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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) ORDER GRANTING LIMITED RELIEF
corporation,) FROM THE AUTOMATIC STAY OF
) ORS 37.220
Petitioner.)
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This matter comes before the Court on the motion of Clyde A. Hamstreet & Associates, LLP, the court-appointed receiver for GridWorks Lab, Inc. (“GridWorks”) (hereinafter, the “Receiver”) for an order granting limited relief from stay for the purpose of authorizing Health Share of Oregon (“Health Share”) and Health Share’s insurance company, Aspen Specialty Insurance Company (“Aspen”), respectively, to present and assert economic claims and/or subrogation claims to recover for alleged monetary damages and financial losses they have incurred or may sustain in the future resulting from a November 2019 incident concerning the theft of a laptop computer containing unencrypted information from GridWorks (the “Data Breach Incident”); only to the extent of insurance coverage for such claims that may be available under Insuring Agreement B. “Cyber” in the Technology, Cyber, Data Risk, and Media Insurance Policy, Policy No. MPL 4098029.19 (the “Data Breach Policy”) issued to Gridworks by and through Certain Underwriters at Lloyds, London (“Underwriters”) and Hiscox ClearTech

1 (“Hiscox ClearTech”) (collectively “Gridworks’ Data Breach Insurers”). The Court having
2 considered the Motion, the supporting Declaration of Maren Cohn, and the Court’s records and
3 files, and finding that notice of the Motion as required and appropriate under the circumstances
4 was given, and further finding that the Motion is well taken and the relief requested therein
5 should be granted, it is

6 ORDERED:

- 7 1. The Motion is granted;
- 8 2. Health Share and Aspen, respectively, are authorized to present and assert
9 economic claims and/or subrogation claims to recover under Gridworks’ Data Breach Policy for
10 alleged monetary damages and financial losses incurred or that may be sustained in the future
11 resulting from the Data Breach Incident to the extent of any insurance coverage for such claims
12 that may be available under Insuring Agreement B. “Cyber” in the Data Breach Policy; and

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1 3. Hiscox USA and Gridworks’ Data Breach Insurers are authorized to investigate,
2 evaluate, adjust, and coordinate payment as appropriate under the Data Breach Policy to the
3 extent of the Cyber Limit of Liability, for Insuring Agreement B. “Cyber,” and subject to the
4 other terms, conditions, limitations and exclusions in the Data Breach Policy issued to
5 Gridworks.

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11 _____
12 PRESENTED BY:

13 SUSSMAN SHANK LLP

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

21 *22537-003\ORDER ON LIMITED STAY MOTION (03540822);1
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Certificate of Readiness – UTCR 5.100

The submission is ready for judicial signature because:

- 1. Each opposing party affected by this order or judgment has stipulated to the order or judgment, as shown by each opposing party's signature on the document being submitted.
- 2. Each opposing party affected by this order or judgment has approved the order or judgment, as shown by signature on the document being submitted or by written confirmation or approval sent to me.
- 3. I have served a copy of this order or judgment on all parties on October 27, 2020, entitled to service and:
 - a. No objection has been served on me.
 - b. I received objections that I could not resolve with the opposing party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unsolved.
 - c. After conferring about objections, (opposing party) agreed to independently file any remaining objection.
- 4. The relief sought is against an opposing party who has been found in default.
- 5. An order of default is being requested with this proposed judgment.
- 6. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
- 7. This is a proposed judgment that includes an award of punitive damages, and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (4) of this rule.

Dated: November 18, 2020

s/ Susan S. Ford

Susan S. Ford, OSB No. 842203