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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF WASHINGTON**

**STATE OF OREGON,**  
  
Plaintiff,  
  
v.  
  
**AVERY MARCUS BONGIORNO,**  
  
Defendant.

Case No. C160025CR

**ORDER**

Based on non-party DM Kemper, LLC’s Motion for Reconsideration and having heard oral argument on the Motion, DM Kemper, LLC’s Motion for Reconsideration is GRANTED and the Court amends its December 4, 2023 and January 5, 2024 orders to read as follows:

1. By March 8, 2024, OHA will provide to DM Kemper, LLC a list of all names and associated case numbers from the files OHA received from Margaret Gorciak. Said list will be reasonably readable and searchable in digital format.
2. By March 31, 2024, DM Kemper, LLC will cross-reference each name and case number received from OHA against its ADSS computer system to identify which of the files are in warrant status.
3. By March 31, 2024, DM Kemper, LLC will provide a list of the identified files (including names and case numbers) that are in warrant status to OHA.
4. By April 15, 2024, OHA will deliver the identified files that are in warrant status to DM Kemper, LLC.

1 5. By April 15, 2024, OHA will deliver all remaining files and boxes received from  
2 Margaret Gorciak to Margaret Gorciak.

3  
4 3/4/2024 8:30:07 AM

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8 Circuit Court Judge, Brandon Thompson

9 SUBMITTED BY:  
10 Shawn M. Lindsay, OSB #020695  
11 Of Attorneys for non-party DM Kemper, LLC  
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1 **CERTIFICATE OF READINESS – UTCR 5.100**

2 The submission is ready for judicial signature because:

- 3  1. Each party affected by this order or judgment has stipulated to the order or  
4 judgment, as shown by each opposing party’s signature on the document being  
5 submitted.
- 6  2. Each party affected by this order or judgment has approved the order or judgment,  
7 as shown by each party’s signature on the document being submitted or by written  
8 confirmation or approval sent to me.
- 9  3. I have served a copy of this order or judgment on each party entitled to service and:  
10  a. No objection has been served on me.  
11  b. I received objections that I could not resolve with a party despite  
12 reasonable efforts to do so. I have filed a copy of the objections I  
13 received and indicated which objections remain unresolved.  
14  c. After conferring about objections \_\_\_\_\_ agreed to  
15 independently file any remaining objection.
- 16  4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule or  
17 otherwise.
- 18  5. This is a proposed judgment that includes an award of punitive damages and notice  
19 has been served on the Director of the Crime Victims’ Assistance Section as required  
20 by subsection (5) of this rule.
- 21  6. Other: This is seeking a judgment of default.

22 DATED this 23rd day of February 2024.

23 **JURISLAW LLP**

24 By: s/ Shawn M. Lindsay  
25 Shawn M. Lindsay, OSB #020695  
26 Of Attorneys for DM Kemper, LLC  
E-mail : shawn@jurislawyer.com

27 *Certificate of Readiness*

1 **CERTIFICATE OF SERVICE**

2 I certify that I caused to be served a true and complete copy of the foregoing **ORDER** on  
3 the date below as follows:

4 Ms. Marie Atwood  
5 Mr. Andrew Freeman  
6 Washington County District Attorney's Office  
7 150 N 1st Ave Ste 300  
8 Hillsboro OR 97124  
9 marie\_atwood@washingtoncountyor.gov  
10 andrew\_freeman@washingtoncountyor.gov

- Oregon’s Electronic Court Service
- Email
- Facsimile
- First-class mail, postage prepaid
- Overnight courier, delivery prepaid
- Hand-delivery

11 *Of Attorneys for Plaintiff*

12 Ms. Jenna Richards  
13 Gilroy Napoli Short Law Group  
14 12755 SW 69th Ave Ste 200  
15 Portland OR 97223  
16 jenna@gnslawgroup.com

- Oregon’s Electronic Court Service
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- Facsimile
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- Overnight courier, delivery prepaid
- Hand-delivery

17 *Of Attorneys for Defendant*

18 Mr. Craig M. Johnson  
19 Mr. Nicholas S Mancuso  
20 Oregon Department of Justice  
21 1162 Court St NE  
22 Salem OR 97301  
23 craig.m.johnson@doj.state.or.us  
24 nicholas.mancuso@doj.state.or.us

- Oregon’s Electronic Court Service
- Email
- Facsimile
- First-class mail, postage prepaid
- Overnight courier, delivery prepaid
- Hand-delivery

25 *Of Attorneys for Oregon Health Authority*

26 DATED this 23rd day of February 2024.

By: s/Shawn M. Lindsay  
Shawn M. Lindsay, OSB #020695  
Three Centerpointe Drive, Suite 160  
Lake Oswego, OR 97035  
Tel: (503) 968-1475  
Fax: (503) 968-2003  
shawn@jurislawyer.com

Certificate of Service