

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
DUANCE BRUNN, individual 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.

Case No. 20CV33885

ORDER GRANTING, IN PART,
DEFENDANTS' OMNIBUS MOTION
TO MAKE MASS SHORT-FORM
COMPLAINTS NOS. 1-5 MORE
DEFINITE AND CERTAIN

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The matter before the court is defendants' Omnibus Motion to Make Mass Short-Form Complaints Nos. 1-5 More Definite and Certain. A hearing was held on October 4, 2024.

Attorney Benjamin Gould argued on behalf of plaintiffs. Attorney Brad Daniels argued on behalf of defendants. The court considered the pleadings, briefs, declarations, and arguments submitted to the court. For the reasons stated on the record, defendants' Omnibus Motion to Make Mass Short-Form Complaints Nos. 1-5 More Definite and Certain is GRANTED, in part.

IT IS HEREBY ORDERED:

1. Absent Class Members whose claims have been selected and assigned to a specific trial slate in accordance with Case Management Order No. 10 must file an amended short form complaint alleging the ultimate facts regarding the class member's location and general experiences immediately-before, during, and after the Labor Day 2020 fires that they may rely upon in support of their claims for economic and noneconomic damages.
2. To the extent a class member alleges any of the following categories of injury, the class member must identify the sub-categories with particularity:
 - Other structures total loss
 - Other structures partial loss
 - Real property improvements destroyed (fences, roads, well, septic system, etc.)
 - Real property improvements damaged (fences, roads, well, septic system, etc.), including erosion damage.
 - Damage to timber, trees, crops, livestock, animals, or vegetation.
3. To the extent a class member alleges any of the following categories of damages, the class member must identify the sub-categories with particularity:
 - Lost wages or impairment of earning capacity, and/or business profits or proceeds and/or any related displacement expenses.
 - Loss of timber, trees, crops, livestock, animals, or vegetation
 - Lost business profits or proceeds
 - Alternative living or displacement expenses
 - Past and future medical expenses and incidental expenses
 - Any other loss, expenses, costs, or damages

4. To the extent a class member may claim loss of personal property for an item valued at more than \$10,000, that item must be alleged with particularity, *eg*, a boat or a car.
5. The amount of economic damages must be pleaded with more particularity, leave to amend will be freely given to amend the allegations with a more particularized amount of economic damages 10 days before an Absent Class Member's deposition.
6. For the reasons stated by plaintiffs, the remainder of defendant's motion to make more definite and certain is DENIED.

A handwritten signature in black ink that reads "Steffan Alexander". The signature is written in a cursive style and is positioned above a solid horizontal line.

Circuit Court Judge Steffan Alexander

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