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

In re:)	Case No. 19CV54124
)	
GRIDWORKS LAB, INC., an Oregon corporation,)	MOTION FOR ORDER REQUIRING AMAZON WEB SERVICES, INC. TO REMOVE ANIL SINGH FROM GRIDWORKS' ACCOUNTS AND REPLACE HIM WITH THE RECEIVER
)	
Petitioner.)	
.)	
)	
)	

Clyde A. Hamstreet & Associates, LLP, the duly appointed receiver for GridWorks Lab, Inc. (“GridWorks”) (hereinafter, the “Receiver”) pursuant to the Stipulated Order Appointing Receiver entered by the Court on December 18, 2019 (the “Receivership Order”), moves the Court for an order requiring Amazon Web Services, Inc. (“AWS”) to remove Anil Singh (“Singh”), former technology director for GridWorks, as the authorized party with access to GridWorks’ AWS accounts, including without limitation, account no. ending in 5745, (the “AWS Accounts”) and replace him with the Receiver, including without limitation, providing the Receiver with all login credentials and any multi-factor access (“MFA”) codes required for the Receiver to gain access to the AWS Accounts.

BACKGROUND FACTS

On December 18, 2019 the Receivership Order was entered in this case appointing the Receiver over all assets of GridWorks. The Receiver took possession of the assets after entry of

1 the Receivership Order and has continued to possess and manage the receivership property as
2 Receiver pursuant to the terms of the Receivership Order and the Oregon Receivership Code,
3 ORS 37.010 *et seq.* (the “Receivership Code”). Declaration of Maren Cohn filed herewith
4 (“Cohn Decl.”), ¶ 2. The Receiver has attempted, without success, to gain access to the AWS
5 Account. This has included correspondence with Singh, asking him to assist in transitioning the
6 account access to the Receiver (see e-mail string attached as Exhibit 1 to the Cohn Decl). Singh
7 has refused to cooperate, alleging that he no longer has MFA access. Cohn Decl., ¶ 3. The
8 Receiver has also attempted to gain access directly from AWS, but despite numerous phone calls
9 and e-mail messages, AWS refuses to provide access without Singh’s cooperation, with AWS’s
10 last correspondence advising the Receiver that it would need to serve AWS with a court issued
11 subpoena to obtain any customer information, and even then AWS has provided no assurance
12 that such information, once received, would be sufficient to provide the Receiver with access to
13 the AWS Accounts (see attached correspondence between the Receiver and AWS attached as
14 Exhibit 2 to the Maren Decl.).

15 POINTS AND AUTHORITIES

16 The Receivership Order authorizes and directs the Receiver to “take possession and
17 control of all of the tangible and intangible assets of GridWorks, and to operate the Business
18 under the Health Share Contract during the Transition Period in accordance with [the
19 Receivership Order] . . .” Receivership Order, p. 3, ¶ 2. Furthermore, the Receivership Order
20 provides that the Receiver shall have the rights, powers and duties of a general receiver under the
21 Oregon Receivership Code, as limited by the Receivership Order. Receivership Order, p. 4, ¶ 3.
22 The Receiver is also authorized to do all other things determined by the Receiver to be
23 reasonably necessary or incidental to the performance of the Receiver’s duties. Receivership
24 Order, p. 9, ¶ 13.

25 It is imperative that the Receiver be granted immediate access to the AWS Accounts.
26 Both Singh and AWS have been provided with a copy of the Receivership Order and have been

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REMOVE ANIL SINGH FROM GRIDWORK’S ACCOUNTS AND REPLACE HIM WITH
THE RECEIVER

1 asked for their assistance in helping the Receiver to gain access to the AWS Accounts to no
2 avail. As a result, the Receiver has been forced to seek the Court’s assistance.

3 **NOTICE IS HEREBY GIVEN**, that unless objections to the Motion are filed with the
4 court within ten (10) days of the filing date of the Motion and served upon Susan S. Ford,
5 counsel for the Receiver, at Sussman Shank LLP, 1000 S.W. Broadway, Suite 1400, Portland,
6 Oregon 97205, the undersigned will proceed to submit an order granting the relief requested
7 herein and in substantially the form attached hereto as Exhibit A.

8 **WHEREFORE**, the Receiver requests that the Court enter an order requiring Singh and
9 AWS to cooperate fully with the Receiver to immediately transition account access to the
10 Receiver, including directing Singh and AWS to provide the Receiver with all login credentials
11 and any multi-factor access (“MFA”) codes required for the Receiver to gain access to the AWS
12 Accounts.

13 DATED this 20th day of March, 2020.

14 SUSSMAN SHANK LLP

15 s/ Thomas W. Stilley

16 By: _____
17 Susan S. Ford, OSB No. 842203
18 sford@sussmanshank.com
19 Thomas W. Stilley, OSB No. 883167
20 tstilley@sussmanshank.com
21 Counsel for Clyde A. Hamstreet & Associates, LLC, Receiver

22 *22537-003\MOTION REQUIRING AMAZON TO REMOVE AND REPLACE ACCOUNT DESIGNEE (03406219);1
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1 CERTIFICATE OF SERVICE

2 I hereby certify that on March 20, 2020 I caused to be served a full and exact copy of the
3 foregoing **MOTION FOR ORDER REQUIRING AMAZON WEB SERVICES, INC. TO**
4 **REMOVE ANIL SINGH FROM GRIDWORKS' ACCOUNTS AND REPLACE HIM**
5 **WITH THE RECEIVER** on the following persons:

6 Douglas Paul
7 Perkins Coie LLP
8 1120 N.W. Couch Street, 10th Floor
9 Portland, OR 97206
10 Attorneys for Petitioner Gridworks Lab, Inc.

Joseph M. VanLeuven
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9 C. Ross Peterson
10 GridWorks Lab, Inc.
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12 Portland, OR 97205
13 Interested Party

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12 Greg Kelminson
13 American Medical Response
14 c/o Global Medical Response
15 209 Texas 121 Frontage Rd
16 Suite 21
17 Lewisville, TX 75067

Anil Singh
11022 SW Stockholm Dr
Wilsonville, OR 97070
agisanilgs@gmail.com

16 Amazon Web Services, Inc.
17 Attn: David A. Zapolsky, General Counsel
18 2021 7th Ave.
19 Seattle, WA 98121-2601
20 davidz@amazon.com

21 by the following indicated method(s):

- 22 First Class Mail, postage prepaid, deposited in the US mail at Portland, OR
- 23 Hand delivery
- 24 Facsimile transmission
- 25 Overnight delivery
- 26 Email (where indicated)
- Electronic filing notification

23 Dated: March 20, 2020

24 s/ Thomas W. Stilley
25 Thomas W. Stilley, OSB No. 883167
26