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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

JEANYNE JAMES, ROBIN COLBERT,
JANE DREVO, SAM DREVO, BROOKE
EDGE AND BILL EDGE, SR., LORI
FOWLER, IRIS HAMPTON, JAMES
HOLLAND, RACHELLE MCMASTER,
KRISTINA MONTOYA, NORTHWEST
RIVER GUIDES, LLC, SHARIENE
STOCKTON AND KEVIN STOCKTON,
VICTOR PALFREYMAN, PALFREYMAN
FAMILY TRUST, and DUANE BRUNN,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

PACIFICORP, an Oregon corporation; and
PACIFIC POWER, an Oregon registered
electric utility and assumed business name of
PACIFICORP,

Defendants.

Nos. 20CV33885 (Lead)
20CV37430, 21CV33595,
22CV13946, 22CV26326,
22CV29694, 22CV29976,
22CV30450, 22CV41640

**DEFENDANT PACIFICORP'S
MOTION FOR EXPEDITED
CONSIDERATION OF MOTION TO
MODIFY SCOPE OF CLASS
CONTACT ORDER**

Expedited Hearing Requested

Assigned to: Hon. Steffan Alexander

UTCR 5.010 AND 5.050 STATEMENTS

The parties conferred by email and telephone regarding Defendant PacifiCorp's
Motion to Modify Scope of Class Contact Order ("Motion to Modify") and were unable to
resolve their underlying disputes. During the conferral call, PacifiCorp further noted that it
would request expedited consideration given the pending class member inquiry. PacifiCorp
requests oral argument on the underlying Motion to Modify and estimates that 10 minutes
will be required. PacifiCorp request official court reporting services.

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MOTION

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2 Pursuant to SLR 5.015(3), PacifiCorp respectfully requests expedited consideration
3 and oral argument on the Motion to Modify at the earliest date the Court is available.
4 PacifiCorp estimates that the expedited hearing conference will require no more than 10
5 minutes. PacifiCorp requests official court reporting services. This Motion for Expedited
6 Consideration is supported by the Motion to Modify and the declaration of Alison Plessman
7 in support of the Motion to Modify (“Plessman Decl.”), the following points and authorities,
8 and the records and pleadings on file herein.

POINTS AND AUTHORITIES

9
10 The Court should consider the Motion to Modify on an expedited basis because there
11 is an outstanding inquiry from a class member that PacifiCorp has not yet responded to
12 pending guidance from the Court. On July 1, 2024, PacifiCorp’s counsel first received an
13 anonymous email from an individual claiming to be a member of the *James* class. (Plessman
14 Decl., Ex. 1.) Given the anonymous nature of the message, it was not clear if the inquiry was
15 legitimate, and PacifiCorp did not respond at that time. On July 17, 2024, PacifiCorp’s
16 counsel received a voicemail from an individual claiming to be the same person who sent the
17 email (*Id.* ¶ 5), which indicated that the prior anonymous email was likely legitimate.

18 The next day, on July 18, 2024, PacifiCorp emailed lead counsel to alert them to the
19 pending class member inquiry and to request a conferral to ask if lead counsel would be
20 willing to stipulate to a modification of the required response to class member inquiries as
21 laid out in PacifiCorp’s underlying Motion to Modify. (*Id.* ¶ 6.) PacifiCorp received no
22 response for the next five calendar days. PacifiCorp followed up on July 22, 2024, indicating
23 that it planned to file the Motion to Modify on July 23, 2024 in light of the urgent need to
24 respond to the pending class member inquiry. (*Id.*) Plaintiffs responded on July 23, 2024
25 and requested that PacifiCorp send over copies of the email and voicemail, which PacifiCorp
26 provided. (*Id.*) Plaintiffs then indicated that they were willing to confer on July 24, 2024.

1 (*Id.*) PacifiCorp agreed in good faith to hold off on the filing for one more day in order to
2 accommodate the conferral. On July 24, 2024, the parties conferred but were unable to
3 resolve the underlying disputes.

4 Expedited consideration of the Motion to Modify is needed—especially in light of the
5 fact that PacifiCorp has already been required to wait six days to even schedule a conferral
6 with Plaintiffs—because PacifiCorp cannot respond to the pending class member inquiry
7 absent guidance from the Court. Because the class member inquiry at issue seeks direct
8 settlement with PacifiCorp, the pending inquiry is not adequately addressed by the current
9 required response under the November 7, 2022 Order Re: Stipulated Motion to Limit
10 Defendants’ Contact with Class Members.

11 DATED: July 24, 2024

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/s/ Per A. Ramfjord

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CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing document titled
**DEFENDANTS’ MOTION FOR EXPEDITED CONSIDERATION OF MOTION TO
MODIFY SCOPE OF CLASS CONTACT ORDER** on the following named person(s) or
party(ies) on the date and by the method(s) indicated below.

- mailing with postage prepaid. email. (courtesy copy only)
- hand delivery. email pursuant to agreement among
parties/counsel dated July 16, 2024, consenting
to service via email.
(Plaintiffs James, et al. only)
- overnight delivery. eService via OJD eFile. (if registered)

If by mail or overnight delivery, a true copy of the above referenced document(s) was served
upon said person(s) or party(ies), contained in a sealed envelope or package, addressed to
said person(s) or party(ies) at their last-known address(es) indicated below.

Service List Attached

DATED: July 24, 2024

/s/ Per A. Ramfjord
PER A. RAMFJORD, OSB 934024

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