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STATE OF OREGON
COLUMBIA COUNTY COURTS

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CIRCUIT COURT OF OREGON
COLUMBIA COUNTY

OREGON STATE BAR, a public
corporation of the State of
Oregon,

Plaintiff,

vs.

MERVIN ARNOLD,

Defendant.

No. 94-2113

REINSTATED JUDGMENT

This matter came on before the court on plaintiff's motion for summary judgment. The court granted plaintiff's motion and entered an order thereon on the 14th day of August, 1998. The order stated: "There is no just reason for delay in entry of judgment and the court expressly directs that the final judgment be entered with respect to Plaintiff's claim." Now, therefore

IT IS ORDERED AND ADJUDGED that Plaintiff is awarded final judgment against Defendant for the relief sought in Plaintiff's complaint. Defendant is, pursuant to ORS 9.166(1) is enjoined from practicing law without a license in the State of

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1 Oregon.

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3 THE COURT FINDS that:

- 4 1. Pursuant to ORCP 68 the Plaintiff has filed and served its cost bill and
- 5 affidavit for an award of attorney fees on the Defendant; said service
- 6 being by mail and sent by Plaintiff to Defendant on August 18, 1998;
- 7 2. Pursuant to ORCP 10C when service by mail is authorized, the party upon
- 8 whom service is made shall have an additional three days in which to
- 9 object;
- 10 3. On August 20, 1998 Plaintiff filed with the court an affidavit seeking an
- 11 award of attorney fees in the amount of \$7,277.50 and a cost bill seeking
- 12 costs in the amount of \$253;
- 13 4. ORCP 68C(4)(b) allows the party opposing an award of attorneys fees,
- 14 the amount claimed or both, to file objections thereto within 14 days after
- 15 service. Service having been accomplished on the 18th day of August,
- 16 1998 and three additional days being added thereto pursuant to ORCP
- 17 10C, Defendant had until September 4, 1998 to file his objections.
- 18 Defendant has filed no objections; *
- 19 5. ORCP 68C(4)(b) also allows the party opposing the costs claimed by the
- 20 prevailing party, as shown in the party's cost bill, to file objections thereto
- 21 within 14 days after service. Service having been accomplished on the
- 22 18th day of August, 1998 and three additional days being added thereto
- 23 pursuant to ORCP 10C, Defendant had until September 4, 1998 to file his
- 24 objections. Defendant has filed no objections; and
- 25 6. ORCP 68C(4)(d) provides that when timely objections are not made to
- 26 the filing of a cost bill and affidavit seeking attorney fees the court may
- award fees pursuant to the cost bill and affidavit.

21 Now, therefore Plaintiff is entitled to the following money judgments, to-wit:

22
23 MONEY JUDGMENT:

24 JUDGMENT CREDITOR : Oregon State Bar, a public corporation of the
25 State of Oregon

26 *****

* Δ DID FILE OBJECTIONS, WHICH THE COURT
CONSIDERED AND OVERRULED; Δ FAILED TO APPEAR PERSONALL
AT A SCHEDULED HEARING ON HIS OBJECTIONS & FAILED TO
APPEAR TO REQUEST A CONTINUANCE OF THE
COURT AFTER HAVING BEEN GIVEN AN
OPPORTUNITY TO DO SO, BOTH
ON 10-13-98

JOHN F. HUNNICUTT
ATTORNEY AT LAW
1677 ST. HELENS STREET
ST. HELENS, OR 97051
PHONE (503) 397-3066

1 JUDGMENT CREDITOR'S
 2 ATTORNEY : John F. Hunnicutt, OSB #72130
 3
 4 JUDGMENT DEBTOR : Mervin Arnold
 5
 6 JUDGMENT AMOUNT :
 7 INTEREST FROM DATE OF JUDGMENT: : Simple interest thereon at the
 8 rate of nine percent per annum.
 9 COSTS & DISBURSEMENTS : X YES NO
 10 (a) Amount: \$253.00
 11 (b) Costs and disbursements accrued with
 12 simple interest thereon at the rate of nine
 13 percent per annum.
 14 ATTORNEY FEES : X YES NO
 15 (a) Amount: \$7,277.50
 16 (b) Attorney fees accrued with simple interest
 17 thereon at the rate of nine percent per annum.

18 DATED this 30TH day of NOVEMBER, 1998.

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 20 _____
 21 Circuit Judge

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Page

3 - REINSTATED JUDGMENT

JOHN F. HUNNICUTT
 ATTORNEY AT LAW
 1877 ST. HELENS STREET
 ST. HELENS, OR 97051
 PHONE (503) 387-9068



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TRIAL COURT ADMINISTRATOR

CIRCUIT COURT OF OREGON *NBC*

COLUMBIA COUNTY

OREGON STATE BAR, a public
corporation of the State of
Oregon,

Plaintiff,

vs.

MERVIN ARNOLD,

Defendant.

No. 94-2113

ORDER GRANTING
SUMMARY JUDGMENT
and INJUNCTION

On the 17th day of July, 1998 this matter came on before the court on motion of the Plaintiff seeking an order granting summary judgment. Plaintiff appeared by and through its attorney, John F. Hunnicutt. Defendant appeared pro se. Arguments were heard. The court reviewed the memorandums and affidavits. Whereupon the court found that no genuine issue as to any material fact exists and Plaintiff is entitled to judgment as a matter of law for the relief sought in its complaint. There is no just reason for delay in entry of judgment and the court expressly directs that the final judgment be entered with respect to Plaintiff's claim. Now, therefore

Page

1 - ORDER GRANTING SUMMARY JUDGMENT and INJUNCTION (ORS 9.166)

JOHN F. HUNNICUTT
ATTORNEY AT LAW
1677 ST. HELENS STREET
ST. HELENS, OR 97051
PHONE (503) 397-9068
FAX (503) 397-5113

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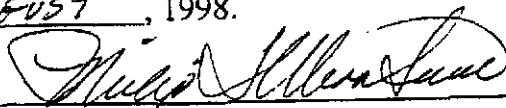
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IT IS ORDERED that Plaintiff's motion for summary judgment be granted.
5200 S.W. Meadows Road, P.O. Box 1689, Lake Oswego, Oregon 97035-0889
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IT IS FURTHER ORDERED and DECREED that, pursuant to ORS 9.166(1),

Defendant is and shall be enjoined from practicing law without a license in the State of Oregon

IT IS FURTHER ORDERED that Plaintiff shall have leave to file its cost bill and prayer for attorney fees herein.

DATED this 10TH day of AUGUST, 1998.


Philip T. Abraham, Senior Judge

Page

2 - ORDER GRANTING SUMMARY JUDGMENT and INJUNCTION (ORS 9.166)

JOHN F. HUNNICUTT
ATTORNEY AT LAW
1677 ST. HELENS STREET
ST. HELENS, OR 97051
PHONE (503) 397-9068
FAX (503) 397-5113