

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

**AVION WATER COMPANY, INC., an
Oregon corporation,**

Plaintiff,

vs.

**SOURCE WEEKLY, an assumed
business name of LAY IT OUT, INC.,
an Oregon corporation,**

Defendant.

Case No. 22CV18513

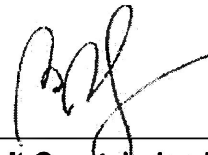
**ORDER GRANTING MOTION FOR
SUMMARY JUDGMENT**

THIS MATTER came for hearing on August 11, 2023, before the Honorable Beth Bagley on Plaintiff’s Motion for Summary Judgment, which included three separate motions (“Plaintiff’s Motions for Summary Judgment”). Plaintiff Avion Water Company was represented by C. Robert Steringer; Defendant Source Weekly was represented by Steven Wilker. The Court reviewed the memorandums, evidence, and arguments and is fully informed of all the relevant facts.

IT IS HEREBY ORDERED that for the reasons stated on the record:

Plaintiff’s Motions for Summary Judgment are GRANTED.

8/22/2023 9:29:40 AM



Circuit Court Judge Beth M. Bagley

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Submitted by:
C. Robert Steringer, OSB 983514
Of Attorneys for Plaintiff

1 **CERTIFICATE OF COMPLIANCE AND READINESS**
2 **PURSUANT TO UTCR 5.100**

3 This proposed **ORDER GRANTING PLAINTIFF’S MOTION FOR**
4 **SUMMARY JUDGMENT** is ready for judicial signature because:

- 5 Each party affected by this order or judgment has stipulated to the order or
6 judgment, as shown by each party’s signature on the document being
7 submitted.
- 8 Each party affected by this order or judgment has approved the order or
9 judgment, as shown by each party’s signature on the document being
10 submitted or by written confirmation of approval sent to me.
- 11 I have served a copy of this order or judgment on each party entitled to service
12 and: (select one)
- 13 No objection has been served on me.
- 14 I received objections that I could not resolve with a party despite
15 reasonable efforts to do so. I have filed a copy of the objections I received
16 and indicated which objections remain unresolved.
- 17 After conferring about objections, (role and name of objecting party)
18 agreed to independently file any remaining objection.
- 19 Service is not required pursuant to subsection (3) of this rule, or by statute,
20 rule or otherwise. *See* UTCR 6.030(6) (excluding motions to postpone from
21 requirements of UTCR Chapter 5, except UTCR 5.040 and 5.060).
- 22 Other:

23 DATED this 21st day of August, 2023.

24 HARRANG LONG P.C.

25 By: s/ C. Robert Steringer
26 C. Robert Steringer, OSB #983514
 bob.steringer@harrang.com
 Of Attorneys for Plaintiff

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I certify that on August 21, 2023, I served or caused to be served a true and complete copy of the foregoing **ORDER GRANTING MOTION FOR SUMMARY**

JUDGMENT on the party or parties listed below as follows:

- Via the Court’s Efiling System
- Via First-Class Mail, Postage Prepaid
- Via Email

Steven M. Wilker, OSB #911882
Tonkon Torp LLP
888 SW Fifth Avenue, Suite 1600
Portland, OR 97204
Phone: 503-802-2040
Email: steven.wilker@tonkon.com

Of Attorneys for Defendant

Lisa Zycherman, *Pro Hac Vice*
Reporters Committee for Freedom of the
Press
1156 15th Street NW, Suite 1020
Washington, DC 20005
Phone: 202-795-9317
Email: lzycherman@rcfp.org
Email: sdudding@rcfp.org

Of Attorneys for Defendant

HARRANG LONG P.C.

By: s/ C. Robert Steringer
C. Robert Steringer, OSB #983514
bob.steringer@harrang.com
Erica Tatoian, OSB #164896
erica.tatoian@harrang.com
Of Attorneys for Plaintiff