

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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,)	
)	
)	RECEIVER’S NOTICE OF INTENT TO
)	COMPENSATE SUSSMAN SHANK LLP,
)	ATTORNEYS FOR RECEIVER
Petitioner.)	
)	

NOTICE IS HEREBY GIVEN pursuant to ORS 37.170 and 37.310(6) and paragraph 8 of the Stipulated Order Appointing Receiver entered in the above-referenced case, that Clyde A. Hamstreet & Associates, LLC, Receiver, intends to compensate Sussman Shank LLP for services rendered to the Receiver and costs incurred for the period from August 1, 2020 through August 31, 2020. Attached hereto as Exhibit 1 is Sussman Shank LLP’s itemized statement of fees and costs incurred in connection with this matter for that time period, totaling \$17,734.50 in fees and \$23.55 in costs and expenses for a total of \$17,758.05.

NOTICE IS FURTHER GIVEN that unless a written objection to the requested fees and costs is filed with the Multnomah County Circuit Court, 1021 SW 4th Avenue, Portland, Oregon 97204, within fourteen (14) days of the date of this notice, and a copy of the objection is served by first class mail upon: (1) Clyde A. Hamstreet & Associates, LLC , Receiver, c/o Maren Cohn, One S.W. Columbia St., Suite 1575, Portland, Oregon 97204, and (2) Susan S. Ford and Sussman Shank LLP, the Receiver’s attorneys, 1000 S.W. Broadway, Suite 1400, Portland, Oregon 97205., the

1 Receiver will pay the amounts set forth on Exhibit 1 without further notice or hearing. If an
2 objection is timely filed, the Court will schedule a hearing to determine the objection.

3 Dated this 15th day of September, 2020.

4 SUSSMAN SHANK LLP

5 By: *s/ Susan S. Ford*

6 _____
Susan S. Ford, OSB No. 842203

7 sford@sussmanshank.com

8 Counsel for Clyde A. Hamstreet & Associates, LLC, Receiver

9

10

11

12

13

14

15

16

17

18

19

20

21

*22537-003\RECEIVER'S NOTICE OF INTENT TO COMPENSATE SLLP (JUNE 2020) (03502307);1

22

23

24

25

26

SUSSMAN SHANK^{LLP}

ATTORNEYS

1000 SW Broadway, Suite 1400 | Portland, Oregon 97205

main 503.227.1111 or 800.352.7078 | fax 503.248.0130

SUSSMANSHANK.COM

CLYDE A. HAMSTREET & ASSOCIATES, LLC
Clyde A. Hamstreet
One SW Columbia
Suite 1000
Portland, OR 97258

September 14, 2020

Client ID 22537-003 SSF
Invoice No. 94051

Statement for period August 01, 2020 through August 31, 2020

LEGAL SERVICES REGARDING: GridWorks Receivership

Fees	T.K.	Hours	Amount
08/03/20 Telephone conference with Randy Arthur, attorney for insurance carrier in HealthShare data breach case and plan regarding filing consent in receivership to proceed only with respect to insurance (.3); Review and analyze emails with First Transit attorneys (.2); update to Maren Cohn regarding same and whether Health Share moving to foreclose security interest (.4); draft and file status report with the Court in the First Transit case (.8)	SSF	1.70	\$892.50
Review case docket for district court case First Transit v. Gridworks and download pleadings and court order and email to attorney Susan Ford	MPR	0.30	\$60.00
Draft initial template for Status report for attorney Susan Ford regarding district court case	MPR	0.30	\$60.00
08/05/20 Review email from Maren Cohn regarding status of various outstanding items prior to terminating receivership (.3); analyze question regarding administrative claim of automatically renewed contract unnecessary to receivership estate; reply to Maren Cohn (.5)	SSF	0.80	\$420.00
Follow up on Paradigm dash cam turnover request in emails to Anna Sortum, Tim Conway; update client	SSF	0.50	\$262.50
Email to Maren Cohn regarding following up with HealthShare regarding foreclosure on IP and alternatives; update to Maren Cohn regarding AWS and possible workaround by affidavit	SSF	0.50	\$262.50
Analyze court docket and email to Maren status of objections on June Notice of Intent to Compensate	MPR	0.10	\$20.00
08/06/20 Review and analyze exchange of emails between Judge You's clerk, First Transit attorneys and Gridwork's attorney regarding settlement/walkaway of lawsuit (and asserted need for Receiver to be involved in same) vs. proceeding with pending summary judgment motion; email to Receiver regarding same	SSF	0.40	\$210.00
Develop work plan for(a) completion of receiver's duties; and (b) termination and discharge of receiver including final report and account	SSF	0.40	\$210.00
Review email from Joe Van Leuven regarding AWS and lost 2 factor authentication and need for possible Complaint and TRO regarding same; reply to email requesting connection with in house AWS lawyer to expedite process	SSF	0.20	\$105.00

SUSSMAN SHANK LLP

ATTORNEYS

1000 SW Broadway, Suite 1400 | Portland, Oregon 97205

main 503.227.1111 or 800.352.7078 | fax 503.248.0130

SUSSMANSHANK.COM

CLYDE A. HAMSTREET & ASSOCIATES, LLC
Clyde A. Hamstreet
One SW Columbia
Suite 1000
Portland, OR 97258

September 14, 2020

Client ID 22537-003 SSF
Invoice No. 94051

Fees	T.K.	Hours	Amount
08/07/20 Coordinate with Majesta Racanelli regarding possible complaint to be filed and TRO against AWS(.2); analyze voicemail from Kim McGair regarding First Transit and authority of Roman Hernandez v. Receiver; forward same to Maren Cohn ; review email response regarding same; analyze issue and reply with recommendation to Maren Cohn(.5); followup email to Maren Cohn regarding same (.2); review email from Greg Kemlinson of American Medical Response requesting list of creditors; analyze status and reply to same explaining Receivership order and providing previously prepared creditor list(.3); telephone conference call with Tim Conway regarding Paradigm and request for turnover of 20 dash cams (.2)	SSF	1.40	\$735.00
Research Creditor list in response to request from Greg Kelminson attorney and email to attorney Susan Ford documents and status of filing	MPR	0.30	\$60.00
Review and respond to email from attorney Susan Ford with draft documents regarding Amazon issues	MPR	0.20	\$40.00
08/10/20 Coordination and preparation for status call with Maren Cohn (.3); telephone conference call regarding remaining receivership tasks, issues for resolution and meeting with HealthShare to discuss same (1.2)	SSF	1.50	\$787.50
Review and analyze 5 emails sent in followup to various action items discussed in conference with Receiver	SSF	0.30	\$157.50
08/11/20 Two conferences with Maren Cohn regarding meeting with HealthShare to discuss Receiver's and Health Share's "to do" lists prior to termination of Receivership; calendar meeting time; review multiple emails between Maren and HealthShare personnel coordinating same	SSF	0.70	\$367.50
Review Maren Cohn List of Agenda Items for Call and excel spreadsheet; Edit same adding items and identification of receivership functions; Send same to Maren Cohn for review and approval with track changes version	SSF	1.20	\$630.00
Review and edit receivership billing and review and send emails regarding same and Receivers' fees and expenses, including estimate of range of fees anticipated to conclude receivership for budget purposes	SSF	0.40	\$210.00
Review, revise and update Motion to Require AWS Inc. to Provide Receiver with access to GridWork's AWS accounts, Motion for Shortened Time, and proposed order; emails with Majesta Racanelli regarding same and preparation of declaration for Maren Cohn	SSF	1.30	\$682.50

SUSSMAN SHANK LLP

ATTORNEYS

1000 SW Broadway, Suite 1400 | Portland, Oregon 97205

main 503.227.1111 or 800.352.7078 | fax 503.248.0130

SUSSMANSHANK.COM

CLYDE A. HAMSTREET & ASSOCIATES, LLC
Clyde A. Hamstreet
One SW Columbia
Suite 1000
Portland, OR 97258

September 14, 2020

Client ID 22537-003 SSF
Invoice No. 94051

Fees	T.K.	Hours	Amount
08/11/20 Email to Joe Van Leuven requesting contact information for AWS in house attorney for conferral on motion; email to Majesta Racanelli to research AWS registered agent in Oregon for service of process	SSF	0.30	\$157.50
Review email from Maren Cohn regarding statement for Noticing, download and prepare as exhibit; finalize Sussman July statement and email for approval	MPR	0.60	\$120.00
08/12/20 Conference with Tom Stilley regarding issues related to AWS account and review prior emails regarding same; follow up regarding same with Maren Cohn; review email from Joe VanLeuven regarding AWS to accept service	SSF	0.50	\$262.50
Further analysis and determine process to pay or determine administrative claims of receivership; further analysis of scope of relief needed pursuant to AWS Motion and Order	SSF	0.50	\$262.50
Conference with Maren Cohn regarding administrative claims procedure and AWS motion(.3); review email from Joe Van Leuven regarding same(.1); revise AWS motion after review/analysis of related emails with account information and send to Maren Cohn for review and comment; review Maren Cohn's further comments(.7)	SSF	1.10	\$577.50
Telephone conversation with attorney Susan Ford regarding providing motion and notice of intent to pay claims and providing creditors with opportunity to object to the amount of their proposed payment; discuss obtaining access to AWS accounts	TWS	0.50	\$262.50
Research Multnomah County Ex Parte procedures and email to County confirming information; Follow up email to attorney Susan Ford	MPR	0.40	\$80.00
Research Registered agent information for Amazon Web Services, LLC for Oregon and Washington process of service and email to attorney Susan Ford	MPR	0.50	\$100.00
Draft notice of intent to compensate SLLP and Notice of Intent to Compensate Clyde A. Hamstreet with exhibits and email to attorney Susan Ford for approval	MPR	0.50	\$100.00
Research ORCP and UTCR regarding requirements for Ex Parte and email to attorney Susan Ford: draft Certificate of Service for Motion regarding Amazon	MPR	0.40	\$80.00
Revise motion per UTCR and ORCP Ex Parte requirements and Draft Declaraiton of Maren Cohn in Support	MPR	0.60	\$120.00

SUSSMAN SHANK LLP

ATTORNEYS

1000 SW Broadway, Suite 1400 | Portland, Oregon 97205

main 503.227.1111 or 800.352.7078 | fax 503.248.0130

SUSSMANSHANK.COM

CLYDE A. HAMSTREET & ASSOCIATES, LLC
Clyde A. Hamstreet
One SW Columbia
Suite 1000
Portland, OR 97258

September 14, 2020

Client ID 22537-003 SSF
Invoice No. 94051

Fees	T.K.	Hours	Amount
08/13/20 Review list of To Do Items prepared by Health Share and receiver for group meeting(.5); attend to group meeting of Receiver and HealthShare working groups(1.0)	SSF	1.50	\$787.50
Review and respond to email from Kim McGair, attorney for First Transit, setting time for call to discuss issues(.2); telephone conference with Maren Cohn briefly recapping morning conference with Health Share and regarding First Transit litigation and Receiver's understanding to date(.3); telephone call to Joe Van Leuven regarding whether or not HealthShare wants to pursue investigation of claims (.1); review email from Joe Van Leuven regarding contacting parties involved to understand the merits/lack thereof(.1); telephone call with Roman Hernadez, attorney for Gridworks regarding assessment of litigation to date and next steps (.3); telephone call with Kim McGair regarding same(.3); telephone call to Joe VanLeuven, leaving message to update as to status(.1)	SSF	1.40	\$735.00
Telephone call to Tim Conway regarding potential PHI issue with SD cards removed from dash cams and need for immediate action; telephone conference with Tim Conway regarding same and separating dash cam sale from PHI issue and need to expedite; update to client and HealthShare reps regarding status	SSF	0.40	\$210.00
08/14/20 Telephone call with Joe VanLeuven regarding First Transit claims evaluation and conferences with Kim McGair and Roman Hernadez, and possible auction process for IP, and additional conferral regarding AWS issues (.3); several emails with Tim Conway and Anna Sortun regarding 17 SD cards with potential PHI in possession of Paradigm and turnover of same; emails with JoeVan Leuven and Maren Cohn regarding same (.7)	SSF	1.00	\$525.00
Follow up with Maren on status of review of statement and confirm payment of May statement	MPR	0.10	\$20.00
Finalize Notice of Intent to Compensate for Sussman and Hamstreet for July and file with court; monitor follow update and email to Maren confirming filed document	MPR	0.50	\$100.00
08/17/20 Review email with questions from Maren Cohn on multiple subjects of meeting with HSO; detailed responses to same; review email regarding response to subpoena	SSF	0.30	\$157.50

SUSSMAN SHANK ^{LLP}

ATTORNEYS

1000 SW Broadway, Suite 1400 | Portland, Oregon 97205

main 503.227.1111 or 800.352.7078 | fax 503.248.0130

SUSSMANSHANK.COM

CLYDE A. HAMSTREET & ASSOCIATES, LLC
Clyde A. Hamstreet
One SW Columbia
Suite 1000
Portland, OR 97258

September 14, 2020

Client ID 22537-003 SSF
Invoice No. 94051

Fees		T.K.	Hours	Amount
08/18/20	Review and revise AWS Motion; Preparation of AWS Order; Prepare and send comments to paralegal Majesta Racanelli for preparation of draft COS with UTCR language to permit submission of Order; email to Majesta Racanelli with comments for supporting Declaration of Maren Cohn; research registered agent for service of process for AWS; verify waiver of conflict by DWT regarding AWS and HealthShare for purposes of accepting service of motion; review email from Joe van Leuven regarding same	SSF	2.00	\$1,050.00
	Review multiple emails regarding Class Action Complaint against HealthShare and Third Party Complaint against Grid Works (.4); review email from Randy Arthur regarding status of stipulated motion for relief from stay(.1); reply email to Randy Arthur requesting copies of pleadings to prepare motion(.1); draft motion and points and authorities for relief from stay solely to reach policies of insurance (.9)	SSF	1.50	\$787.50
	Draft Declaration of Maren Cohn in Support Amazon Motion and email to attorney Susan Ford for review	MPR	0.60	\$120.00
08/19/20	Review and respond to email from Randy Arthur, coverage counsel to Hiscox; emails with Majesta Racanelli regarding form of order to be attached to AWS Motion	SSF	0.30	\$157.50
	Review draft Order regarding AWS Motion and revise per attorney Susan Ford request;	MPR	0.30	\$60.00
08/21/20	Review, make final revisions to and send to Maren Cohn for final approval the AWS motion, Cohn Declaration and proposed order (.3); Review Certificate of service and further email to Joe VanLeuven requesting immediate response regarding service of motion on Amazon counsel and DWT outside counsel (.2); review further replies on service issue from Joe Van Leuven and Jim Howard and respond to same (.2); Review Maren Cohn further edits on Motion declaration and order (.3)	SSF	1.00	\$525.00
	Telephone conference call with Maren Cohn regarding issue regarding GridWorks' unfiled personal property tax returns; request online research by paralegal Kathy Moody and review results of same	SSF	0.40	\$210.00
	Emails from/to attorney Susan Ford regarding Gridworks personal property tax account; research Multnomah County Assessment website; research Clarity (Lawyers Title) for address verification; telephone call with Customer Service at Assessment regarding account; research OR Personal Property Taxation rules	KAM	0.70	\$147.00
	Review and respond to email from attorney Susan Ford regarding status of Motion; Update cervices list with additional parties	MPR	0.30	\$60.00

SUSSMAN SHANK^{LLP}

ATTORNEYS

1000 SW Broadway, Suite 1400 | Portland, Oregon 97205

main 503.227.1111 or 800.352.7078 | fax 503.248.0130

SUSSMANSHANK.COM

CLYDE A. HAMSTREET & ASSOCIATES, LLC
Clyde A. Hamstreet
One SW Columbia
Suite 1000
Portland, OR 97258

September 14, 2020

Client ID 22537-003 SSF
Invoice No. 94051

Fees	T.K.	Hours	Amount
08/23/20 Further research on personal property tax information for Gridworks	MPR	0.30	\$60.00
Review and revise updated Motion, Order and Declaration regarding AWS from Maren Cohn and save to worldox; email to attorney Susan Ford updated version	MPR	0.50	\$100.00
08/24/20 Call with Majesta Racanelli; confer on final edits to Motion	SSF	0.30	\$157.50
Analysis of potential impact on receivership of personal property tax issues arising from GridWorks failures to file returns; provide detailed email to Maren Cohn regarding same	SSF	0.60	\$315.00
Analyze email from attorney Susan Ford and Jim Howard and update service information for AWS for filing of Motion	MPR	0.30	\$60.00
Finalize declaration in support of Amazon turn over motion and email to Maren for signature	MPR	0.30	\$60.00
08/25/20 Review litigation hold notice forwarded by Maren Cohn regarding HealthShare third party complaint; provide comments to Maren Cohn; review email from Maren Cohn regarding next steps on personal property tax issue; provide courtesy copy of filed AWS pleadings to Jim Howard and Joe VanLeuven	SSF	0.50	\$262.50
Review and revise Motion , Declaration, proposed order for Amazon to release account and email to attorney Susan Ford and Maren revised declaration for signature	MPR	0.70	\$140.00
Finalize and file Declaration, Motion and Proposed order regarding Amazon Account and forward for service	MPR	0.30	\$60.00
Review and rejection notice from court and refile Motion and Declaration with addendum note	MPR	0.30	\$60.00
08/26/20 Review and analyze question from Maren Cohn regarding preparation of 2020 tax returns; detailed email to Maren Cohn regarding same; telephone conference with Maren Cohn regarding same	SSF	0.90	\$472.50
Telephone conference call with Maren Cohn regarding multiple matters outstanding prior to termination of receivership, including Motion for Relief from Stay, possible auction of IP; completion of 2020 tax returns and whether necessary to employ professional if work is all the duty of debtor even if HSO has agreed to pay; Paradigm issues	SSF	0.60	\$315.00

SUSSMAN SHANK LLP

ATTORNEYS

1000 SW Broadway, Suite 1400 | Portland, Oregon 97205

main 503.227.1111 or 800.352.7078 | fax 503.248.0130

SUSSMANSHANK.COM

CLYDE A. HAMSTREET & ASSOCIATES, LLC
Clyde A. Hamstreet
One SW Columbia
Suite 1000
Portland, OR 97258

September 14, 2020

Client ID 22537-003 SSF
Invoice No. 94051

Fees		T.K.	Hours	Amount
08/26/20	Review and revise Motion for relief from stay; send to Maren Cohn for review; add requested change received from Maren Cohn; review and discuss Declaration of Maren Cohn, Order and certificate of service with Majesta Racanelli; send motion for review and comment to Randy Arthur and related parties; review detailed email from Randy Arthur regarding scope of motion; reply to same suggesting alternative procedures	SSF	1.90	\$997.50
	Review and analyze list and updates regarding final receivership tasks with input received from Maren Cohn	SSF	0.50	\$262.50
	Calculate and monitor deadline to respond to AWS motion for attorney Susan Ford	MPR	0.20	\$40.00
	Review and revise Motion for limited relief from stay for attorney Susan Ford; draft proposed order and certificate of service; draft and send email to attorney Susan Ford requesting service information	MPR	0.80	\$160.00
	Conference with attorney Susan Ford regarding service for limited relief motion; draft certificate of service with additional parties for service	MPR	0.50	\$100.00
	Finalize declaration and email to Maren Cohn for signature	MPR	0.30	\$60.00
08/27/20	Review email from Randy Arthur regarding draft motion for relief from stay; review follow up email from Maren Cohn regarding declaration and reply to confirm not needed at this time	SSF	0.20	\$105.00

Timekeeper Recap

T.K.	Name	Hours	Rate	Amount
SSF	FORD, SUSAN S.	29.00	\$525.00	\$15,225.00
TWS	STILLEY, THOMAS W.	0.50	\$525.00	\$262.50
KAM	MOODY, KATHY A.	0.70	\$210.00	\$147.00
MPR	RACANELLI, MAJESTA P.	10.50	\$200.00	\$2,100.00

TOTAL FEES

\$17,734.50

SUSSMAN SHANK^{LLP}

ATTORNEYS

1000 SW Broadway, Suite 1400 | Portland, Oregon 97205

main 503.227.1111 or 800.352.7078 | fax 503.248.0130

SUSSMANSHANK.COM

CLYDE A. HAMSTREET & ASSOCIATES, LLC
Clyde A. Hamstreet
One SW Columbia
Suite 1000
Portland, OR 97258

September 14, 2020

Client ID 22537-003 SSF
Invoice No. 94051

COSTS AND EXPENSES	Amount
08/31/20 Duplicating Expenses	\$23.55
TOTAL COSTS AND EXPENSES	\$23.55
TOTAL FEES AND COSTS	\$17,758.05

PRIOR STATEMENT BALANCE	\$5,695.50
TOTAL PAYMENTS AND ADJUSTMENTS	-\$5,695.50
CURRENT CHARGES	\$17,758.05
PAY THIS AMOUNT	\$17,758.05

Any Payments Received After 09/14/20 Will Appear on Your Next Statement

Detail of Payments and Adjustments

Date	Check No.	Description	Amount
09/14/20	1035	Client Payment	\$5,695.50

- Receive your statement electronically:
Email: accounting@sussmanshank.com
- We've updated and improved our online payment service:
sussmanshank.com/PayMyStatement

----- We appreciate your business. Thank you! -----

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2020 I caused to be served a full and exact copy of the foregoing **RECEIVER NOTICE OF INTENT TO COMPENSATE SUSSMAN SHANK LLP, ATTORNEYS FOR RECEIVER** on the following persons:

Douglas Paul Perkins Coie LLP 1120 N.W. Couch Street, 10 th Floor Portland, OR 97206 Attorneys for Petitioner GridWorks Lab, Inc.	Joseph M. VanLeuven Davis Wright Tremaine LLLP 1300 S.W. Fifth Ave., St. 2400 Portland, OR 97201 Attorneys for Health Share of Oregon
C. Ross Peterson GridWorks Lab, Inc. 8950 SW Midea Ln Portland, OR 97225 Interested Party	Kimberley Hanks McGair Farleigh Wada Witt 121 SW Morrison Street, Suite 600 Portland, OR 97204 Attorneys for First Transit, Inc.

by the following indicated method(s):

- First Class Mail, postage prepaid, deposited in the US mail at Portland, OR
- Hand delivery
- Facsimile transmission
- Overnight delivery
- Email
- Electronic filing notification

Dated: September 15, 2020

s/ Susan S. Ford
Susan S. Ford, OSB No. 842203