p>C. Kramer Type: crt</p>	
<p>ORDER: Granting Joint Motion for Extension of Time 28 . Leah C. Lively, Christopher Mixon, Bruce Newton, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, and David P.R. Symes's Answer is due by 4/9/2020. Ordered by Judge Ann L. Aiken. (<i>Mailed to Pro Se party on 3/10/2020.</i>) (ck)</p>			
<p>Entered: 03/10/2020 14:15:40 Filed: 03/10/2020</p>	<p>Category: motion Event: Dismiss for Failure to State a Claim Document: 31</p>	<p>S. Go Type: aty</p>	
<p>Motion to Dismiss for Failure to State a Claim . Filed by Ben Miller. (Go, Sivhwa)</p>			
<p>Entered: 03/10/2020 15:01:47 Filed: 03/09/2020</p>	<p>Category: motion Event: Intervene Document: 32</p>	<p>B. Davies Type: crt</p>	
<p>Motion to Intervene (<i>Titled "Motion for Wells Fargo and Company to Join Plaintiff as Intervenor"</i>). Filed by Andrew Clark. (Attachments: # 1 Attachment, # 2 Attachment) (bd)</p>			
<p>Entered: 03/10/2020 15:22:08 Filed: 03/10/2020</p>	<p>Category: motion Event: Dismiss for Failure to State a Claim Document: 33</p>	<p>B. Sime Type: aty</p>	
<p>Motion to Dismiss for Failure to State a Claim <i>and Memorandum in Support</i>. Filed by David Campbell. (Sime, Billy)</p>			
<p>Entered: 03/10/2020 15:25:23 Filed: 03/10/2020</p>	<p>Category: motion Event: Request for Judicial Notice Document: 34</p>	<p>B. Sime Type: aty</p>	
<p>Request for <i>Judicial Notice</i>. Filed by David Campbell. (Sime, Billy) Modified on 3/13/2020 to correct event selection. NEF not regenerated. (bd)</p>			

<p>Entered: 03/10/2020 15:27:22 Filed: 03/10/2020</p>		<p>Category: oth_sup Event: Affidavit in Support of Motion Document: 35</p>	<p>B. Sime Type: aty</p>	
<p>Affidavit in Support of Motion <i>to Dismiss</i>. Filed by David Campbell. (Related document(s): Motion to Dismiss for Failure to State a Claim 33 .) (Attachments: # 1 Exhibit) (Sime, Billy)</p>				
<p>Entered: 03/11/2020 14:23:33 Filed: 03/11/2020</p>		<p>Category: motion Event: Extension of Time to Answer a Complaint/Petition Document: 36</p>	<p>A. Hollister Type: aty</p>	
<p>Motion for Extension of Time to Answer (<i>Unopposed</i>). Filed by Oregon State Bar Association. (Attachments: # 1 Attachment Declaration of Nik T. Chourey In Support of Defendant Oregon STate Bar's Unopposed Motion for Extension of Time to File Its First Appearance) (Hollister, Amber)</p>				
<p>Entered: 03/11/2020 15:24:39 Filed: 03/11/2020</p>		<p>Category: order Event: Order on Motion for Extension of Time to Answer a Complaint/Petition Document: 37</p>	<p>C. Kramer Type: crt</p>	
<p>ORDER: Granting Unopposed Motion for Extension of Time to Answer 36 . Oregon State Bar's Answer is due by 4/13/2020. Ordered by Judge Ann L. Aiken. (<i>Mailed to Pro Se party on 3/11/2020.</i>) (ck)</p>				
<p>Entered: 03/12/2020 16:39:28 Filed: 03/11/2020</p>		<p>Category: motion Event: Extension of Time to File Response/Reply to Motion Document: 38</p>	<p>B. Davies Type: crt</p>	
<p>Motion for Extension of Time to File a Response/Reply to Motion to Dismiss for Failure to State a Claim <i>and Memorandum in Support</i> 33 , Motion to Dismiss for Failure to State a Claim 25 and Motion to Dismiss for Failure to State a Claim 31 . (<i>Titled "Motion for Extension of Original Court Schedule."</i>) Filed by Andrew Clark. (bd)</p>				
<p>Entered: 03/13/2020 15:04:02 Filed: 03/13/2020</p>		<p>Category: motion Event: Extension of Time to Answer a Complaint/Petition Document: 39</p>	<p>J. Spooner Type: aty</p>	
<p>Motion for Extension of Time to Answer Complaint 1 . Filed by Vanessa Nordyke, Ellen Rosenblum, Benjamin Gutman, Alex Gardner, Erik Hasselman. (Spooner, Jessica)</p>				
<p>Entered: 03/13/2020 15:07:20 Filed: 03/13/2020</p>		<p>Category: oth_sup Event: Declaration Document: 40</p>	<p>J. Spooner Type: aty</p>	
<p>Declaration of Jessica Spooner <i>In Support of State Defendants' Motion for Extension of Time</i>. Filed by Alex Gardner, Benjamin Gutman, Erik Hasselman, Vanessa Nordyke, Ellen Rosenblum. (Related document(s): Motion for Extension of Time to Answer a Complaint/Petition 39 .) (Spooner, Jessica)</p>				
<p>Entered:</p>		<p>Category: order</p>	<p>C. Kramer</p>	

<p>03/13/2020 15:26:48 Filed: 03/13/2020</p>	<p><i>Event:</i> Order on Motion for Extension of Time to Answer a Complaint/Petition <i>Document:</i> 41</p>	<p><i>Type:</i> crt</p>	
<p>ORDER: Granting Motion for Extension of Time to Answer 39 . Defendants Ellen Rosenblum, Benjamin Gutman, Vanessa Nordyke, Alex Gardner, and Erik Hasselman's Answer is due by 4/3/2020. Ordered by Judge Ann L. Aiken. (<i>Mailed to Pro Se party on 3/13/2020.</i>) (ck)</p>			
<p>Entered: 03/16/2020 14:32:26 Filed: 03/16/2020</p>	<p><i>Category:</i> motion <i>Event:</i> Dismiss for Failure to State a Claim <i>Document:</i> 42</p>	<p>H. McFarland <i>Type:</i> aty</p>	
<p>Motion to Dismiss Filer is subject to the requirements of Fed. R. Civ. P. 7.1. Filed by Wells Fargo Bank, Peter Urias, Christian Rowley. (McFarland, Helen) Modified on 3/19/2020 to correct event selection. (bd)</p>			
<p>Entered: 03/16/2020 14:33:40 Filed: 03/16/2020</p>	<p><i>Category:</i> oth_doc <i>Event:</i> Corporate Disclosure Statement <i>Document:</i> 43</p>	<p>H. McFarland <i>Type:</i> aty</p>	
<p>Corporate Disclosure Statement . Filed by Christian Rowley, Peter Urias, Wells Fargo Bank. (McFarland, Helen)</p>			
<p>Entered: 03/16/2020 14:35:19 Filed: 03/16/2020</p>	<p><i>Category:</i> oth_sup <i>Event:</i> Declaration <i>Document:</i> 44</p>	<p>H. McFarland <i>Type:</i> aty</p>	
<p>Declaration of Christian Rowley . Filed by Christian Rowley, Peter Urias, Wells Fargo Bank. (Related document(s): Motion to Dismiss 42 .) (McFarland, Helen)</p>			
<p>Entered: 03/16/2020 14:36:44 Filed: 03/16/2020</p>	<p><i>Category:</i> oth_doc <i>Event:</i> Request <i>Document:</i> 45</p>	<p>H. McFarland <i>Type:</i> aty</p>	
<p>Request for Judicial Notice. Filed by Christian Rowley, Peter Urias, Wells Fargo Bank. (McFarland, Helen) (Main Document 45 replaced on 3/16/2020) (cw).</p>			
<p>Entered: 03/16/2020 15:19:54 Filed: 03/16/2020</p>	<p><i>Category:</i> order <i>Event:</i> Correction of the Record <i>Document:</i> 46</p>	<p>C. Weller <i>Type:</i> crt</p>	
<p>Notice of Correction by Clerk regarding 45 Request for Judicial Notice. A Clerical error has been discovered in the case record: The incorrect PDF (exhibits L-M) was attached. The following corrections were made to the record: A corrected PDF has been uploaded and has replaced the incorrect attachment.The Notice of Electronic Filing will be regenerated to all parties.(<i>Mailed to Pro Se party on Clark on 3/16/2020.</i>) (cw)</p>			
<p>Entered: 03/17/2020 17:16:35</p>	<p><i>Category:</i> motion <i>Event:</i> Leave to Appear Pro Hac Vice <i>Document:</i> 47</p>	<p>H. McFarland <i>Type:</i> aty</p>	

	Filed: 03/17/2020			
	Motion for Leave to Appear <i>Pro Hac Vice</i> for Christian J. Rowley. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-6413578. Filed by Christian Rowley, Peter Urias, Wells Fargo Bank. (McFarland, Helen)			
	Entered: 03/18/2020 10:13:55 Filed: 03/18/2020	Category: attyadm Event: Clerk's Review of Pro Hac Vice Motion	C. Kramer Type: crt	
	Clerk's Review of Motion for Leave to Appear <i>Pro Hac Vice</i> for Christian J. Rowley. Filing fee in the amount of \$300 collected; Agency Tracking ID: AORDC-6413578 47 : Reviewed and Ready for Ruling. (ck)			
	Entered: 03/18/2020 10:15:16 Filed: 03/18/2020	Category: order Event: Leave to Appear Pro Hac Vice Document: 48	C. Kramer Type: crt	
	ORDER: Granting Motion for Leave to Appear <i>Pro Hac Vice</i> 47 . Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 3/18/2020.) (ck)			
	Entered: 03/19/2020 09:22:17 Filed: 03/19/2020	Category: order Event: Order on Motion to Intervene Document: 49	C. Kramer Type: crt	
	ORDER: Plaintiff's Motion to Intervene 32 is DENIED. Signed on 3/19/2020 by Judge Ann L. Aiken. (Mailed to Pro Se party on 3/19/2020.) (ck)			
	Entered: 03/19/2020 09:31:46 Filed: 03/19/2020	Category: order Event: Order on Motion for Extension of Time to File Response/Reply to Motion Document: 50	C. Kramer Type: crt	
	ORDER: Plaintiff's Motion for Extension of Original Court Schedule 38 is GRANTED in part. The Court construes the motion as a request for a 45-day extension of time to respond to the motions to dismiss 25 , 31 , and 33 . Response is due by 4/20/2020. Motions are taken under advisement as of 5/11/2020. Signed on 3/19/2020 by Judge Ann L. Aiken. (Mailed to Pro Se party on 3/19/2020.) (ck)			
	Entered: 03/19/2020 14:43:51 Filed: 03/19/2020	Category: order Event: Order Document: 51	C. Kramer Type: crt	
	ORDER: The Court is in receipt of plaintiff's correspondence dated 3/18/2020. Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 3/19/2020.) (ck)			
	Entered: 03/26/2020 16:03:13 Filed: 03/26/2020	Category: motion Event: Dismiss for Failure to State a Claim Document: 52	T. Spooner Type: aty	
	Motion to Dismiss for Failure to State a Claim . Filed by Barry Davis. (Spooner, Tom)			

<p>Entered: 03/26/2020 16:05:20 Filed: 03/26/2020</p>		<p>Category: oth_sup Event: Memorandum in Support of Motion Document: 53</p>	<p>T. Spooner Type: aty</p>	
<p>Memorandum in Support of <i>Defendant Barry Davis' Motion to Dismiss</i>. Filed by Barry Davis. (Related document(s): Motion to Dismiss for Failure to State a Claim 52 .) (Spooner, Tom)</p>				
<p>Entered: 03/26/2020 16:10:08 Filed: 03/26/2020</p>		<p>Category: oth_sup Event: Declaration Document: 54</p>	<p>T. Spooner Type: aty</p>	
<p>Declaration of Tom C. Spooner <i>In Support of Defendant Barry Davis' Motion to Dismiss</i>. Filed by Barry Davis. (Related document(s): Motion to Dismiss for Failure to State a Claim 52 .) (Spooner, Tom)</p>				
<p>Entered: 03/26/2020 16:12:08 Filed: 03/26/2020</p>		<p>Category: oth_sup Event: Declaration Document: 55</p>	<p>T. Spooner Type: aty</p>	
<p>Declaration of Barry Davis <i>In Support of Defendant Barry Davis' Motion to Dismiss</i>. Filed by Barry Davis. (Related document(s): Motion to Dismiss for Failure to State a Claim 52 .) (Spooner, Tom)</p>				
<p>Entered: 03/26/2020 16:14:58 Filed: 03/26/2020</p>		<p>Category: motion Event: Request for Judicial Notice Document: 56</p>	<p>B. Davies Type: crt</p>	
<p>Request for Judicial Notice (<i>Titled "Motion for Judicial Notice of Adjudicative Facts Per Federal Rules of Evidence 201(b)(2) and Clarification of "Claim for Relief"</i>). Filed by Andrew Clark. (Attachments: # 1 Attachment) (bd)</p>				
<p>Entered: 04/03/2020 08:14:45 Filed: 04/03/2020</p>		<p>Category: answer Event: Answer to Complaint Document: 57</p>	<p>J. Spooner Type: aty</p>	
<p>Answer to 1 Complaint with Jury Demand. . Filed by Vanessa Nordyke, Ellen Rosenblum, Benjamin Gutman, Alex Gardner, Erik Hasselman. (Spooner, Jessica)</p>				
<p>Entered: 04/09/2020 12:18:36 Filed: 04/09/2020</p>		<p>Category: motion Event: Dismiss for Failure to State a Claim Document: 58</p>	<p>D. Jacobs Type: aty</p>	
<p>Motion to Dismiss for Failure to State a Claim . Filed by Bruce Newton. (Jacobs, David)</p>				
<p>Entered: 04/09/2020 13:53:34 Filed: 04/09/2020</p>		<p>Category: motion Event: Dismiss for Failure to State a Claim Document: 59</p>	<p>J. Pollino Type: aty</p>	

Motion to Dismiss for Failure to State a Claim . Oral Argument requested. Filed by Steven Seymour, Christopher Mixon, David P.R. Symes, Ogletree Deakins Nash Smoak Stewert, Leah C. Lively. (Pollino, John)

Entered:
04/09/2020
13:55:19
Filed:
04/09/2020

Category: oth_sup
Event: Memorandum in Support of Motion
Document: [60](#)

J. Pollino
Type: aty

Memorandum in Support of *Motion to Dismiss*. Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Related document(s): Motion to Dismiss for Failure to State a Claim [59](#) .) (Pollino, John)

Entered:
04/09/2020
13:56:32
Filed:
04/09/2020

Category: motion
Event: Extension of Time to Answer a
Complaint/Petition
Document: [61](#)

A.
Hollister
Type: aty

Second Motion for Extension of Time to Answer *Unopposed*. Filed by Oregon State Bar Association. (Hollister, Amber)

Entered:
04/09/2020
13:57:40
Filed:
04/09/2020

Category: motion
Event: Protective Order
Document: [62](#)

J. Pollino
Type: aty

Motion for Protective Order and *Motion to Declare Plaintiff a Vexatious Litigant*. Oral Argument requested. Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Pollino, John)

Entered:
04/09/2020
13:59:48
Filed:
04/09/2020

Category: oth_sup
Event: Memorandum in Support of Motion
Document: [63](#)

J. Pollino
Type: aty

Memorandum in Support of *Motion for Protective Order and to Declare Plaintiff a Vexatious Litigant*. Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Related document(s): Motion for Protective Order [62](#) .) (Pollino, John)

Entered:
04/09/2020
14:03:12
Filed:
04/09/2020

Category: oth_sup
Event: Declaration
Document: [64](#)

J. Pollino
Type: aty

Declaration of John E Pollino *In Support of Motion to Dismiss and Motion for Protective Order and to Declare Plaintiff a Vexatious Litigant*. Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Related document(s): Motion for Protective Order [62](#) , Motion to Dismiss for Failure to State a Claim [59](#) .) (Attachments: # [1](#) Exhibit) (Pollino, John)

Entered:
04/09/2020
14:05:50
Filed:
04/09/2020

Category: oth_sup
Event: Declaration
Document: [65](#)

A.
Hollister
Type: aty

	Declaration of Nik Chourey . Filed by Oregon State Bar Association. (Related document(s): Motion for Extension of Time to Answer a Complaint/Petition 61 .) (Hollister, Amber)		
	Entered: 04/09/2020 14:32:52 Filed: 04/09/2020	Category: order Event: Order on Motion for Extension of Time to Answer a Complaint/Petition Document: 66	C. Kramer Type: crt
	ORDER: Granting Second Unopposed Motion for Extension of Time to Answer 61 . Oregon State Bar's Answer is due by 5/13/2020. Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 4/9/2020.) (ck)		
	Entered: 04/15/2020 19:39:12 Filed: 04/15/2020	Category: motion Event: Extension of Time to Answer a Complaint/Petition Document: 67	J. Hager Type: aty
	Unopposed Motion for Extension of Time to Answer . Expedited Hearing requested. Filed by Michael Hogan. (Hager, Jared)		
	Entered: 04/16/2020 08:11:27 Filed: 04/16/2020	Category: order Event: Order on Motion for Extension of Time to Answer a Complaint/Petition Document: 68	C. Kramer Type: crt
	ORDER: Granting Unopposed Motion for Extension of Time to Answer 67 . Answer is due by 5/25/2020. Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 4/16/2020.) (ck)		
	Entered: 04/16/2020 10:45:16 Filed: 04/16/2020	Category: resp Event: Reply to Motion Document: 69	H. McFarland Type: aty
	Reply to Motion to Dismiss for Failure to State a Claim 42 . Filed by Christian Rowley, Peter Urias, Wells Fargo Bank. (McFarland, Helen)		
	Entered: 04/16/2020 10:46:25 Filed: 04/16/2020	Category: oth_sup Event: Declaration Document: 70	H. McFarland Type: aty
	Declaration of Christian Rowley. (Related document(s): Motion (Titled "Defendant Wells Fargo Bank N.A.'s Ex Parte Application for an Order to Limit Plaintiff's Contact with Wells Fargo and Direct Communications to its Counsel of Record Only, and for Sanctions") 72 and Memorandum in Support 71 .) Filed by Wells Fargo Bank. (McFarland, Helen) Modified on 4/17/2020 to add document link and correct filed party names. Notice of Electronic Filing regenerated to the parties. (bd)		
	Entered: 04/16/2020 10:47:25 Filed: 04/16/2020	Category: oth_sup Event: Memorandum in Support Document: 71	H. McFarland Type: aty
	Memorandum in Support (Related document: Motion (Titled "Defendant Wells Fargo Bank N.A.'s Ex Parte Application for an Order to Limit Plaintiff's Contact with Wells Fargo and Direct Communications to its Counsel of Record Only, and for Sanctions") 72 .. Filed by Wells		

	Fargo Bank. (McFarland, Helen) Modified on 4/16/2020 to create document link and update the filed party names. Notice of Electronic Filing regenerated to the parties. (bd)		
	<p>Entered: 04/16/2020 10:50:58 Filed: 04/16/2020</p>	<p>Category: motion Event: Order Document: 72</p>	<p>H. McFarland Type: aty</p>
	<p>Motion (Titled "Defendant Wells Fargo Bank N.A.'s Ex Parte Application for an Order to Limit Plaintiff's Contact with Wells Fargo and Direct Communications to its Counsel of Record Only, and for Sanctions"). Filed by Wells Fargo Bank. (McFarland, Helen) Modified on 4/16/2020 to correct event selection, update docket text and filed party names. Notice of Electronic Filing regenerated to the parties. (bd)</p>		
	<p>Entered: 04/21/2020 16:15:39 Filed: 04/20/2020</p>	<p>Category: resp Event: Response to Motion Document: 73</p>	<p>B. Davies Type: crt</p>
	<p>Response (Titled "Partial Reply to Responses") to Motion to Dismiss for Failure to State a Claim 25 , Motion to Dismiss for Failure to State a Claim 31 , Motion to Dismiss for Failure to State a Claim 33 , Motion to Dismiss for Failure to State a Claim 42 , Motion to Dismiss for Failure to State a Claim 52 , Motion to Dismiss for Failure to State a Claim 58 . Filed by Andrew Clark. (Attachments: # 1 Exhibit) (bd)</p>		
	<p>Entered: 04/28/2020 13:56:58 Filed: 04/27/2020</p>	<p>Category: resp Event: Response to Motion Document: 74</p>	<p>B. Davies Type: crt</p>
	<p>Response to Motion for Protective Order and Motion to Declare Plaintiff a Vexatious Litigant 62 (Titled "Objection to Motion for Protective Order and Reply to Mr. Pollino and Client's April 9, 2020 Response"). Filed by Andrew Clark. (bd)</p>		
	<p>Entered: 05/01/2020 13:58:09 Filed: 05/01/2020</p>	<p>Category: resp Event: Reply to Motion Document: 75</p>	<p>S. Go Type: aty</p>
	<p>Reply to Motion to Dismiss for Failure to State a Claim 31 . Filed by Ben Miller. (Go, Sivhwa)</p>		
	<p>Entered: 05/04/2020 14:42:32 Filed: 05/04/2020</p>	<p>Category: resp Event: Reply to Motion Document: 76</p>	<p>J. Pollino Type: aty</p>
	<p>Reply in Support to Motion to Dismiss for Failure to State a Claim 59 . Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Pollino, John)</p>		
	<p>Entered: 05/04/2020 14:43:40 Filed: 05/04/2020</p>	<p>Category: resp Event: Reply to Motion Document: 77</p>	<p>J. Pollino Type: aty</p>
	<p>Reply in Support to Motion for Protective Order and Motion to Declare Plaintiff a Vexatious</p>		

Litigant 62 . Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Pollino, John)

Entered:
05/04/2020
14:48:50
Filed:
05/04/2020

Category: oth_sup
Event: Declaration
Document: [78](#)

J. Pollino
Type: aty

Declaration of John E Pollino *in Support of Replies in Support of Motion to Dismiss, Motion for Protective Order, and Motion to Declare Plaintiff a Vexatious Litigant*. Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Related document(s): Reply to Motion, [77](#) , Reply to Motion [76](#) .) (Attachments: # [1](#) Exhibit) (Pollino, John)

Entered:
05/04/2020
16:21:21
Filed:
05/04/2020

Category: resp
Event: Reply to Motion
Document: [79](#)

D. Jacobs
Type: aty

Reply to Plaintiff's Response to Motion to Dismiss for Failure to State a Claim [58](#) . Filed by Bruce Newton. (Jacobs, David)

Entered:
05/08/2020
12:43:20
Filed:
05/08/2020

Category: order
Event: Opinion and Order
Document: [80](#)

C. Kramer
Type: crt

OPINION AND ORDER: The Ogletree defendants' and Seymour's motion [62](#) is granted in part and deferred in part, and Wells Fargo's motion [72](#) is granted. Signed on 5/8/2020 by Judge Ann L. Aiken. (Mailed to Pro Se party on 5/8/2020.) (ck)

Entered:
05/11/2020
11:25:44
Filed:
05/11/2020

Category: motion
Event: Dismiss for Failure to State a Claim
Document: [81](#)

A.
Hollister
Type: aty

Motion to Dismiss for Failure to State a Claim *and FRCP 12(B)(1) & 12(B)(6)*. Filed by Oregon State Bar Association. (Hollister, Amber)

Entered:
05/11/2020
11:30:36
Filed:
05/11/2020

Category: oth_sup
Event: Memorandum in Support of Motion
Document: [82](#)

A.
Hollister
Type: aty

Memorandum in Support . Filed by Oregon State Bar Association. (Related document(s): Motion to Dismiss for Failure to State a Claim [81](#) .) (Hollister, Amber)

Entered:
05/13/2020
15:24:13
Filed:
05/12/2020

Category: oth_doc
Event: Request
Document: [83](#)

B. Davies
Type: crt

Request for Pretrial Conference Memorandum in Support. Filed by Andrew Clark. (Attachments: # [1](#) Memorandum, # [2](#) Attachment) (bd)

Entered:
05/13/2020

Category: oth_sup
Event: Declaration

B. Davies
Type: crt

<p>15:26:18 Filed: 05/12/2020</p>	<p>Document: 84</p>		
<p>Declaration of Plaintiff Andrew Clark. Filed by Andrew Clark. (Related document(s): Request 83 .) (bd)</p>			
<p>Entered: 05/14/2020 12:12:31 Filed: 05/14/2020</p>	<p>Category: motion Event: Dismiss for Failure to State a Claim Dismiss/Lack of Jurisdiction Document: 85</p>	<p>J. Hager Type: aty</p>	
<p>Motion to Dismiss for Failure to State a Claim , Motion to Dismiss for Lack of Jurisdiction . Filed by Michael Hogan. (Hager, Jared)</p>			
<p>Entered: 05/15/2020 15:51:53 Filed: 05/15/2020</p>	<p>Category: motion Event: Order to Show Cause Document: 86</p>	<p>C. Rowley Type: aty PRO HAC VICE</p>	
<p>Motion for Order to Show Cause <i>Re: Sanctions Against Plaintiff for Violating the May 8, 2020 Order</i>. Filed by Wells Fargo Bank. (Rowley, Christian)</p>			
<p>Entered: 05/15/2020 15:52:54 Filed: 05/15/2020</p>	<p>Category: oth_sup Event: Memorandum in Support of Motion Document: 87</p>	<p>C. Rowley Type: aty PRO HAC VICE</p>	
<p>Memorandum in Support <i>Re: Sanctions Against Plaintiff for Violating the May 8, 2020 Order</i>. Filed by Wells Fargo Bank. (Related document(s): Motion for Order to Show Cause 86 .) (Rowley, Christian)</p>			
<p>Entered: 05/15/2020 15:55:29 Filed: 05/15/2020</p>	<p>Category: oth_sup Event: Declaration Document: 88</p>	<p>C. Rowley Type: aty PRO HAC VICE</p>	
<p>Declaration of Christian Rowley <i>Re: Sanctions Against Plaintiff for Violating the May 8, 2020 Order</i>. Filed by Wells Fargo Bank. (Related document(s): Motion for Order to Show Cause 86 .) (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C) (Rowley, Christian)</p>			
<p>Entered: 05/19/2020 16:06:51 Filed: 05/18/2020</p>	<p>Category: oth_sup Event: Declaration Document: 89</p>	<p>B. Davies Type: crt</p>	
<p>Declaration of Andrew Clark (<i>Titled "Declaration of Possible Conflict of Interest Notice of Adjudicative Fact"</i>). Filed by Andrew Clark. (Attachments: # 1 Exhibit) (bd)</p>			
<p>Entered: 05/19/2020 16:14:32 Filed: 05/18/2020</p>	<p>Category: oth_sup Event: Declaration Document: 90</p>	<p>B. Davies Type: crt</p>	
<p>Declaration of Andrew Clark (<i>Titled "Declaration and Request for Notice of Adjudicative Fact"</i>). Filed by Andrew Clark. (Attachments: # 1 Exhibit) (bd)</p>			

<p>Entered: 05/20/2020 08:29:49 Filed: 05/20/2020</p>	<p>Category: order Event: 1 - Scheduling Document: 91</p>	<p>C. Kramer Type: crt</p>	
<p>Scheduling Order by Judge Ann L. Aiken. Telephonic Oral Argument regarding Motion for Protective Order <i>and Motion to Declare Plaintiff a Vexatious Litigant</i> 62 and Motion for Order to Show Cause 86 is set for 6/2/2020 at 02:30PM in Eugene by telephone before Judge Ann L. Aiken. The parties shall call in to the conference. Conference call information will be provided by the Court in a separate entry. Motions are taken under advisement as of 6/2/2020. ORDER: All defendants who have appeared shall attend this hearing or file briefing on whether 1) plaintiff should be held in contempt, 2) whether dismissal would be an appropriate sanction, and 3) whether the Court should enter a pre filing order against plaintiff. Brief is due by 5/29/2020. Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 5/20/2020.) (ck)</p>			
<p>Entered: 05/21/2020 08:41:32 Filed: 05/21/2020</p>	<p>Category: order Event: Order Document: 92</p>	<p>C. Kramer Type: crt</p>	
<p>ORDER: The Court has received plaintiff's communications concerning his objection to the 6/2/2020 hearing on the Motion for Protective Order <i>and Motion to Declare Plaintiff a Vexatious Litigant</i> 62 and the Motion for Order to Show Cause 86 . The Court has inherent authority to manage its docket and shall resolve the Motion for Order to Show Cause 86 prior to the other pending motions in this case. See Dietz v. Bouldin, ___ U.S. ___, 136 S. Ct. 1885, 1891 (2016). Plaintiff is advised that failure to appear at the hearing could lead to a finding of contempt. Plaintiff shall have until 6/1/2020 to file a formal response to the Motion for Order to Show Cause 86 if he wishes. Plaintiff has already filed a Response 74 to the Motion for Protective Order <i>and Motion to Declare Plaintiff a Vexatious Litigant</i> 62 . At the hearing, the Court will also discuss the status of the case. Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 5/21/2020.) (ck)</p>			
<p>Entered: 05/22/2020 10:34:55 Filed: 05/22/2020</p>	<p>Category: oth_sup Event: Brief Document: 93</p>	<p>C. Rowley Type: aty PRO HAC VICE</p>	
<p>Brief . Filed by Christian Rowley, Peter Urias, Wells Fargo Bank. (Related document(s): Scheduling,, 91 .) (Rowley, Christian)</p>			
<p>Entered: 05/22/2020 14:27:23 Filed: 05/21/2020</p>	<p>Category: motion Event: Strike Document: 94</p>	<p>B. Davies Type: crt</p>	
<p>Motion to Strike Scheduling Order 91 (Titled "Motion for Relief from Docket 91 Order for Hearing Rescind Order for Hearing as Product of Fraud"). Expedited Hearing requested. Filed by Andrew Clark. (Attachments: # 1 Exhibit 1, # 2 Attachment 1, # 3 Attachment 2, # 4 Attachment). (bd)</p>			
<p>Entered: 05/26/2020 11:26:13 Filed: 05/26/2020</p>	<p>Category: motion Event: Summary Judgment Document: 95</p>	<p>J. Spooner Type: aty</p>	

	Motion for Summary Judgment . Filed by Alex Gardner, Benjamin Gutman, Erik Hasselman, Vanessa Nordyke, Ellen Rosenblum. (Spooner, Jessica)		
	<p><i>Entered:</i> 05/26/2020 11:31:02 <i>Filed:</i> 05/26/2020</p>	<p><i>Category:</i> oth_sup <i>Event:</i> Declaration <i>Document:</i> 96</p>	<p>J. Spooner <i>Type:</i> aty</p>
	Declaration of Jessica Spooner <i>In Support of State Defendants' Motion for Summary Judgment</i> . Filed by Alex Gardner, Benjamin Gutman, Erik Hasselman, Vanessa Nordyke, Ellen Rosenblum. (Related document(s): Motion for Summary Judgment 95 .) (Attachments: # 1 Exhibit 1, # 2 Exhibit 2 - 2C, # 3 Exhibit 3 - 3A, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Attachment 1 - 3) (Spooners, Jessica)		
	<p><i>Entered:</i> 05/28/2020 09:41:29 <i>Filed:</i> 05/28/2020</p>	<p><i>Category:</i> oth_ans <i>Event:</i> Response <i>Document:</i> 97</p>	<p>J. Hager <i>Type:</i> aty</p>
	Response to the Court's Order Requesting Briefing, ECF 91. Filed by Michael Hogan. (Hager, Jared)		
	<p><i>Entered:</i> 05/28/2020 11:53:51 <i>Filed:</i> 05/28/2020</p>	<p><i>Category:</i> oth_sup <i>Event:</i> Memorandum in Support of Motion <i>Document:</i> 98</p>	<p>B. Sime <i>Type:</i> aty</p>
	Memorandum in Support of <i>Olgetree Deakins' Motion for Protective Order and to Declare Plaintiff Vexatious Litigant</i> . Filed by David Campbell. (Related document(s): Motion for Protective Order 62 .) (Sime, Billy)		
	<p><i>Entered:</i> 05/28/2020 14:01:41 <i>Filed:</i> 05/26/2020</p>	<p><i>Category:</i> oth_ans <i>Event:</i> Response <i>Document:</i> 99</p>	<p>B. Davies <i>Type:</i> crt</p>
	Response (Titled " <i>Plaintiff's Briefing for June 2, 2020 Tele-Hearing</i> "). Filed by Andrew Clark. (Related document(s): Order 92 .) (bd)		
	<p><i>Entered:</i> 05/29/2020 10:45:22 <i>Filed:</i> 05/29/2020</p>	<p><i>Category:</i> oth_sup <i>Event:</i> Brief <i>Document:</i> 100</p>	<p>J. Pollino <i>Type:</i> aty</p>
	Brief Regarding Sanctions, Dismissal and Pre-Filing Order Against Plaintiff. Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Related document(s): Scheduling,, 91 .) (Pollino, John)		
	<p><i>Entered:</i> 05/29/2020 10:48:22 <i>Filed:</i> 05/29/2020</p>	<p><i>Category:</i> oth_sup <i>Event:</i> Declaration <i>Document:</i> 101</p>	<p>J. Pollino <i>Type:</i> aty</p>
	Declaration of John Pollino in Support of Defendants' Brief Regarding Sanctions, Dismissal and Pre-Filing Order Against Plaintiff. Filed by Leah C. Lively, Christopher Mixon, Ogletree		

	Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Related document(s): Brief, 100 .) (Attachments: # 1 Exhibit Exhibits 1-19) (Pollino, John)		
<p>Entered: 05/29/2020 13:32:13 Filed: 05/29/2020</p>	<p>Category: oth_sup Event: Brief Document: 102</p>	<p>D. Jacobs Type: aty</p>	
Brief in Response to Court's Request (Dckt. 91). Filed by Bruce Newton. (Jacobs, David)			
<p>Entered: 05/29/2020 14:23:03 Filed: 05/29/2020</p>	<p>Category: oth_sup Event: Memorandum in Support Document: 103</p>	<p>H. McFarland Type: aty</p>	
Supplemental Memorandum in Support . Filed by Wells Fargo Bank. (Related document(s): Motion for Order to Show Cause 86 .) (McFarland, Helen)			
<p>Entered: 05/29/2020 14:28:58 Filed: 05/29/2020</p>	<p>Category: oth_ans Event: Response Document: 104</p>	<p>J. Spooner Type: aty</p>	
Response Briefing Pursuant to Court Order No. 91. Filed by Alex Gardner, Benjamin Gutman, Erik Hasselman, Vanessa Nordyke, Ellen Rosenblum. (Related document(s): Scheduling,, 91 .) (Spooner, Jessica)			
<p>Entered: 05/29/2020 14:32:07 Filed: 05/29/2020</p>	<p>Category: oth_sup Event: Declaration Document: 105</p>	<p>J. Spooner Type: aty</p>	
Declaration of Jessica Spooner In Support of State Defendants' Responsive Briefing Pursuant to Court Order No. 91. Filed by Alex Gardner, Benjamin Gutman, Erik Hasselman, Vanessa Nordyke, Ellen Rosenblum. (Related document(s): Response 104 .) (Spooner, Jessica)			
<p>Entered: 05/29/2020 15:29:54 Filed: 05/29/2020</p>	<p>Category: oth_sup Event: Declaration Document: 106</p>	<p>H. McFarland Type: aty</p>	
Supplemental Declaration of Christian Rowley . Filed by Wells Fargo Bank. (Related document(s): Motion for Order to Show Cause 86 .) (Attachments: # 1 Exhibit A, # 2 Exhibit B) (McFarland, Helen)			
<p>Entered: 05/29/2020 15:36:03 Filed: 05/29/2020</p>	<p>Category: oth_sup Event: Brief Document: 107</p>	<p>S. Go Type: aty</p>	
Brief Pursuant to Court Order. Filed by Ben Miller. (Related document(s): Scheduling,, 91 .) (Go, Sihwa)			
<p>Entered: 06/02/2020 12:13:49</p>	<p>Category: oth_sup Event: Supplement Document: 108</p>	<p>C. Rowley Type: aty PRO HAC VICE</p>	

<p>Filed: 06/02/2020</p>			
<p>Second Supplement <i>Memorandum in Support</i>. Filed by Wells Fargo Bank. (Related document(s): Motion for Order to Show Cause 86.) (Rowley, Christian)</p>			
<p>Entered: 06/02/2020 12:16:53 Filed: 06/02/2020</p>	<p>Category: oth_sup Event: Declaration Supplement Document: 109</p>	<p>C. Rowley Type: aty PRO HAC VICE</p>	
<p>Second Declaration of Christian J. Rowley , Supplement . Filed by Wells Fargo Bank. (Related document(s): Motion for Order to Show Cause 86.) (Attachments: # 1 Exhibit A) (Rowley, Christian)</p>			
<p>Entered: 06/02/2020 17:48:53 Filed: 06/02/2020</p>	<p>Category: minute Event: Motion Hearing Held Document: 110</p>	<p>C. Kramer Type: crt</p>	
<p>MINUTES of Proceedings: Telephonic Motion Hearing Held before Judge Ann L. Aiken. Plaintiff appeared pursuant to the Court's 5/20/2020 Order (ECF no. 91), and was ordered to show cause why the Court should not find that he violated the Court's 5/8/2020 Protective Order 80 . The Court finds plaintiff in violation of the Protective Order 80 and that the Court's public reprimand of plaintiff in open court is a sufficient sanction. Plaintiff is ORDERED to comply with the Protective Order and with the additional restrictions concerning communications with parties, counsel, and the Court as stated on the record. Plaintiff is warned that failure to comply with these orders will result in dismissal of this action. Formal Opinion to follow. Motion for Order to Show Cause 86 is GRANTED. Motion to Strike Scheduling Order 91 94 is DENIED. Ruling on the Motion to Declare Plaintiff a Vexatious Litigant 62 is deferred. Andrew Clark present as pro se plaintiff. John Pollino, Billy Sime, Christian Rowley, David Jacobs, Amber Hollister, Nick Chourey, Jared Hager, Jessica Spooner, Tom Spooner, Sebastian Tapia present as counsel for defendants. Court Reporter: Kelly Polvi. (<i>Mailed to Pro Se party on 6/3/2020.</i>) (ck)</p>			
<p>Entered: 06/03/2020 09:04:20 Filed: 06/03/2020</p>	<p>Category: notice Event: Attorney Association Document: 111</p>	<p>J. Spooner Type: aty</p>	
<p>Notice of Association of Attorney Jessica B. Spooner, Kenneth C. Crowley for Vanessa Nordyke, Kenneth C. Crowley for Ellen Rosenblum, Kenneth C. Crowley for Benjamin Gutman, Kenneth C. Crowley for Alex Gardner, Kenneth C. Crowley for Erik Hasselman. Filed by Vanessa Nordyke, Ellen Rosenblum, Benjamin Gutman, Alex Gardner, Erik Hasselman. (Spooner, Jessica)</p>			
<p>Entered: 06/04/2020 16:04:56 Filed: 06/04/2020</p>	<p>Category: motion Event: Dismiss Document: 112</p>	<p>B. Davies Type: crt</p>	
<p>Motion to Dismiss (<i>Titled "Plaintiff's Motion to Dismiss Certain Defendants from Lawsuit Based Upon Discovery Activity"</i>). Filed by Andrew Clark. (bd)</p>			
<p>Entered: 06/05/2020 11:10:23</p>	<p>Category: order Event: Opinion and Order Document: 113</p>	<p>C. Kramer Type: crt</p>	

Filed:
06/05/2020

OPINION AND ORDER: (1) Plaintiff shall comply with the terms of the Court's May 8, 2020 Order [80](#) . (2) Plaintiff shall not contact or communicate with any represented defendant or any person or office associated with defendants except through counsel of record. Plaintiff's contact with counsel shall be limited to communication necessary for this litigation and shall be in writing by email. (3) Plaintiff's communications with defendant Sebastian Tapia shall be limited to communication necessary for this litigation and shall be in writing by email. Plaintiff shall refrain from sending faxes to any department of Lane County. (4) Plaintiff shall direct all case-related communications intended for the United States Attorney's Office to Assistant United States Attorney Jared Hager, counsel of record for the Hon. Michael Hogan. Such communications shall be in writing by email. (5) Plaintiff shall direct all case-related communications intended for the Court to Courtroom Deputy Cathy Kramer. Plaintiff's contact with Ms. Kramer shall be limited to communication necessary for this litigation and shall be in writing by email. (6) Wells Fargo Defendants' Motion to Show Cause [86](#) is GRANTED. Plaintiff's Motion to Strike [94](#) is DENIED. The Court will once again defer ruling on the Ogletree defendants and Seymour's Motion to Declare Plaintiff a Vexatious Litigant [62](#) . Plaintiff is warned that failure to comply with the requirements of this order will result in dismissal of this action. Signed on 6/5/2020 by Judge Ann L. Aiken. (Mailed to Pro Se party on 6/5/2020.) (ck)

Entered:
06/05/2020
12:45:39
Filed:
06/05/2020

Category: order
Event: Order on Motion to Dismiss for Failure to State a Claim Order on Motion to Dismiss/Lack of Jurisdiction
Document: [114](#)

C. Kramer
Type: crt

ORDER: Tapia's, Miller's, and Judge Hogan's motions to dismiss (docs. [25](#) , [31](#) , [85](#)) are DENIED as MOOT. The Court will treat defendants Wells Fargo Bank, Peter Urias, and Christian Rowley's Motion to Dismiss [42](#) as applying only to Wells Fargo and Rowley. Because Rosenblum, Gutman, and Nordyke filed a Motion for Summary Judgment [95](#) along with other state defendants, plaintiff's claims against Rosenblum, Gutman, and Nordyke cannot be dismissed by notice, and instead require stipulation to dismissal pursuant to Rule 41(a)(1) (A) (ii) or an order from the Court pursuant to Rule 41(a)(2). Rosenblum, Gutman, and Nordyke shall file a response by June 12, 2020, indicating whether they consent to dismissal on plaintiff's terms. If they do not consent to dismissal, defendants' response shall articulate their position on plaintiff's Motion, and plaintiff shall have until June 19, 2020 to file a reply. Signed on 6/5/2020 by Judge Ann L. Aiken. (Mailed to Pro Se party on 6/5/2020.) (ck)

Entered:
06/08/2020
13:17:43
Filed:
06/08/2020

Category: resp
Event: Response to Motion
Document: [115](#)

S. Tapia
Type: aty

Response to Motion to Dismiss [112](#) . Filed by Sabastian Newton Tapia. (Tapia, Sebastian)

Entered:
06/12/2020
08:22:46
Filed:
06/12/2020

Category: resp
Event: Response to Motion
Document: [116](#)

J. Spooner
Type: aty

Response to Motion to Dismiss [112](#) . Filed by Alex Gardner, Benjamin Gutman, Erik Hasselman, Vanessa Nordyke, Ellen Rosenblum. (Spooner, Jessica)

Entered:
06/17/2020

Category: order
Event: Order on Motion to Dismiss

C. Kramer
Type: crt

12:27:38 Document: [117](#)
Filed:
06/17/2020

ORDER: Plaintiff's claims against defendants Rosenblum, Gutman, and Nordyke are DISMISSED and the Court will treat the state defendants' Motion for Summary Judgment [95](#) as applying only to defendants Alex Gardner and Eric Hasselman. Signed on 6/17/2020 by Judge Ann L. Aiken. (Mailed to Pro Se party on 6/17/2020.) (ck)

Entered:
06/19/2020
15:17:44
Filed:
06/19/2020

Category: resp
Event: Reply to Motion
Document: [118](#)

B. Davies
Type: crt

Reply to Motion to Dismiss [112](#) (Titled "Plaintiff's Response to Court Due June 19, 2020 Clarification Regarding Dismissal of Certain Defendants, Statement of Remaining Parties"). Filed by Andrew Clark. (bd)

Entered:
06/24/2020
16:13:56
Filed:
06/24/2020

Category: oth_doc
Event: Request
Document: [119](#)

J. Pollino
Type: aty

Request for Stay to Respond to Plaintiff's Motion for Summary Judgment. Filed by Leah C. Lively, Christopher Mixon, Ogletree Deakins Nash Smoak Stewert, Steven Seymour, David P.R. Symes. (Attachments: # [1](#) Exhibit Exhibit 1, # [2](#) Exhibit Exhibit 2) (Pollino, John)

Entered:
06/25/2020
13:30:57
Filed:
06/24/2020

Category: motion
Event: Summary Judgment
Document: [120](#)

B. Davies
Type: crt

Motion for Summary Judgment Pursuant to FRCP 56 for Civil Rights Violations per 42 USC 1983. Filed by Andrew Clark. (bd)

Entered:
06/25/2020
13:33:40
Filed:
06/24/2020

Category: oth_sup
Event: Declaration
Document: [121](#)

B. Davies
Type: crt

Declaration of Andrew Clark in Support of Plaintiff's Motion for Summary Judgment for Civil Rights Violations Pursuant to 42 USC 1983. Filed by Andrew Clark. (Related document(s): Motion for Summary Judgment [120](#) .) (bd)

Entered:
06/25/2020
14:45:52
Filed:
06/25/2020

Category: order
Event: Order
Document: 122

C. Kramer
Type: crt

ORDER: The Court has received the Ogletree defendants' letter [119](#) requesting a stay of the response time to Plaintiff's Motion for Summary Judgment [120](#) pending resolution of the other dispositive motions ([33](#) , [42](#) , [52](#) , [58](#) , [59](#) , [62](#) , [81](#) , [95](#)). A court may stay proceedings as part of its inherent power to control the disposition of the causes on its docket with economy of time and effort for itself, counsel, and for litigants. Landis v. N. Am. Co., 229 U.S. 248, 254 (1936). Given the number of dispositive motions and arguments from several defendants that the claims against them should be dismissed with prejudice, the Court finds that a stay presents the most

efficient course for addressing the issues in this case and preserves the Court's and parties' resources. Because the Court must rule on the motions to dismiss ([33](#) , [42](#) , [52](#) , [58](#) , [59](#) , [62](#) , [81](#)), which challenge the sufficiency of plaintiff's Complaint, before ruling on plaintiff's Motion for Summary Judgment [120](#) , this stay would not pose an undue hardship on plaintiff. Therefore, defendants' request is GRANTED and briefing on and consideration of plaintiff's Motion for Summary Judgment [120](#) is STAYED until the Court rules on all other pending dispositive motions. If any claims remain pending following resolution of those motions, the Court will issue a briefing schedule with deadlines for defendants' responses and plaintiff's reply. Ordered by Judge Ann L. Aiken. (Mailed to Pro Se party on 6/25/2020.) (ck)

Selection Criteria for Report

Case number	6:20-cv-253
Filed Date	1/1/2020 - 6/30/2020
Entered Date	All
Office	All
Nature of Suit	All
Cause	All
Case type	All
Case flags	All
Open Cases	No
Closed Cases	No
Event Category	All
Docket Text	full
Sort by	case number
Total Number of Docket Entries: 123	

PACER Service Center			
Transaction Receipt			
05/25/2021 07:10:26			
PACER Login:	OperationSunrise	Client Code:	
Description:	Docket Activity Report	Search Criteria:	6:20-cv-00253-AA Filed From: 1/1/2020 Filed To: 6/30/2020
Billable Pages:	22	Cost:	2.20

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON - EUGENE DIVISION

Before The Honorable Ann L. Aiken, Judge

ANDREW CLARK,

Case No: 6:20-cv-00253-AA

Plaintiff,

v.

JUNE 2, 2020

WELLS FARGO BANK, et al.,

Defendants.

2:34 P.M.

_____ /

REPORTER'S TRANSCRIPT OF REMOTE COURT PROCEEDINGS

Telephonic Motion Hearing

APPEARANCES:

For Plaintiff:

ANDREW CLARK
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For Defendants Wells Fargo Bank, Christian Rowley, and
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Reported by Kelly Polvi, Official Reporter, utilizing machine
stenography and computer-aided translation software.

(APPEARANCES CONTINUED ON FOLLOWING PAGE)

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1 **APPEARANCES (Continued):**

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(APPEARANCES CONTINUED ON FOLLOWING PAGE)

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1 **TUESDAY, JUNE 2, 2020**

2:34 P.M.

2 **PROCEEDINGS**

3 ---000---

4 **COURTROOM DEPUTY:** Now is the time set for Civil Case
5 Number 20-253, Clark v. Wells Fargo Bank, et al., for oral
6 argument.

7 If you could please introduce yourselves for the record,
8 beginning with plaintiff.

9 **MR. CLARK:** Hi, I'm Andrew Clark -- or Andy Clark,
10 plaintiff.

11 **MR. JACOBS:** And this is David Jacobs, attorney for Bruce
12 Newton.

13 **MR. ROWLEY:** You have Christian Rowley here, Your Honor,
14 attorney for Wells Fargo Bank NA, myself, and Pete Urias.

15 **MR. POLLINO:** Your Honor, John Pollino on behalf of the
16 Ogletree defendants and Mr. Seymour.

17 **MS. HOLLISTER:** Your Honor, Amber Hollister appearing on
18 behalf of defendant Oregon State Bar. I'm joined by my
19 colleague, Nik Chourey.

20 **MR. HAGER:** Good afternoon, Your Honor. This is Jared
21 Hager on behalf of the Honorable Michael Hogan.

22 **MR. SPOONER:** Your Honor, Tom Spooner on behalf of
23 defendant Barry Davis.

24 **MR. SIME:** Good afternoon. This is Bill Sime for
25 defendant David Campbell.

1 **MS. SPOONER:** Your Honor, this is Jessica Spooner, with
2 the Oregon Department of Justice, for the state defendants.

3 **MR. TAPIA:** Your Honor, this is Sebastian Tapia,
4 representing myself.

5 **THE COURT:** Did we miss everybody? Do we have everyone
6 who's supposed to be on the line and participating on this?

7 **COURTROOM DEPUTY:** This is Cathy.

8 I believe that's everyone, Judge.

9 **THE COURT:** Thank you, Cathy.

10 This is a show cause order that seeks to address whether
11 or not the Court's order of May 8 has been, in fact, violated.

12 I have read what's been presented, and I guess I would
13 start with a request from the defendants to see what they --
14 see what more they would like to add, or if they -- I presume
15 you've had some discussions -- but maybe not -- what you think
16 I need to add to this record to address why the Court's order
17 was violated, how it was violated, and what remedy the Court
18 should impose.

19 So let's -- I can go right down the list of lawyers who
20 announced themselves for the respective defendants, or perhaps
21 one of you has been elected to sort of run point for all the
22 defendants.

23 **MR. ROWLEY:** Well, Your Honor, this is Christian Rowley.

24 I'm attorney for Wells Fargo Bank, and we're the ones that
25 requested the order to show cause for violation of the order.

1 I think reasoning for it is set out in the papers. I
2 don't want to belabor the point.

3 There have been additional violations. We submitted one
4 just today. I don't know if you had an opportunity to get that
5 yet. It was only submitted a couple of hours ago.

6 We put in another violation, in a supplemental
7 declaration, that occurred last week as well.

8 So I think there's abundant evidence in the record that
9 Mr. Clark is knowing and intentionally violating your orders,
10 Your Honor.

11 **THE COURT:** Thank you.

12 Anyone else?

13 **MR. POLLINO:** Your Honor, this is John Pollino on behalf
14 of the Ogletree defendants and Mr. Seymour.

15 We agree with Mr. Rowley, and I think the briefing is
16 more than ample to demonstrate a violation of your order and a
17 lack of any merit to Mr. Clark's claims.

18 That's all we have. Thank you.

19 **THE COURT:** Anyone else?

20 **MR. CLARK:** May I speak as plaintiff?

21 **THE COURT:** Excuse me. Mr. Clark, this is a court
22 proceeding, and I will call on you when it's your turn. As
23 I've indicated, I was calling on the defendants, and I'm going

24 --

25 **MR. CLARK:** Thank you, Your Honor. Thank you,

1 Your Honor. I'm not familiar with the process. I appreciate
2 your explaining it to me.

3 **THE COURT:** Mr. Clark, stop right now; all right?

4 Go ahead. Anyone else?

5 I would also note, for the record -- I guess I want to
6 make certain, and I'm going to ask this question: We have our
7 own internal memo that has been prepared for the Court on
8 violations of the order in the contacting and interactions with
9 the Court itself; so I'll circulate that document, as well, and
10 that information, if we -- if necessary.

11 But -- I have read all the briefing, but I thought, if
12 there was something more anyone needed to add, I wanted to make
13 sure we have that opportunity.

14 Mr. Clark, you had a chance to hear what's been stated,
15 and they're basically relying on their papers, which is what I
16 anticipated.

17 I'd be happy to hear anything you wish to tell me at this
18 particular point in time.

19 **MR. CLARK:** First of all, I'd like to talk a little bit
20 about the complaint and just touch upon what I'm complaining
21 of, okay? That's the important thing.

22 Twice, arrest was arranged, false arrest was arranged
23 against me.

24 I got complete documentation. I collected it all. I
25 presented it, before, to the Court.

1 They used these same tactics of self-declaring of
2 vexation.

3 I don't think anybody was vexed. I think it's by my free
4 speak -- or not my free speech, my obligation speech.

5 They self-generated it, if you look at their actual
6 pleadings.

7 Now, what's happened is, in addition -- I'm supposed to
8 talk slower; I'm sorry -- I put in several different motions
9 since this case started. The first one I put in was a motion
10 to notice adjudicative fact per Federal Rule of Evidence 201.

11 That was a page of a police report, along with copies of
12 acceptance letters, that would reasonably give someone the idea
13 that I was a federal witness when the first false arrest was
14 implemented.

15 I was able to obtain the police audio, the police video,
16 the whole works, you know. A whole lot of information; a lot
17 of documentation.

18 Defendants, in all cases since the last time, they've
19 done everything to prevent the actual evidence from ever being
20 heard.

21 This is not a case where I'm asking for them to provide
22 evidence to me; I'm just asking for them to answer the
23 questions and say, "Okay. These are the evidence. Let's look
24 at it together"; you know?

25 I've tried to give them little pieces at a time; I've

1 tried to give them the big picture.

2 If you look at my complaint, and you go all the way to
3 page 25 --

4 Do you have the complaint handy?

5 **THE COURT:** Today is not about your complaint --

6 **MR. CLARK:** Right. Right.

7 But, Your Honor, the fact of these false arrests,
8 Your Honor, the fact of false arrests, and then where they sent
9 police out to my home on a wellbeing visit, they ended up
10 dismissing the first one, I got all the police audio inside my
11 home, and what they're doing is they're trying to prevent the
12 Court from hearing the actual facts with this self-declared
13 vexation.

14 They did it in the last hearing. They did it in the last
15 hearing. This is a little bit above the normal. What they're
16 doing is they have the organized method there -- and they do it
17 over and over -- where they self-declare me a vexation.

18 I'm not a vexation. Look at the material, and you see
19 that it's informative, it's communicative. I never had a
20 hearing on another order.

21 I got another order from Christian, or getting in the
22 mail. There's no signature on them. There was no due process
23 in the orders. There was no specificity.

24 Everything I sent, Your Honor, was business. Look at
25 what I sent. It's business. It's communicative of the actual

1 business issues which is the concealment of federal witness
2 tampering.

3 I put that in as Docket 56.

4 What I'm trying to get at here is they're trying to
5 re-prog over these important things that I put in. They're
6 calling me a vexation. I've already put in LR 7s, I put in the
7 motion for FR -- the FRCP 16 conference. I put in those
8 motions, but they sent me emails back telling me they're just
9 going to get a dismissal around that, and they tell me there's
10 no merit to my lawsuit.

11 But what I'm getting at here is when you look at the
12 actual complaint there is -- I have very detailed this is what
13 happened to me step by step by step each event, you know. It
14 ties Wells Fargo employment into it, the witness tampering.
15 It's real serious.

16 I went as far as to give it to the FBI, as you see in the
17 briefing. You know, your briefing has the FBI's letter to me
18 and then another follow-up, you know, complaining that
19 something's wrong within the court in the way these motions are
20 heard.

21 I don't see any particular reason why their motion that
22 ended up getting them out of this should be heard prior to
23 any -- prior to looking at the facts involved.

24 This is our first substantive hearing, Your Honor. This
25 is the first time we've ever talked. And what I'm saying is

1 you have -- I believe you have the wrong entire view of what
2 this lawsuit's about.

3 This is about false arrest. It's concealment as a
4 federal witness.

5 You just look at that Docket 56, and you look at the
6 quality of what I'm putting in to your court, ma'am. I'm
7 putting in quality material, and then they're calling me a
8 vexation, and you see what they're doing.

9 So they're getting around the conference, they're getting
10 around the LR 7 filings that I've made, mostly they're getting
11 around this filing of that evidence of the federal witness
12 tampering.

13 And so they skip over that stuff, and it never does get
14 heard, and that's the problem.

15 And I suggested to them all sorts of different ways
16 around it. You know. "We could have conference on this. Any
17 form -- I'm available 24/7 to you guys. Anything you want, any
18 time, so that we can go through the factual basis and the
19 evidence."

20 They refuse, and then they call my -- my persistence to
21 try to get them to go through real facts and real evidence --
22 I'm talking police reports, you know, real stuff -- and they
23 don't want to do that.

24 They file what I consider boilerplate -- it kind of is
25 dismissal at a high level -- without getting into the facts.

1 They self-declare and all that the facts don't exist.

2 If you look at the complaint, Your Honor, the facts do
3 exist. There's page after page of them, starting mostly on
4 page 25, and then it just goes on and on, and then it actually
5 has some documentation, things like police transcripts.

6 So they self-declare what it is, they self-declare a
7 vexation, and then somehow, you know, they get that heard
8 before my actual documented facts.

9 So I realize this is about the May 8th hearing, but they
10 self-generated (indiscernible.)

11 I get these notes in the mail. I get them all the time,
12 you know, from the system over there, and all of them are
13 acting to suppress -- or not suppress, to conceal the actual
14 facts and evidence.

15 You see what I'm trying to explain?

16 I understand the purpose of this particular hearing, but,
17 until you can determine if I'm a vexation, I think you have to
18 at least say "Does this guy have any factual basis?"

19 Well, what evidence of factual basis, I went under the
20 FBI -- and you got that in your briefing --

21 **THE COURT:** All right. I'm going to stop you, Mr. Clark.
22 I let you --

23 Because what you need to understand is this -- there are
24 procedural requirements that you know or should know because
25 you're operating as a pro se, a plaintiff, and you're held to

1 the standard of knowing it, at least with some leeway, knowing
2 what your obligations are.

3 When the order was docketed for May 8th and you were
4 given instructions about how to proceed, within days you were,
5 by the reference I have in front of me, by the allegations --

6 **MR. CLARK:** What do you have in front of you? What do
7 you have, Your Honor?

8 **THE COURT:** I have -- you have filed -- you have read
9 everything I have read --

10 **MR. CLARK:** No. No. Where did you get that? Where did
11 you get that? They took stuff from outside the courts, and
12 they put it in, claiming it's evidence. That's not evidence of
13 anything compared to my police audio and police video, ma'am.

14 **THE COURT:** Mr. Clark -- Mr. Clark --

15 **MR. CLARK:** Ma'am. No, ma'am. Listen to me, ma'am. You
16 need to look at the actual police audio, police video, not
17 their self-declared declarations of there being some vexation
18 or there not being a cause of this lawsuit.

19 **THE COURT:** Mr. Clark, if you -- if you don't stop
20 talking you're going to give me very few choices.

21 **MR. CLARK:** I'm sorry, ma'am.

22 **THE COURT:** So stop --

23 **MR. CLARK:** But please understand that some things are so
24 bad and important they have to be said.

25 **THE COURT:** Stop talking when -- and do not talk over me.

1 I have a court reporter. Frankly, it doesn't help you to talk
2 over me.

3 **MR. CLARK:** I'm sorry, ma'am.

4 **THE COURT:** But more importantly --

5 **MR. CLARK:** I apologize. I'm so sorry. I'll stop.

6 **THE COURT:** -- you are -- continue to do it -- you're
7 causing my court reporter to basically stress out, and I will
8 defend her ability to do her job if I have to just hang up on
9 you.

10 So don't --

11 **MR. CLARK:** Thank you, ma'am.

12 **THE COURT:** -- make me hang up on you, period.

13 There is an order in place, May 8th, and immediately --
14 and what I have is for -- I'm just going to give this example
15 that on May 11th, the next business day after the order,
16 there's ample evidence that the violation that you committed
17 was willful.

18 You emailed Wells Fargo's board of directors and some
19 counsel in this case, but you specifically omitted Wells Fargo
20 counsel of record to whom you ordered -- you were ordered to
21 send all your communication.

22 So --

23 **MR. CLARK:** That's -- I have a -- I'm sorry.

24 **THE COURT:** Absolutely stop talking.

25 So that alone is a significant enough violation to have

1 the Court act and sanction you.

2 What I'm going to tell you is if you want, at any point,
3 to get to the merits of your case, you will follow these orders
4 or I will dismiss this case.

5 **MR. CLARK:** Yes, ma'am.

6 **THE COURT:** Period.

7 **MR. CLARK:** Yes, ma'am.

8 **THE COURT:** And --

9 **MR. CLARK:** Yes, ma'am.

10 **THE COURT:** And I'm going to ask if I misstated anything,
11 and I'm going to call on --

12 Mr. Spooner, have I misstated -- just that very simple
13 part of the record, have I misstated anything?

14 **MR. SPOONER:** Not based on my review of the matters in
15 this case, Your Honor.

16 **THE COURT:** Any other counsel think there's something
17 more I need to put into the record? Because that, alone, is
18 sufficient for me.

19 (No audible response.)

20 **THE COURT:** Thank you.

21 So the issue is you're in violation of the order that was
22 put in place to ask you -- well, order you to comport yourself
23 in this manner in an appropriate fashion to move this case
24 forward.

25 I don't know how to be more clear that that is the only

1 way we're going to get to the merits is if you comply and
2 follow the Court's order and the rules, the Federal Rules of
3 Civil Procedure, to get this case moving forward.

4 That's the first issue.

5 And what remedy the Court has available to it is to
6 completely dismiss your case and to dismiss it with prejudice
7 or to further refine my order.

8 At the moment, I don't know that I could refine it any
9 further.

10 So do you have --

11 **MR. CLARK:** Would you give me another chance? I didn't
12 understand the May 8th order. I did not understand it, ma'am.
13 Give me one more chance, ma'am. I guarantee you. Starting
14 today, there won't be one thing -- nothing. Nothing. Nothing.

15 If there's any way I can get my facts heard, nothing, I.
16 Promise you. I swear to you that. Nothing out of my house.

17 **THE COURT:** Please stop talking. Let me finish.

18 The second request is to designate you a vexatious
19 litigator and to limit your ability to file cases.

20 There are two requests here.

21 I'm going to suggest that you have, right now -- you're
22 really in a difficult spot with the one case that you're moving
23 forward on, and I suggest that, before you have -- before I
24 enter that order to stop any further litigation from being
25 filed on and having to address those issues, that you should

1 pay attention, if this is the case that you want to pursue --

2 **MR. CLARK:** Yes, ma'am.

3 **THE COURT:** -- you take care to follow the Court's order,
4 because I'm not going to give you another chance.

5 **MR. CLARK:** And I understand the proceed -- that you will
6 not see anything. I guarantee it. Nothing.

7 **THE COURT:** You've been given these verbal reprimands by
8 other colleagues of mine, and you have not followed them, and
9 I'm going to tell you what happened in those cases will happen
10 in this case.

11 Perhaps I'm naive and will give you that benefit of the
12 doubt only to end up with another hearing and following
13 their --

14 **MR. CLARK:** I guarantee not. Swear.

15 **THE COURT:** Then you need to sit down -- and perhaps,
16 maybe, get a lawyer -- and think about what you need to do next
17 and look at the court rules and look at how a case proceeds and
18 follow those rules, and you're to communicate only -- I believe
19 there's a designation that you're really to contact Mr. Spooner
20 and work through him --

21 Right --

22 **MR. CLARK:** Yes. Yes.

23 **THE COURT:** Wait. Wait.

24 Correct, Mr. Spooner?

25 **MR. ROWLEY:** Well, I believe, Your Honor, that it's

1 Christian Rowley, counsel for Wells Fargo, he's supposed to be
2 contacting for anything related to Wells Fargo Bank.

3 **THE COURT:** So just running point, you're the lawyer
4 running point on that? So he knows --

5 **MR. ROWLEY:** I am, for purposes -- I'm sorry, Your Honor
6 -- for purposes of Wells Fargo Bank NA and myself and
7 Mr. Urias, he's supposed to contact me, Your Honor.

8 **THE COURT:** Okay. So let's -- for the record, let's
9 indicate which lawyers he's able to contact and work directly
10 with.

11 Let's just, for the record -- and perhaps you have a
12 pencil, Mr. Clark, and you can write these down and make sure,
13 and I'll put it in our order.

14 **MR. CLARK:** Yes, ma'am. Yes, ma'am.

15 **THE COURT:** So who are the lawyers that you are supposed
16 to contact if you have any questions?

17 Can we just go down the list, then?

18 **MR. ROWLEY:** Yes, Your Honor. Again, this is Christian
19 Rowley. Mr. Clark knows me, and I'm counsel for the Wells
20 Fargo Bank NA, myself, Mr. Urias, Seyfarth Shaw, anything
21 related to the case.

22 **MR. CLARK:** Let's talk more, Mr. Rowley. Let's talk
23 more. Thank you.

24 **THE COURT:** Next?

25 **MR. HAGER:** Your Honor, this is Jared Hager with the U.S.

1 Attorney's Office. We would appreciate -- representing Judge
2 Michael Hogan.

3 And Mr. Clark knows me, and he has my contact
4 information.

5 He should not reach out to Judge Hogan directly, and any
6 questions about his suit against Judge Hogan can go through me.

7 **THE COURT:** Thank you.

8 **MR. CLARK:** Yes, thank you. Thank you, sir.

9 **THE COURT:** Thank you.

10 Mr. Clark, please don't respond. It's very hard on the
11 court reporter. Just write the names down. All right?

12 **MR. CLARK:** Yes.

13 **THE COURT:** Okay. Next?

14 **MR. POLLINO:** Your Honor, this is John Pollino on behalf
15 of the Ogletree defendants and Mr. Seymour.

16 I would again ask that Mr. Clark not have any contact
17 with my clients, that his only contact be with me, and,
18 frankly, Your Honor, I'd prefer it be by email. I see nothing
19 to be gained by having a conversation with Mr. Clark and
20 getting into this, just as we have today, without any help or
21 success.

22 So I'd like that contact to be by email -- only with me,
23 not with my staff, not with anybody else -- on behalf of my
24 clients. Thank you.

25 **THE COURT:** Thank you.

1 **MR. CLARK:** May I speak? May I speak?

2 **THE COURT:** No.

3 **MR. CLARK:** Thank you.

4 **THE COURT:** Next?

5 **MS. SPOONER:** Your Honor, this is Jessica Spooner with
6 the Oregon Department of Justice on behalf of the state
7 defendants.

8 He can contact myself or Kenneth Crowley -- and we'll be
9 filing a notice of association for Kenneth Crowley, as I am
10 about to go out on maternity leave -- but I also request that
11 any contact be in writing, either by letter or by email.

12 **THE COURT:** Anyone else?

13 **MR. SIME:** This is Bill Sime. I represent defendant
14 David Campbell.

15 I also ask that Mr. Clark have no communication
16 whatsoever with David Campbell, and that all communication in
17 this case go to me. Mr. Clark has my contact information, and
18 I would request that that be in writing, by email.

19 **THE COURT:** Next?

20 **MR. SPOONER:** Your Honor, this is Tom Spooner for
21 defendant Barry Davis, and same request as the other
22 defendants: That all communications concerning Mr. Clark's
23 claims against Barry Davis go through me personally in my
24 office.

25 **MR. JACOBS:** Your Honor, David Jacobs for defendant Bruce

1 Newton, and I'll just echo the rest of the crew here that any
2 contact should be directed to me, and Mr. Clark has my
3 information. Thank you.

4 **MS. HOLLISTER:** Your Honor, this is Amber Hollister on
5 behalf of the bar, and I would also request that any contacts
6 related to the case be sent to me by email. Thank you.

7 **MR. TAPIA:** Your Honor, this is Sebastian Tapia,
8 self-represented for the moment.

9 I'd ask that Mr. Clark contact me through email and not
10 send faxes to other county departments.

11 **THE COURT:** Anyone else?

12 (No audible response.)

13 **THE COURT:** So we will follow up in an order that these
14 are the contact persons for the respective defendants that you
15 are to be in contact with. Unless they give you approval, all
16 your communications shall be by email or in writing; you are
17 not to call them.

18 For the record, I am going to tell you that Ms. Kramer,
19 who is my courtroom deputy, has not only conveyed to me every
20 single conversation and interaction you've had with the clerk's
21 office but she has passed on all the information, despite your
22 lengthy diatribes -- is the best I can describe it -- that my
23 staff is withholding any information or communication from you
24 to me.

25 On the contrary, I hear everything that is coming in, and

1 it's only making it much more difficult, and I'm exercising
2 judicial restraint at this moment to give you one last chance.
3 I am not going to tolerate how you have treated the staff, how
4 you have overwhelmed the clerk's office, and how you have made
5 accusations that are unfounded and are offensive.

6 Number two: You are not to call my chambers; you are to
7 deal only with Cathy Kramer, in writing, at the clerk's office.

8 And it's noted that many of the calls last extensively.
9 I think the longest she indicated lasted 19 minutes; another, 6
10 minutes; and then ends up with you getting angry or upset and
11 hanging up.

12 And Mr. Kramer is an extraordinarily talented and
13 incredible public servant, and she is not to be treated this
14 way by you.

15 So everything needs to be by email.

16 If you want an opportunity to have this case go forward
17 on its merits, then you will comport yourself appropriately,
18 you will abide by the rules that were put in place and the
19 information you were given in the May 8th order and with the
20 updated information in the order that will go out tomorrow, and
21 I'm going to see if you can last more than the three days that
22 you lasted after the last order was in place.

23 And, if you cannot do that, if you cannot maintain the
24 expectations of this order and the previous order, then I will
25 -- we'll have another show cause order, and at that time I will

1 entertain more severe sanction -- and, as you know, the
2 ultimate sanction in this case is dismissal with prejudice --
3 and I will address -- I'm going to set aside, at the moment,
4 the request to have you indicated as a vexatious litigator, and
5 I'm just going to hold that, hoping that you can modify your
6 behavior and simply focus on the case that you have -- the
7 cases that you have before the Court at this moment.

8 Is there anything I need, Counsel for the defense?
9 Anything else I need to help clarify how to proceed with this
10 particular case at this particular moment? I'm happy for any
11 guidance.

12 **MR. ROWLEY:** Your Honor, this is Christian Rowley. I
13 wouldn't have anything to add to that, what you said,
14 Your Honor.

15 **MR. POLLINO:** Your Honor, this is John Pollino. I guess
16 my only question to the Court is whether a hearing on the other
17 motions will be set in just the normal course.

18 **THE COURT:** They'll be set in the normal course.

19 **MR. POLLINO:** Okay. Thank you.

20 **THE COURT:** They'll be set in the normal course.

21 **MR. HAGER:** Your Honor --

22 **THE COURT:** I wanted to address this issue first, and --
23 so that we organize how to address all the motions that are
24 pending.

25 Okay. Go ahead. I'm sorry. I interrupted somebody.

1 **MR. HAGER:** That was me, Your Honor. This is Jared Hager
2 for defendant Michael Hogan.

3 I would just ask that -- some other defense counsel had
4 tipped me to this.

5 There's been several emails to my boss, the U.S. Attorney
6 Billy Williams and the criminal division chief, as well as Pam
7 Holsinger, and, if they relate to this case, we would prefer
8 that those, again, go through me and not my superiors.

9 Thank you.

10 **THE COURT:** Did you understand that, Mr. Clark?

11 **MR. CLARK:** Yes, ma'am.

12 **THE COURT:** Anyone else?

13 (No audible response.)

14 **THE COURT:** I just want it crystal clear this is exactly
15 what I expect, and I'm going to suggest to you that this is a
16 time that you need to follow these orders.

17 We'll get to the merits of the case, if we proceed in the
18 fashion that's expected, and I don't -- we don't need to get
19 into anything more today. But you need to understand that I'm
20 reading everything. The worst you can do is to thumb your nose
21 at this court order again --

22 **MR. CLARK:** Yes.

23 **THE COURT:** -- and we'll be right back here, and I will
24 not tolerate your treatment of people and violating these
25 orders without regard to what's been expected and set out

1 clearly.

2 You know, there's so many good pro se individuals who
3 work really hard to get their cases before the Court and work
4 as hard as they can to comply; so I know that it's possible
5 because good pro se people are able to do this on their own.

6 So I know you're capable of doing it, and you need to
7 manage your own behavior. Because it's what's going to get you
8 in a position where this case does not come forward and have a
9 decision on the merits.

10 And my preference is always to have the decision on the
11 merits, but I will exercise my authority, if you cannot comply
12 with the rules, and you are abusing the system, the process,
13 the lawyers, and the staff in the manner in which this case is
14 postured before me today.

15 Do you understand?

16 **MR. CLARK:** I understand.

17 And would it help if I try to apologize to the people?

18 Would that help at all?

19 **THE COURT:** I would suggest that you might -- when you
20 need to communicate with them, you keep it short, you keep it
21 businesslike, and perhaps, in each of the emails, you offer
22 them an apology.

23 **MR. CLARK:** I will. Thank you, Your Honor. We can go
24 over the factual basis and evidence together now.

25 I appreciate this hearing so very much.

1 Thank you, everybody.

2 **THE COURT:** Unless there's something more, we're in
3 recess.

4 **MR. CLARK:** Thank you.

5 **THE COURT:** Thank you for your time.

6 (Proceedings adjourned at 3:03 P.M.)

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CERTIFICATION

I, Kelly Lee Polvi, certify that, pursuant to Section 753, Title 28, United States Code, the foregoing is a true and correct transcript of the stenographically-reported remote proceedings held in the matter of ANDREW CLARK V. WELLS FARGO BANK, et al., and I further certify that the transcript format is in conformance with the regulations of the Judicial Conference of the United States.

Dated this 14th day of June, 2021.



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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON - EUGENE DIVISION

Before The Honorable Ann L. Aiken, District Judge

ANDREW CLARK,

Case No: 6:20-cv-00253-AA

Plaintiff,

v.

MARCH 2, 2021

WELLS FARGO BANK, et al.,

Defendants.

2:13 P.M.

_____ /

REPORTER'S TRANSCRIPT OF REMOTE COURT PROCEEDINGS

Telephonic Motion Hearing

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Reported by Kelly Polvi, Official Reporter, utilizing machine
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1 **TUESDAY, MARCH 2, 2021**

2:13 P.M.

2 **PROCEEDINGS**

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4 **COURTROOM DEPUTY:** Now is the time set for Civil Case
5 Number 20-253, Clark versus Wells Fargo Bank, et al., for oral
6 argument.

7 If you could please introduce yourselves for the record,
8 beginning with the plaintiff.

9 **MR. CLARK:** I'm Andrew Clark.

10 **COURTROOM DEPUTY:** For defendant Wells Fargo Bank?

11 **MR. ROWLEY:** Good morning -- or good afternoon, Your
12 Honor. It's Christian Rowley on behalf of Wells Fargo Bank,
13 myself, and Peter Urias.

14 **COURTROOM DEPUTY:** For defendant Ogletree?

15 **MR. POLLINO:** Good afternoon, Your Honor. John Pollino
16 on behalf of the Ogletree defendants and Mr. Seymour.

17 **THE COURT:** For defendant Oregon State Bar?

18 **MR. CHOUREY:** Good afternoon, Your Honor. Nick Chourey
19 for the Oregon State Bar.

20 **COURTROOM DEPUTY:** For defendant Alex Gardner?

21 **MS. JESSICA SPOONER:** Hello, Your Honor. Jessica Spooner
22 on behalf of Alex Gardner and Mr. Hasselman.

23 **COURTROOM DEPUTY:** For defendant Barry Davis?

24 **MR. SPOONER:** Good afternoon, Your Honor. Tom Spooner
25 for defendant Barry Davis.

1 **COURTROOM DEPUTY:** For defendant David Campbell?

2 **MR. SIME:** Yes. Good afternoon, Your Honor. This is

3 Bill Sime.

4 **COURTROOM DEPUTY:** And for defendant Bruce Newton?

5 **MR. JACOBS:** David Jacobs.

6 **COURTROOM DEPUTY:** I believe that is everyone, Judge.

7 **THE COURT:** Thank you.

8 I am hoping that there's been some consultation among the
9 defendants on how you wish to address these motions that we
10 have before us today. Could I ask one of you to let me know
11 whether that's taken place or if there's any events and
12 discussion about how you want to proceed?

13 **MR. ROWLEY:** Your Honor, this is Mr. Rowley for
14 Wells Fargo Bank. I haven't had discussions with the other
15 defendants on that, and I'm not aware of any discussions,
16 Your Honor.

17 **THE COURT:** Well, do you have a suggestion on how to take
18 these motions in order?

19 Does anybody want to address that?

20 **MR. CLARK:** May I, as plaintiff, address it? Or is that
21 for the defendants?

22 **THE COURT:** I'm asking the defendants, please.

23 **MR. CLARK:** Thank you.

24 **MR. ROWLEY:** Your Honor, this is, again, Christian
25 Rowley. I'd be happy to speak briefly as to our motion and the

1 basis for the motion, Your Honor, and answer any questions you
2 have; and I don't know whether other defendants would like to
3 do that as well.

4 **THE COURT:** All right. Let's just take the motions one
5 at a time, and let's start with defendant's motions for summary
6 judgment.

7 So, Counsel, you volunteered; so go ahead and start --

8 **MR. ROWLEY:** Thank you, Your Honor.

9 **THE COURT:** -- for Wells Fargo Bank.

10 **MR. ROWLEY:** Sorry, Your Honor.

11 Thank you. This is, again, Christian Rowley, appearing
12 on behalf of Wells Fargo.

13 We filed a motion under Federal Rule of Civil Procedure 8
14 and 12(b)(6) for dismissal of the case for failure to state a
15 claim at this point. We also have a motion for request for
16 order pursuant to the All Writs Act, 28 U.S.C. section 1651(a).

17 The basis for the motion is set out in the motion,
18 Your Honor, and I won't reiterate it all here, but,
19 essentially, Mr. Clark, as the Court is probably aware, has
20 litigated these claims a number of times thorough a variety of
21 cases, even up to the Ninth Circuit; and, as we've laid out in
22 the motion, at this point he has not stated any valid grounds
23 to pursue this particular piece of -- new piece of litigation
24 against either the bank or the individual defendants he's
25 named -- myself and my former colleague, Mr. Urias -- and,

1 indeed, for the most part, the complaint doesn't even reference
2 alleged bad acts, certainly by the individuals; and, as to the
3 bank, the purported bad acts are all things that either aren't
4 covered by the legal claims that he's making and/or have -- in
5 most cases, have already been litigated numerous times over and
6 over.

7 We've also asked the Court, based on the All Writs Act,
8 and as laid out in the brief -- and I understand Ogletree has
9 made a similar claim as well, although he didn't, I believe
10 pursue it under the All Writs Act as we did -- but the grounds
11 for the All Writs Act has been satisfied here -- that he's
12 continued to relitigate the same claims over and over against
13 not only the bank but, frankly, many of the defendants who are
14 here today -- and that, as a result of that, seeing as grounds
15 for the All Writs Act have been satisfied, we would ask the
16 Court to grant that.

17 I note that he did at one point ask the Court for
18 permission for additional time to respond to the motion, and I
19 don't believe, based on our view of the docket, that any
20 response was ever filed as to Wells Fargo's motion in
21 particular.

22 Unless Your Honor has a question, I would leave it at
23 that.

24 **THE COURT:** Thank you.

25 Mr. Clark, do you want to respond?

1 **MR. CLARK:** Yes, I would like to respond, Your Honor, so
2 that -- there has been no factual basis or evidence litigated.
3 The defendants -- and this applies to all of them -- have all
4 used -- well, all that have been litigated in the past --
5 they've used these similar boilerplate-type motions that do not
6 properly address the facts.

7 And, Your Honor, as you also noticed, that, in the
8 motions I placed, there was a request for a Rule 17 conference.
9 They didn't participate at all in discovery of the actual
10 facts; instead, they engaged in an ad hominum attack against
11 me, you know, for all sorts of things. There's been no hearing
12 of actual facts.

13 You know, I was arrested twice -- okay? -- by the City of
14 Eugene Police. I obtained the audio recordings. I've made
15 them available. I've posted them. I've given transcripts.
16 None of that's been looked at by the courts in a formal sense.
17 They've always escaped it. They've avoided it by the same -- I
18 will call it a game, I'm sorry -- where they take this
19 boilerplate and it just doesn't really apply to the factual
20 basis.

21 Furthermore, they're not properly addressing my filing,
22 they're not properly addressing the complaint, which is a
23 factual complaint, and they don't go through each one of the
24 facts and the facts in whole. They've really given it no --
25 no -- they haven't -- it looks like they don't even read it.

1 That's my opinion, based on what they file. They file these
2 same motions over and over, and they've been successful so far.

3 I've never had a hearing like this before, you know.
4 Obviously, I've never been in front of a Court; so I'm a little
5 bit more nervous, perhaps, than they are, I'm sorry. But -- so
6 I don't have their level of experience. But I just note for a
7 fact that not once has the concept of me being arrested twice,
8 put in jail twice, you know, amongst all the other tampering --

9 Now, you'll see down below in the motions there's a
10 motion for notice of a fact, you know, pretty detailed, where I
11 include just the sample of evidence regarding -- regarding
12 being a federal witness at the time all this started and how
13 this is all part and parcel of a continuing effort to tamper a
14 with federal witness. The investigations were just started. I
15 have ample evidence that they are real. It's hard to believe,
16 but there they are, and that's in those motions that it will
17 follow.

18 So the concept of dismissing anything once again without
19 looking at those facts that are just so simple, not once has
20 the Court recognized or even considered the fact that -- of the
21 federal witness.

22 Now, Mr. Rowley, or any other defendant, knows that the
23 Courts have litigated it over and over.

24 I need to restate that one more time.

25 There's been no litigation of the factual basis or

1 evidence, they have been using court processes to conceal it,
2 and it continues with this, and it appears to be their business
3 practice, it appears to be what they do.

4 So in terms of this other filing that he was talking
5 about, you know, maybe I should have made another response, but
6 I know there was a stay put on things; so I just kind of let it
7 go, figuring, you know, a stay is a stay. You know what I
8 mean?

9 Okay. So that's kind of what I have for you. There's no
10 basis to dismiss this case. There's no basis to dismiss
11 Wells Fargo or these defendants. There's just no basis for
12 that.

13 Everything they say about it being looked at, it hasn't.
14 It hasn't ever been -- you know, ask -- I'd like to ask
15 Mr. Rowley a question. Can I ask him questions right now?
16 Because --

17 **THE COURT:** No, you may not.

18 **MR. CLARK:** Thank you. I apologize, Your Honor.

19 Now, a lot of this stuff I have put into writing in
20 detail, and none of it's really been looked at by the Court, in
21 my opinion. We've never had this kind of a discussion where
22 they present their viewpoint, that it's been litigated, I
23 present my viewpoint, which I believe is very, very -- and I
24 state this in my complaint -- that the record, the Pacer record
25 is proof of this, meaning when I'm telling you this you can

1 look in the Pacer record -- anybody can -- and you can see that
2 what I'm telling is exactly true. No factual basis ever made
3 it in front of the Court. They've been using the same
4 obstructive processes that appear to be a boilerplate of what
5 happens nationwide.

6 But, again, that's beyond my scope and my standing to say
7 that. But I just had to observe that, I think, that it just
8 seems like when I've got all these defendants they all file
9 these same boilerplate things, they don't address the actual
10 factual basis.

11 It's just -- it's just abusive of the citizen who did
12 exactly what he was supposed to do, you know, in terms of
13 filing with the federal agencies, you know, under the
14 Sarbanes-Oxley.

15 I didn't, actually, file under -- I filed with the
16 whistleblower office, too. I filed with them, you know. Where
17 you get those numbers and all that stuff? I complained there,
18 too.

19 But I filed the whole thing originally under SOX,
20 Sarbanes-Oxley, because of the internal reporting that I was
21 doing.

22 You know, I tried to talk to management first about it
23 all, and so I had it actually in before the May 25th, 2011, cut
24 off from SOX to Dodd-Frank; so --

25 But I did file it as Dodd-Frank as well. So I filed it

1 all over the place.

2 And at the time that I had first false arrest, you know,
3 there was no warrant, they come to my house.

4 The audio recordings are just absolutely shocking, you
5 know; shocking -- and I got those through process here --
6 because the police were very aware, they're openly discussing
7 the fact that -- they pick up the phone and call Wells Fargo,
8 you can hear Wells Fargo on the phone, you know, after they
9 come to my house setting this up.

10 There was no valid warrant for the arrest.

11 The second time around they said I'm stalking them
12 because I'm complaining about it. They didn't call their local
13 police, they called our police down here, you know, with some
14 big thing about how I'm some violent person.

15 They may have infrauded the -- had the police down here
16 infraud the FBI NIBR system.

17 I filed another complaint with the FBI about that earlier
18 this year. I might have put that with the Court.

19 There's too much unheard factual basis to even consider
20 this; and, furthermore, I look at these attorneys, it's
21 unbelievable that they won't look at this stuff and never did.

22 Mr. Rowley patently refused to ever look at the evidence.
23 He said, "I don't have to."

24 I'm just begging the Court, imploring the Court, that, if
25 we can look at it together, maybe in mediation or alternative

1 dispute, whatever, you know, but I think maybe it would be good
2 if we looked at it together if you would actually look at that
3 and see that this man was hauled away in a police car, there's
4 a video event, there's the audio of the police in his house,
5 the audio of the police in their headquarters, you know,
6 talking with Wells Fargo about this.

7 It's never made it to the Court. It's not ever been
8 properly heard by the Court.

9 Okay, Your Honor. They billed me, Ogletree Deakins put
10 in a cost bill, the transition period from the other judge --
11 Hogan -- they put in a cost bill against me.

12 **THE COURT:** Okay.

13 **MR. CLARK:** Sorry.

14 **THE COURT:** So, Mr. Clark, I need to just remind you
15 you're held to the standard.

16 **MR. CLARK:** Yeah.

17 **THE COURT:** You're representing yourself in this case.

18 **MR. CLARK:** Thank you.

19 **THE COURT:** Each is responding to the Wells Fargo motion
20 to dismiss.

21 I guess I need to say the following: Federal court
22 has -- there's a process. There are rules and procedures.

23 **MR. CLARK:** Yes, ma'am.

24 **THE COURT:** I need to hold you to those rules and
25 procedures.

1 **MR. CLARK:** Thank you.

2 **THE COURT:** And you need to be in a position where, in
3 terms of responding to their legal argument, that we move this
4 case forward, and that you are able to provide the Court with
5 the information that would allow the Court to deny their
6 motion. So --

7 **MR. CLARK:** Yes, ma'am. Yes, ma'am.

8 And a lot of it's in writing already.

9 **THE COURT:** All right.

10 And you could stand on your motion -- you can stand on
11 your responses.

12 All right. Anything else you need to tell me?

13 **MR. CLARK:** Nothing. Except for what I said will apply
14 to pretty much everybody else.

15 **THE COURT:** All right.

16 **MR. CLARK:** Pretty much. I have minor additions.

17 **THE COURT:** You're more than welcome to stand on what you
18 submitted, and I will -- obviously, I have read and I will
19 address those as I rule on each of the motions.

20 So let me turn back to Wells Fargo.

21 Sir, is there anything more you want to add to your
22 motion in response to what was stated?

23 **MR. ROWLEY:** No, Your Honor. If you look at docket entry
24 42 through 44, that's our motion, and I don't believe there's
25 any response filed. The stay was only as to the motion's

1 response to his summary judgment, and I note that Your Honor's
2 already addressed, in the third and fourth of his cases, I
3 believe, the same arguments he's making today, and those went
4 up to the Ninth Circuit and were rejected.

5 **MR. CLARK:** No. No. Incorrect. Not correct,
6 Mr. Rowley.

7 **THE COURT:** Okay.

8 **MR. CLARK:** Nothing was ever heard, and we have a factual
9 basis.

10 I'm sorry. I'm sorry. I had to stop --

11 **THE COURT:** No. Excuse me.

12 There's a distinction and a difference, and, in fact,
13 there isn't a response filed; we don't have that.

14 And, number two, what goes up -- issues are raised, and
15 they have been addressed, and a ruling has been made, and it
16 went to the Ninth Circuit.

17 If the Ninth Circuit determines that that ruling stands,
18 then that ruling stands, and we don't get to -- we don't get to
19 relitigate it.

20 And I'm just giving you that kind of information.

21 Again --

22 **MR. CLARK:** So --

23 **THE COURT:** -- you are a layperson --

24 **MR. CLARK:** Right. But what I'm pointing out is that
25 they used the court -- this is what's in the court this time,

1 that they've been using the court to obstruct justice, okay?

2 If it's -- the court systems are a very tangible object
3 under the Sarbanes-Oxley, U.S.C. 18, 1519.

4 You know, if you take a look at *United States v. Yates*, a
5 2015 case with Ginsberg, you know, you read the reasoning and
6 all that, and it's pretty clear that I'm a little guy, I went
7 ahead and filed these reports, when I was employed, I was a
8 good worker, and they have been using obstructive processes.

9 In other words, you're saying the Ninth Circuit Court
10 looked at something.

11 The Ninth Circuit Court, they -- they -- there was never
12 a trial of the actual facts. They looked at the fact that it
13 was thrown out, but, until you actually look at the facts, this
14 whole thing of my motions being after their request for
15 dismissal is backwards.

16 Now, I also put in --

17 **THE COURT:** Okay.

18 **MR. CLARK:** -- when he said I didn't respond to him, I
19 put in a motion for a rule -- for a Rule 17 conference.

20 I did address him. I did address him, Your Honor, in a
21 request for a Rule 17 conference, saying, these people are,
22 once again, not engaging in discovery, they're using
23 boilerplate stuff that does not apply to a factual pleading,
24 factual pleadings have to be looked at --

25 **THE COURT:** Okay. Mr. --

1 **MR. CLARK:** -- one of those points I say.

2 **THE COURT:** -- Clark. Mr. Clark, that's everything --

3 **MR. CLARK:** They didn't do any of this.

4 **THE COURT:** Excuse me, Mr. Clark.

5 That's -- the argument you just -- you just now made you
6 made ten minutes ago.

7 So I understand --

8 **MR. CLARK:** I'm sorry.

9 **THE COURT:** -- the position you're taking; I'll take this
10 under advisement --

11 **MR. CLARK:** But are you -- okay. Okay. But are you
12 making a decision, now, on it, or -- because what I'm trying to
13 explain to you is -- I'm sorry.

14 **THE COURT:** I'm taking argument. This is your
15 opportunity to argue the legal motions that have been filed.

16 **MR. CLARK:** Okay. Okay.

17 **THE COURT:** And I'm going one at a time, and I've just
18 now addressed the motion made by Wells Fargo. All right?

19 **MR. CLARK:** My input will be minimal from here down,
20 okay? Until it gets to mine. I think I should be able to add
21 a little bit.

22 **THE COURT:** All right. That would be fine.

23 **MR. CLARK:** Thank you.

24 **THE COURT:** All right?

25 So who would like to go next?

1 **MR. POLLINO:** Your Honor, this is John Pollino on behalf
2 of Ogletree Deakins; Ms. Lively; Mr. Symes; Mr. Mixon; and
3 Mr. Seymour.

4 We filed motions to dismiss the plaintiff's claims;
5 dockets are 59 and 60 --

6 **THE COURT:** Right.

7 **MR. POLLINO:** -- and a motion for protective order and
8 declare the plaintiff a vexatious litigant, motion -- or
9 Docket 62 and 63.

10 **THE COURT:** 63, yes.

11 **MR. POLLINO:** Okay.

12 And I appreciate the opportunity to set oral argument and
13 have oral argument, but we have extensively briefed these
14 issues, issues that have been briefed in the past in other
15 claims; and, far from boilerplate, these motions are detailed,
16 they're very complete in terms of the explanation for the legal
17 bases, and they address every one of plaintiff's arguments.

18 We ask that the Court carefully review the motions we've
19 filed.

20 I'd be happy to address specific issues; but, frankly,
21 this is plowing old ground, Your Honor, and we'd ask that you
22 dismiss this additional claim and enter a protective order
23 prohibiting plaintiff from further abuse of the judicial
24 process and the judicial resources available to the public.

25 That's all I have, Your Honor.

1 **THE COURT:** Thank you.

2 Mr. Clark, do have you anything to respond to, or do you
3 rest on your briefs?

4 **MR. CLARK:** I mostly rest on my briefs and just what I
5 said to Mr. Rowley, and then also wanted to note that Ogletree
6 Deakins, as I put in several times, they did have an active
7 history at the time in Arizona case setting up false arrest in
8 the Sheriff Joe case. There was a news article that I put in.

9 Again, this was among the factual basis that they've kept
10 out of the courts.

11 That's the key of my entire presentation to you is
12 that -- you know, that they've been using these processes like
13 this, they've been -- and he's not submitted any answers.

14 If he can point to where they have addressed this false
15 arrest and the fact of the audio playing, showing where it's
16 coming from, the actual, the actual evidence, I'd like him to
17 show, Your Honor, that.

18 Because if you look in the Pacer record, you're going to
19 see it's just this endless, endless piles of obstructive
20 documents that have so far successfully kept the factual basis
21 out of the courts.

22 I do have a claim, as I point out there, and I'll rest on
23 that for now.

24 Thank you.

25 **THE COURT:** All right. Thank you.

1 For the Oregon State Bar?

2 **MR. CHOUREY:** Thank you, Judge. This is Nik Chourey for
3 the Oregon State Bar, and we would rest on our pleadings filed,
4 including our notice of supplemental authority in which we
5 withdrew the eleventh amended sovereign immunity defense.

6 **THE COURT:** Right. We got that this morning. Yes, we
7 got that.

8 **MR. CHOUREY:** Thank you, Judge. Nothing further.

9 **THE COURT:** Mr. Clark, go ahead.

10 **MR. CLARK:** I didn't see that item this morning; so I
11 apologize.

12 But, no, the Oregon State Bar, my issue with them is that
13 all throughout this process, starting from day one when I tried
14 to get an attorney to go to some emergency hearing for Ogletree
15 Deakins, you know, they cut off my internet access back then.

16 I mean, I used a court order within days of them filing.

17 You know, none of that's been properly litigated in
18 context. They've broken it all down into little pieces and
19 made it all go away.

20 I put it right back together for them and included the
21 police audios so they could hear what happened.

22 So with the bar, it started then. The family court
23 interface is well documented in the audio recordings of the
24 actual court hearings that I've made available to everybody
25 online and referenced.

1 So there's actually entire hearing of these family
2 matters.

3 You can hear how the Wells Fargo matter has influenced
4 them. You can hear all that, and it was very prejudicial to
5 me.

6 And I looked for the bar for help on that. I looked for
7 the bar on help on the \$12,000 that the defendant -- I'm
8 getting them all mixed up now; I'm sorry -- Davis, I'd say,
9 stole from me, because that's what it was, you know, and I --
10 tried to work with the bar, and they, you know, they had this
11 process that you think you go through, and they don't actually
12 do anything.

13 But the weird part of it is that you have to go to them
14 for, like, an attorney ref -- or recommendation.

15 I couldn't actually -- I had, like, ten meetings with
16 them in the beginning. You know, there was no way for me to
17 ever have an attorney in this thing. You know, I tried a
18 little bit, and then, in the middle of it, last time, I think
19 -- just a long story.

20 But, you know -- we'll let it go at that.

21 I put it all in writing for you, succinctly, especially
22 in the motion for the Rule 17, which I didn't see there.

23 It lists -- I'm not sure; maybe I didn't even notice
24 that. I put in a motion for a Rule 17 conference.

25 I don't see that in my list here.

1 If you have -- it's in the docket.

2 **THE COURT:** I will take a look at that.

3 **MR. CLARK:** But that was what -- it's very important,
4 Your Honor.

5 Your Honor, one of the most important things I put in was
6 that motion for Rule 17 conference with you. I swear to you,
7 Your Honor, that's probably one of the most important things I
8 put in because it does answer exactly these people and how they
9 are not following the rules of discovery. I went in and
10 pointed it out in detail.

11 Please, I beg of Your Honor to look at that. I thank
12 you.

13 **THE COURT:** All right.

14 Anything to add on behalf of the bar?

15 **MR. CHOUREY:** No. Thank you, Judge.

16 **THE COURT:** Thank you.

17 I believe for defendant's Alex Gardner and Erik
18 Hasselman.

19 **MS. SPOONER:** Yes, Your Honor. Thank you.

20 We submitted a motion for summary judgment and
21 declaration at Docket Number 95 and 96, and at some point
22 thereafter Mr. Clark moved to dismiss the Attorney General
23 Rosenblum, AAG Nordyke, and Solicitor General Gutman.

24 And so we are just, again, Mr. Gardner and Mr. Hasselman,
25 and our brief lays out the many issues that the case could be

1 dismissed on with respect to them, including but not limited to
2 statute of limitations, prosecutorial immunity, and preclusion
3 issues.

4 And I would just like to note for the record Mr. Clark
5 also did not file a response to our motion for summary
6 judgment.

7 And other than that, I rest on my brief.

8 Thank you, Your Honor.

9 **THE COURT:** Thank you.

10 Mr. Clark, anything you need to add?

11 **MR. CLARK:** No, except for, again, the rules -- I did
12 answer them with the fact that the rule -- the request for the
13 motion, the Rule 17, that was one response; and then I do feel
14 that I adequately responded to them. I do feel I adequately
15 responded to them. Yeah.

16 **THE COURT:** All right.

17 **MR. CLARK:** And then Mr. Gardner -- Mr. -- Mr. Hassleman?
18 You know, the thing that gets me -- one of the things that
19 really bothers me the most about this is it's a simple matter
20 for a man in his position to apply the law in Oregon, these ABA
21 rules that I looked up, these rules, special rules for
22 prosecutors. When he has evidence that, you know, suggests
23 something didn't happen or happened, he's supposed to act upon
24 that.

25 You know? And that's the thing. No one -- Your Honor,

1 if you look back at these Pacer case record -- and I would ask
2 that you have your staff do that -- you'll see that they did
3 never, ever answer to any -- any piece of the details. Not
4 one.

5 There's thousands upon thousands of pieces to the detail,
6 from the letters that Alex Has- -- Erik Hasselman wrote with --
7 between -- between defendants Ogletree Deakins; you know, there
8 was a bunch of correspondence that set up the second false
9 arrest.

10 And the second false arrest was particularly shocking.

11 And I detail that, you know, in some detail, within my
12 complaint, in what I call that special pleading, which is just
13 a "This is what happened."

14 And because this is a RICO, a racketeering, it exactly
15 matches those facts.

16 That's one of the things that they had -- the systems,
17 the computer system support, uses, apparently systematically
18 precludes -- the case management system -- it tends to dismiss
19 the RICO claims, particularly in the appeals court.

20 And I did do some documentation of that in one of my --
21 one of my hearings in the past on this where nothing's getting
22 looked at partially because of the RICO Act -- I felt.

23 Now, with you on it -- the first time I've actually had
24 the pleasure of talking to a judge about all of it -- I'm
25 hopeful that you and your staff can look and see that there,

1 indeed, are unheard facts, and, in fact, concealment, active
2 use of court processes to conceal evidence that is happening
3 right now.

4 These attorneys, when it comes to a federal witness and
5 federal witness tampering, it wasn't the right thing for them
6 to do, I don't believe. That's my opinion.

7 That's it. Thank you.

8 **THE COURT:** All right. Anything else you need to add?

9 If not, anything further on behalf of the defendants Alex
10 Gardner and Erik Hasselman?

11 **MS. SPOONER:** No, Your Honor. Thank you.

12 **THE COURT:** Thank you very much.

13 For Mr. Barry Davis, has that -- has your motion been
14 covered?

15 **MR. SPOONER:** Yes. Tom Spooner here, Your Honor. We
16 rest on our briefing that's been submitted to the Court, the
17 motion to dismiss for failure to state a claim, and the claim's
18 barred by the statute of limitations.

19 Thank you.

20 **THE COURT:** Thank you.

21 **MR. CLARK:** The statute of limitations, I put into
22 writing extensively, over and over, so I will say it. It
23 doesn't apply when you've been obstructing the facts of the
24 evidence. It doesn't apply. That's cut-and-dry caselaw.

25 **THE COURT:** All right. Thank you for your argument.

1 I'm thinking I have covered everyone; is that correct?

2 Mr. Newton.

3 **MR. JACOBS:** Your Honor --

4 **THE COURT:** I didn't get Mr. Newton.

5 Go ahead.

6 **MR. JACOBS:** Yep. That's right.

7 David Jacobs for Bruce Newton.

8 I won't add anything to the motion to dismiss, it's

9 Document Number 58, and I think it's -- that's all I -- I don't
10 have anything to add. Thank you.

11 **THE COURT:** Thank you.

12 Mr. Clark?

13 **MR. CLARK:** Nothing. Nothing I haven't put into writing,
14 you know.

15 **THE COURT:** All right. Is there anything else that I've
16 missed that we need to address?

17 **MR. CLARK:** On the defendant's side or --

18 **MR. SIME:** Bill Sime for David Campbell, one of the
19 defendants.

20 **MR. CLARK:** Oh, goodness.

21 **THE COURT:** Go ahead.

22 **MR. SIME:** We also filed a motion to dismiss the
23 complaint against Mr. Campbell.

24 **THE COURT:** Yes, you did. Go ahead.

25 **MR. SIME:** We filed a supporting memorandum in support of

1 the motion for protective order and to declare Mr. Clark a
2 vexatious litigant to suggest some factors for the Court to
3 look at in fashioning that protective order should the Court
4 enter one.

5 I'm going to rely primarily upon my written materials.

6 I would like to note briefly that this case against David
7 Campbell is brought alleging that he provided certain legal
8 services for Wells Fargo Bank in case 6:14-cv-01103 which
9 involved a claim against Wells Fargo primarily for RICO
10 violations.

11 Essentially, the claim is brought against Mr. Campbell,
12 in his capacity as a lawyer, for filing a motion to dismiss a
13 RICO complaint.

14 That, in itself, is not a RICO complaint; it's just a
15 lawyer doing his ordinary job on behalf of a client, and
16 there's no allegations that Mr. Campbell participated in the
17 underlying events that Mr. Clark is complaining about.

18 So plaintiff fails to state a claim on the RICO; it fails
19 to state a claim for the civil rights violations against
20 Mr. Campbell.

21 On the protective order piece of it -- so we've got the
22 claim against lawyers in this case who represented their
23 clients and performed legal services in an underlying case, and
24 Mr. Clark has stated an intent to sue the lawyers in this case
25 who are representing the lawyers who represented their clients

1 in the underlying case.

2 So I've asked that the Court consider making this
3 protective order broad enough so it protects all of the named
4 defendants in this case and the lawyers who represent the named
5 defendants in this case. Otherwise, this has potential for
6 going on and on and on.

7 **MR. CLARK:** You really want to bury the facts, don't you
8 there, buddy? You really want to bury the facts.

9 **THE COURT:** Wait. Stop.

10 **MR. CLARK:** I'm sorry.

11 **THE COURT:** Stop. Mr. Clark, stop.

12 Continue on your argument, Counsel.

13 **MR. SIME:** Yeah. I was just going to say I'm happy to
14 answer any particular questions the Court may have about either
15 the motion to dismiss or this protective-order issue.

16 **THE COURT:** Mr. Clark, anything you need to add?

17 **MR. CLARK:** Unbelievable. You know, when they refused to
18 actually look at the facts, they refused to look at the
19 evidence, they flat out tell you they don't have to do it, I
20 filed a motion for the Rule 17 conference, they put in all this
21 ad hominum attacks, you know, the attacks against me as a
22 person, they set up me up as some vexation when all I'm doing
23 is doing my job.

24 Just unbelievable what they've done to me over the years.

25 Unbelievable, Your Honor. Absolutely hurtful.

1 And if it was (indiscernible), and it was done to them,
2 they wouldn't like it either.

3 Anyway, I'm sorry. I can't --

4 I appreciate all your help, by the way.

5 **THE COURT:** So, Mr. Clark, here's what I'd like to tell
6 you: It's Rule 16, it's a Rule 16 conference, and we've not
7 had one. I don't generally --

8 **MR. CLARK:** I'm sorry.

9 **THE COURT:** -- hold Rule -- I don't generally hold Rule
10 16 conferences and particularly when I have these motions that
11 are legal motions that need to be addressed before we go any
12 further.

13 **MR. CLARK:** Right.

14 **THE COURT:** I want you to know that I am reading
15 everything very carefully --

16 **MR. CLARK:** Right.

17 **THE COURT:** -- that the fact that a ruling is made
18 against you doesn't mean people are trying to obfuscate the
19 facts or avoid an in-depth look at a particular case. It may
20 be that it is not appropriately pursued by you in the correct
21 legal fashion.

22 **MR. CLARK:** Right. So I tried --

23 **THE COURT:** It's --

24 **MR. CLARK:** I try again.

25 **THE COURT:** Hold on.

1 It is why having legal counsel assist you is -- in
2 federal court, particularly, is often most helpful.

3 Again, these are legal decisions, they're not -- they're
4 issues that the Court has to use the rule of law to make the
5 determination under how the case is presented through these
6 motions.

7 So I'm telling you right now I will issue something in
8 writing, I thank you for the time you've taken to present your
9 responses in the cases --

10 **MR. CLARK:** Excuse me.

11 **THE COURT:** -- where you have responded, I will take a
12 careful look at all of that, and I will issue a written
13 decision and --

14 **MR. CLARK:** Where is that request for judicial notice?
15 We have request for a judicial notice, 56. Was that -- what
16 was that?

17 **THE COURT:** I will look at that in detail --

18 **MR. CLARK:** I thought we were going to have the oral
19 argument.

20 **THE COURT:** Some of these issues need to be argued
21 orally, and some of them I can read and research and make my
22 decision.

23 **MR. CLARK:** Okay. Thank you. Yes.

24 **THE COURT:** So is there anything else you need me to know
25 at this point? Because I'm going to take these matters under

1 advisement, and I will issue a written decision on each of
2 these motions.

3 **MR. CLARK:** Yes. If you need anything else, just give me
4 a call. Thank you, Your Honor.

5 **THE COURT:** And I won't do that, because that's not the
6 procedure. This is the time. It's all done in a formal
7 fashion, through written materials, and I granted oral argument
8 in this case because you're pro se and I wanted to make sure I
9 had everything I needed.

10 I'm assuming that you have said everything you need me to
11 know at this point on this motion, and it's in writing --

12 **MR. CLARK:** That's right.

13 **THE COURT:** -- the cases in which you've chosen to file.

14 **MR. CLARK:** That's right.

15 **THE COURT:** Anything else I need to know?

16 **MR. CLARK:** No. It's just that one cost bill of Ogletree
17 Deakins. Make sure to take a look at that one in respect,
18 particular, from another hearing. I couldn't believe it.

19 I put that in my complaint, too. It's all in there.

20 Thank you. Thank you, Your Honor.

21 **THE COURT:** All right. Thank you, everyone, for your
22 time this afternoon. We'll take this matter under advisement.

23 **MR. CLARK:** Thank you.

24 **THE COURT:** Thank you.

25 **MR. SIME:** Thanks, Your Honor.

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MS. SPOONER: Thank you, Your Honor.

(Proceedings adjourned at 2:48 P.M.)

CERTIFICATION

I, Kelly Lee Polvi, certify that, pursuant to Section 753, Title 28, United States Code, the foregoing is a true and correct transcript of the stenographically-reported remote proceedings held in the matter of ANDREW CLARK V. WELLS FARGO BANK, et al., and I further certify that the transcript format is in conformance with the regulations of the Judicial Conference of the United States.

Dated this 16th day of June, 2021.



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June 20, 2021

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Subject: Second Report of Judicial System Fraud in Eugene OR Court
Local Case 6:20-cv-000253 Clark v. Wells Fargo et al Incoming Appeal
Third Transcript: Telephone hearing with Defendant/Mediator Michael Hogan
6:11.cv.06248.ho

This transcript is among the vast amount of bypassed evidence of the rampant, deep public corruption of the Eugene Oregon court. It is further evidence that my case has never been properly adjudicated or mediated. It shows Judge Hogan acting with similar case ignorance as Judge Aiken did because their staff manipulate the system to prejudice what the judge sees and does. This third transcript very clearly proves that "Judge" Michael Hogan had no clue about case details. It captures what seems to be the ad hoc approval of Motion 78 while we were on the telephone hearing.

This is not an exaggeration or hyperbole. It is a statement of obvious fact, apparent to anyone who reads the transcript. The transcript shows a non-caring person with immunity and immediate power exceeding that of God completely ignoring everything I said and doing exactly what defendant Leah Lively so rudely demanded. The hearing transcript captures defendant attorney Leah Lively pressuring Defendant Mediator/Judge Hogan as if he were her insignificant cuckolded lackey. He was not acting as a judge or even a mediator.... therefore is not deserving of any immunity. He badly violated my civil rights in all regards due to his fealty with defendant Leah Lively and Ogletree Deakins and trust in how his staff manipulated the system to hide evidence and deceive him.

Worse: the transcript show Judge Hogan actively selling me on his bogus "mediation service". It is shocking to the senses that a judge was allowed to assign cases to himself and mediate them (or not) in violation of 28 U.S.C. 455 as well as many of the American Bar Association Judicial Canon Rules.

Thank you from

/s

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WELLS FARGO BANK, N.A.,)
)
 Plaintiff,) No. 6:11-cv-06248-AA
)
 v.) May 8, 2012
)
 ANDREW G. CLARK,) Eugene, Oregon
)
 Defendant.)

TRANSCRIPT OF TELEPHONE ORAL ARGUMENT
BEFORE THE HONORABLE MICHAEL R. HOGAN
UNITED STATES DISTRICT COURT JUDGE

--

APPEARANCES OF COUNSEL VIA TELEPHONE

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Court Reporter
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1 (Tuesday, May 8, 2012; 9:36 a.m.)

2 (The following proceedings were had in chambers.)

3 P R O C E E D I N G S

4 THE CLERK: This is the time set for Case
5 11-6248, *Wells Fargo Bank versus Clark*, time set for
6 status conference and oral argument on motion for relief
7 from joint filing requirements, Number 78.

8 MR. CLARK: Okay.

9 THE COURT: Thank you. I'm familiar with the
10 papers that have been filed. Is there anything you wish
11 to add?

12 MR. CLARK: I -- to be honest with you. This
13 is Andy Clark over here at 3270 Stoney Ridge Road, and
14 I'm just a little bit confused as to the overall status
15 and what this particular matter is about.

16 I haven't filed anything with the court since,
17 I think, December, if I'm not mistaken. And I'm trying
18 to figure out what this Number 78 is. I'm not an
19 attorney.

20 And so my feeling is, again, there was an
21 overall wrong that has kind of gone on here. I've put
22 that in the local SWAT, they are doing an investigation
23 as of last week. They are finally taking a look at
24 those events back in July. And the way I see it, what
25 happened back in July, which I got on their own audio

1 and you can talk to them about it, it's pretty clear. I
2 mean, on July 18th before this all started, they had
3 already posted guards, you know, to -- for no reason.
4 And then they have arranged to have a fake 911 call and
5 I put it all online. And then they came at night to my
6 house and they did not have a warrant at the time they
7 came to my house. And you can clearly -- very clearly
8 on their internal audio hear them call on July 18th
9 before any of that arrest stuff started, you know, they
10 talked to Wells Fargo.

11 And so I've been of the opinion that -- you
12 know, I have been in contact with the FBI in real -- it
13 was financial -- you know, there was banking, it's
14 required as a mandatory reporter in banking to report
15 financial system fraud that you are involved in or see.
16 And whatever else you had on, that's your business, but
17 that's what I did. And, you know, they had a fraud and
18 everybody knew it. And so eventually when you get these
19 new requirements, they came a year ago, I just couldn't
20 do it anymore. I wouldn't do it anymore. And they
21 asked about it and they pushed back.

22 And the way I look at it, this whole thing
23 hasn't been looked at right and I've tried to be patient
24 and you understand that I have been getting every one of
25 these reports on this. I've made reference to my

1 opinion that they even influenced the family court, just
2 due to timing. And I'm just trying to get this all
3 shoveled under the rug for everybody. All I want to do
4 is get Wells Fargo up here, and go, look, you guys,
5 this -- you got -- all I wanted to do is follow the law
6 and the policy. So let's get this out of the courts,
7 you know, let's get this back to a nice friendly thing
8 where we're all working on a team for progress of the
9 bank and progress of the world and we're not dragging
10 dirt through civil courts and through all these
11 litigations.

12 It's just -- it just don't seem to me to be
13 very productive when it's just a matter of getting them
14 up here to settle it. And to settle with me, you know,
15 I haven't been very specific about that, you know. You
16 know, what I mean? I don't know. Don't you get it? I
17 just need it resolved. My life is short. I don't have
18 ten years or whatever corporations do. See, I've been
19 subjected to a corporate process, something that lawyers
20 spend 10 years, 20 years, they don't care. I'm just me.
21 I'm 53. This is killing me, you know, faster than I
22 thought it might, okay? And so I really don't know what
23 to do. I honestly don't.

24 Last time I was there, I was told not to file
25 motions except through the federal system, well, I feel

1 a little nervous about filing motions through the
2 federal systems. I'm pretty handy with systems. I
3 don't want to get in any trouble with the system guys.
4 So I don't know what to tell you.

5 Whatever it is we need to do, you know, I
6 didn't appeal this, had a judgment back in January. The
7 way I see it, there wasn't a grain of truth in it, but,
8 again, I don't want to be contentious with anybody, you
9 understand? I'm right here in my house. You know, I
10 ain't hiding from anybody. And I just need some relief
11 from the court in a different way. I'm just a human. I
12 don't have the knowledge and I don't have the time and I
13 don't think it's right in this small community to be
14 dragging all the little people through this.

15 I wrote a letter to my congressman on April
16 10th and he says, well, we suggest you talk to Kitty
17 Piercy on the town city council. You know, it's really
18 infuriating to me, because I've been trying -- I've got
19 letters after letters after letters. And, you know, I
20 posted it all on my Web site and I tried to make it so
21 people wouldn't see it fast. You know, I tried to make
22 it so it was hard to get to. And then I kind of moved
23 it around a little bit, but I just want to get on with
24 my life. Don't you understand?

25 I've got people who Google me and look what

1 they see, they see these federal actions, right? You
2 know, so I don't know what to do. If it's -- Judge, if
3 you're there, or Your Honor, anybody in the FBI,
4 whatever you all need, but I need you to all look at
5 what I've put into that court and the fact that I don't
6 want to be dragging it through the mud. That's my only
7 objective. I go into court and I just shut my mouth,
8 because it's me, and I can deal with it, and I don't
9 want to be dragging through the courts, it's not right.

10 THE COURT: Well, Mr. Clark -- okay, Mr. Clark.

11 Ms. Lively, do you have anything on the motion
12 for relief from joint filing requirements?

13 MR. CLARK: What is it? I don't know what the
14 joint filing requirement is.

15 THE COURT: Well, our rules require some things
16 to be signed by both parties. And according to
17 Ms. Lively, it's been more difficult to get your
18 cooperation on that. Just --

19 MR. CLARK: Well --

20 THE COURT: Just a moment, Mr. Clark.

21 Ms. Lively, do you have anything more on that?

22 MS. LIVELY: Not on that specific motion, no,
23 Your Honor.

24 MR. CLARK: What is it that -- what is this
25 that I'm supposed -- my feeling is that I've got a

1 certain legal position based in evidence. Okay. The
2 evidence --

3 THE COURT: Hang on, Mr. Clark, okay. The
4 motion is granted.

5 Now, what exactly -- what relief or what are
6 the plaintiff's plans for this case? This does not
7 appear to be a matter that's well suited to a trial.
8 What do you hope to achieve?

9 MR. CLARK: Well --

10 THE COURT: No, no, Mr. Clark, I'm asking
11 Ms. Lively this.

12 MR. CLARK: I'm sorry, I apologize.

13 THE COURT: What are the bank's plans for the
14 case?

15 MS. LIVELY: Your Honor, we'd like two things.
16 One, we have broached the subject of mediation with
17 Mr. Clark. And, in fact, have -- if he will -- if he
18 finds a mediator, we've agreed to pay all costs for a
19 third-party mediator, whether that be a private mediator
20 that is somebody suitable for mediation or whether it's
21 something that the court does in order to try and
22 resolve that. And my understanding is Mr. Clark doesn't
23 think a third party is something he needs. So we
24 would -- you know, we would be willing to talk to
25 Mr. Clark about that, but we do feel that a third party

1 would be necessary in order to do that.

2 Beyond that, we'd like to move for a permanent
3 injunction. However, we need a judgment on the merits
4 to do that, so we'd like a summary judgment deadline so
5 that we can file for summary judgment and then move --
6 you know, if that were to be granted, then move for a
7 permanent injunction.

8 THE COURT: I'll give the parties 30 days to
9 file dispositive motions.

10 MR. CLARK: Okay. And so what I need to do is
11 get the motions to you. My motion, you know, would be,
12 number one, to resurrect my other motions, which I don't
13 think were really heard, and start going through the
14 evidence that I submitted to the court that was sealed.
15 In other words, I do believe that there is trial
16 because -- I'm going to put it all in a motion form, but
17 a lot of it's already in there, don't you guys see? A
18 lot of it's already been submitted, okay?

19 Now, Ms. Lively, with regard to mediation, my
20 understanding of mediation, that as soon as I agree to
21 that, then I give up all these rights. In other words,
22 well, it's like you kind of don't have any rights,
23 otherwise once you sign up for the mediation.
24 Furthermore, the way I look at it, a lot of this
25 material is sort of banking -- you know, it's

1 proprietary.

2 THE COURT: Let me --

3 MR. CLARK: So I can't go over that --

4 THE COURT: Mr. Clark, let me help you on
5 mediation, all right? Mediation is something that
6 people come together and someone helps them try to find
7 a solution they all can agree on. It's not that it is
8 imposed on them. They agree to meet. And the third
9 party tries to help find common ground. And so it's a
10 way of settling a matter. You don't give up other
11 rights by going to mediation. It's a way of trying to
12 resolve something short of the courtroom where everyone
13 agrees on the end result. I think that's what's being
14 proposed here.

15 MS. LIVELY: That is correct, Your Honor. We
16 wouldn't expect Mr. Clark to give up any rights unless
17 during the mediation there was, you know, a settlement
18 reached, and certainly not by going to the mediation
19 itself.

20 MR. CLARK: Okay. I need to -- see, here's the
21 thing, okay, I need everybody to understand that, you
22 know, that as hard as I try to act brave, I'm not that
23 brave. Okay? You know, as hard as I try to act mean,
24 I'm not mean. Okay? I try hard to withstand it, and I
25 can't stand it. I mean, they've hit me so hard, and the

1 family court is what kills me. I can't deal with that.
2 That's bizarre. And I just twist in the wind. It's
3 something that you guys don't understand, the emotional
4 and the physical effects of.

5 THE COURT: All right. What I'm going --

6 MR. CLARK: And it's caused a great
7 defensibility, it's caused --

8 THE COURT: Mr. Clark?

9 MR. CLARK: -- a lack of ability to deal with
10 this correctly.

11 THE COURT: Mr. Clark?

12 MR. CLARK: Yes, sir. Yes, Your Honor.

13 THE COURT: I'm going to give each of you two
14 weeks to suggest a mediator to me in writing.

15 MR. CLARK: Okay.

16 THE COURT: And I'll take a look at that and
17 I'll decide on our future situation of this case, all
18 right?

19 MR. CLARK: Yeah. That's what I'm thinking, if
20 you are the judge, right, are you Judge Hogan on the
21 phone with me here?

22 THE COURT: Yes, sir. And there is a chance --

23 MR. CLARK: I want to put it in your hands.
24 Whatever, Judge, it's like I told you, you tell me to go
25 into the third and I'll go into the third. You

1 understand? Whatever you tell me, I do. It's in your
2 hands.

3 THE COURT: Well --

4 MR. CLARK: That's what I'm saying, it's in
5 your hands. You're like my father and my mother in that
6 way, it's in your hands. I can't deal with it. You got
7 it all. I don't believe in having stuff spewed all over
8 and everything. I just want things done whatever,
9 fastest way. If you know a good mediator, just maybe
10 recommend, I'll look in the phone book, how about that?
11 I'll want it to be okay with Ms. Lively, too, okay?

12 THE COURT: All right. And by the way I'm --

13 MR. CLARK: I don't want no problems.

14 THE COURT: I'm going to take a look at who you
15 suggest. I might do it myself. I'm a pretty good
16 mediator myself.

17 MR. CLARK: Yes, sir. And, again, I am the
18 nicest person but I kind of got tweaked, you understand?
19 And other people do weird things and I try to just show
20 people in this very private but sort of not private way,
21 we can't have a society like this. We have to --

22 THE COURT: Mr. Clark.

23 MR. CLARK: -- let -- okay, yes, Your Honor,
24 I'm going to shut up, okay.

25 THE COURT: I've got a really busy calendar. I

1 don't have any more today, but we'll talk after --

2 MS. LIVELY: Your Honor, I'm sorry, I
3 understand you have to go. Would it be possible to get
4 a dispositive motion deadline after the mediation, like
5 30 days following the mediation?

6 THE COURT: Yes, but let's go ahead right --
7 yeah, okay --

8 MR. CLARK: Do I have to respond to the
9 motion --

10 THE COURT: Actually, I'll do that. I'll take
11 off the 30-day situation. That's fine with me. We'll
12 do a mediation first, and either with someone you
13 suggest or I will do it. I haven't decided. All right?

14 MS. LIVELY: Thank you, Your Honor.

15 MR. CLARK: Yeah, whatever is good, Your Honor.
16 I just want it resolved.

17 THE COURT: All right. Thank you very much.
18 We're in recess.

19 (The proceedings were concluded at 9:47 a.m.)
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CERTIFICATE

I, Deborah Wilhelm, Certified Shorthand Reporter for the State of Oregon, do hereby certify that I was present at and reported in machine shorthand the oral proceedings had in the above-entitled matter. I hereby certify that the foregoing is a true and correct transcript, to the best of my skill and ability, dated this 8th day of February, 2016.

/s/ Deborah Wilhelm

Deborah Wilhelm, RPR
Certified Shorthand Reporter
Certificate No. 00-0363