

Verified Correct Copy of Original 6/14/2023

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

JEANYNE JAMES, ROBIN COLBERT,  
JANE DREVO, SAM DREVO, BROOKE  
EDGE AND BILL EDGE, SR., LORI  
FOWLER, IRIS HAMPTON, JAMES  
HOLLAND, RACHELLE MCMASTER,  
KRISTINA MONTOYA, NORTHWEST  
RIVER GUIDES, LLC, SHARIENE  
STOCKTON AND KEVIN  
STOCKTON, VICTOR PALFREYMAN,  
PALFREYMAN FAMILY TRUST, AND  
DUANE BRUNN, individually and on behalf  
of all others similarly situated,

Plaintiffs,

v.

PACIFICORP, an Oregon corporation;  
and PACIFIC POWER, an Oregon  
registered electric utility and assumed  
business name of PACIFICORP,

Defendants.

Case No. 20CV33885

Case Assigned to: Hon. Steffan Alexander

FINAL VERDICT

FILED  
2023 JUN 14 PM 2:57  
4TH JUDICIAL DIST.

We, the jury, find:

**I. FIRST CLAIM FOR RELIEF: NEGLIGENCE**

**QUESTION 1:** Was the Defendant negligent in one or more of the ways the  
plaintiffs claim as to the Plaintiffs and the entire class within the boundaries of the fire areas  
below?

Echo Mountain Complex fire YES ☒ NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire YES ☒ NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

South Obenchain fire

YES ☒ NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

242 fire

YES ☒ NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

If "yes," for any of the fire areas go to question 2.

If "no" for any of the fire areas your verdict on Claim One is for defendant for that fire area. Do not answer question 2 for any fire area that you answered "no" for question 1. Do not answer question 3 for any fire area that you answered "no" for question 1.

If you answered "yes" for at least one fire area proceed to question 2. If you answered "no" for all four fire areas proceed to question 4.

**QUESTION 2:** Was the Defendant's negligence a cause of harm to the Plaintiffs within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒ NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Santiam Canyon fire

YES ☒ NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 N
44 Y	48 N	61 Y	69 Y	83 Y	96 Y

South Obenchain fire

YES ☒ NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

242 fire

YES ☒

NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

*At least nine of you who answered "yes" to question 1 must also agree on the answer to question 2 for that particular fire area.*

*If "no" for any of the fire areas your verdict on Claim One is against the plaintiffs for that fire area and for the defendant for that fire area. Please proceed to Question 3.*

**QUESTION 3:**

Was the Defendant's negligence a cause of harm to the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Santiam Canyon fire

YES ☒

NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 N
44 Y	48 N	61 Y	69 Y	83 Y	96 Y

South Obenchain fire

YES ☒

NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

242 fire

YES ☒

NO ☐

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

*At least nine of you who answered "yes" to question 1 must also agree on the answer to question 3 for that particular fire area.*

*If "no" for any of the fire areas your verdict on Claim One is against a finding of causation as to the entire class for that fire area and for the defendant for that fire area. Please proceed to Question 4, Claim Two, Gross Negligence.*

## II. SECOND CLAIM FOR RELIEF: GROSS NEGLIGENCE

**QUESTION 4:** For each fire that you answered “Yes” in response to Question 1, was the Defendant grossly negligent in one or more of the ways the plaintiffs claim as to the Plaintiffs and the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2</td><td>8</td><td>11</td><td>24</td><td>32</td><td>37</td> </tr> <tr> <td>N</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>N</td> </tr> <tr> <td>44</td><td>48</td><td>61</td><td>69</td><td>83</td><td>96</td> </tr> <tr> <td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td> </tr> </table>	2	8	11	24	32	37	N	Y	Y	Y	Y	N	44	48	61	69	83	96	Y	Y	Y	Y	Y	Y
2	8	11	24	32	37																						
N	Y	Y	Y	Y	N																						
44	48	61	69	83	96																						
Y	Y	Y	Y	Y	Y																						
Santiam Canyon fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2</td><td>8</td><td>11</td><td>24</td><td>32</td><td>37</td> </tr> <tr> <td>N</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>N</td> </tr> <tr> <td>44</td><td>48</td><td>61</td><td>69</td><td>83</td><td>96</td> </tr> <tr> <td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td> </tr> </table>	2	8	11	24	32	37	N	Y	Y	Y	Y	N	44	48	61	69	83	96	Y	Y	Y	Y	Y	Y
2	8	11	24	32	37																						
N	Y	Y	Y	Y	N																						
44	48	61	69	83	96																						
Y	Y	Y	Y	Y	Y																						
South Obenchain fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2</td><td>8</td><td>11</td><td>24</td><td>32</td><td>37</td> </tr> <tr> <td>N</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>N</td> </tr> <tr> <td>44</td><td>48</td><td>61</td><td>69</td><td>83</td><td>96</td> </tr> <tr> <td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td> </tr> </table>	2	8	11	24	32	37	N	Y	Y	Y	Y	N	44	48	61	69	83	96	Y	Y	Y	Y	Y	Y
2	8	11	24	32	37																						
N	Y	Y	Y	Y	N																						
44	48	61	69	83	96																						
Y	Y	Y	Y	Y	Y																						
242 fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2</td><td>8</td><td>11</td><td>24</td><td>32</td><td>37</td> </tr> <tr> <td>N</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>N</td> </tr> <tr> <td>44</td><td>48</td><td>61</td><td>69</td><td>83</td><td>96</td> </tr> <tr> <td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td><td>Y</td> </tr> </table>	2	8	11	24	32	37	N	Y	Y	Y	Y	N	44	48	61	69	83	96	Y	Y	Y	Y	Y	Y
2	8	11	24	32	37																						
N	Y	Y	Y	Y	N																						
44	48	61	69	83	96																						
Y	Y	Y	Y	Y	Y																						

If “yes,” for any of the fire areas go to question 5.

If “no” for any of the fire areas your verdict on Claim Two is for defendant for that fire area. Do not answer question 5 for any fire area that you answered “no” for question 4. Do not answer question 6 for any fire area that you answered “no” for question 4.

If you answered “yes” for at least one fire area proceed to question 5. If you answered “no” for all four fire areas proceed to question 7.

**QUESTION 5:**

Was the Defendant's gross negligence a cause of harm to the Plaintiffs within the boundaries of the fire areas below?

Echo Mountain Complex fire YES ☒ NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire YES ☒ NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	N	Y	Y	Y	Y

South Obenchain fire YES ☒ NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire YES ☒ NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

*At least nine of you who answered "yes" to question 4 must also agree on the answer to question 5 for that particular fire area.*

*If "no" for any of the fire areas your verdict on Claim Two is against the plaintiffs for that fire area and for the defendant for that fire area. Please proceed to Question 6.*

**QUESTION 6:**

Was the Defendant's gross negligence a cause of harm to the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire YES ☒ NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire YES ☒ NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	N	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

At least nine of you who answered "yes" to question 4 must also agree on the answer to question 6 for that particular fire area.

If "no" for any of the fire areas your verdict on Claim Two is against a finding of causation as to the entire class for that fire area and for the defendant for that fire area. Please proceed to Question 7.

### ADDITIONAL CLASS QUESTIONS

#### QUESTION 7:

Was the Defendant's conduct reckless as to the Plaintiffs and the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

At least nine of you must agree. Please proceed to question 8.

**QUESTION 8:**

Was the Defendant's conduct willful as to the Plaintiffs and the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

*At least nine of you must agree. Please proceed to Question 9, Claim Three, Private Nuisance.*

**III. THIRD CLAIM FOR RELIEF: PRIVATE NUISANCE**

**QUESTION 9:**

Did the Defendant's conduct constitute a private nuisance as to the Plaintiffs and the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	N	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

If "yes," for any of the fire areas go to question 10.

If "no" for any of the fire areas your verdict on Claim Three is for defendant for that fire area. Do not answer question 10 for any fire area that you answered "no" for question 9. Do not answer question 11 for any fire area that you answered "no" for question 9.

If you answered "yes" for at least one fire area proceed to question 10. If you answered "no" for all four fire areas proceed to question 12.

**QUESTION 10:**

Was the Defendant's private nuisance a cause of harm to the Plaintiffs within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	N	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

At least nine of you who answered "yes" to question 9 must also agree on the answer to question 10 for that particular fire area.

If "no" for any of the fire areas your verdict on Claim Three is against the plaintiffs for that fire area and for the defendant for that fire area. Please proceed to Question 11.

**QUESTION 11:** Was the Defendant's private nuisance a cause of harm to the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2 N</td> <td>8 Y</td> <td>11 Y</td> <td>24 Y</td> <td>32 Y</td> <td>37 Y</td> </tr> <tr> <td>44 Y</td> <td>48 Y</td> <td>61 Y</td> <td>69 Y</td> <td>83 Y</td> <td>96 Y</td> </tr> </table>	2 N	8 Y	11 Y	24 Y	32 Y	37 Y	44 Y	48 Y	61 Y	69 Y	83 Y	96 Y
2 N	8 Y	11 Y	24 Y	32 Y	37 Y										
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y										
Santiam Canyon fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2 N</td> <td>8 Y</td> <td>11 Y</td> <td>24 Y</td> <td>32 Y</td> <td>37 N</td> </tr> <tr> <td>44 Y</td> <td>48 N</td> <td>61 Y</td> <td>69 Y</td> <td>83 Y</td> <td>96 Y</td> </tr> </table>	2 N	8 Y	11 Y	24 Y	32 Y	37 N	44 Y	48 N	61 Y	69 Y	83 Y	96 Y
2 N	8 Y	11 Y	24 Y	32 Y	37 N										
44 Y	48 N	61 Y	69 Y	83 Y	96 Y										
South Obenchain fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2 N</td> <td>8 Y</td> <td>11 Y</td> <td>24 Y</td> <td>32 Y</td> <td>37 Y</td> </tr> <tr> <td>44 Y</td> <td>48 Y</td> <td>61 Y</td> <td>69 Y</td> <td>83 Y</td> <td>96 Y</td> </tr> </table>	2 N	8 Y	11 Y	24 Y	32 Y	37 Y	44 Y	48 Y	61 Y	69 Y	83 Y	96 Y
2 N	8 Y	11 Y	24 Y	32 Y	37 Y										
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y										
242 fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2 N</td> <td>8 Y</td> <td>11 Y</td> <td>24 Y</td> <td>32 Y</td> <td>37 Y</td> </tr> <tr> <td>44 Y</td> <td>48 Y</td> <td>61 Y</td> <td>69 Y</td> <td>83 Y</td> <td>96 Y</td> </tr> </table>	2 N	8 Y	11 Y	24 Y	32 Y	37 Y	44 Y	48 Y	61 Y	69 Y	83 Y	96 Y
2 N	8 Y	11 Y	24 Y	32 Y	37 Y										
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y										

At least nine of you who answered "yes" to question 9 must also agree on the answer to question 11 for that particular fire area.

If "no" for any of the fire areas your verdict on Claim Three is against a finding of causation as to the entire class for that fire area and for the defendant for that fire area. Please proceed to Question 12, Claim Four, Public Nuisance.

#### IV. FOURTH CLAIM FOR RELIEF: PUBLIC NUISANCE

**QUESTION 12:** Did Defendant's conduct constitute a public nuisance as to the

Plaintiffs and the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

If "yes," for any of the fire areas go to question 13.

If "no" for any of the fire areas your verdict on Claim Four is for defendant for that fire area. Do not answer question 13 for any fire area that you answered "no" for question 12. Do not answer question 14 for any fire area that you answered "no" for question 12.

If you answered "yes" for at least one fire area proceed to question 13. If you answered "no" for all four fire areas proceed to question 15.

**QUESTION 13:**

Was the Defendant's public nuisance a cause of harm to the Plaintiffs within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

At least nine of you who answered "yes" to question 12 must also agree on the answer to question 13 for that particular fire area.

If "no" for any of the fire areas your verdict on Claim Four is against the plaintiffs for that fire area and for the defendant for that fire area. Please proceed to Question 14.

**QUESTION 14:**

Was the Defendant's public nuisance a cause of harm to the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

At least nine of you who answered "yes" to question 12 must also agree on the answer to question 14 for that particular fire area.

If "no" for any of the fire areas your verdict on Claim Four is against a finding of causation as to the entire class for that fire area and for the defendant for that fire area. Please proceed to Question 15, Claim Five, Trespass.

## V. FIFTH CLAIM FOR RELIEF: TRESPASS

**QUESTION 15:** Did the Defendant's conduct constitute a trespass as to the Plaintiffs and the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	N	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

If "yes," for any of the fire areas go to question 16.

If "no" for any of the fire areas your verdict on Claim Five is for defendant for that fire area. Do not answer question 16 for any fire area that you answered "no" for question 15. Do not answer question 17 for any fire area that you answered "no" for question 15.

If you answered "yes" for at least one fire area proceed to question 16. If you answered "no" for all four fire areas proceed to question 18.

**QUESTION 16:** Was the Defendant's trespass a cause of harm to the Plaintiffs within the boundaries of the fire areas below?

Echo Mountain Complex fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2 N</td> <td>8 Y</td> <td>11 Y</td> <td>24 Y</td> <td>32 Y</td> <td>37 Y</td> </tr> <tr> <td>44 Y</td> <td>48 Y</td> <td>61 Y</td> <td>69 Y</td> <td>83 Y</td> <td>96 Y</td> </tr> </table>	2 N	8 Y	11 Y	24 Y	32 Y	37 Y	44 Y	48 Y	61 Y	69 Y	83 Y	96 Y
2 N	8 Y	11 Y	24 Y	32 Y	37 Y										
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y										
Santiam Canyon fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2 N</td> <td>8 Y</td> <td>11 Y</td> <td>24 Y</td> <td>32 Y</td> <td>37 N</td> </tr> <tr> <td>44 Y</td> <td>48 N</td> <td>61 Y</td> <td>69 Y</td> <td>83 Y</td> <td>96 Y</td> </tr> </table>	2 N	8 Y	11 Y	24 Y	32 Y	37 N	44 Y	48 N	61 Y	69 Y	83 Y	96 Y
2 N	8 Y	11 Y	24 Y	32 Y	37 N										
44 Y	48 N	61 Y	69 Y	83 Y	96 Y										
South Obenchain fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2 N</td> <td>8 Y</td> <td>11 Y</td> <td>24 Y</td> <td>32 Y</td> <td>37 Y</td> </tr> <tr> <td>44 Y</td> <td>48 Y</td> <td>61 Y</td> <td>69 Y</td> <td>83 Y</td> <td>96 Y</td> </tr> </table>	2 N	8 Y	11 Y	24 Y	32 Y	37 Y	44 Y	48 Y	61 Y	69 Y	83 Y	96 Y
2 N	8 Y	11 Y	24 Y	32 Y	37 Y										
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y										
242 fire	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>2 N</td> <td>8 Y</td> <td>11 Y</td> <td>24 Y</td> <td>32 Y</td> <td>37 Y</td> </tr> <tr> <td>44 Y</td> <td>48 Y</td> <td>61 Y</td> <td>69 Y</td> <td>83 Y</td> <td>96 Y</td> </tr> </table>	2 N	8 Y	11 Y	24 Y	32 Y	37 Y	44 Y	48 Y	61 Y	69 Y	83 Y	96 Y
2 N	8 Y	11 Y	24 Y	32 Y	37 Y										
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y										

At least nine of you who answered "yes" to question 15 must also agree on the answer to question 16 for that particular fire area.

If "no" for any of the fire areas your verdict on Claim Five is against the plaintiffs for that fire area and for the defendant for that fire area. Please proceed to Question 17.

**QUESTION 17:**

Was the Defendant's trespass a cause of harm to the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

Santiam Canyon fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	N
44	48	61	69	83	96
Y	N	Y	Y	Y	Y

South Obenchain fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

242 fire

YES ☒

NO ☐

2	8	11	24	32	37
N	Y	Y	Y	Y	Y
44	48	61	69	83	96
Y	Y	Y	Y	Y	Y

*At least nine of you who answered "yes" to question 15 must also agree on the answer to question 17 for that particular fire area.*

*If "no" for any of the fire areas your verdict on Claim Five is against a finding of causation as to the entire class for that fire area and for the defendant for that fire area. Please proceed to Question 18, Claim Six, Inverse Condemnation.*

**VI. SIXTH CLAIM FOR RELIEF: INVERSE CONDEMNATION**

**QUESTION 18:**

Did the Defendant's conduct constitute an intentional taking under authority of law (referred to as "inverse condemnation") of the property or portions of property of the Plaintiffs and the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES \_\_\_\_\_

NO ☒

2	8	11	24	32	37
N	N	N	N	Y	N
44	48	61	69	83	96
N	N	N	N	Y	N

Santiam Canyon fire

YES \_\_\_\_\_

NO ☒

2	8	11	24	32	37
N	N	N	N	Y	N
44	48	61	69	83	96
N	N	N	N	Y	N

South Obenchain fire

YES \_\_\_\_\_

NO ☒

2	8	11	24	32	37
N	N	N	N	Y	N
44	48	61	69	83	96
N	N	N	N	Y	N

242 fire

YES \_\_\_\_\_

NO ☒

2	8	11	24	32	37
N	N	N	N	Y	N
44	48	61	69	83	96
N	N	N	N	Y	N

If "yes," for any of the fire areas go to question 19.

If "no" for any of the fire areas your verdict on Claim Six is for defendant for that fire area. Do not answer question 19 for any fire area that you answered "no" for question 18. Do not answer question 20 for any fire area that you answered "no" for question 18.

If you answered "yes" for at least one fire area proceed to question 19. If you answered "no" for all four fire areas proceed to question 21.

**QUESTION 19:**

Was the Defendant's inverse condemnation a cause of harm to the

Plaintiffs within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES \_\_\_\_\_

NO \_\_\_\_\_

2	8	11	24	32	37
44	48	61	69	83	96

Santiam Canyon fire

YES \_\_\_\_\_

NO \_\_\_\_\_

2	8	11	24	32	37
44	48	61	69	83	96

South Obenchain fire

YES \_\_\_\_\_ NO \_\_\_\_\_

2	8	11	24	32	37
44	48	61	69	83	96

242 fire

YES \_\_\_\_\_ NO \_\_\_\_\_

2	8	11	24	32	37
44	48	61	69	83	96

*At least nine of you who answered "yes" to question 18 must also agree on the answer to question 19 for that particular fire area.*

*If "no" for any of the fire areas your verdict on Claim Six is against the plaintiffs for that fire area and for the defendant for that fire area. Please proceed to Question 20.*

**QUESTION 20:** Was the Defendant's inverse condemnation a cause of harm to the entire class within the boundaries of the fire areas below?

Echo Mountain Complex fire

YES \_\_\_\_\_ NO \_\_\_\_\_

2	8	11	24	32	37
44	48	61	69	83	96

Santiam Canyon fire

YES \_\_\_\_\_ NO \_\_\_\_\_

2	8	11	24	32	37
44	48	61	69	83	96

South Obenchain fire

YES \_\_\_\_\_ NO \_\_\_\_\_

2	8	11	24	32	37
44	48	61	69	83	96

242 fire

YES \_\_\_\_\_ NO \_\_\_\_\_

2	8	11	24	32	37
44	48	61	69	83	96

*At least nine of you who answered "yes" to question 18 must also agree on the answer to question 20 for that particular fire area.*

If “no” for any of the fire areas your verdict on Claim Six is against a finding of causation as to the entire class for that fire area and for the defendant for that fire area. Please proceed to the instructions below and Question 21.

### **CLASS REPRESENTATIVE PLAINTIFFS’ INDIVIDUAL DAMAGES**

If you answered “yes” to question 2, question 5, question 10, question 13, or question 16 for some or all of the four fire areas, or if all were answered “yes”, please proceed to question 21 and answer the plaintiffs’ individual damages questions for any fire area to which you answered “yes” for question 2, question 5, question 10, question 13, or question 16. At least nine of you who agreed to those answers for a particular fire area, must also agree on your answers to question 21 and question 22 for the same fire area.

If you did not answer “yes” to question 2, question 5, question 10, question 13, and question 16 for a particular fire area then your verdict is against plaintiffs for that fire area and for the defendant for that particular fire area. Do not answer questions 21 or question 22 for that particular fire area. Otherwise, please proceed to question 21.

### **PLAINTIFFS’ INDIVIDUAL DAMAGES – FIRST, SECOND, THIRD, FOURTH, AND FIFTH CLAIMS FOR RELIEF**

**QUESTION 21:** What amount of economic damages, if any, do you award each of the following Plaintiffs?

Plaintiffs within the boundaries of the Echo Mountain Complex fire area	Economic Damages
James Holland (Echo)	\$404,884.00
Rachelle McMaster (Echo)	\$147,160.00
Kevin Stockton (Echo)	\$96,521.50
Shariene Stockton (Echo)	\$96,521.50

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Plaintiffs within the boundaries of the Santiam Canyon fire area	Economic Damages
Robin Colbert (Santiam)	\$19,654.00
Jane Drevo (Santiam)	\$493,882.00
Sam Drevo (Santiam)	\$85,295.00
Brooke Edge (Santiam)	\$224,240.00
Bill Edge (Santiam)	\$224,240.00
Lori Fowler (Santiam)	\$35,412.60
Iris Hampton (Santiam)	\$536,776.00
Jeanyne James (Santiam)	\$485,408.93
Kristina Montoya (Santiam)	\$119,004.00
Northwest River Guides, LLC (Santiam)	\$330,000.00

2 N	8 Y	11 Y	24 Y	32 Y	37 N
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Plaintiffs within the boundaries of the South Obenchain fire area	Economic Damages
Victor Palfreyman (South Obenchain)	\$20,000.00
Palfreyman Family Trust (South Obenchain)	\$1,000,000.00

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Plaintiffs within the boundaries of the 242 fire area						Economic Damages					
Duane Brunn (242)						\$56,187.00					
2	N	8	Y	11	Y	24	Y	32	Y	37	N
44	Y	48	Y	61	Y	69	Y	83	Y	96	Y

Please proceed to Question 22.

**QUESTION 22:** What amount of noneconomic damages, if any, do you award each of the following Plaintiffs?

Plaintiffs within the boundaries of the Echo Mountain Complex fire area						Non-Economic Damages	
James Holland (Echo)						\$4,500,000.00	
Rachelle McMaster (Echo)						\$4,500,000.00	
Kevin Stockton (Echo)						\$4,500,000.00	
Shariene Stockton (Echo)						\$3,000,000.00	
		2 N	8 Y	11 Y	24 Y	32 Y	37 Y
		44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Plaintiffs within the boundaries of the Santiam Canyon fire area						Non-Economic Damages
Robin Colbert (Santiam)						\$4,500,000.00
Jane Drevo (Santiam)						\$4,500,000.00
Sam Drevo (Santiam)						\$4,500,000.00
Brooke Edge (Santiam)						\$4,500,000.00

Bill Edge (Santiam)	\$4,500,000.00
Lori Fowler (Santiam)	\$4,500,000.00
Iris Hampton (Santiam)	\$4,500,000.00
Jeanyne James (Santiam)	\$4,500,000.00
Kristina Montoya (Santiam)	\$3,000,000.00
Northwest River Guides, LLC (Santiam)	Ø

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Plaintiffs within the boundaries of the South Obenchain fire area	Non-Economic Damages
Victor Palfreyman (South Obenchain)	\$4,500,000.00
Palfreyman Family Trust (South Obenchain)	\$4,500,000.00

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Plaintiffs within the boundaries of the 242 fire area	Non-Economic Damages
Duane Brunn (242)	\$3,000,000.00

2 N	8 Y	11 Y	24 Y	32 Y	37 Y
44 Y	48 Y	61 Y	69 Y	83 Y	96 Y

Please proceed to the instructions below and Question 23.

**PLAINTIFFS' INDIVIDUAL DAMAGES – SIXTH CLAIM FOR RELIEF INVERSE  
CONDEMNATION**

*If you answered “yes” to question 19, for some or all of the four fire areas, please proceed to question 23 and answer the plaintiffs’ individual damages questions for any fire area to which you answered “yes” for question 19. At least nine of you who agreed to those answers for a particular fire area, must also agree on your answers to question 23 for the same fire area.*

*If you did not answer “yes” to question 19, for a particular fire area then your verdict is against plaintiffs for that fire area and for the defendant for that particular fire area. Do not answer questions 23 for that particular fire area. Otherwise, please proceed to question 23.*

**QUESTION 23:** What amount of just compensation, if any, do you award each of the following Plaintiffs?

Plaintiffs within the boundaries of the Echo Mountain Complex fire area					Just Compensation	
James Holland (Echo)						
Rachelle McMaster (Echo)						
Kevin Stockton (Echo)						
Shariene Stockton (Echo)						
	2	8	11	24	32	37
	44	48	61	69	83	96

Plaintiffs within the boundaries of the Santiam Canyon fire area	Just Compensation
Robin Colbert (Santiam)	
Jane Drevo (Santiam)	
Sam Drevo (Santiam)	
Brooke Edge (Santiam)	
Bill Edge (Santiam)	
Lori Fowler (Santiam)	
Iris Hampton (Santiam)	
Jeanyne James (Santiam)	
Kristina Montoya (Santiam)	
Northwest River Guides, LLC (Santiam)	

2	8	11	24	32	37
44	48	61	69	83	96

Plaintiffs within the boundaries of the South Obenchain fire area	Just Compensation
Victor Palfreyman (South Obenchain)	
Palfreyman Family Trust (South Obenchain)	

2	8	11	24	32	37
44	48	61	69	83	96

Plaintiffs within the boundaries of the 242 fire area					Just Compensation	
Duane Brunn (242)						
2	8	11	24	32	37	
44	48	61	69	83	96	

You are now done with this form. Your presiding juror should sign this verdict form and notify the clerk.

Dated: 6/9/23

#69 ES  
Presiding Juror Number and Initials