

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

**MARIE TYVOLL and SHANNON HILLER-
WEBB,**

PLAINTIFFS,

v.

**SOUTHWEST NEIGHBORHOODS, INC., an
Oregon public benefit corporation,**

DEFENDANT.

CASE NO. 20CV35030

**Declaration of James J.
McLaughlin**

Supporting Plaintiffs' Response
to Defendant's Motion for
Summary Judgment & Cross-
Motion for Summary Judgment

I, James J. McLaughlin, declare as follows:

1. I am over the age of 18. Except as otherwise indicated, I make this declaration upon personal knowledge. If called to do so, I would testify truthfully as follows.

2. I have lived in the West Portland Park neighborhood in outer southwest Portland for over 40 years. West Portland Park is part of the West Portland Park Neighborhood Association (WPPNA), which was affiliated with the Southwest Neighborhoods, Inc. (SWNI) as its District Coalition until SWNI was recently defunded by City Council.

3. I am a former attorney. During my active career, I was an Assistant United States Attorney (AUSA) for the District of Oregon and an

1 Assistant Attorney General for the Oregon Department of Justice Financial
2 Fraud Section, Civil Division. I also worked in private practice to represent
3 clients who were the victims of various fraud schemes perpetrated by, among
4 others, banks, insurance companies, and auto dealers.

5 4. Outside work, I was an active community member in my local
6 neighborhood through service to WPPNA. Over the years, I served both as a
7 Board member-at-large and as the President of WPPNA. As part of my service,
8 I became the WPPNA representative to SWNI beginning in about 2008, by
9 virtue of being the President of WPPNA at that time.

10 5. As the WPPNA representative to SWNI, I was a *de facto* SWNI
11 Board member, by operation of Portland City Code.

12 6. In late 2010 or early 2011, during my tenure as a *de facto* Board
13 member, we learned that all of SWNI's then-most recent paychecks to its
14 employees had bounced. Given that SWNI received dedicated funds from the
15 City to pay its employees, it was clear that financial mismanagement of some
16 kind had taken place, though at that time we were not certain whether it was
17 a case of misfeasance or of malfeasance.

18 7. After extensively examining SWNI's financials, we realized it was
19 malfeasance. The Portland Police Bureau was notified, which began an
20 investigation, resulting in an extensive police report being filed with the
21 Multnomah County District Attorney's Office. Rod Underhill, who was
22 Multnomah County's Chief Deputy District Attorney at the time, prosecuted
23 Virginia Stromer, who had used her position as SWNI's Operations Manager
24 to embezzle, over a period of years, more than \$130,000 from SWNI. The
25 indictment returned by the Multnomah County Grand Jury in the case alleged
26 that Stromer's crimes dated back to at least 2006. Stromer pleaded guilty and
27 was sentenced to 38 months in state prison. She was also ordered to pay full

1 restitution to SWNI. The case register for Stromer's prosecution, captioned
2 *State of Oregon vs. Virginia Ellen Stromer*, Multnomah County Circuit Court
3 Case No. 110732790, is attached hereto as **Exhibit 1**.

4 8. Brian Russell, the President of SWNI at the time, formed an
5 internal investigation committee, comprising five SWNI Board members, with
6 the Mr. Russell serving in an *ex officio* capacity (collectively, the
7 "Committee"). Mr. Russell requested that I serve on the Committee, and I
8 obliged. For, aside from my fiduciary obligations as a Board member, it was
9 important to me to understand the facts leading up to the loss of taxpayer-
10 provided money and to help make recommendations for changes to SWNI's
11 policies, practices, and procedures to put SWNI's financial house in order,
12 and—hopefully—to prevent a repetition.

13 9. As the Committee culled through SWNI's financial documents, I
14 realized that the financial malfeasance, irregularities, and defalcations went
15 further back than 2006, and appeared to involve every aspect of SWNI's
16 finances—except, oddly, credit cards. There were no records in SWNI's files
17 that the Committee could locate of SWNI having credit cards, which, given
18 my experience in fraud cases, seemed unusual. At a full SWNI Board meeting
19 in the spring of 2011, after SWNI Executive Director Sylvia Bogert gave the
20 SWNI Board an oral report on the progress of the Committee investigation, I
21 asked Ms. Bogert if SWNI had ever had any credit cards and, if it had, where
22 SWNI's records of those credit cards, including statements and
23 correspondence, were located. Ms. Bogert appeared stunned at my questions
24 and stammered and did not respond immediately. Mr. Russell then stood up
25 and announced to the Board that he had had a meeting earlier that day with
26 Ms. Bogert wherein Ms. Bogert had told him about a SWNI credit card that
27 had been in existence in the period from about 2002 through 2006, and which

1 had been misused and which was eventually paid off. In 2006, the AmEx card
2 had a balance exceeding \$19,000, with charges not relevant to the
3 organization.

4 10. Through further investigation, the Committee learned that
5 SWNI's Executive Director Sylvia Bogert had known since at least 2004 about
6 the AmEx card charges—something she didn't reveal to us until after we
7 began pressing her.

8 11. Bogert admitted to the Committee that she never told the SWNI
9 Board about the AmEx charges she discovered in 2004—not when she first
10 discovered them; not when new fraudulent charges started accruing to
11 SWNI's operating budget in 2006; and not when the Multnomah County
12 District Attorney prosecuted Stromer in 2011.

13 12. Rather than disclosing the \$19,000 AmEx fraud at any point over
14 the 7 years, Bogert claimed to the Committee that she obtained a personal
15 loan to pay off the balance to AmEx—converting to herself personally the debt
16 that had been fraudulently accrued in SWNI's name. She also admitted that
17 she made no effort to investigate by whom the charges were made or who
18 benefitted from the things purchased with SWNI's AmEx card.

19 13. Bogert's failure to disclose the fraudulent charges to the Board
20 when she claimed to have discovered them in 2004 meant that no financial
21 controls were put in place to prevent something like that from happening
22 again. Bogert's cover up and material omissions created the conditions for the
23 second, larger series of embezzlements, for which Stromer was caught and
24 prosecuted, to go on for at least five years, from 2006 through 2011—
25 culminating in over \$130,000 of additional loss to SWNI.

26 14. The actions Sylvia Bogert took to cover up the existence of the
27 AmEx card, to supposedly pay off the balance personally, and to ensure that

1 all documents pertaining to the card were not available, remain unexplained
2 to this day. In my opinion, that is suspicious.

3 15. I made my opinion known to the Board back in 2011. I believed
4 that Sylvia Bogert's employment with SWNI should have been terminated,
5 immediately. I did not think my opinion would be controversial. SWNI is,
6 after all, the steward of Portland taxpayer-provided funds that are supposed
7 to be used to benefit the neighborhoods in which we, the Board members,
8 lived. To my surprise, some members of the Board—including Leslie
9 Hammond and Janet Hawkins—joined forces with Bogert and began to engage
10 in increasingly hostile and bullying behavior toward me, including filing
11 various complaints with the then-Office of Neighborhood Involvement (ONI,
12 which is now the Office of Community & Civic Life). Neither ONI nor any
13 other person or entity ever provided me with a copy of those complaints, but I
14 was directed by an email from ONI to meet with an "investigator" hired by
15 ONI and present my "defense." Not being interested in the McCarthyite
16 kangaroo court proceeding, I declined that offer. Thereafter, the SWNI Board
17 removed me as SWNI First Vice President.

18 16. Around the fall of 2019, I received a series of messages on my
19 land line telephone answering machine from a woman who identified herself
20 as Shannon Hiller-Webb, a member of the then-current SWNI Board, who
21 requested to meet with me or at least to have a detailed phone conversation
22 about SWNI and my experiences with SWNI. Ms. Hiller-Webb also requested I
23 meet or talk with another SWNI Board member, Marie Tyvoll. I was initially
24 reluctant to do so and did not return the first few calls from Ms. Hiller-Webb.
25 I was reluctant at first because my SWNI experience was personally painful
26 and affected my health, and I didn't want to relive it. But Ms. Hiller-Webb
27 kept on trying to get in touch and I eventually returned one of her calls. I

1 learned that Ms. Hiller-Webb and Ms. Tyvoll, too, were beginning to experience
2 hostile behavior from the same players who had forced me off the Board years
3 before. Having learned that, I agreed to talk to them.

4 17. When Hiller-Webb and Tyvoll shared with me their experiences
5 as SWNI Board members, I could relate completely—it was like déjà vu all
6 over again, to quote Yogi Berra. I recognized the same bullying tactics and
7 same circling of the wagons that I had witnessed, and felt the effects of
8 firsthand, in 2011.

9 18. I have stayed in touch with Ms. Hiller-Webb and Ms. Tyvoll since
10 I met them back in 2019. Back then, I understood that they were concerned
11 about a \$10,000 line item that had appeared on SWNI's balance sheets. The
12 line item was designated as "restricted funds," but it was unclear where those
13 funds had come from or what restrictions applied to them. Had those funds
14 shown up when I was serving as a Board member, I would have seen it as my
15 fiduciary duty to SWNI to understand the provenance of the funds and how
16 they could be spent, based on the restrictions.

17 19. In 2020, I came to learn—first through Hiller-Webb and Tyvoll
18 and then through my own online research—that SWNI had requested and
19 received over \$66,000 as a potentially forgivable loan from the federal
20 government's Paycheck Protection Program (PPP) under the Coronavirus Aid,
21 Relief, and Economic Security (CARES) Act of 2020. Looking through SWNI's
22 publicly available financial statements, I could not understand how a PPP loan
23 would ever be appropriate for SWNI—the organization had dedicated funding
24 from the City to cover its employees' paychecks. Given the number of small
25 businesses that were struggling to survive in our City, it was unconscionable
26 to me that SWNI dipped its hands into the pot of limited PPP loan money out
27

1 of caution that the City theoretically could have (but had not) implemented a
2 cut to SWNI's budget as part of larger City-wide austerity measures.

3 20. As a result, I submitted testimony to City Council on July 9,
4 2020, by video and by letter, asking City Council to exercise its control over
5 SWNI and hold the organization to account. A true and accurate copy of my
6 videotaped testimony, which runs from minute 3:45 to 11:07 and is part of a
7 larger compilation of community members' testimony, is available at this link:
8 <https://www.youtube.com/watch?v=-TqMsMoTOro>.

9 21. Not long after that July 9, 2020, City Council meeting, Portland's
10 Office of Community & Civic Life ("Civic Life") (which was called the Office of
11 Neighborhood Involvement, or ONI, when I was a SWNI Board member)
12 retained independent forensic accounting firm Marsh & Minick, P.C., to
13 conduct a forensic audit of SWNI. The audit was not just about concerns
14 related to SWNI's financial mismanagement, but also investigated Civic Life's
15 stated concerns of "a continuation of suspicious activity, abuse of power,
16 conflicts of interest, lack of transparency and inequitable practices." *See*
17 *MARSH & MINICK, P.C., Forensic Audit: Findings Report—Southwest*
18 *Neighborhoods, Inc.* 10 (Nov. 13, 2020), *available at*
19 <https://pamplinmedia.com/documents/artdocs/00003688597482-0773.pdf>.

20 22. I participated in the interviews that Marsh & Minick conducted
21 as part of its audit, sharing my experience as a SWNI Board member.

22 23. It saddens me that a District Coalition like SWNI—which I
23 understand was designed to create a forum through which its 17
24 Neighborhood Associations could participate with City Council to share in
25 their own governance—for so long was able to silence dissenting voices and
26 leverage taxpayer monies to represent the individualistic interests of a
27 powerful few. That is not community.

1 24. I was also saddened to learn that the City of Portland took the
2 official position (through the City Attorney's Office), and the Multnomah
3 County District Attorney agreed, that District Coalitions are not subject to the
4 Oregon Public Records Law's disclosure and transparency requirements that
5 are designed to give constituents the power to supervise the people, officials,
6 and organizations that hold themselves out as representing their interests. By
7 way of example, had Tyvoll and Hiller-Webb been able to obtain the public
8 records they requested sooner, maybe SWNI's Directors and Officers could
9 have been prevented from improperly acquiring PPP loan funding that should
10 more appropriately have gone to one of the many local businesses that had to
11 close its doors in our Southwest Portland neighborhoods after PPP loan funds
12 were exhausted.

13
14
15
16 DATED: January 10, 2022

s/ James J. McLaughlin

James J. McLaughlin

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REGISTER OF ACTIONS

[CASE NO. 110732790](#)

State of Oregon VS. VIRGINIA ELLEN STROMER

§
§
§
§
§
§

Case Type: **Offense Felony**

Date Filed: **07/11/2011**

Location: **Multnomah**

District Attorney Number: **2218771-1A**

PARTY INFORMATION

Defendant **STROMER, VIRGINIA ELLEN** *Also Known As* **CPMS, 757003**

Female White
DOB: 1949
5' 1", 275 lbs

2221 SE 53rd Ave
Hillsboro, OR 97123
SID: OR19065710

Attorneys

Damien S Donnelly-Cole
Court Appointed
503 664-3646(W)

Noah A F Horst, MPH
Court Appointed
971 229-1241(W)

Plaintiff **State of Oregon**

DENNIS H SHEN
503 684-4072(W)

CHARGE INFORMATION

Charges: STROMER, VIRGINIA ELLEN

	Statute	Level	Date
1. Aggravated Theft in the First Degree	164.057	Felony Class B	07/19/2006
2. Aggravated Theft in the First Degree	164.057	Felony Class B	12/14/2006
3. Aggravated Theft in the First Degree	164.057	Felony Class B	05/01/2007
4. Aggravated Theft in the First Degree	164.057	Felony Class B	09/14/2007
5. Aggravated Theft in the First Degree	164.057	Felony Class B	01/03/2008
6. Theft in the First Degree	164.055	Felony Class C	05/14/2008
7. Aggravated Theft in the First Degree	164.057	Felony Class B	10/24/2008
8. Theft in the First Degree	164.055	Felony Class C	04/06/2009
9. Aggravated Theft in the First Degree	164.057	Felony Class B	09/11/2009
10. Theft in the First Degree	164.055	Felony Class C	02/10/2010
11. Theft in the First Degree	164.055	Felony Class C	07/16/2010

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

07/18/2011 **Plea** (Judicial Officer: Unassigned, Judge)
1. Aggravated Theft in the First Degree
Not Guilty
10. Theft in the First Degree
Not Guilty
11. Theft in the First Degree
Not Guilty
2. Aggravated Theft in the First Degree
Not Guilty
3. Aggravated Theft in the First Degree
Not Guilty
4. Aggravated Theft in the First Degree
Not Guilty
5. Aggravated Theft in the First Degree
Not Guilty
6. Theft in the First Degree
Not Guilty
7. Aggravated Theft in the First Degree
Not Guilty
8. Theft in the First Degree
Not Guilty
9. Aggravated Theft in the First Degree
Not Guilty
Created: 07/18/2011 12:00 AM

11/04/2011	Amended Plea (Judicial Officer: Unassigned, Judge) Reason: Conversion - Amendment Reason 1. Aggravated Theft in the First Degree Guilty 10. Theft in the First Degree Guilty 11. Theft in the First Degree Guilty 2. Aggravated Theft in the First Degree Guilty 3. Aggravated Theft in the First Degree Guilty 4. Aggravated Theft in the First Degree Guilty 5. Aggravated Theft in the First Degree Guilty 6. Theft in the First Degree Guilty 7. Aggravated Theft in the First Degree Guilty 8. Theft in the First Degree Guilty 9. Aggravated Theft in the First Degree Guilty Created: 11/08/2011 12:00 AM
01/20/2012	Disposition (Judicial Officer: Unassigned, Judge) 1. Aggravated Theft in the First Degree Convicted 10. Theft in the First Degree Convicted 11. Theft in the First Degree Convicted 2. Aggravated Theft in the First Degree Convicted 3. Aggravated Theft in the First Degree Convicted 4. Aggravated Theft in the First Degree Convicted 5. Aggravated Theft in the First Degree Convicted 6. Theft in the First Degree Convicted 7. Aggravated Theft in the First Degree Convicted 8. Theft in the First Degree Convicted 9. Aggravated Theft in the First Degree Convicted Created: 01/20/2012 12:00 AM
01/20/2012	Sentence (Judicial Officer: Unassigned, Judge) 1. Aggravated Theft in the First Degree Converted Disposition: Restitution \$170888.23 Payee S W N I Victim Unitary Assessment \$107.00 Waived Offense Surcharge \$35.00 Waived Converted Disposition: Probation Cond..... All General Conditions Apply Guidelines: Severity 5 History I Departure: Durational(UP) Special Condition: DNA Blood Draw Probation to Community Corrections - Month(s): 60.00 11 No Contact w/Victim 14 No Trespassing 46 Advise Nature of Crime 47 Employment Info to PO 48 No Employment w/Money 49 Provide Financial Rcds 50 No Trans Over \$200 51 No Credit Cd/Checks/ID 02 Judicial Supervision Created: 02/22/2012 12:00 AM
01/20/2012	Sentence (Judicial Officer: Unassigned, Judge) 10. Theft in the First Degree Converted Disposition: Guidelines: Severity 4 History E Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 13.00 Post Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/17/2012 12:00 AM
01/20/2012	Sentence (Judicial Officer: Unassigned, Judge) 11. Theft in the First Degree Converted Disposition: Guidelines: Severity 3 History E Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 13.00 Post Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/22/2012 12:00 AM
01/20/2012	Sentence (Judicial Officer: Unassigned, Judge) 2. Aggravated Theft in the First Degree Converted Disposition:

	<p>Guidelines: Severity 5 History G Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 19.00 Post Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/17/2012 12:00 AM</p>
01/20/2012	<p>Sentence (Judicial Officer: Unassigned, Judge) 3. Aggravated Theft in the First Degree Converted Disposition: Guidelines: Severity 5 History F Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 19.00 Post Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/17/2012 12:00 AM</p>
01/20/2012	<p>Sentence (Judicial Officer: Unassigned, Judge) 4. Aggravated Theft in the First Degree Converted Disposition: Guidelines: Severity 5 History F Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 19.00 Post Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/17/2012 12:00 AM</p>
01/20/2012	<p>Sentence (Judicial Officer: Unassigned, Judge) 5. Aggravated Theft in the First Degree Converted Disposition: Guidelines: Severity 5 History E Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 19.00 Post Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/22/2012 12:00 AM</p>
01/20/2012	<p>Sentence (Judicial Officer: Unassigned, Judge) 6. Theft in the First Degree Converted Disposition: Guidelines: Severity 4 History E Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 13.00 Post Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/22/2012 12:00 AM</p>
01/20/2012	<p>Sentence (Judicial Officer: Unassigned, Judge) 7. Aggravated Theft in the First Degree Converted Disposition: Probation Cond..... All General Conditions Apply Guidelines: Severity 5 History E Departure: Dispositional and Durational(UP) Special Condition: DNA Blood Draw Probation to Community Corrections - Month(s): 60.00 Created: 02/17/2012 12:00 AM</p>
01/20/2012	<p>Sentence (Judicial Officer: Unassigned, Judge) 8. Theft in the First Degree Converted Disposition: Guidelines: Severity 4 History E Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 13.00 Post Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/22/2012 12:00 AM</p>
01/20/2012	<p>Sentence (Judicial Officer: Unassigned, Judge) 9. Aggravated Theft in the First Degree Converted Disposition: Probation Cond..... All General Conditions Apply Guidelines: Severity 5 History E Departure: Dispositional and Durational(UP) Special Condition: DNA Blood Draw Probation to Community Corrections - Month(s): 60.00 Created: 02/17/2012 12:00 AM</p>
	OTHER EVENTS AND HEARINGS
07/11/2011	<p>Indictment Created: 07/11/2011 12:00 AM</p>
07/11/2011	<p>Warrant - Arrest (Judicial Officer: Fuchs, Alicia A) <i>Comment: NCIC; Court Action: Signed; Court Action Date: 07/11/2011; Judge: Alicia A Fuchs;</i> Signed: 07/11/2011 Created: 07/11/2011 12:00 AM</p>
07/18/2011	<p>Arraignment (Judicial Officer: Bergstrom, Eric J.) <i>Room: JC3N;</i> Created: 07/18/2011 12:00 AM</p>
07/18/2011	<p>Arraignment - Count Created: 07/18/2011 12:00 AM</p>
07/18/2011	<p>Remove - Inactive Status Created: 07/18/2011 12:00 AM</p>
07/18/2011	<p>Order - Appear (Judicial Officer: Bergstrom, Eric J.) <i>Court Action: Signed; Court Action Date: 07/18/2011; Judge: Eric J. Bergstrom;</i> Signed: 07/18/2011 Created: 07/18/2011 12:00 AM</p>
07/18/2011	<p>Agreement - Recognizance Release <i>Comment: ROR;</i> Created: 07/18/2011 12:00 AM</p>
07/18/2011	<p>Notice - Advise Appeal Rights Created: 07/19/2011 12:00 AM</p>
07/18/2011	<p>Return - Service Arrest Warrant <i>Court Action: Served; Court Action Date: 07/15/2011;</i> Created: 07/18/2011 12:00 AM</p>

07/18/2011 **Motion - Recognizance Release**
Created: 07/18/2011 12:00 AM

07/18/2011 **Application**
Created: 07/18/2011 12:00 AM

07/18/2011 **Affidavit - Eligibility - ACP**
Created: 07/18/2011 12:00 AM

07/18/2011 **Order - Appointing Counsel** (Judicial Officer: Bergstrom, Eric J.)
Court Action: Signed; Court Action Date: 07/18/2011; Judge: Eric J. Bergstrom;
Signed: 07/18/2011
Created: 07/18/2011 12:00 AM

07/18/2011 **Plea - Not Guilty**
Created: 07/18/2011 12:00 AM

07/18/2011 **Arraignment** (9:45 AM) ()
Created: 07/17/2011 12:00 AM

07/18/2011 **Judgment - Limited Creates Lien**
;Court Action: Signed; Court Action Date: 07/18/2011; ;Court Action: Signed; Court Action Date: 07/18/2011;
Created: 07/19/2011 3:24 PM

07/19/2011 **Miscellaneous**
Comment: Control number added per control number report;
Created: 07/19/2011 12:00 AM

07/19/2011 **Hearing - Case Management**
Room: UNTA;
Created: 07/19/2011 12:00 AM

07/26/2011 **Miscellaneous**
Comment: SID 19065710 provided by DSSJ;
Created: 07/26/2011 12:00 AM

07/28/2011 **Certificate - Victim Notification**
Comment: VICTIM: Certificate only filed;
Created: 07/29/2011 12:00 AM

09/02/2011 **CANCELED Call** (1:30 PM) ()
Set-Over Def
Event Status: Set-Over Def; Event Status Date: 09/02/2011;
Result: Set-Over
Created: 07/18/2011 12:00 AM

09/06/2011 **Trial** (8:55 AM) ()
Created: 07/18/2011 12:00 AM

09/28/2011 **CANCELED Call** (1:30 PM) ()
Set-Over Def
Event Status: Set-Over Def; Event Status Date: 09/28/2011;
Result: Set-Over
Created: 09/02/2011 12:00 AM

10/04/2011 **Notice - Representation**
Created: 10/05/2011 12:00 AM

10/28/2011 **CANCELED Call** (1:30 PM) ()
Set-Over Def
Event Status: Set-Over Def; Event Status Date: 10/31/2011;
Result: Set-Over
Created: 09/28/2011 12:00 AM

10/31/2011 **Order** (Judicial Officer: Wilson, Janice R)
Comment: Defendant may travel to Seattle, WA 10/28/11-10/30/11; Court Action: Signed; Court Action Date: 10/28/2011; Judge: Janice R Wilson;
Signed: 10/28/2011
Created: 10/31/2011 12:00 AM

11/04/2011 **Finding - Guilty**
Created: 11/08/2011 12:00 AM

11/04/2011 **Hearing - Plea** (Judicial Officer: YOU, YOULEE)
Room: TYYY; Est Length of Time: 1 Hour(s); Judge: YOULEE Y YOU; Court Appointed: DAMIEN S DONNELLY-COLE District Attorney: DENNIS H SHEN Defendant: VIRGINIA ELLEN STROMER Reporter: FTR
Created: 11/08/2011 12:00 AM

11/04/2011 **Plea - Guilty**
Created: 11/08/2011 12:00 AM

11/04/2011 **Hearing - Settlement Conference** (3:30 PM) ()
Est length of time: 90 Minute(s)
Created: 11/04/2011 12:00 AM

11/14/2011 **Petition - Guilty Plea**
Created: 11/15/2011 12:00 AM

11/14/2011 **Order** (Judicial Officer: YOU, YOULEE)
Comment: PLED & FND GUILTY:CT# 1-11 S/O SENT G TO 1/20/12 @ 9:30; Court Action: Signed; Court Action Date: 11/04/2011; Judge: YOULEE Y YOU;
Signed: 11/04/2011
Created: 11/15/2011 12:00 AM

11/14/2011 **Order - Presentence Investigation** (Judicial Officer: YOU, YOULEE)
Court Action: Signed; Court Action Date: 11/04/2011; Judge: YOULEE Y YOU;
Signed: 11/04/2011
Created: 11/15/2011 12:00 AM

11/14/2011 **CANCELED Call** (1:30 PM) ()
Guilty Plea
Event Status: Cancelled: Guilty Plea; Event Status Date: 11/10/2011;
Result: Cancelled

11/15/2011 Created: 10/31/2011 12:00 AM
Order (Judicial Officer: YOU, YOULEE)
Comment: SHOWING CHARGE FORMAT OF POSSIBLE SENT G; Court Action: Signed; Court Action Date: 11/04/2011; Judge: YOULEE Y YOU;
Signed: 11/04/2011
Created: 11/15/2011 12:00 AM

01/20/2012 **Convicted**
Created: 01/20/2012 12:00 AM

01/20/2012 **Hearing - Sentencing** (Judicial Officer: YOU, YOULEE)
Room: TYYY; Est Length of Time: 1 Hour(s); Judge: YOULEE Y YOU; Court Appointed: DAMIEN S DONNELLY-COLE District Attorney: DENNIS H SHEN Defendant: VIRGINIA ELLEN STROMER Reporter: FTR
Created: 01/20/2012 12:00 AM

01/20/2012 **Hearing - Sentencing** (9:30 AM) ()
Est length of time: 1 Hour(s)
Created: 11/08/2011 12:00 AM

01/23/2012 **Order** (Judicial Officer: YOU, YOULEE)
Comment: THE JGMNT FOR CT APPTD ATTY FEES (ID APP & ID CONTRIB.) IS VACATED. ALL MONIES PAID TOWARD THAT JGMNT SHALL BE APPLIED TO RESTITUTION ORDERED ON 1-20-12; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/24/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#1:GRID 5I;PROB 60M FP,FIN CRIMES,BLBC,NO JC2;WV\$\$;REST: \$170888.23; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#2:GRID 5G;PRISON 19M;PPS 24M;BLBC,ALTY;AIP;WV\$\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#3:GRID 5F;PRISON 19M;C/S CT#2;PPS 24?;BLBC;ALTY;AIP;WV\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#4:GRID 5F;PRISON 19M,C/C CT #3;BLBC,ALTY;AIP;WV\$\$; Court Action: Signed; Court Action Date: 01/23/2012; Judge: YOULEE Y YOU;
Signed: 01/23/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#5:GRID 5E;PRISON 19M C/C CT 3 & 4;PPS 24M;BLBC;ALTY;AIP WV\$\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#6:GRID 4E;PRISON 13M,C/C CT 3-5;PPS 24M;BLBC,ALTY;AIP;WV\$\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#7:GRID 5E;PROB 60M FP,SAME AS COUNT #6,BLBC;WV\$\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#8:GRID 4E;PRISON 13M C/C CT 3-6;PPS 24M;BLBC;WV\$\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#9:GRID 5E;PROB 60M FP,BLBC SAME COND S AS CT#1;WV\$\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#10:GRID 4E;PRISON 13M C/C CT# 3-6 & 8;PPS 24M;BLBC,ALTY AIP;WV\$\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

01/23/2012 **Disposition - Interim** (Judicial Officer: YOU, YOULEE)
Comment: CT#11:GRID 3E;PROB 13M C/C CT# 3-6,8 & 10;PPS 24M;BLBC;ALTY; AIP;WV\$\$; Court Action: Signed; Court Action Date: 01/20/2012; Judge: YOULEE Y YOU;
Signed: 01/20/2012
Created: 01/25/2012 12:00 AM

Exhibit 1
Page 6 of 8

10/27/2014	Letter - Appearance Created: 11/07/2014 2:28 PM
12/31/2014	Letter - Appearance Created: 01/09/2015 9:31 AM
01/27/2015	Letter - Appearance Created: 04/26/2015 9:49 AM
02/26/2015	Letter - Appearance Created: 04/28/2015 3:48 PM
03/27/2015	Letter - Appearance Created: 05/03/2015 11:19 AM
04/27/2015	Letter - Appearance Created: 05/05/2015 11:43 AM
05/26/2015	Letter - Appearance Created: 06/01/2015 11:13 AM
07/06/2015	Letter - Appearance Created: 07/10/2015 3:40 PM
07/22/2015	Letter - Appearance Created: 07/27/2015 12:00 PM
07/27/2015	Letter - Appearance Created: 07/30/2015 9:12 AM
08/27/2015	Letter - Appearance Created: 10/07/2015 11:06 AM
09/28/2015	Letter - Appearance Created: 10/13/2015 11:46 AM
11/23/2015	Letter - Appearance Created: 11/25/2015 1:18 PM
12/21/2015	Letter - Appearance Created: 12/23/2015 10:18 AM
12/21/2015	Letter Created: 12/23/2015 10:37 AM
01/25/2016	Letter Created: 01/26/2016 11:16 AM
02/22/2016	Letter Created: 02/22/2016 4:31 PM
03/24/2016	Letter - Appearance Created: 03/25/2016 1:48 PM
04/22/2016	Letter Created: 04/25/2016 11:43 AM
05/31/2016	Letter Created: 06/07/2016 1:52 PM
06/27/2016	Letter Created: 06/30/2016 10:20 AM
07/26/2016	Letter Created: 07/26/2016 9:42 AM
09/02/2016	Letter - Appearance Created: 09/02/2016 1:14 PM
09/23/2016	Letter Created: 09/28/2016 9:50 AM
10/27/2016	Letter Created: 10/27/2016 11:35 AM
11/25/2016	Letter Created: 11/30/2016 12:33 PM
12/27/2016	Letter Created: 01/06/2017 8:48 AM
02/24/2017	Letter Created: 03/02/2017 9:56 AM
03/27/2017	Letter Created: 03/30/2017 10:44 AM
05/05/2017	Letter Created: 05/11/2017 10:45 AM
05/30/2017	Letter Created: 06/02/2017 4:33 PM
07/03/2017	Letter Created: 07/06/2017 2:29 PM
07/28/2017	Letter Created: 08/02/2017 3:39 PM
08/30/2017	Letter Created: 08/30/2017 4:04 PM
09/25/2017	Letter Created: 09/27/2017 11:36 AM
10/27/2017	Letter Created: 11/01/2017 3:21 PM
12/06/2017	Letter Created: 12/06/2017 9:58 AM
03/29/2018	Recordation - Collection Referral Judgment Created: 03/29/2018 7:55 AM

FINANCIAL INFORMATION

Defendant STROMER, VIRGINIA ELLEN			
	Total Financial Assessment		215,713.29
	Total Payments and Credits		11,713.00
	Balance Due as of 01/07/2022		204,000.29
07/19/2011	Transaction Assessment		295.00
02/17/2012	Transaction Assessment		170,888.23
03/12/2012	Transaction Assessment		200.00
06/10/2014	Mail Payment	Receipt # 2014-238655	STROMER, VIRGINIA ELLEN (25.00)
07/01/2014	Mail Payment	Receipt # 2014-288664	STROMER, VIRGINIA ELLEN (25.00)
07/29/2014	Mail Payment	Receipt # 2014-344750	STROMER, VIRGINIA ELLEN (25.00)
09/02/2014	Mail Payment	Receipt # 2014-410449	STROMER, VIRGINIA ELLEN (25.00)
10/01/2014	Mail Payment	Receipt # 2014-464492	STROMER, VIRGINIA ELLEN (25.00)
10/28/2014	Mail Payment	Receipt # 2014-517390	STROMER, VIRGINIA ELLEN (25.00)
12/01/2014	Mail Payment	Receipt # 2014-581941	STROMER, VIRGINIA ELLEN (25.00)
01/02/2015	Mail Payment	Receipt # 2015-646303	STROMER, VIRGINIA ELLEN (25.00)
01/28/2015	Mail Payment	Receipt # 2015-707567	STROMER, VIRGINIA ELLEN (25.00)
03/02/2015	Mail Payment	Receipt # 2015-786059	STROMER, VIRGINIA ELLEN (25.00)
04/01/2015	Mail Payment	Receipt # 2015-871535	STROMER, VIRGINIA ELLEN (25.00)
04/28/2015	Mail Payment	Receipt # 2015-948602	STROMER, VIRGINIA ELLEN (25.00)
05/29/2015	Mail Payment	Receipt # 2015-1037243	STROMER, VIRGINIA ELLEN (25.00)
07/10/2015	Mail Payment	Receipt # 2015-1159572	STROMER, VIRGINIA ELLEN (25.00)
07/27/2015	Mail Payment	Receipt # 2015-1199275	STROMER, VIRGINIA ELLEN (25.00)
07/28/2015	Mail Payment	Receipt # 2015-1205524	STROMER, VIRGINIA ELLEN (25.00)
08/28/2015	Mail Payment	Receipt # 2015-1299827	STROMER, VIRGINIA ELLEN (25.00)
09/30/2015	Mail Payment	Receipt # 2015-1393123	STROMER, VIRGINIA ELLEN (25.00)
10/23/2015	Mail Payment	Receipt # 2015-1475338	STROMER, VIRGINIA ELLEN (25.00)
11/24/2015	Mail Payment	Receipt # 2015-1572064	STROMER, VIRGINIA ELLEN (75.00)
12/22/2015	Mail Payment	Receipt # 2015-1651894	STROMER, VIRGINIA ELLEN (25.00)
01/26/2016	Mail Payment	Receipt # 2016-1748998	STROMER, VIRGINIA ELLEN (25.00)
02/22/2016	Mail Payment	Receipt # 2016-1836715	STROMER, VIRGINIA ELLEN (25.00)
03/25/2016	Mail Payment	Receipt # 2016-1962934	STROMER, VIRGINIA ELLEN (25.00)
04/22/2016	Mail Payment	Receipt # 2016-2075136	STROMER, VIRGINIA ELLEN (25.00)
06/01/2016	Mail Payment	Receipt # 2016-2205340	STROMER, VIRGINIA ELLEN (25.00)
06/27/2016	Mail Payment	Receipt # 2016-2301636	STROMER, VIRGINIA ELLEN (25.00)
07/22/2016	Mail Payment	Receipt # 2016-2393089	STROMER, VIRGINIA ELLEN (25.00)
08/29/2016	Mail Payment	Receipt # 2016-2512703	STROMER, VIRGINIA ELLEN (25.00)
09/26/2016	Mail Payment	Receipt # 2016-2607484	STROMER, VIRGINIA ELLEN (25.00)
10/24/2016	Mail Payment	Receipt # 2016-2703864	STROMER, VIRGINIA ELLEN (25.00)
11/28/2016	Mail Payment	Receipt # 2016-2812964	STROMER, VIRGINIA ELLEN (25.00)
12/27/2016	Mail Payment	Receipt # 2016-2887909	STROMER, VIRGINIA ELLEN (25.00)
02/24/2017	Mail Payment	Receipt # 2017-158457	STROMER, VIRGINIA ELLEN (25.00)
03/28/2017	Mail Payment	Receipt # 2017-280498	STROMER, VIRGINIA ELLEN (25.00)
05/05/2017	Mail Payment	Receipt # 2017-409696	STROMER, VIRGINIA ELLEN (25.00)
05/31/2017	Mail Payment	Receipt # 2017-490848	STROMER, VIRGINIA ELLEN (25.00)
07/05/2017	Mail Payment	Receipt # 2017-600087	STROMER, VIRGINIA ELLEN (25.00)
07/28/2017	Mail Payment	Receipt # 2017-682266	STROMER, VIRGINIA ELLEN (25.00)
08/25/2017	Mail Payment	Receipt # 2017-770971	STROMER, VIRGINIA ELLEN (25.00)
09/26/2017	Mail Payment	Receipt # 2017-872476	STROMER, VIRGINIA ELLEN (25.00)
10/27/2017	Mail Payment	Receipt # 2017-969845	STROMER, VIRGINIA ELLEN (25.00)
11/30/2017	Mail Payment	Receipt # 2017-1066541	STROMER, VIRGINIA ELLEN (25.00)
03/29/2018	Transaction Assessment		44,625.06

CERTIFICATE OF SERVICE

I certify that on **January 11, 2022**, I caused to be served a full and exact copy of the above
Declaration of James J. McLaughlin in Support of Plaintiffs' Response to Defendant's
Motion for Summary Judgment & Cross-Motion for Summary Judgment via email to Simon
Whang (Simon@SimonWhangLaw.com) and Alan Kessler (AK@AlanKessler.Law). I further
certify that all parties have agreed to service by email under ORCP 9 G.

DATED: January 11, 2022



C. Rian Peck (they/them)

OSB No. 144012

rian@visible.law

VISIBLE LAW

Attorneys for Plaintiffs Tyvoll & Hiller-
Webb