

PORTLAND BUILDING RECONSTRUCTIONIF YOU WISH TO SPEAK TO CITY COUNCIL, **PRINT** YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

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✓ JAMES POSEY	119 NE Stanford	POSEJ@GMAIL.NET
✓ Crystal ELINSKI	POB8 9773 - 9707	
✗ Rosa Martinez	27090 SE Hwy 224 97002	Rosa@pmgaskes.com
✗ Maurice Rahm	5844 27th 97027	Maurice@ONCILLElectr.com
✗ MARCELA ALCANTARA	660 W THOMPSON ST PDX 97227	MALCANTARA@ALCANTARA2500.com
✗ Michael A Burch	1636 E Burdick Pk OR 97214	mburch@nwcarpenters.org

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NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Jeff Moreland	2522 NE MLK Jr Blvd Portland 97212	morelandj@rainmore.com
✓ Hae Pae	426 SW Main St Portland	haeryun 01@yahoo.com
✓ Nate McCoy	P.O. Box 4562 PDX, OR. 97208	nate@namc-oregon.org

## CBA – Community Benefits Agreement For an Equitable Economy

- [About CBA»](#)
- [CBA Benefits»](#)
- [Case study: Portland, OR](#)
- [CBA in action](#)
- [MAWE Partners](#)
- [Contact](#)

Submitted by  
EQUITABLE CONTRACTING &  
PURCHASING COMMISSION  
10-21-15 37158

## CBA in action

[Home](#) → CBA in action

### COMMUNITY BENEFITS FOR ALL (CBA) IN ACTION

The City of Portland is currently piloting the CBA on 2 Portland Water Bureau Projects: the Kelly Butte Reservoir and the Interstate Maintenance Facility. The CBA Labor Management Community Oversight Committee began meeting regularly in December 2012 and, as of August 2013, the projects have already yielded great results.

The City of Portland and the Portland Development Commission commissioned a Disparity Study in 2009: <http://www.portlandoregon.gov/bibs/55489>

This study is the basis for the City to work to reduce disparities in contracting and workforce hiring, and the CBA is an important tool in this effort.

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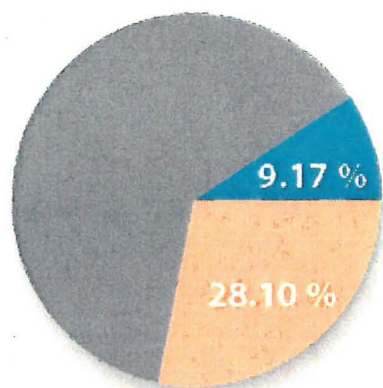
#### *Workforce Diversity on CBA Projects as of 8/20/13*

The Modified CBA (as applied to the Kelly Butte and Interstate projects) sets aspirational goals for the utilization of 18% minority workers and 9% female workers. The Modified CBA also sets a goal for 20% BOLI registered apprentices.

The Kelly Butte and Interstate projects have already created many opportunities for workers in the region, and these projects will continue until 2015. In addition to building a diverse workforce, these projects have also created great opportunities for new workers through the utilization of apprentices. As of August 20, 2013, 21.24% of Kelly Butte hours and 26.38% of Interstate hours have been worked by apprentices.

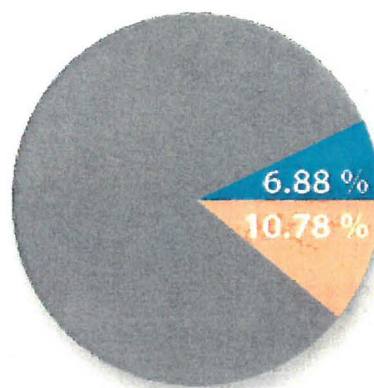


### Kelly Butte Reservoir Workforce Diversity (January – August 2013)



■ Minority Work Hours: 6,602  
■ Female Work Hours: 2,154  
■ Total Work Hours to date: 23,498

### Interstate Maintenance Facility Workforce Diversity (January – August 2013)



■ Minority Work Hours: 1,453  
■ Female Work Hours: 928  
■ Total Work Hours to date: 13,481

*Note: Interstate Phase 2 begins in late 2013 and holds many new work opportunities.*

### *Contracting with Disadvantaged Business Enterprises, Minority Business Enterprises and Women Business Enterprises on CBA Projects as of 8/20/13*

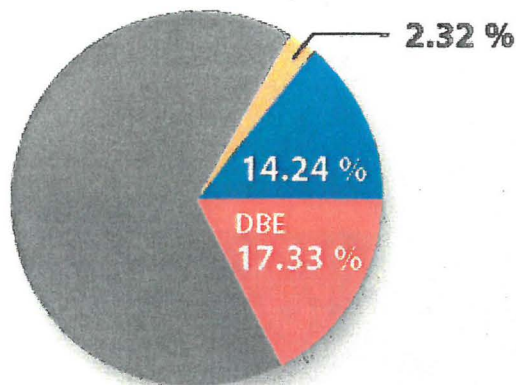
The Modified CBA (as applied to the Kelly Butte and Interstate projects) sets aspirational goals for the utilization of firms that have been certified by the State of Oregon as a Minority-Owned Business Enterprise, a Women-Owned Business Enterprise, a Disadvantaged Business Enterprise, or an Emerging Small Business (M/W/DBE/ESB). The overall utilization goal for M/W/DBE/ESB is twenty-two percent (22%) of the Hard Construction costs for the project, with a further goal that at least twelve percent (12%) of this overall utilization goal be M/W/DBE firms (excluding ESBs).

*Note: Disadvantaged Business Enterprise is a federal designation that includes Minority and Women Owned Businesses.*



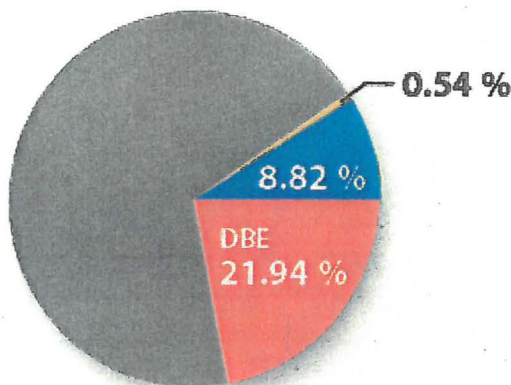
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### M/W/DBE Subcontractor Utilization for Kelly Butte Reservoir Project



Minority Business Enterprises:	\$ 766,665
Women Business Enterprises:	\$ 4,708,059
Disadvantaged Business Enterprises (federal designation that includes Minority and Women Owned Businesses):	\$ 5,729,293
Total Project Subcontractor Costs (as of 8/20/13):	\$ 33,052,049

### M/W/DBE Subcontractor Utilization for Interstate Maintenance Facility



Minority Business Enterprises:	\$ 57,765
Women Business Enterprises:	\$ 950,565
Disadvantaged Business Enterprises (federal designation that includes Minority and Women Owned Businesses):	\$ 2,364,176
Total Project Subcontractor Costs (as of 8/20/13):	\$ 10,775,336

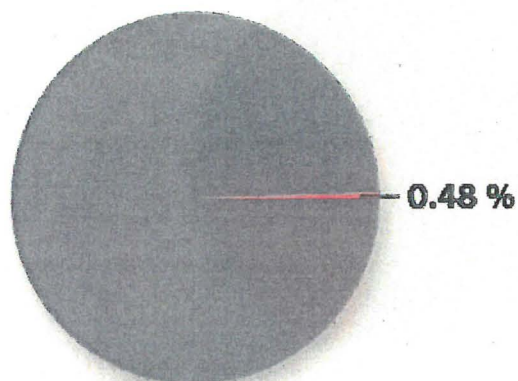
*Note: Interstate Phase 2 begins in late 2013 and holds many new work opportunities.*

### *In the Spotlight: Contracting Opportunities for African American Firms*

There has been more utilization of African American firms in 9 months on CBA projects than 5 years in the City of Portland's Disparity Study.

## Contracting Opportunities for African American Firms

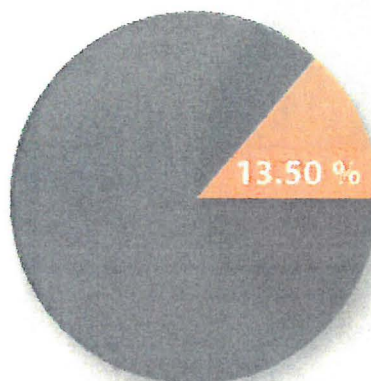
### City of Portland Disparity Study Projects (2004 - 2009)



■ Subcontracts to African American Firms:  
\$ 4,329,000

■ Total Subcontracts (2004 - 2009):  
\$ 902,434,000

### Kelly Butte & Interstate CBA Projects (January - August 2013)



■ Subcontracts to African American Firms:  
\$ 5,912,226

■ Kelly Butte & Interstate Total Subcontracts  
as of 9/20/2013: \$ 43,827,385

Disparity Study Chapter 6, Figure 6-12

<http://www.portlandoregon.gov/bibs/55489>

MBE/WBE utilization, availability and disparity analysis for prime contracts/subcontracts on City construction contracts, July 2004–June 2009

### *CBA Funds*

The CBA dedicates funding to support community efforts to provide outreach, recruitment and training to minorities, women and disadvantaged workers. The CBA also provides funding for technical support for disadvantaged contractors.

### Interstate/Kelly Butte CBA Subcommittee Meeting Summary

#### *Meeting 2/27/2015*

This is the summary of Compliance on both CBA Projects:

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**Interstate MTCE - D/M/W/ESB - 22% Goal & M/W – 12% Goal**

February 2015

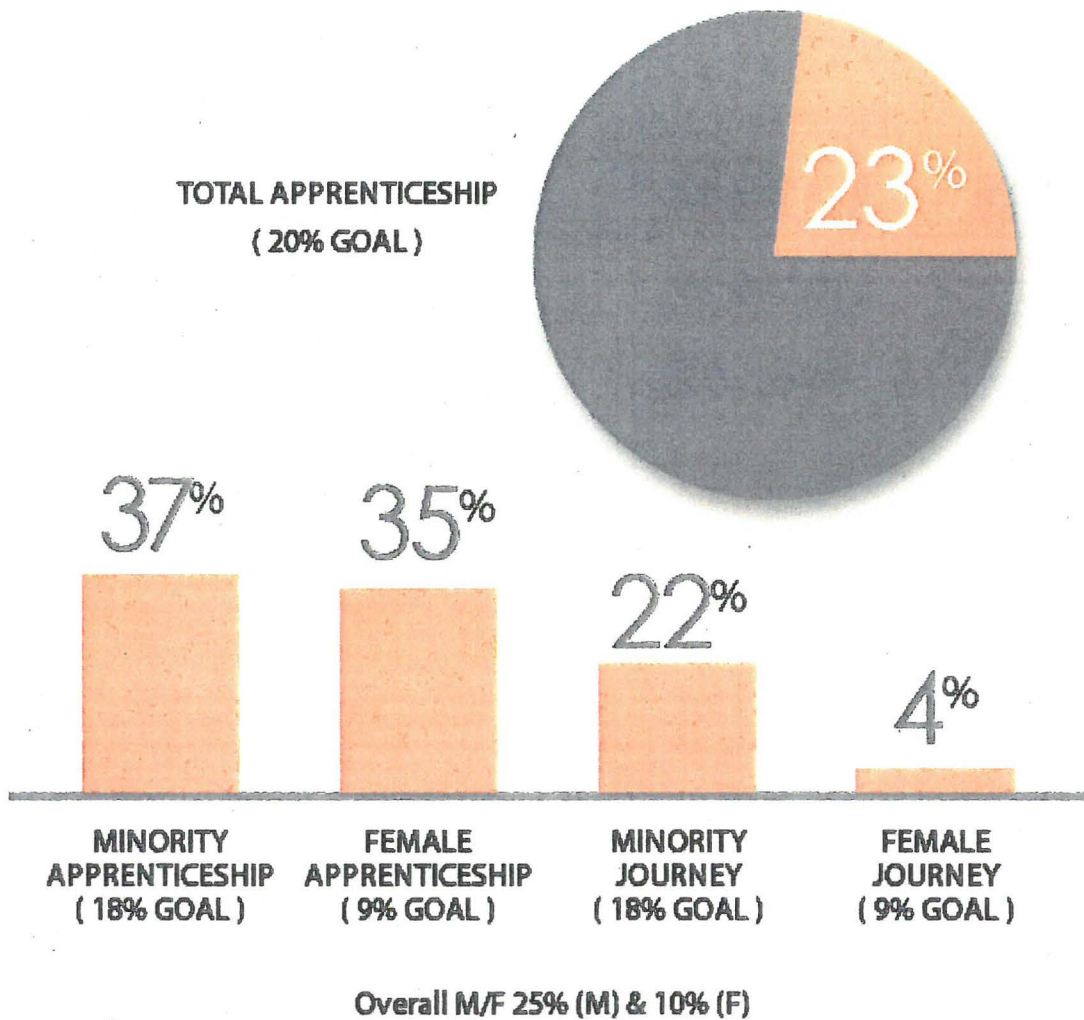
		<i>As a % of Total Contract</i>	<i>As a % of Total Subcontracts</i>
<b>DMWESB</b>	<b>\$11,469,806</b>	<b>43%</b>	<b>42%</b>
<b>DMW</b>	<b>\$10,146,361</b>	<b>38%</b>	<b>38%</b>
<b>MW</b>	<b>\$4,461,723</b>	<b>17%</b>	<b>17%</b>



# Interstate

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## Workforce Apprenticeship Diversity Goals (April 2015):



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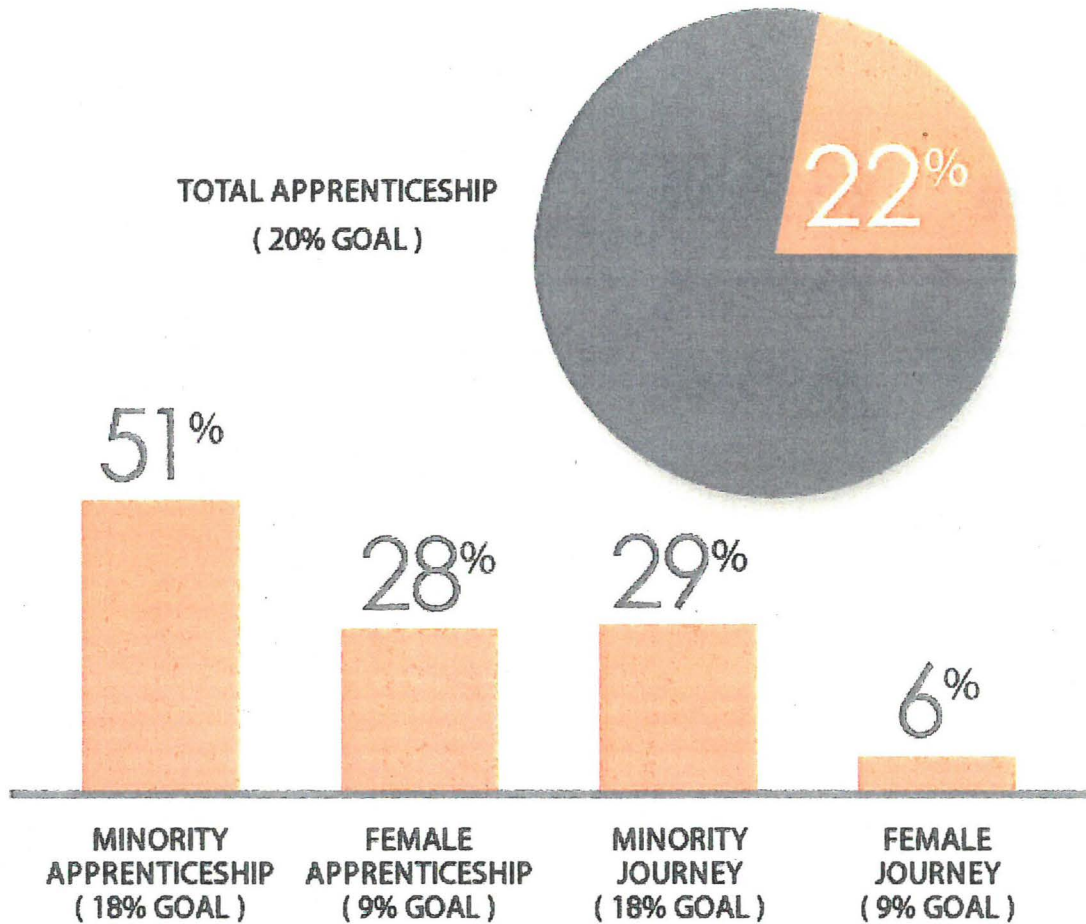
**Kelly Butte - D/M/W/ESB - 22% Goal & M/W – 12% Goal**

February 2015

		<i>As a % of Total Contract</i>	<i>As a % of Total Subcontracts</i>
<b>DMWESB</b>	<b>\$12,295,505</b>	<b>28%</b>	<b>21%</b>
<b>DMW</b>	<b>\$12,049,076</b>	<b>27%</b>	<b>21%</b>
<b>MW</b>	<b>\$6,775,967</b>	<b>15%</b>	<b>12%</b>

# Kelly Butte

Workforce Apprenticeship Diversity Goals (February 2015):



Overall M/F 34% (M) & 11% (F)



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created by:

**MAWE**

**Metropolitan Alliance for Workforce Equity**

**For more information contact:**

**John Gardner**

*CAWS Investment Manager Works Systems Inc*

Phone: (503) 478-7354

email: [jgardner@worksystems.org](mailto:jgardner@worksystems.org)

**CBA Materials**

You can download our brochure [here](#)

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[Back to Top](#)



**CITY PROCUREMENT: Contracting process needs Council intervention**

**37158**

<http://tinyurl.com/PortlandProcurementAudit2015>

	Content	Citation
Background	City Council is legally responsible for City's contracts and delegates much of its authority to Procurement and bureaus through City Code. Management at all levels are required to assess risks, and establish and monitor controls to minimize risks.	p. 3 paragraphs 1 & 2
	Best value for the City includes assuring opportunities to participate in the City's work are equitable.	p. 4 paragraph 2
	Procurement manages social equity programs designed to improve opportunities specifically for construction and professional services contracts.	p. 4 paragraph 2
	Social equity program requirements and sustainability considerations may depend on the category and size of a contract.	p. 5 paragraph 4
Audit Results	All four of Procurement's effectiveness measures address social equity; no performance measures about customer service or the level of competition in public contracting.	p. 10 paragraph 2
	City Code allows waiving competition for many reasons, including the promotion of social equity.	p. 11 paragraph 1
	Procurement's oversight interest with alternative construction methods (e.g. CM/GC) is to negotiate increased subcontracting to certified businesses for social equity goals.	p. 13 paragraph 1
	City practice has resulted in treating small businesses as socially disadvantaged, regardless of the race and gender of their owners.	p. 16 paragraph 3
	List and description of four City social equity efforts that include emerging small businesses as equivalent to minority-owned and women-owned businesses. Each could appear to be effective, even without any participation by minorities and women.	p. 18-19 p. 20 paragraph 1
	City fails to differentiate the social equity purpose from the purpose of race and gender neutrality, thereby equating the two in City documents.	p. 20 paragraph 1
	Reporting coverage, specificity, and consistency make it difficult to determine whether social equity programs are effective.	p. 20 paragraph 3
	Auditors unable to reliably replicate information Procurement previously reported about activity trends compared to aspirational goals for certified firm utilization.	p. 20 paragraph 4
	City does not follow data management standards (see Figures 8 and 9) and, as a result, the actual size and nature of City contracting is not known.	p. 23 paragraph 2
	As shown in past reviews and our prior audits, the City has a history of not having or not using available management information; there are significant deficiencies in the way Procurement manages information that impair its ability to be effective.	p. 24 paragraph 4
Recommendations	In City Code, define the basis and clarify the priority among its objectives for the Procurement function.	p. 26, no. 3
	Increase transparency by distinguishing between groups subject to social disparity and emerging small businesses wherever applicable in data analysis, City Code, Council directives, and City records.	p. 27, no. 9
	Review social equity programs to ensure the City's investment is specific to groups that have been subject to disparate treatment.	p. 27, no. 10
	Direct Procurement to track which types of certified businesses are benefiting from social equity programs. Review regular reports on progress toward the City's stated aspirational goals and outcomes to address identified disparities.	p. 27, no. 11
	Ensure data reliability and completeness for purchasing activity analysis, performance measurement, and regular reporting.	p. 27, no. 13



**Baseline Numbers from the Equitable Contracting  
and Purchasing Commission**

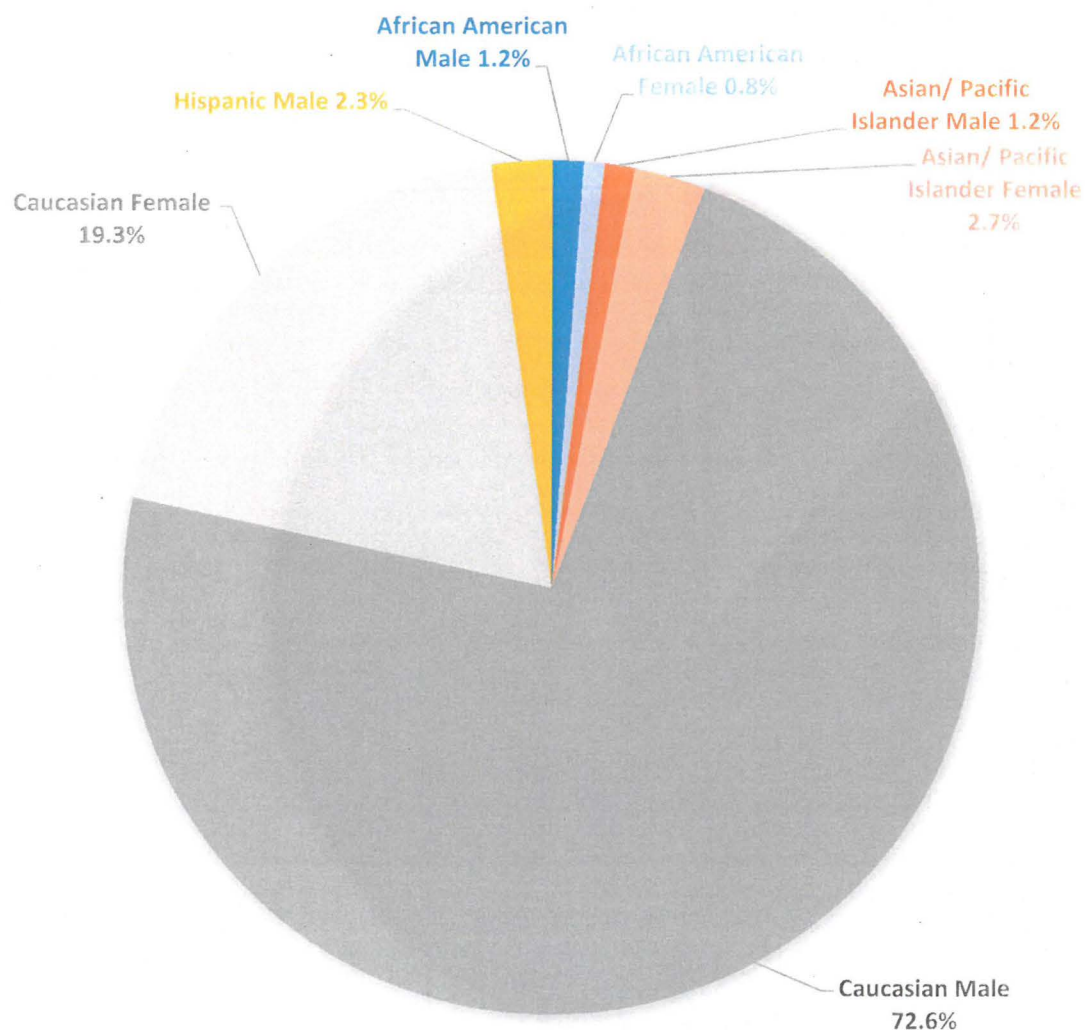
October 21st, 2015

Analysis is based on the City of Portland's 259 contracts for Professional Services (PTE) and 76 prime contracts for Construction for Fiscal Year 2013-2014



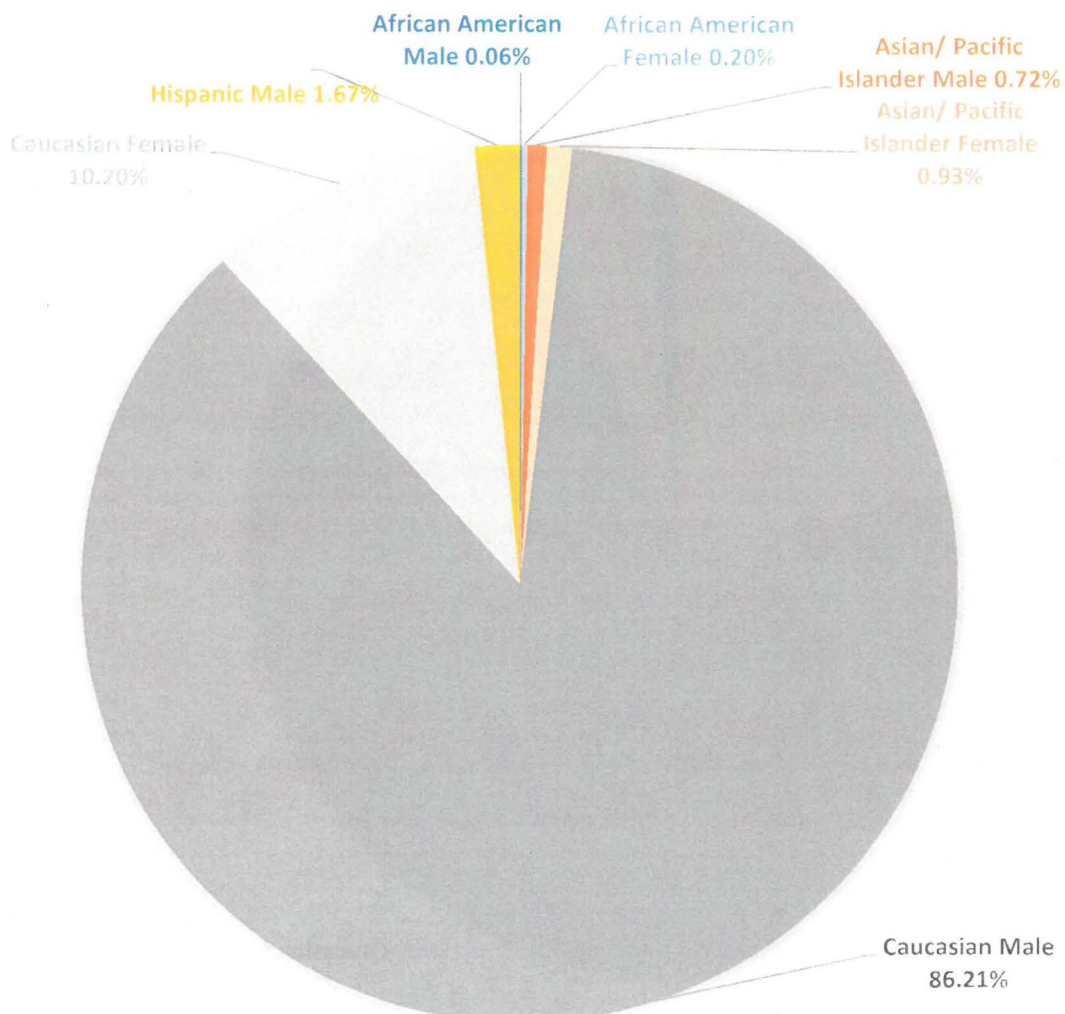
<b><u>PTE Contracts Demographics (# of Contracts)</u></b>		
<b><u>Ethnicity &amp; Gender</u></b>	<b><u># of Contracts</u></b>	<b><u>% of Contracts</u></b>
African American Male	3	1.2%
African American Female	2	0.8%
Asian/ Pacific Islander Male	3	1.2%
Asian/ Pacific Islander Female	7	2.7%
Caucasian Male	188	72.6%
Caucasian Female	50	19.3%
Hispanic Male	6	2.3%
Hispanic Female	0	0.0%
Native American Male	0	0.0%
Native American Female	0	0.0%

**PTE CONTRACTS DEMOGRAPHICS (# OF CONTRACTS)**



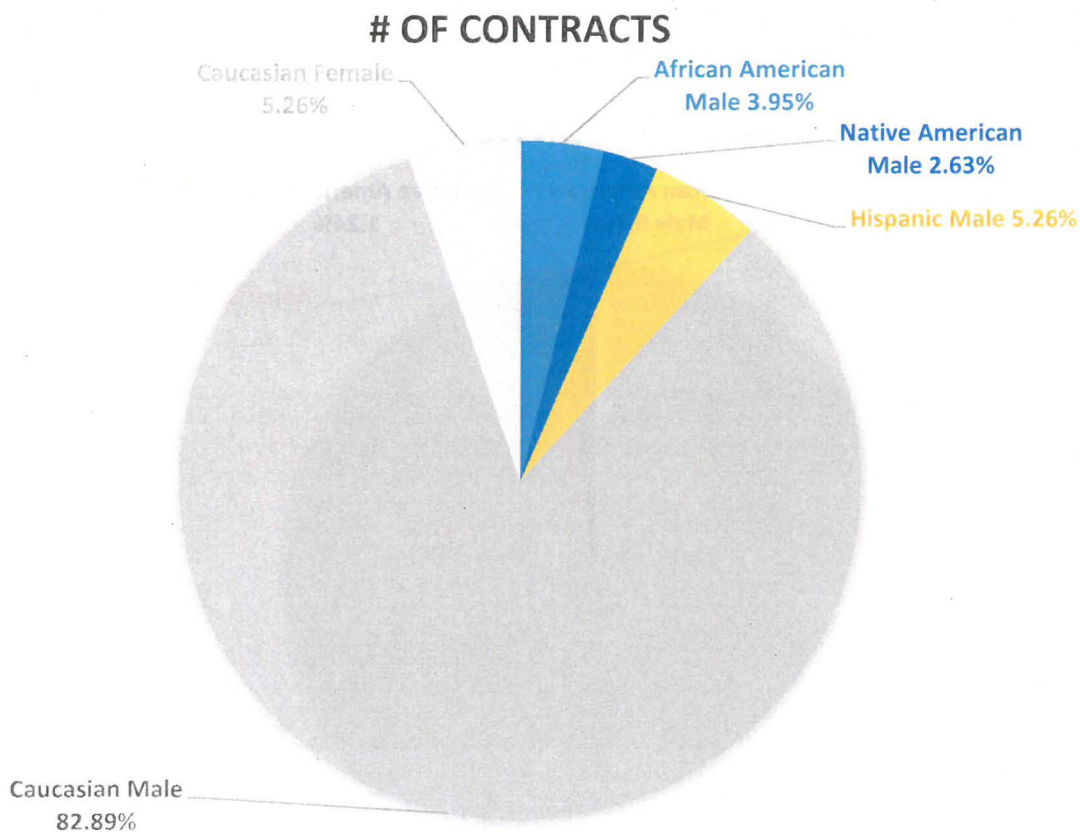
<b>PTE Contracts Demographics (Value of Contracts)</b>			
<b><u>Ethnicity &amp; Gender</u></b>	<b><u>Total Value of Contracts</u></b>	<b><u>% Value</u></b>	<b><u>Average Value of Contract</u></b>
African American Male	\$ 11,700.00	0.06%	\$3,900
African American Female	\$ 41,200.00	0.20%	\$20,600
Asian/ Pacific Islander Male	\$ 145,000.00	0.72%	\$48,333.33
Asian/ Pacific Islander Female	\$ 188,450.00	0.93%	\$26,921.43
Caucasian Male	\$ 17,408,755.88	86.21%	\$92,599.77
Caucasian Female	\$ 2,059,290.48	10.20%	\$41,185.81
Hispanic Male	\$ 338,000.00	1.67%	\$56,333.33
Hispanic Female	\$0	0.00%	\$0
Native American Male	\$0	0.00%	\$0
Native American Female	\$0	0.00%	\$0

### PTE CONTRACTS VALUE FY 13/14





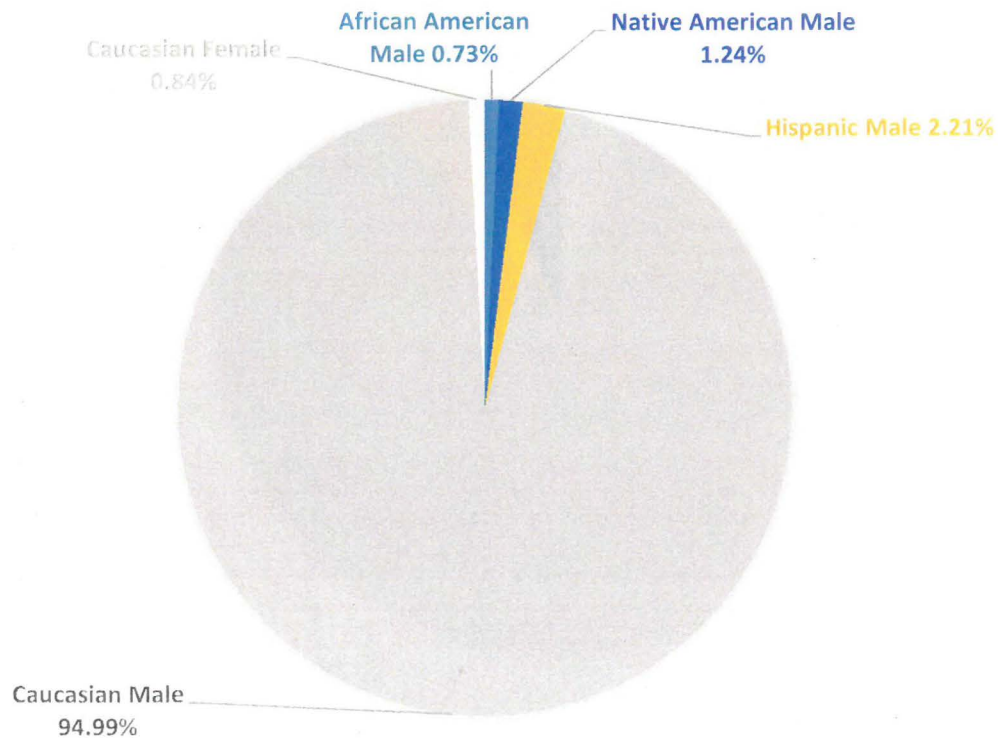
<b>Construction Prime Contracts Demographics (# of contracts)</b>		
<b>Ethnicity &amp; Gender</b>	<b>Contracts</b>	<b>% of Contracts</b>
African American Male	3	3.95%
African American Female	0	0%
Asian Male	0	0%
Asian Female	0	0%
Caucasian Male	63	82.89%
Caucasian Female	4	5.26%
Hispanic Male	4	5.26%
Hispanic Female	0	0%
Native American Male	2	2.63%
Native American Female	0	0%
Pacific Islander Male	0	0%
Pacific Islander Female	0	0%
Other Male	0	0%
Other Female	0	0%
<b>Total:</b>	<b>76</b>	





**Construction Prime Contracts Demographics (value of contracts)**

<b>Ethnicity &amp; Gender</b>	<b>Contracts Total Value</b>	<b>% Value of Contracts</b>	<b>Average Value of Contract</b>
African American Male	\$ 555,742.55	0.73%	\$185,247.52
African American Female	0	0%	\$0
Asian Male	0	0%	\$0
Asian Female	0	0%	\$0
Caucasian Male	\$ 72,470,518.64	94.99%	\$1,150,325.69
Caucasian Female	\$ 639,055.50	0.84%	\$159,763.88
Hispanic Male	\$ 1,682,649.69	2.21%	\$420,662.42
Hispanic Female	0	0%	\$0
Native American Male	\$ 947,772.00	1.24%	\$473,886.00
Native American Female	0	0%	\$0
Pacific Islander Male	0	0%	\$0
Pacific Islander Female	0	0%	\$0
Other Male	0	0%	\$0
Other Female	0	0%	\$0
<b>Total:</b>	<b>76,295,738.38</b>		

**VALUE OF CONTRACTS**

Before the Portland City Council

BRUCE McHALE

Wed, Oct 21, 2015

Petition to the Portland City Council

at its meeting on this date. Petitioner is Free Portland

an Oregon not-for-profit association, and the petition on

its behalf is made herein by the undersigned in trust for

and advocacy by Bruce McHale, 4411 Free Portland

Founder. Petitioner's letter to the Portland Oregonian

of May 10 is incorporated herein. Locality petitioners

advocate before you that the entire Portland

be as immediately as possible be moved to the

west bank of the Willamette River, from which the

was disestablished in the 1980's and that the be

oriented with the maximum pressure, towards

our citizens on the East side of Portland. Her

older and larger cities. The State of Oregon

will furnish strong inspiration as to how

a definition.

Earlier press reports following Portland's

arrival of Portland's architect indicated strong

support for that location for Portland and

Free Portland advocates for an immediate

comprehensive and independent poll made available

along with its results as to the issues

properly discussed and failed

As of this date Free Portland has

no knowledge that any Commission has taken

"on the record" any position as to the site

of Portlandia, even as the destruction/renovation of her ferry boat, the Portland Building has long been freely debated. If the Council does not move immediately to seek independent advice as to Portland's citizens' wishes, Free Portlandia will seek to find such a path.

FREE PORTLANDIA.

by Bruce MacGregor Hall

The notice was phoned as to the meeting, and we apologize for the informality of this Petition.

Enclosures: Letter to the Editor,

Portland, Oregon

May 10, 2015

Biographical data, Bruce MacGregor Hall

## Free Portlandia! And put the Portland Building out of its misery: Letters to the Editor

Letters to the editor By Letters to the editor

on May 10, 2015 at 12:08 PM, updated May 10, 2015 at 12:09 PM

**Free Portlandia!:** Years ago, I undertook a state nonprofit filing under the name "Free Portlandia" to advocate moving Portland's iconic statue from the disastrous **Portland Building** down to the waterfront — onto which she was disembarked and then perched in cement upon a second-story ledge, commencing an unhappy marriage to that building. As I write this letter, Portlandia is commencing her annual disappearing act behind a thick canopy of London plane trees.

Renovating the building may cost \$175 million, and this should be Portlandia's moment of emancipation. I would hope The Oregonian/OregonLive would provide much-needed leadership in returning her to the waterfront, trident and all, away from a location that has been described in this newspaper as an "eyesore." Quite apart from the defects of the **Portland Building itself**, "Portlandia" must endure an artistic backwash as she overlooks Southwest Fifth Avenue, which is split by MAX tracks, with narrow car and bus lanes on each side. As for the Portland Building itself, the editorial board has written, "The building's troubled construction, engineering, seismic fitness and repair history, as well as any plans for its overhaul or replacement, *should be fully in the public's hands. Ditto for the destiny of Portlandia*" (emphasis mine). As for the seismic allusion, the first object to go in a seismic event will be Portlandia — right onto Fifth Avenue! To say that Portlandia is the city's icon is to state the obvious. One can hardly go a day (and with those "Portlandia" television skits, some evenings) without Portlandia showing herself — first in the hearts of her citizens and then to the greater world beyond Portland.

One emphatic example: I was at the 2014 Portland Timbers opener when ~~a three-story tifo of the statue was~~ raised to the delight of the fans.

Bruce Hall — 360-317-6127

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14/28/2010  
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**BRUCE MacGregor HALL**

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**BIOGRAPHICAL DATA:**

**Name:** Bruce MacGregor Hall

**Family:** Parents: William MacGregor Hall, Marguerite Wheeler Berglund (Both deceased)

Children: With Marie Vial Hall – Victoria Wheeler Byerly, MacGregor Bruce Hall, Peter Bryant Hall, and Caroline Marie McMonies;  
With Beverly Bates Hall – James Kent Hall

Wife: Janice Bushnell Hall (Married November 22, 1979)

**Place of Birth:** Hollywood, California

**Date of Birth:** December 4, 1924

**Profession** Attorney at Law (retired)

**Home Address:** Bruce M. Hall  
Apt. 505– The Legends  
1132 SW 19th Ave.  
Portland, OR 97205

**EDUCATION:**

- Choate School; Wallingford, Connecticut; 1937-1942
- Princeton University; Princeton, New Jersey; A.B. 1942-1948
- University of California, Berkeley, School of Law (Boalt Hall); Juris Doctor, 1948-1951;

**LAW FIRMS:**

- Phillips, Coughlin, Buell & Phillips - 1954-1956
- Bonyhadi & Hall – 1956-1964
- Rives, Bonyhadi & Hall – 1964-1969
- Bruce MacGregor Hall, PC (and associates/partners) 1969-1987
- Of Counsel: Ball Janik & Novack – 1987-1999

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**ADMISSIONS AND AUTHORIZATIONS TO PRACTICE LAW:**


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- Oregon State Bar (1954)
- California State Bar (1952)
- United States:
  - Supreme Court;
  - Fourth and Ninth Circuit Courts of Appeal;
  - District Courts of Oregon, Northern and Central California, and Washington

**LEAD COUNSEL IN THE FOLLOWING ANTI-TRUST CASES:**

**Perkins III- Perkins v. Standard Oil Co. of California,**  
 322 F. Supp. 375 (U.S.D.C.OR, 1971); 474 F.2d 549 (9<sup>th</sup> Cir. 1973)  
 Judgment for plaintiff, cert. denied, 410 U.S. 956 (1973)

**Tillamook Cheese & Dairy Assoc. v. Tillamook County Creamery Assoc.,**  
 358 F.2d 115 (9<sup>th</sup> Cir. 1966). Case settled after trial but prior to judgment in District Court.

**Dobbins v. Kawasaki Motors Corp.,** 362 F. Supp. 54 (U.S.D.C. OR. 1973).  
 Case settled after injunction but prior to trial.

**Mid-America Icee, Inc., v. John E. Mitchell Co.,** 5 CCH Tr. Reg. Rptr. 74,681 (U.S.D.C. OR. filed  
 August 7, 1973). Judgment for plaintiff.

**Cascade Eggs, Inc. v. Carnation Corp.,** Civil No. 73-470 (U.S.D. C.OR., filed June 15, 1973)  
 Case settled prior to trial.

**Pacific Mathtronics, Inc. v. Toshiba America, Inc.,** Civil no. 73-696 (U.S.D. C.OR., filed August 22,  
 1973). Case settled prior to trial.

**Mills v. Albers Milling Co.,** Civil No. 71-155 (U.S.D.C.OR., filed August 8, 1971)  
 Case settled prior to trial.

**Alaska Pacific Lumber Co. v. Wrangell Lumber Company, et al.**  
 Case settled on the pleadings, December 1974.

**Hydraulic & Air Equipment Co. v. Ross Operating Valve Co., Palmer Supply Co., Amfac, Inc. and  
 Amfac Dist. Corp.,** Civil No. 76-278 (U.S.D.C.OR filed March 24, 1976). Case settled following  
 pretrial.

*Interstate Mfg., et al. v. Rheem Mfg. Co., et al.*, Multnomah County (OR) Circuit Court No. A.7607-10567; (Robinson Patman and related case defense counsel for Rheem Mfg. Co.).  
Settled before trial.

*Applegate Dairy v. Mustang Oil & Gas*, Yamhill County (OR) Circuit Court No. 35937, filed December 28, 1978; (Robinson Patman counterclaim; defense counsel against such claim).  
Settled before trial.

*Cascade Steel Rolling Mills, Inc. v. C. Itoh (America) Inc., et al.*, Civil No. 78-875 (U.S.D.C. OR., filed September 28, 1978). Case settled April 30, 1982. Antitrust and anti-dumping suits against multiple Japanese trading firms and steel mill defendants. Settled before trial.

*Portland Bottling Co. v. Crush International, Inc., et al.*, Civil No. 81-595 (U.S.D.C. OR., filed June 26, 1981). Case settled before trial.

*Portland 76 Auto/Truck Plaza, Inc. v. Union Oil Co. of California, dba UNOCAL National Auto/Truckstops, Inc., William Osborne and Paul Kohler v. Gordon A Barron, Jr. and Joan L. Barron*, U.S.D.C. OR, Case No. 92-1635 JE. Judgment after trial. Affirmed in part; Reversed in part, by Ninth Circuit Court of Appeals.

*Rhodes Bake N'Serve.* (U.S.D.C. OR.) Settled before trial.

*National Telephone Co. v. U.S. West* (U.S.D.C. OR.) Settled before trial.

#### CO-COUNSEL IN THE FOLLOWING ANTITRUST CASES:

*Perkins I-Perkins v. Standard Oil Co. of California*, 395 U.S. 642, Jury trial. Judgment for Plaintiff; reversed, Ninth Circuit Court of Appeals; judgment reinstated by United States Supreme Court, 396 U.S. 871 (1969).

*Perkins II-Perkins v Standard Oil Co. of California*, 399 U.S. 222 (1970) Judgment for plaintiff, modified by Ninth Circuit Court of Appeals.

*State of Oregon v. Wilson's Sporting Goods, et al.*, Civil No. 70-260 (U.S.D.C. OR., filed July 5, 1971). Case settled prior to trial. Represented defendants.

*Golden's v. Houston's, Inc.*, Civil No. 72-429 (U.S.D.C. OR., filed May 31, 1972). Case settled prior to trial.

*Ted Ellison v. Kopy Kat Inc.* Civil No. 73-827 (U.S.D. C. OR., filed May 31 1973.) Case settled prior to trial.

*Boards, Inc. v. Atwood, et al.*, Civil No. 72-1033 U.S.D.C. OR., filed December 21, 1972. Case settled prior to trial.

*Mt. Hood Stages v. The Greyhound Corp., et al.*, (U.S. D.C. OR, Civil No. 68-374. Filed July, 1968. Jury trial. Judgment for plaintiff, 1973. Ninth Circuit Court of Appeals No. 74-1281 (1975). United States Supreme Court No. 77-598 (1977). Ninth Circuit Court of Appeals, (1977). U.S.D.C. OR, December 1978. Ninth Circuit Court of Appeals (1979). Judgment reinstated by United States Supreme Court (Nov. 1980)

*In re Fertilizer Litigation*, Civil No. MF 75-1 (U.S.D.C.- E.D. WA, filed June 10, 1975.) Representing Oregon purchasers of fertilizer and the State of Oregon in class actions with States of WA, MT, ID, & AK against various fertilizer producers. Settled prior to trial.

#### LEAD COUNSEL FOR PLAINTIFF'S IN THE FOLLOWING SECURITIES CASES:

*Pyle v. Wolf*, U.S.D.C. OR, Civil No. 70-693 (Hon. Otto Skopil). Court trial. Judgment after trial.

*Ryan v. Foster & Marshall, et al.*, U.S.D.C. OR, Civil No. 74-316 (Hon. Robert C. Belloni). Jury Trial. Judgment after trial, affirmed by Ninth Circuit Court of Appeals.

*Ahern, et al. v. Gaussoin, et al.* U.S.D.C. OR, Civil No. 83-1167 (Hon. Robert C. Belloni). Case settled prior to trial.

*Hall v. Johnston & Goodwin*, U.S.D.C. OR, Civil No. 82-1043 (Hon. Helen Frye). Court trial. Judgment for plaintiff.

*Joseph and Wiederhold v. Chesebrough Ponds, Inc.*, U.S.D.C. OR, Civil No. 74-900

*G & M v. Newbern*, U.S.D.C. OR, Civil No., 69-733 (Hon. Alfred T. Goodwin). Judgment after jury trial. Affirmed, Ninth Circuit Court of Appeals.

*Bates, Davis & Thompson v. The Oregon Bank*, U.S.D.C. OR, Civil No. 75-783 (Hon. Robert C. Belloni). Settled before trial.

*Kenneth Lewis, et al. v. Condominiums Northwest, et al.* U.S.D.C. OR. Settled on complaint.



**LEAD COUNSEL FOR DEFENDANTS IN THE FOLLOWING SECURITIES CASES:**

*Investors Insurance Corp. v. George Washington Corp., Phillip Roth, American Western Securities, Inc., et al.*, U.S.D.C. OR, Civil No. 81-755. Alleged tender offer violation. Defendant Roth changed attorneys (conflict of interest) and defendant American Western dismissed before trial.

*First State Bank v. Intran Corp., et al.*, U.S.D.C. OR, Civil No. 76-402

*Clatskanie Clinic v. Intran Corp. et al.*, Multnomah County (OR) Circuit Court No. A 7607-09405

*William Winans v. Intran Corporation, et al.*, Multnomah County (OR) Circuit Court No. A 7607-09537.

*Interstate Mfg. V. Donli Corp. and Rheem Mfg. Co.*, Multnomah County (OR) Circuit Court No. A7607-10567. Settled prior to trial.

*Cascade General Ship Repair, Inc. v. Lundmark, et al.*, U.S.D.C. OR, Civil No. 90-898. Settled.

**CO-COUNSEL IN THE FOLLOWING SECURITIES CASES:**

*Harry Lewis v. Earle A. Chiles, et al.*, U.S.D.C. OR, Civil No. 80-584. Case dismissed, Ninth Circuit Court of Appeals.

*Applegate Dairy v. Mustang Oil & Gas*, Yamhill County (OR) Circuit Court No. 35937.

*Paul Murphy, et al. v. Far West Federal Savings, et al.*, U.S.D.C. OR, Civil No. 81-688 (Hon. James Redden). Pending; Settled before trial.

*Bo Newman v. CompCare, et al.*, U.S.D.C. OR, Civil No. 91-759. Settled before trial.

**MISCELLANEOUS PLAINTIFF AND COUNTERCLAIMANT CASES (Since 1970):**

*Minapple v. Farmers Insurance Co.;*

*Weigel Development Co. v. State of Utah;*

*Schnitzer Steel Products Co. v. Oregon Steel Mills;*

*Hall v. McDevitt;*

*CNA Insurance Company v. Schwabe, Williamson and Wyatt (local counsel);*

*Madden v. Admiral Corp.;*

*William C. Earhart, Admin. Cases*

*Lasco Steamship v. Guarisco et al* (Admiralty), U.S.D.C., So. Dist. Louisiana; Judgment for Plaintiff; affirmed Fourth Circuit Court of Appeals;

*Schnitzer Steel Products v. Time Oil et al*; Multnomah County Circuit Court, OR; defense against trespass; counterclaim to quiet title. Judgment for plaintiff.

*Davis, et al v. Butler Tire Co. and Oregon Bank*, Multnomah County Circuit Court, OR. Judgment for plaintiffs.

#### OTHER:

**Special Assistant Attorney General, State of Oregon – offshore oil drilling legislation. 1956-1957**

*Central Office Telephone Co. v. AT&T*, U.S.D.C. OR, Civil No. 91-1236 JE. Verdict for plaintiff, reduced by trial court judgment. Cross-appeals to Ninth Circuit. Hearing and hearing en banc; affirmed. Petition for cert by AT&T allowed; judgment for COT reversed. (Opinion, Scalia, J.)

*Alsea Veneer, Inc. v. State of Oregon*, 318Or.33 (1993). Bruce MacGregor Hall, PC; Co-counsel – Ball Janik; associated counsel – Lane, Powell. Judgment for defendant; partial reversal in Oregon Court of Appeals; reversed in full, Oregon Supreme Court. Judgment for plaintiff in the amount of \$225,000,000, plus attorneys' fees.

*Oregon Museum of Science & Industry Institute (OMSI) v. Oregon State Highway Commission*, (circa 1958)

#### GENERAL:

- Alumni Council, Princeton University
- Treasurer, Princeton Charter Club
- Vice President and Treasurer, Princeton Class of 1946
- President, Princeton Club of Oregon (1968-1973)

#### PROFESSIONAL MEMBERSHIPS:

- American Bar Association; (Antitrust and Environmental Law Committees)
- Oregon State Bar (Legal Aid Chairman, Antitrust Chairman)
- Multnomah County Bar
- California State Bar
- Federal District Court (OR) Bar
- Federal District Court (OR) Mediator
- American Trial Lawyers Association

#### MILITARY:

- Enlisted US 10<sup>th</sup> Mountain Division (1942-1944);
- Officer Candidate School (1944-1945);
- First Cavalry Division (1945-1946); Natural Resources Section, GHQ, SCAP (Tokyo) 1946
- U.S. Army Reserves (1948-1952)

**NON-PROFIT ORGANIZATIONS OR VOLUNTEER ACTIVITIES:**

- Easter Seal Society (Director, 1957-1960)
- Boy Scouts of American (Pioneer District Commissioner 1960-1962)
- Portland City Club
- Planned Parenthood Association of Oregon (President 1963-1966)
- Chairman and Jaycee of the Month, Portland, Oregon, for Vietnam Boat People Food and Medicine Drive (#1 in USA) (1958)
- St Andrews Society (President 1988-1991)
- Attorney General's Committee (Consumer Protection/Antitrust)
- Oregon Museum of Science and Industry (Board of Directors 1970-1978; Chairman 1978)
- Pittock Mansion Society (Chairman, Board of Directors 1974-1978)
- Japan Society of Oregon
- Oregon Historical Society
- Sons of the American Revolution
- Portland Art Museum
- Oregon High Desert Museum (Director 1979-1991)
- Governor's Committee on Willamette River Greenway
- Audubon Society
- Mazamas
- National wildlife Federation
- American Forestry Association
- Oregon Trout (Director)
- Hoyt Arboretum Friends Foundation (Director 1999)
- Orcas Island, Washington – Beachwatchers (Washington State University sponsored program Certificate 2009; ongoing monitoring and activities)

**OTHER ACTIVITIES:**

- Willamette Farms of Oregon, Newberg, Oregon. A family partnership engaged in growing, wholesaling and retailing apples, hazelnuts and also, since 2003, Vercingetorix (VX) Pinot Wines. (General Partner 1959-2008).
- Lincoln-Tillamook Telephone Co. (Past Secretary and Investor)
- Lincoln Television Co. (Past Secretary and Investor)
- Mt. Hood Meadows. (Past Partner and Investor)
- Principal Competitive Sports: Preparatory School (Choate) and Princeton University Team Wrestling (1933-48); Equestrian Three- Day Eventing (1979-89)