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JACOBS WILSON CALLAHAN10423 SE 23rd Avenue • Milwaukie, OR 97222

Phone: (503) 765-8800 • Fax: (503) 210-7997

Email: [REDACTED]

December 17, 2024



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DEC 23 2024

CITY OF PORTLAND
RISK MANAGEMENT**SENT VIA CERTIFIED MAIL**

Central City Concern
232 NW Sixth Avenue
Portland, OR 97209

Office of the Attorney General
Oregon Department of Justice
1162 Court Street
Salem, OR 97301

Oregon Department of Administrative Services
Executive Building
155 Cottage Street BE
Salem, OR 97301

City of Portland, Risk Management
1120 SW 5th Avenue, Suite 1040
Portland, OR 97204

Jenny M. Madkour
Multnomah County Attorney
501 SE Hawthorne Boulevard
Suite 500
Portland, OR 97214

Federal Tort Claims Act Section
Torts Branch, Civil Division
PO Box 888
Benjamin Franklin Station
Washington, DC 20044

RE: Our clients : Michelle Bauschard, next of kin to Kane Dixon,
And the Estate of Kane Dixon
Date of Incident : On or about 07/27/2023

NOTICE OF CLAIM**Spoliation Notice and Notice to Prevent Automatic Data Purge**

Greetings:

On behalf of Michelle Bauschard, mother to Kane Dixon, notice is hereby given of her tort claims against you relative to the death and decay of the corpse of Kane Dixon, who died at the Central City Concern Richard L. Harris building (8 NW 8th Avenue, Portland, OR 97209) in July of 2023. Ms. Bauschard may bring claims against you individually, as well as in her capacity as the personal representative of Kane Dixon's estate. This notice extends to all claims that may be brought both by the Estate and by other estate beneficiaries individually, including for survivorship, breach of the right of sepulcher, wrongful death, and for punitive damages.

Kane Dixon was interviewed and chosen by Central City Concern employees to be a participant in the sober living program at the Central City Concern Richard L. Harris Building in the spring/summer of 2023. Before then Mr. Dixon was a participant in Central City Concern's programming at the Hooper Detoxification Stabilization Center. Mr. Dixon was a resident in the Richard L. Harris building for a number of weeks before his corpse was discovered decaying in his single-occupancy room on or about July 27, 2023, more than three days postmortem. The programming at Central City Concern includes daily monitoring and case management services

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RE: Dixon
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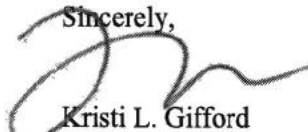
capable of ensuring monitoring to prevent Mr. Dixon's death and, failing that, the timely discovery of Mr. Dixon's corpse following death. This hereby revokes all prior authorizations to obtain information concerning my client(s). Please direct all calls and further correspondence to this office.

You are hereby advised that you are under a legal duty to maintain, preserve, retain, protect, and not to destroy all documents and data, both electronic and hard copy, which may be relevant to my clients' claims, including but not limited to witness identities and contact information, employee, resident and member contact information, surveillance video, photographs, correspondence, e-mails, and all documents specified above. Failure to preserve and retain these materials could be deemed a spoliation of evidence which may be subject to legal claims for damages and/or evidentiary sanctions. Please also take the necessary steps to preserve all electronic and hard copy data relating to this claim. This includes taking action to preserve all video footage and other data which may subject to any automatic data purges.

For purposes of this notice, electronic data or electronic evidence shall include, but is not be limited to, each of the above listed items, all text files (including word processing documents), video footage, photographs, financial data, spread sheets, e-mail files and information concerning e-mail files (including logs of e-mail history and usage, header information, and deleted files), internet history files and preferences, graphical files in any format, databases, calendar and scheduling information, task lists, voice mail, instant messaging and other electronic communications, telephone logs, contact managers, computer system activity logs, and all file fragments, internet usage files, offline storage or information stored on removable media or storage media, information contained on laptops, or other portable devices, network access information and backup files containing electronic data or electronic evidence.

Please feel free to contact me if you would like to discuss this matter further. I would appreciate receiving acknowledgement of our representation within seven (7) days of the date of this letter.

Sincerely,



Kristi L. Gifford
Attorney

KLG:bt


JACOBS WILSON CALLAHAN
10423 SE 23rd Ave
Milwaukie OR 97222-7516

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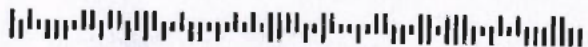


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City of Portland, Risk Management
1120 SW 5th Avenue, Suite 1040
1120 Sw 5th Ave
PORTLAND OR 97204-1912

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RISK MANAGEMENT

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE