

I told her that OPDS did not believe that she was qualified to represent a client on a M11. I told her that I was letting her know that we would be contacting the court to notify the court of the mistaken appointment. She said the client would be retaining her. I said that a client has the right to make that decision. I reiterated that I was letting her know as a courtesy so she wouldn't be surprised by any communication from the court about this appointment.

She eventually asked how I found out about the M11. I told her that OPDS had received information on Friday that she was appointed to a M11. I told her that I ran a report in OECL under her name and was surprised to see her appointed to a multiple count M11 case. I told her that I was aware that she was not qualified for M11. She let me know that she really cares about her clients. I told her that it was not my impression that she didn't care about her clients. My concern was that she is a very new attorney and not experienced enough to handle M11 cases. She said she thought she would be certified after the beginning of February when she has another felony trial. I again told her to review the certification rules. She assured me that she has a group of experienced attorneys in Washington County who she can go to with questions.

She asked if she was going to be blackballed by OPDS because she worked for [REDACTED]. I told her that OPDS is interested in the qualifications and certification of representation. We want lawyers who are motivated to do this work and who are interested in developing their legal skills to pursue the best outcome for their clients. OPDS is not interested in blackballing any lawyers.

we signed off.

Elizabeth N. Wakefield

Deputy General Counsel

phone: 503.378.2700

cell: 503.949.0836

Office of Public Defense Services

1175 Court Street N.E.

Salem, OR 97301

[REDACTED]

From: Eric J. Deitrick
Sent: Wednesday, May 20, 2020 2:22 PM
To: Caroline Meyer <Caroline.E.Meyer@opds.state.or.us>
Cc: Erica Herb <Erica.Herb@opds.state.or.us>; Whitney A. Perez <Whitney.A.Perez@opds.state.or.us>
Subject: RE: Attorney Qualifications and Standards - [REDACTED]

Well, since we did approve her, let's just keep it as is until something in writing causes us to change our mind. I am going to do my follow up . . .

Eric J. Deitrick
General Counsel
Office of Public Defense Services
eric.j.deitrick@opds.state.or.us
503-378-2750
503-910-0434 (cell)

From: Caroline Meyer <Caroline.E.Meyer@opds.state.or.us>
Sent: Wednesday, May 20, 2020 2:20 PM
To: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Cc: Erica Herb <Erica.Herb@opds.state.or.us>; Whitney A. Perez <Whitney.A.Perez@opds.state.or.us>
Subject: FW: Attorney Qualifications and Standards - [REDACTED]

This is the email I sent her confirming the change to add major felonies. We don't have a separate category for M11 in the database. Is she okay to take A&B felonies?

Caroline

From: Caroline Meyer <Caroline.E.Meyer@opds.state.or.us>
Sent: Wednesday, November 6, 2019 10:15 AM
To: [REDACTED]
Subject: Re: Attorney Qualifications and Standards - [REDACTED]

Hi [REDACTED]

Your qualifications in our database have been updated to include major felonies.

Regards,

Caroline

Caroline Meyer
Senior Public Defense Analyst
Office of Public Defense Services
(503) 378-2508

From: [REDACTED]
To: Caroline.E.Meyer@opds.state.or.us, Caroline.meyer@opds.state.or.us, Billy.J.Strehlow@opds.state.or.us,
Eric.J.Deitrick@opds.state.or.us, Attorneys Opds <Attorney@opds.state.or.us>
Date: 10/21/2019 11:25 AM
Subject: Attorney Qualifications and Standards - [REDACTED]

Hello,

Please find attached my updated application for Attorney Qualifications and Standards. Because of the precarious nature of our consortium contracts, time is of the essence.

Please let me know if you have any questions.

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

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[attachment "Attorney Qualification - [REDACTED] - PUBLIC DEFENSE SERVICES COMMISSION.pdf" deleted by Caroline E Meyer/OPDS]

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From: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>

Subject: RE: Attorney Qualifications and Standards - [REDACTED]

Date: May 20, 2020 at 2:00 PM

To: Erica Herb <Erica.Herb@opds.state.or.us>, Whitney A. Perez <Whitney.A.Perez@opds.state.or.us>, Caroline Meyer <Caroline.E.Meyer@opds.state.or.us>

ED

I think one of us should reach out to [REDACTED] the TCA. I can do that. I will report back . . .

Eric J. Deitrick
General Counsel
Office of Public Defense Services
eric.j.deitrick@opds.state.or.us
503-378-2750
503-910-0434 (cell)

From: Erica Herb <Erica.Herb@opds.state.or.us>

Sent: Wednesday, May 20, 2020 1:36 PM

To: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>; Whitney A. Perez <Whitney.A.Perez@opds.state.or.us>; Caroline Meyer <Caroline.E.Meyer@opds.state.or.us>

Subject: RE: Attorney Qualifications and Standards - [REDACTED]

Here is her qualification pdf from the database. I think that I approved her for major felonies last fall – I am almost positive that we chatted about it when you got back before I approved her because I knew that you had concerns about her. I am sorry if I didn't. Should we take more formal steps to reduce her qualifications?

[REDACTED]

Erica Herb
Deputy General Counsel
Office of Public Defense Services
198 Commercial St SE, Suite #205
Salem, OR 97301
erica.herb@OPDS.state.or.us
503-378-2447
971-600-4032 (cell)

From: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>

Sent: Wednesday, May 20, 2020 1:32 PM

To: Erica Herb <Erica.Herb@opds.state.or.us>; Whitney A. Perez <Whitney.A.Perez@opds.state.or.us>; Caroline Meyer <Caroline.E.Meyer@opds.state.or.us>

Subject: RE: Attorney Qualifications and Standards - [REDACTED]

I can't remember honestly. Maybe we did say it was ok. But the longer she stays somewhere, the more the complaints follow her. Honesty is currently a concern in [REDACTED] Also, she has a '17 bar number . . .

Eric J. Deitrick
General Counsel
Office of Public Defense Services
eric.j.deitrick@opds.state.or.us
503-378-2750
503-910-0434 (cell)

From: Erica Herb <Erica.Herb@opds.state.or.us>
Sent: Wednesday, May 20, 2020 1:30 PM
To: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>; Whitney A. Perez <Whitney.A.Perez@opds.state.or.us>; Caroline Meyer <Caroline.E.Meyer@opds.state.or.us>
Subject: RE: Attorney Qualifications and Standards - [REDACTED]

Wait, did I end up approving her for BM11 cases? Remember when she hounded me in the fall about her qualifications and then I chatted with one of the judges out there, who proceeded to pick me apart for wanting to check on her references? I didn't check the database, but I might have approved her to handle them...I don't remember what she requested. I do remember that the judge was highly complimentary of her and thought that she was a great attorney. I am checking the database now.

Erica Herb
Deputy General Counsel
Office of Public Defense Services
198 Commercial St SE, Suite #205
Salem, OR 97301
erica.herb@OPDS.state.or.us
503-378-2447
971-600-4032 (cell)

From: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Sent: Wednesday, May 20, 2020 1:27 PM
To: Whitney A. Perez <Whitney.A.Perez@opds.state.or.us>; Erica Herb <Erica.Herb@opds.state.or.us>; Caroline Meyer <Caroline.E.Meyer@opds.state.or.us>
Subject: RE: Attorney Qualifications and Standards - [REDACTED]

Caroline –

Please don't share with [REDACTED] but the [REDACTED] County DA has contacted me about [REDACTED]. She's been on our radar since she was practicing in Washington County. She then went to Multnomah, and then [REDACTED]. We have had a ton of issues with her, particularly on the issue of honesty.

The DA let me know that [REDACTED] is doing BM11 cases. I remember saying that she wasn't qualified. But as I searched my emails, the below thread is what I found. Maybe we forgot to address it.

I don't want her handling BM11 cases. There are far too many red flags right now. Can you contact the TCA or whoever does case assignment?

Thanks,
Eric

Eric J. Deitrick
General Counsel
Office of Public Defense Services
eric.j.deitrick@opds.state.or.us
503-378-2750
503-910-0434 (cell)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Fwd: [REDACTED] County OPDS Defense Contracts

2 messages

Fri, Feb 7, 2020 at 2:05 PM

FYI

Get [Outlook for iOS](#)

From: Eric J. Deitrick@opds.state.or.us <Eric.J.Deitrick@opds.state.or.us>

Sent: Friday, February 7, 2020 1:45 PM

To: [REDACTED]

Subject: Fw: [REDACTED] County OPDS Defense Contracts

[REDACTED] --

As you represent [REDACTED] I am responding to you. We are not going to be conducting any sort of investigation on this matter. Let me know if you have any questions . . .

Thanks,
Eric

Eric J. Deitrick
General Counsel
Office of Public Defense Services
503-378-2750
503-910-0434 (cell)
eric.j.deitrick@opds.state.or.us

FW: OPDS Letter to Ms. [REDACTED] Follow up

Wed, Mar 24, 2021 at 11:15 AM

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: C. Lane Borg <Lane.Borg@opds.state.or.us>

Sent: Wednesday, March 24, 2021 11:08 AM

To: [REDACTED]

Cc: Kaysea R. Dahstrom <Kaysea.R.Dahstrom@opds.state.or.us>; Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>; Julie A. Fetsch <Julie.A.Fetsch@opds.state.or.us>

Subject: RE: OPDS Letter to Ms. [REDACTED] Follow up

Ms. [REDACTED]

Based on my review of our records I believe that the \$100/hr as was previously being billed is appropriate and so I am granting that request and directing our staff to note that for hourly billing on these cases after the contract time expires, April 30th. As we discussed on the phone Ms. [REDACTED] will need to submit an NRE request if appropriate for legal assistant time that is beyond normal office support. Those request will be evaluated on their own merit.

Lane Borg

Executive Director

OPDS

[Quoted text hidden]

Subject: Fwd: TIME SENSITIVE Re: Notice of Adjustment on VP [REDACTED]
Date: Tuesday, January 11, 2022 at 10:23:39 AM Pacific Standard Time
From: [REDACTED]
[REDACTED]
[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: Tue, Jan 4, 2022 at 10:22 AM
Subject: TIME SENSITIVE Re: Notice of Adjustment on VP [REDACTED]
To: Accounts Payable Mailbox <AccountsPayable@opds.state.or.us>, Sandra R. Warden
<Sandra.R.Warden@opds.state.or.us>, Megan A. Doak <Megan.A.Doak@opds.state.or.us>
Cc: [REDACTED] <Stephen.I.Singer@opds.state.or.us>

Hello.

I received the attached adjustments with an incorrect rate applied in case [REDACTED]). That adjustment drops my previously agreed \$100 hourly rate to \$75 for work on that case beginning 7/21 on the reported direction of Ms. Doak and her supervisor.

It appears staff are unaware that OPDS agreed to pay me \$100 per hour for the [REDACTED] cases beginning after 4/30/21, when the [REDACTED] contract I worked under was ended. Please see attached email from Lane Borg sent on 3/31/21 to my counsel, [REDACTED] confirming the \$100 rate effective after 4/30/21. As you can see, Mr. Deitrick and other OPDS staff were cc'd on this communication with confirmation from Mr. Borg staff would be directed to follow the \$100 rate.

I have over \$34,000 in pending billing with OPDS, and anticipate this same error will be applied to those cases unless corrected immediately. I rely on this billing to be paid to pay my bills. Without payment, my personal and business needs will be jeopardized.

I am cc'ing director Singer, given there is an ongoing current investigation regarding disparate treatment and pay for women contractors with OPDS currently underway, and he should be aware of the ongoing exposure. Please provide confirmation of receipt of this information and resolution of the billing rate error.

[REDACTED]
On Tue, Jan 4, 2022 at 9:13 AM Accounts Payable Mailbox <AccountsPayable@opds.state.or.us> wrote:

Dear Provider:

Please find attached to this email a Notice of Adjustment to a fee statement you recently submitted to the Office of Public Defense Services for payment.

Reconsideration Requests can be submitted within 60 days of the date your Notice of Adjustment is emailed.

Billy Strehlow

From: Eric J. Deitrick
Sent: Thursday, January 28, 2021 2:08 PM
To: Billy Strehlow
Cc: Megan A. Doak
Subject: RE: PCR Appointment

I don't have a problem with it . . .

Eric J. Deitrick
General Counsel
Office of Public Defense Services
eric.j.deitrick@opds.state.or.us
503-378-2750
503-910-0434 (cell)

From: Billy Strehlow <Billy.J.Strehlow@opds.state.or.us>
Sent: Thursday, January 28, 2021 2:08 PM
To: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Cc: Megan A. Doak <Megan.A.Doak@opds.state.or.us>
Subject: RE: PCR Appointment

What about the rate increase to \$105?

Billy Strehlow
Program Analyst 4
Office of Public Defense Services
Contract Services
198 Commercial Street SE, Suite #205
Salem, OR 97301
www.oregon.gov/OPDS/
(503) 910-5049

From: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Sent: Thursday, January 28, 2021 2:07 PM
To: Billy Strehlow <Billy.J.Strehlow@opds.state.or.us>
Cc: Megan A. Doak <Megan.A.Doak@opds.state.or.us>
Subject: RE: PCR Appointment

I think OPC is probably at capacity with *Ramos* work, so routing this somewhere else is probably a good idea . . .

Eric J. Deitrick
General Counsel
Office of Public Defense Services
eric.j.deitrick@opds.state.or.us
503-378-2750
503-910-0434 (cell)

From: Billy Strehlow <Billy.J.Strehlow@opds.state.or.us>
Sent: Thursday, January 28, 2021 1:29 PM
To: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Cc: Megan A. Doak <Megan.A.Doak@opds.state.or.us>
Subject: FW: PCR Appointment

Hi Eric and Megan,
Thoughts? Does OPC need cases?
Regards,
Billy

Billy Strehlow
Program Analyst 4
Office of Public Defense Services
Contract Services
198 Commercial Street SE, Suite #205
Salem, OR 97301
www.oregon.gov/OPDS/
(503) 910-5049

From: [REDACTED]
Sent: Thursday, January 28, 2021 1:20 PM
To: Billy Strehlow <Billy.J.Strehlow@opds.state.or.us>
Subject: PCR Appointment

Hi Billy,

I represented [REDACTED] in federal court on a gun charge that was inextricably tied to an Attempted Murder charge in Multnomah County. His state case ([REDACTED]) went to trial, is close to concluding direct appeal ([REDACTED]) and is headed to PCR. Ideally, I would like to get appointed on his PCR but I am not able to work for the guideline rate. Is it possible to get appointed to his PCR and also to request a rate increase to \$105? I have a very good working relationship with [REDACTED] as well as an understanding of the state case, which I believe will result in a savings to OPDS.

Finally, if you are not the one to speak to about this will you please direct me to the appropriate person.

Thank you,

[REDACTED]

[REDACTED]

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Subject: RE: Billing Issues

Exhibit 18, Page 1 of 3

Salem, OR 97301

Cell: (503) 871-0987

From: [REDACTED]
Sent: Wednesday, January 5, 2022 1:09 PM
To: Stephen I. Singer <Stephen.I.Singer@opds.state.or.us>
Cc: Megan A. Doak <Megan.A.Doak@opds.state.or.us>; Ralph H. Amador <Ralph.H.Amador@opds.state.or.us>; Karla A. Bethell <Karla.A.Bethell@opds.state.or.us>; Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Subject: Re: Billing Issues

You don't often get email from [REDACTED] [Learn why this is important](#)

d you
and OPDS with the March 2021 confirmation email from Lane Borg yesterday which states I would be paid \$100 per hour for habeas covid cases in recognition of my expertise. There was no time-based qualification the rate would change, as stated in your email. To now pay me a lesser rate retroactively would renege on this agreement and deprive me of payment for my labor as agreed.

On the basis of the March 2021 agreement for a \$100 rate, I took habeas covid cases I would not have at \$75 per hour. I would not have turned down more lucrative work in reliance on the agreement with OPDS in March 2021 that appears from your email to now be the plan with retroactive application.

The \$100 rate was agreed to because I am the most experienced and successful attorney in the state litigating habeas cases. I have changed the law during my short time in this practice area, and am more than deserved of the \$100 rate previously agreed to for this case type. Refusing to honor prior agreements regarding my pay rate would be a mistake.

I understand you are new to OPDS, and receiving information that may not be accurate internally. I have reached out to speak more with you and hope to develop a better relationship with you than your predecessors. I hope that can happen.

[REDACTED]

On Wed, Jan 5, 2022 at 12:41 PM Stephen I. Singer <Stephen.I.Singer@opds.state.or.us> wrote:

Ms. [REDACTED] – I am communicating with you directly because I and others within OPDS have received communications directly from you. In addition, although I understand that Ms. [REDACTED] at some point represented you in connection with some matter involving OPDS but I have no idea whether Ms. [REDACTED] or any other attorney currently represents you. If you are represented and would like us to communicate directly with that person, just have that person send me an email directly letting me

know that and I and OPDS will communicate directly through that person.

That said, here is where we are at. I need you to send a list of the open cases that you had through OPDS as of 4/30/21. I emphasize that the list needs to be only open cases as of that date. All of the cases that you got through OPDS that were open as of 4/30/21 and that you performed legal work on after 4/30/21 you will be paid at the hourly rate of \$100/hour. Any cases that you got through OPDS after 4/30/21 you will be paid at the hourly rate of \$75/hour. For all cases that you got through OPDS after 4/30/21 it is YOUR responsibility to submit to OPDS through Megan Doak the appointment order from the Court. We cannot pay you for any of your bills for any of your case after 4/30/21 without an appointment order in our files so you will need to provide that in order to any payments to be approved for cases that you got after 4/30/21. This is not necessary for cases that you got prior 4/30/21.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

--

PLEASE NOTE: I am out of the office due to the current installment of the apocalypse. Any communications intended to reach me timely should be sent by email. Thank you and take care.

Covid 19 cases going to [REDACTED]

Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>

Wed, Apr 29, 2020 at 3:23 PM

To: [REDACTED]

Cc: Kara A. Belnel <Kara.A.Bernel@opds.state.or.us>

[REDACTED]

Yes. You can bill on an interim basis for the Habeas cases you are being assigned. And we did agree on \$100/hour. The attorneys who pick up the slack on these cases can bill at \$75/hour. I have cc'd our accounts payable peeps to let them know . . .

Thanks,

Eric

[Quoted text hidden]

[REDACTED]

[REDACTED]

Pronouns: She/Her/Hers

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From: [REDACTED]
Sent: Wednesday, May 31, 2023 9:55 AM
To: Laurie Bender <Laurie.Bender@opds.state.or.us>
Subject: Re: you're it

Hi Laurie.

I realized after receiving your message yesterday I have already relied on the permission granted to receive attny fees by OPDS and taken actions based on that representation from OPDS. It would be detrimental to the case to have to undo the actions taken and would be used by the defendant's counsel to disadvantage the attorney fees application. I will need to continue to rely on the prior practice and your initial affirmation of that practice to avoid disadvantage.

let me know if you have any questions or we should talk more by phone. Thank you.

[REDACTED]

Pronouns: She/Her/Hers

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From: [REDACTED]
Sent: Tuesday, May 30, 2023 2:43 PM
To: Laurie Bender <Laurie.Bender@opds.state.or.us>
Subject: Re: you're it

Thanks for letting me know the updates. My application for the attny fees is due next week, so request an answer asap.

Given the deadline, the review process likely needed for a policy change would not be complete in time. I would ask OPDS to continue its prior de facto policy in the meantime of the attny fee award going solely to me, in this case.

Thanks.

[REDACTED]

[REDACTED]

Pronouns: She/Her/Hers

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From: Laurie Bender <Laurie.Bender@opds.state.or.us>
Sent: Tuesday, May 30, 2023 11:45 AM
To: [REDACTED]
Subject: RE: you're it

[REDACTED] –

I need to walk back my earlier email (see below) on the attorney fees award in your habeas case. There is some question about whether there is a policy in place for this circumstance. I understand that you did receive the attorney award in a case you handled under an agreement with OPDS. I will keep you apprised of the situation.

Also, for your information, I did submit a request for funding under this grant program for a habeas training. I will also let you know if this idea gets any traction from the Executive team.

Laurie

From: Laurie Bender
Sent: Tuesday, May 23, 2023 3:49 PM
To: [REDACTED]
Subject: RE: you're it

[REDACTED] –

Yes, you are entitled to the attorney fees awarded by the Court. I confirmed with Budget and Finance that you should receive the attorney fees awarded by the Court associated with the noncompliance litigation and the finding of bad faith on the part of the state.

Sorry for the delay.

Laurie

From: [REDACTED]
Sent: Tuesday, May 23, 2023 3:41 PM
To: Laurie Bender <Laurie.Bender@opds.state.or.us>
Subject: Re: you're it

Hey Laurie.

Any word yet? Working on a deadline so appreciate letting me know soon as can.
Thanks!

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Pronouns: She/Her/Hers

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Thank you.

From: Laurie Bender <Laurie.Bender@opds.state.or.us>
Sent: Friday, May 19, 2023 12:01 PM
To: [REDACTED]
Subject: Re: you're it

Let me check with General Counsel on the fee issue. I will get back to you on Monday.

Laurie

Get [Outlook for iOS](#)

From: [REDACTED]
Sent: Friday, May 19, 2023 8:50:25 AM
To: Laurie Bender <Laurie.Bender@opds.state.or.us>
Subject: Re: you're it

Hi Laurie.

Good talk yesterday. Excited for the prospect of offering a solid habeas training. Would this be a CLE? Or training for newbies? Or combo? I think would be able to cover material in under 3 days, but will get better sense once work out an outline.

I forgot to also bring up that I was awarded attny fees in a habeas case where ct found ODOC acted in bad faith by refusing to implement terms of habeas settlement. J. Souede allowed for 60 % of attny fees for associated noncompliance litigation. I won the same type of award in another case, [REDACTED] a couple years ago. The agreement with OPDS was that the fee award would all go to me, not OPDS. Wanted to confirm that is still the case.

Thanks!

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Pronouns: She/Her/Hers

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From: Laurie Bender <Laurie.Bender@opds.state.or.us>
Sent: Thursday, May 18, 2023 3:31 PM
To: [REDACTED]
Subject: Re: you're it

I will try to call you after 4 pm. I am in the PDSC Meeting, which may go beyond 4. I will keep

Wednesday, July 26, 2023 at 09:55:36 Pacific Daylight Time

Subject: RE: Declaration for Habeas case - [REDACTED]
Date: Thursday, June 1, 2023 at 1:48:12 PM Pacific Daylight Time
From: Eric J. Deitrick
To: Hall David
Attachments: [REDACTED] 2023_Hourly Agreement.pdf

Here you go . . .

It says in paragraph 4 that the rate is \$105/hour, although I think she accepted the case the year before at a rate of \$100/hour.

Eric

Eric J. Deitrick
General Counsel
Oregon Public Defense Services Commission
eric.j.deitrick@opds.state.or.us
503-378-2750
503-910-0434 (cell)

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Thank you!

From: Hall David <david.hall@doj.state.or.us>
Sent: Thursday, June 1, 2023 11:34 AM
To: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Subject: RE: Declaration for Habeas case - [REDACTED]

Hi Eric –

Are you willing to sign a declaration as to the \$100 rate? Or provide the contract?

Thanks,
David

David Hall
Senior Assistant Attorney General
Oregon Department of Justice
Civil Litigation Section
Trial Division

Work Cell - 971-375-5410

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From: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>

Sent: Thursday, June 1, 2023 11:18 AM

To: Hall David <david.hall@doj.state.or.us>

Subject: RE: Declaration for Habeas case - [REDACTED]

CAUTION EXTERNAL EMAIL* This email originated from outside of DOJ. Treat attachments and links with caution. *CAUTION EXTERNAL EMAIL

David –

I cannot sign a declaration in this case. We do not have a contract term or a written policy addressing the issue of attorney fees. Additionally, prior to our talking, our office had already communicated to [REDACTED] that we were ok with her receiving the fees, rather than the agency. If this continues to be an issue, we should consider creating a policy or contract term to address it. But absent that, and given our prior communication with [REDACTED] we cannot weigh in.

I can confirm for you that her public defense hourly rate for this case is \$100/hour.

Thanks,
Eric

Eric J. Deitrick
General Counsel
Oregon Public Defense Services Commission
eric.j.deitrick@opds.state.or.us
503-378-2750
503-910-0434 (cell)

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Thank you!

From: Hall David <david.hall@doj.state.or.us>
Sent: Thursday, May 25, 2023 4:38 PM
To: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Cc: Albee Cole I <cole.i.albee@doj.state.or.us>
Subject: Declaration for Habeas case - [REDACTED]

Hi Eric –

I've attached a draft copy of the declaration you indicated you'd be willing to sign for this case. Please let me know if you have any questions and of course feel free to change, add or omit anything you want. I've attempted to draft this in accordance with our conversation last week but I may have some of the details wrong. I've also attached the attorney fee statement Ms. [REDACTED] has sent me for fees related to the motion in this case. If you are able to share any other information with me, I'd appreciate it but I want to make clear that I'm not asking for anything that may be confidential. I haven't practiced in this area before so I'm not sure of how OPDS works in regards to paying attorneys for their work.

Thanks,
David

David Hall
Senior Assistant Attorney General
Oregon Department of Justice
Civil Litigation Section
Trial Division
Work Cell - 971-375-5410

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From: [Laurie Bender](#)
To: [Jessica Kampfe](#)
Subject: FW: Declaration for Habeas case - [REDACTED]
Date: Monday, July 10, 2023 3:32:00 PM

Jessie –

I don't believe that I was provided the declaration prepared for Eric to sign, but it was determined that he should not sign any declaration, and further that he should respond that our agency had already approved her receiving the award. Eric provided the DOJ attorney with the rate of compensation for Ms. [REDACTED] work in this habeas matter. In hindsight, it would have been best if we had included Ms. [REDACTED] in the communications.

Laurie

From: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Sent: Thursday, June 1, 2023 11:18 AM
To: Hall David <david.hall@doj.state.or.us>
Subject: RE: Declaration for Habeas case - [REDACTED]

David –

I cannot sign a declaration in this case. We do not have a contract term or a written policy addressing the issue of attorney fees. Additionally, prior to our talking, our office had already communicated to [REDACTED] that we were ok with her receiving the fees, rather than the agency. If this continues to be an issue, we should consider creating a policy or contract term to address it. But absent that, and given our prior communication with [REDACTED] we cannot weigh in.

I can confirm for you that her public defense hourly rate for this case is \$100/hour.

Thanks,
Eric

Eric J. Deitrick
General Counsel
Oregon Public Defense Services Commission
eric.j.deitrick@opds.state.or.us
503-378-2750
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From: Hall David <david.hall@doj.state.or.us>
Sent: Thursday, May 25, 2023 4:38 PM
To: Eric J. Deitrick <Eric.J.Deitrick@opds.state.or.us>
Cc: Albee Cole I <cole.i.albee@doj.state.or.us>
Subject: Declaration for Habeas case - [REDACTED]

Hi Eric –

I've attached a draft copy of the declaration you indicated you'd be willing to sign for this case. Please let me know if you have any questions and of course feel free to change, add or omit anything you want. I've attempted to draft this in accordance with our conversation last week but I may have some of the details wrong. I've also attached the attorney fee statement Ms. [REDACTED] has sent me for fees related to the motion in this case. If you are able to share any other information with me, I'd appreciate it but I want to make clear that I'm not asking for anything that may be confidential. I haven't practiced in this area before so I'm not sure of how OPDS works in regards to paying attorneys for their work.

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David

David Hall
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