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CIRCUIT COURT
FOR MULTNOMAH COUNTY

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

STEVEN SCHARFSTEIN, individually and on
behalf of all other similarly situated persons,

Plaintiffs,

vs.

BP WEST COAST PRODUCTS, LLC, a Delaware
limited liability company;

Defendant.

Case No. 1112-17046

**[PROPOSED] ORDER DENYING
DEFENDANT'S MOTION TO
STRIKE AND MOTION TO
DECERTIFY THE CLASS**

On June 26, 2014, the plaintiff appeared through his counsel, David F. Sugerman Tim
Quenelle, and Amy Johnson, and defendant appeared through its counsel, David Harris, Abby
Risner, and Brad Daniels on Defendant's Motion to Strike the Statutory Damages Award or to

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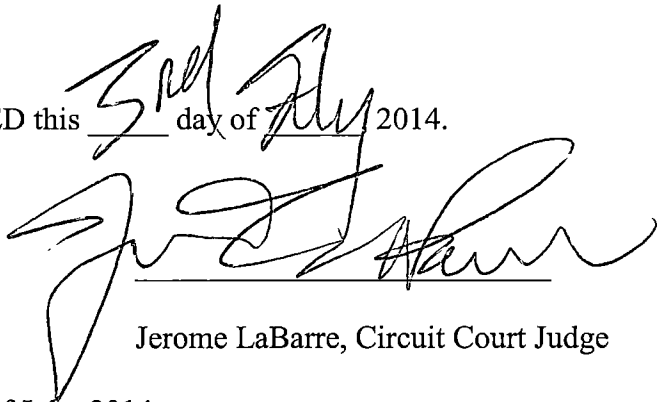
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Decertify the Class. The Court having reviewed briefing and, with the benefit of oral argument,
and being fully advised,

IT IS NOW ORDERED:


- 1. Defendant's motion to strike statutory damages is DENIED.
- 2. Defendant's motion to decertify the class action is DENIED.

IT IS SO ORDERED this 3rd day of July 2014.



Jerome LaBarre, Circuit Court Judge

Submitted on this 3rd day of July, 2014.

By: 
 David F. Sugerman, OSB No. 86298
 DAVID F. SUGERMAN ATTORNEY, PC
 707 SW Washington Street, Suite 600
 Portland, OR 97205
 Telephone (503) 228-6474
 Of Attorneys for Plaintiff

Verified Correct Copy of Original 7/9/2014.

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **[PROPOSED] ORDER DENYING DEFENDANT'S MOTION TO STRIKE AND MOTION TO DECERTIFY THE CLASS** on the following persons on this same day:

by electronic mail and enclosing a copy in an envelope, properly addressed and with first-class postage, and placing in the mail in Portland, Oregon


David Harris, *Pro Hac Vice*
Abby Risner, *Pro Hac Vice*
Greensfelder, Hemker & Gale PC
10 South Broadway, Suite 2000
St. Louis MO 63102

by electronic mail and hand delivery

Brad S. Daniels, OSB No. 025178
Stoel Rives, LLP
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Phone: (503) 224-3380
Fax: (503) 220-2480
E-Mail: bsdaniels@stoel.com

Attorneys for Defendant

DATED this 3rd day of July, 2014.

By: 
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