

**Thomas M. Triplett, OSB #65125**

**William B. Crow, OSB #61018**

**Nancy M. Erfle, OSB #90257**

Schwabe, Williamson & Wyatt, P.C.

Pacwest Center, Suites 1500-1900

1211 S.W. Fifth Avenue

Portland, OR 97204-3795

Telephone: (503) 222-9981

Facsimile: (503) 796-2900

E-mail: ttriplett@schwabe.com

bcrow@schwabe.com

nerfle@schwabe.com

**Laurence E. Thorp, OSB #68165**

Thorp, Purdy, Jewett, Urness & Wilkinson, P.C.

1011 Harlow Road, Suite 300

Springfield, OR 97477

Telephone: (541) 747-3354

Facsimile: (541) 747-3367

E-mail: lthorp@thorp-purdy.com

Attorneys for Plaintiff

McKenzie-Willamette Hospital

**Peter H. Glade, OSB #79048**

**Jeffrey M. Edelson, OSB #88040**

Markowitz, Herbold, Glade & Mehlhaf, P.C.

1211 S.W. Fifth Avenue, Suite 3000

Portland, OR 97204-3730

Telephone: (503) 295-3085

Facsimile: (503) 323-9105

E-mail: peter@mhgmlaw.com

jeff@mhgmlaw.com

**James H. Sneed**

**Linda M. Holleran**

McDermott, Will & Emery

600 Thirteenth Street, N.W.

Washington, D.C. 20005-3096

Telephone: (202) 756-8000

Facsimile: (202) 756-8087

E-mail: jsneed@mwe.com

lholleran@mwe.com

Attorneys for Defendant

PeaceHealth

FILED 05 MAY 02 07:56 USDC-ORP

**Michael E. Kipling**

Summit Law Group, PLLC  
1505 Westlake Avenue N., Suite 300  
Seattle, WA 97109-3050  
Telephone: (206) 676-7000  
Facsimile: (206) 676-7027  
E-mail: mikek@summitlaw.com

Attorneys for Intervenor  
Regence BlueCross BlueShield of Oregon

**Arden J. Olson, OSB #87070**

Harrang, Long, Gary, Rudnick, P.C.  
101 E. Broadway, Suite 400  
Eugene, OR 97440  
Telephone: (541) 485-0220  
Facsimile: (541) 649-3825  
E-mail: arden.j.olson@harrang.com

Attorneys for Intervenor  
Providence Health Plan

**Thomas H. Tongue, OSB #68167**

**Madeleine Campbell, OSB #81122**  
Dunn, Carney, Allen, Higgins & Tongue LLP  
851 S.W. Sixth Avenue, Suite 1500  
Portland, OR 97204  
Telephone: (503) 224-6440  
Facsimile: (503) 224-7324  
E-mail: msc@dunn-carney.com  
tht@dunn-carney.com

Attorneys for Intervenor  
PacificSource Health Plans

**Milo Petranovich, OSB #81337**

**Kenneth R. Davis, II, OSB #97113**  
Lane, Powell, Spears, Lubersky LLP  
601 S.W. Second Avenue, Suite 2100  
Portland, OR 97204-3158  
Telephone: (503) 778-2100  
Facsimile: (503) 778-2200  
E-mail: petranovichm@lanepowell.com  
davisk@lanepowell.com

Attorneys for Intervenor  
McKenzie-Willamette Regional  
Medical Center Associates, LLC

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**CASCADE HEALTH SOLUTIONS fka  
MCKENZIE-WILLAMETTE HOSPITAL,  
an Oregon nonprofit corporation,**

Plaintiff,

v.

**PEACEHEALTH, a Washington State  
nonprofit corporation,**

Defendant,

**REGENCE BLUECROSS  
BLUESHIELD OF OREGON;  
PROVIDENCE HEALTH PLAN,  
PACIFICSOURCE HEALTH PLANS; and  
MCKENZIE-WILLAMETTE REGIONAL  
MEDICAL CENTER ASSOCIATES, LLC,**

Co-Defendants/Intervenors.

No. 02-6032-HA

**JUDGMENT**

This action came for trial before the court and a jury, Honorable Ancer Haggerty, District Judge, Presiding. Plaintiff McKenzie-Willamette Hospital, an Oregon nonprofit corporation, was represented by Thomas M. Triplett, Nancy M. Erfle, and William B. Crow. Defendant, PeaceHealth, a Washington nonprofit organization, was represented by Peter H. Glade, James H. Sneed, and Linda M. Holleran.

The issues having been duly tried and the jury having duly reached its verdict; plaintiff being required by law to elect among its remedies; and it having elected the greater of the verdicts, based upon the jury's verdict, judgment is entered in favor of plaintiff McKenzie-Willamette Hospital and against PeaceHealth in the sum of \$16,200,000 with interest thereon from February 1, 2004, at the rate provided by law.

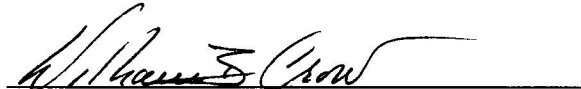
Plaintiff sought equitable relief under 15 USC § 26. The following parties intervened: Regence BlueCross BlueShield of Oregon, Providence Health Plan, PacificSource Health Plans, and McKenzie-Willamette Regional Medical Center Associates, LLC. Plaintiff, defendant, and

intervenor McKenzie-Willamette Regional Medical Center Associates, LLC, have reached a settlement, and, pursuant to that settlement, plaintiff and intervenor McKenzie-Willamette Regional Medical Center Associates, LLC, have withdrawn this claim and stipulated that it be dismissed with prejudice. Defendant and the remaining intervenors have consented to the withdrawal of this claim and to its dismissal with prejudice. Accordingly, the claims for equitable relief are hereby dismissed with prejudice.

Dated this 2 day of May, 2005.

  
Honorable Ancer L. Haggerty

Submitted by:

  
William B. Crow, OSB #61018  
Schwabe, Williamson & Wyatt  
Of Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of April, 2005, I served the foregoing **JUDGMENT**

on:

Peter H. Glade, Esq.  
Jeffrey Edelson, Esq.  
Katherine R. Heekin, Esq.  
Markowitz, Herbold, Glade, et al.  
1211 S.W. Fifth Avenue, Suite 3000  
Portland, OR 97204

Saralisa C. Brau, Esq.  
McDermott, Will & Emery  
50 Rockefeller Plaza  
New York, NY 10020

Michael E. Kipling, Esq.  
Summit Law Group, PLLC  
1505 Westlake Avenue N., Suite 300  
Seattle, WA 97109-3050

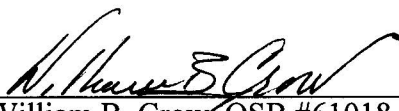
Milo Petranovich  
Kenneth R. Davis, II  
Lane, Powell, Spears, Lubersky LLP  
601 S.W. Second Avenue, Suite 2100  
Portland, OR 97204-3158

James H. Sneed, Esq.  
Linda M. Holleran, Esq.  
McDermott, Will & Emery  
600 Thirteenth Street, N. W.  
Washington, D.C. 20005-3096

Arden J. Olson, Esq.  
Harrang Long Gary Rudnick, P.C.  
360 E. 10th Avenue, Suite 300  
Eugene, OR 97440

Madeleine Campbell, Esq.  
Thomas H. Tongue, Esq.  
Dunn, Carney, Allen, Higgins & Tongue LLP  
851 S.W. Sixth Avenue, Suite 1500  
Portland, OR 97204

by mailing to them a true and correct copy thereof, placed in a sealed envelope addressed to them at the addresses set forth above, and deposited in the U.S. Post Office at Portland, Oregon, on said day with postage prepaid.

  
\_\_\_\_\_  
William B. Crow, OSB #61018  
Of Attorneys for Plaintiff