1/11/2022 3:23 AM 20CV35030

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MULTNOMAH			
MARIE TYVOLL and SHANNON HILLER- WEBB,	CASE NO. 20CV35030		
PLAINTIFFS,	Declaration of James J.		
	McLaughlin		
V.			
SOUTHWEST NEIGHBORHOODS, INC., an	Supporting Plaintiffs' Response		
Oregon public benefit corporation,	to Defendant's Motion for		
DEFENDANT.	Summary Judgment & Cross- Motion for Summary Judgment		
I, James J. McLaughlin, declare as follows	3:		
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. Duri	ng my active career, I was an		
	FOR THE COUNTY MARIE TYVOLL and SHANNON HILLER- WEBB, PLAINTIFFS, v. SOUTHWEST NEIGHBORHOODS, INC., an Oregon public benefit corporation, DEFENDANT. I, James J. McLaughlin, declare as follows 1. I am over the age of 18. Exceed this declaration upon personal knowledged truthfully as follows. 2. I have lived in the West Portt southwest Portland for over 40 years. We Portland Park Neighborhood Association the Southwest Neighborhoods, Inc. (SWN) SWNI was recently defunded by City Cou		

26 Assistant United States Attorney (AUSA) for the District of Oregon and an



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

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

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

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

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



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

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

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



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

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

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

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



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

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

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



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

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

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

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

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

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

Not long after that July 9, 2020, City Council meeting, Portland's 21. 9 Office of Community & Civic Life ("Civic Life") (which was called the Office of 10 Neighborhood Involvement, or ONI, when I was a SWNI Board member) 11 retained independent forensic accounting firm Marsh & Minick, P.C., to 12 conduct a forensic audit of SWNI. The audit was not just about concerns 13 related to SWNI's financial mismanagement, but also investigated Civic Life's 14 stated concerns of "a continuation of suspicious activity, abuse of power, 15 conflicts of interest, lack of transparency and inequitable practices." See 16 MARSH & MINICK, P.C., Forensic Audit: Findings Report—Southwest 17 Neighborhoods, Inc. 10 (Nov. 13, 2020), available at 18 https://pamplinmedia.com/documents/artdocs/00003688597482-0773.pdf. 19 22. I participated in the interviews that Marsh & Minick conducted 20 as part of its audit, sharing my experience as a SWNI Board member. 21 23. It saddens me that a District Coalition like SWNI—which I 22 understand was designed to create a forum through which its 17 23 24 Neighborhood Associations could participate with City Council to share in their own governance—for so long was able to silence dissenting voices and 25 leverage taxpayer monies to represent the individualistic interests of a 26 powerful few. That is not community. 27



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

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16	DATED: January 10, 2022	<i>s/ James J. McLaughlin</i> James J. McLaughlin	
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Skip to Main Content Logout My Account Search Menu Search Criminal, Traffic and Parking Case Records Refine Location : All Locations Images Help Search Back **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 Attorneys Defendant STROMER, VIRGINIA ELLEN Also Known Female White **Damien S Donnelly-Cole** As CPMS, 757003 DOB: 1949 Court Appointed 5' 1", 275 lbs 503 664-3646(W) 2221 SE 53rd Ave Hillsboro, OR 97123 SID: OR19065710 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 Aggravated Theft in the First Degree 164.057 Felony Class B 07/19/2006 1. Felony Class B 2. Aggravated Theft in the First Degree 164.057 12/14/2006 Aggravated Theft in the First Degree 164.057 Felony Class B 05/01/2007 3. Aggravated Theft in the First Degree Felony Class B 4. 164.057 09/14/2007 5. Aggravated Theft in the First Degree 164.057 Felony Class B 01/03/2008 Felony Class C Theft in the First Degree 05/14/2008 6 164.055 7. Aggravated Theft in the First Degree 164.057 Felony Class B 10/24/2008 Felony Class C Theft in the First Degree 04/06/2009 8. 164.055 Aggravated Theft in the First Degree 164.057 Felony Class B 09/11/2009 9. Felony Class C 10. Theft in the First Degree 164.055 02/10/2010 Felony Class C 07/16/2010 11. Theft in the First Degree 164.055 **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

Exhibit 1 Page 1 of 8

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	
04/00/0040	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 Waive Converted Disposition:	ed
	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 Financia Rcds 50 No Trans Over \$200 51 No Credit Cd/Checks/ID 02 Judicial Supervision	al
	Created: 02/22/2012 12:00 AM	
01/20/2012	2 Sentence (Judicial Officer: Unassigned, Judge) 10. Theft in the First Degree	
	Converted Disposition: Guidelines: Severity 4 History E Statutory Rgmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 13.00 Pc	ost
	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 Rgmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 13.00 Pc	ost
	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)	
	Converted Disposition.	xhibit 1
	Paç	ge 2 of 8

	Guidelines: Severity 5 History G Statutory Rqmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 19.00 Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/17/2012 12:00 AM	Post
01/20/2012	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 F Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/17/2012 12:00 AM	Post
01/20/2012	 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 F Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served Created: 02/17/2012 12:00 AM	Post
01/20/2012	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 F Prison Supervision - Month(s): 24.00 Special Factor: 137.717 Adtl Prsmptv Offn Credit for Time Served	Post
	Created: 02/22/2012 12:00 AM	
01/20/2012	Sentence (Judicial Officer: Unassigned, Judge)	
	6. Theft in the First Degree	
	Converted Disposition: Guidelines: Severity 4 History E Statutory Rgmts: DNA Blood Draw Oregon Dept of Corrections - Month(s): 13.00 F	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	001
01/20/2012	Sentence (Judicial Officer: Unassigned, Judge)	
01/20/2012	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	
01/20/2012	Contanas (Indiais) Officer (Incesigned, Index)	
01/20/2012	 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 F	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)	
	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	
	OTHER EVENTS AND HEARINGS	
07/11/2011	Indictment	
	Created: 07/11/2011 12:00 AM	
07/11/2011	Warrant - Arrest (Judicial Officer: Fuchs, Alicia A) Comment: NCIC; Court Action: Signed; Court Action Date: 07/11/2011; Judge: Alicia A Fuchs;	
	Signed: 07/11/2011	
	Created: 07/11/2011 12:00 AM	
07/18/2011	Arraignment (Judicial Officer: Bergstrom, Eric J.)	
	Room: JC3N;	
07/18/2011	Created: 07/18/2011 12:00 AM Arraignment - Count	
07/10/2011	Created: 07/18/2011 12:00 AM	
07/18/2011	Remove - Inactive Status	
	Created: 07/18/2011 12:00 AM	
07/18/2011	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	
07/18/2011	Agreement - Recognizance Release	
	Comment: ROR; Crooted: 07/18/2011 12:00 AM	
07/18/2011	Created: 07/18/2011 12:00 AM Notice - Advise Appeal Rights	
01/10/2011	Created: 07/19/2011 12:00 AM	
07/18/2011		Exhibit 1
	Court Action: Served; Court Action Date: 07/15/2011;	age 3 of 8
	Created: 07/18/2011 12:00 AM	

07/18/2011	Motion - Recognizance Release		
07/18/2011	Created: 07/18/2011 12:00 AM Application		
07/18/2011	Created: 07/18/2011 12:00 AM Affidavit - Eligibility - ACP Created: 07/18/2011 12:00 AM		
07/18/2011	Created: 07/18/2011 12:00 AM 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		
07/18/2011	Created: 07/18/2011 12:00 AM Plea - Not Guilty		
07/18/2011	Created: 07/18/2011 12:00 AM Arraignment (9:45 AM) ()		
	Created: 07/17/2011 12:00 AM Judgment - Limited Creates Lien		
01/10/2011	;Court Action: Signed; Court Action Date: 07/18/2011; ;Court Action: Signed; Court Action Date: 07/18/2011;		
07/19/2011	Created: 07/19/2011 3:24 PM Miscellaneous		
	Comment: Control number added per control number report; Created: 07/19/2011 12:00 AM		
07/19/2011	Hearing - Case Management Room: UNTA:		
07/26/2011	Created: 07/19/2011 12:00 AM Miscellaneous		
01/20/2011	Comment: SID 19065710 provided by DSSJ;		
07/28/2011	Created: 07/26/2011 12:00 AM 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		
00/06/2011	Created: 07/18/2011 12:00 AM		
	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		
10/04/2011	Created: 09/02/2011 12:00 AM Notice - Representation		
	Created: 10/05/2011 12:00 AM CANCELED Call (1:30 PM) ()		
10/20/2011	Set-Over Def		
	Event Status: Set-Over Def; Event Status Date: 10/31/2011; Result: Set-Over		
10/31/2011	Created: 09/28/2011 12:00 AM 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		
11/04/2011	Created: 10/31/2011 12:00 AM 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)		
11/14/2011	Created: 11/04/2011 12:00 AM 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		
11/14/2011	Created: 11/15/2011 12:00 AM Order - Presentence Investigation (Judicial Officer: YOU, YOULEE)		
	Court Action: Signed; Court Action Date: 11/04/2011; Judge: YOULÉE Y YOU; Signed: 11/04/2011		
11/14/2011	Created: 11/15/2011 12:00 AM CANCELED Call (1:30 PM) ()		
11/17/2011	Guilty Plea		
	Event Status: Cancelled: Guilty Plea; Event Status Date: 11/10/2011; Exclusion 1 Result: Cancelled Page 4 of 8		

Created: 10/31/2011 12:00 AM 11/15/2011 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

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12/31/2014	Letter - Appearance Created: 01/09/2015 9:31 AM
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02/26/2015	Letter - Appearance Created: 04/28/2015 3:48 PM
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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
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04/22/2016	Letter Created: 04/25/2016 11:43 AM
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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	Created: 11/01/2017 3:21 PM
12/06/2017	Created: 12/06/2017 9:58 AM
03/29/2018	Recordation - Collection Referral Judgment Created: 03/29/2018 7:55 AM

Exhibit 1 Page 7 of 8

FINANCIAL INFORMATION

	Defendant STROMER, VI			
	Total Financial Assessmer			215.713.29
	Total Payments and Credit			11,713.00
	Balance Due as of 01/07/			204,000.29
	Balance Due as of 01/07/	2022		204,000.25
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		Receipt # 2014-288664	STROMER, VIRGINIA ELLEN	(25.00)
07/29/2014	Mail Payment	Receipt # 2014-344750	STROMER, VIRGINIA ELLEN	(25.00)
09/02/2014	-	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		Receipt # 2014-581941	STROMER, VIRGINIA ELLEN	(25.00)
01/02/2015	Mail Payment	Receipt # 2015-646303	STROMER, VIRGINIA ELLEN	(25.00)
01/28/2015	-	Receipt # 2015-707567	STROMER, VIRGINIA ELLEN	(25.00)
03/02/2015		Receipt # 2015-786059	STROMER, VIRGINIA ELLEN	(25.00)
04/01/2015	Mail Payment	Receipt # 2015-871535	STROMER, VIRGINIA ELLEN	(25.00)
04/28/2015		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	,	Receipt # 2015-1199275	STROMER, VIRGINIA ELLEN	(25.00)
07/28/2015	Mail Payment	Receipt # 2015-1205524	STROMER, VIRGINIA ELLEN	(25.00)
08/28/2015	-	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		Receipt # 2015-1572064	STROMER, VIRGINIA ELLEN	(75.00)
12/22/2015	Mail Payment	Receipt # 2015-1651894	STROMER, VIRGINIA ELLEN	(25.00)
01/26/2016		Receipt # 2016-1748998	STROMER, VIRGINIA ELLEN	(25.00)
02/22/2016		Receipt # 2016-1836715	STROMER, VIRGINIA ELLEN	(25.00)
03/25/2016	Mail Payment	Receipt # 2016-1962934	STROMER, VIRGINIA ELLEN	(25.00)
04/22/2016		Receipt # 2016-2075136	STROMER, VIRGINIA ELLEN	(25.00)
06/01/2016		Receipt # 2016-2205340	STROMER, VIRGINIA ELLEN	(25.00)
06/27/2016		Receipt # 2016-2301636	STROMER, VIRGINIA ELLEN	(25.00)
07/22/2016		Receipt # 2016-2393089	STROMER, VIRGINIA ELLEN	(25.00)
08/29/2016	Mail Payment	Receipt # 2016-2512703	STROMER, VIRGINIA ELLEN	(25.00)
09/26/2016		Receipt # 2016-2607484	STROMER, VIRGINIA ELLEN	(25.00)
10/24/2016		Receipt # 2016-2703864	STROMER, VIRGINIA ELLEN	(25.00)
11/28/2016	Mail Payment	Receipt # 2016-2812964	STROMER, VIRGINIA ELLEN	(25.00)
12/27/2016	-	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
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1	CERTIFICA	TE OF SERVICE	
2	I certify that on January 11, 2022, I caused to be served a full and exact copy of the above		
3 4	Declaration of James J. McLaughlin in Supp	ort of Plaintiffs' Response to Defendant's	
5	Motion for Summary Judgment & Cross-Mo	tion for Summary Judgment via email to Simon	
6	Whang (Simon@SimonWhangLaw.com) and	Alan Kessler (<u>AK@AlanKessler.Law</u>). I further	
7	certify that all parties have agreed to service b	y email under ORCP 9 G.	
8 9	DATED: January 11, 2022	Dintele	
10	DATED. January 11, 2022	C. Rian Peck (they/them)	
11		OSB No. 144012 <i>rian@visible.law</i>	
12		VISIBLE LAW	
13		Attorneys for Plaintiffs Tyvoll & Hiller-	
14		Webb	
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