

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

Jane Doe , an Individual,

Case No.:

Plaintiff,

RESPONSE TO DEFENDANT’S MOTION TO DISMISS

vs.

Re: ORCP 21A and ORCP 29A

Oregon Limited Liability Company, , an

Defendant.

Defendant did not comply with the requirements to confer under UTCR 5.010. Defendant sent an email on Sunday May 26, 2019 at 11:24am (Exhibit A); this was the first communication concerning issues Defendant’s cites in his motion.

On Sunday May 26, 2019 at 1:16pm Defendant filed his motion to dismiss, less than 2 hours after the first email complaining about the Petition. There was no conferring on this motion, there was no time. In addition, Multnomah County defines conferring as a phone call; this did not happen in this instance. The motion should be summarily denied due to a lack of compliance with UTCR 5.010.

On the merits; Plaintiff has obtained a full assignment of rights from C. A. This fully addresses all of the issues brought up by Defendant’s motion. Plaintiff has stepped into Ms. A’s shoes; it is as if she is in the litigation. There is no exposure to Defendant; his motion should be denied.

Date 06/17/2019

/s/Attorney Signature and Bar No.

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CERTIFICATE OF SERVICE

I certify that I served a full, true and exact copy of the RESPONSE TO DEFENDANT'S MOTION TO DISMISS Re: ORCP 21A and ORCP 29A on the foregoing by fax only:

B Cox  
000 West 7th Avenue  
Eugene, OR 97401  
Fax: (541) 000 - 0000

Date 06/12/2019

/s/C. McMuffin, OSB No.