



Joel Christiansen, OSB #080561  
VOGELE & CHRISTIANSEN  
812 NW 17<sup>th</sup> Avenue  
Portland, OR 97209  
T: (503) 841-6722  
E: [joel@oremploymentlawyer.com](mailto:joel@oremploymentlawyer.com)

Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**MAX ZWEIZIG,**

Case No. 3:15-cv-02401-HZ

Plaintiff,

**DECLARATION OF JOEL  
CHRISTIANSEN IN SUPPORT OF  
PLAINTIFF'S SPECIAL MOTION TO  
STRIKE**

v.

**TIMOTHY C. ROTE**, a citizen of the state of Oregon, **NORTHWEST DIRECT TELESERVICES, INC.**, an Oregon for-profit corporation, **NORTHWEST DIRECT MARKETING OF OREGON, INC.**, an Oregon for-profit corporation, **NORTHWEST DIRECT MARKETING, INC.**, an Oregon for-profit corporation, **NORTHWEST DIRECT OF IOWA, INC.**, an Iowa for-profit corporation, **ROTE ENTERPRISES, LLC**, an Oregon limited liability company, **NORTHWEST DIRECT MARKETING, INC.**, aka Northwest Direct Marketing (Delaware), Inc., a Delaware Corporation, and **DOES 1 through 5**,

Defendants.

---

I, Joel Christiansen, hereby declare:

1. I represent the plaintiff in the above-captioned case. I make this declaration on personal knowledge and am competent to testify to the matters stated herein.



2. I attempted to confer with Defendant Timothy C. Rote ("Rote") before filing this motion. As of filing, the parties have not been able to resolve their dispute.

3. Attached hereto as EXHIBIT 1 is a true and accurate copy of a web page titled "About" from Rote's Sitting Duck Portland website, <https://sittingduckportland.wordpress.com/about/>.

4. Attached hereto as EXHIBIT 2 is a true and accurate copy of Chapter 1 of Rote's Sitting Duck Portland website, <https://sittingduckportland.wordpress.com/2015/02/>.

5. Attached hereto as EXHIBIT 3 is a true and accurate copy of Chapter 19 of Rote's Sitting Duck Portland website, <https://sittingduckportland.wordpress.com/2015/11/12/chapter-19-are-arbitrators-above-the-law/>. After reviewing Rote's comments contained in Chapter 19, Linda Marshall (Plaintiff's counsel in another matter) and I contacted Judge Jones' courtroom deputy and informed the court of Rote's publication concerning Judge Jones, which: (1) identified Judge Jones' physical location at a specific time and location to receive a lifetime achievement award, (2) evidenced Rote's belief that there would be media presence at the event, and (3) commented that "[p]erhaps more often than not our legacies are not what we wanted them to be."

6. Attached hereto as EXHIBIT 4 is a true and accurate copy of the transcript from the March 18, 2001 Status Conference in the United States District Court, District of Oregon Case *Jones v. North West Telemarketing, Inc.*, Case No. CV 99-990.

7. Attached hereto as EXHIBIT 5 is a true and accurate copy of the Order to Show Cause in the United States District Court, District of New Jersey Case *Max Zweizig v. Timothy C. Rote*, et al, Case No. 04-2025.

8. Attached hereto as EXHIBIT 6 is a true and accurate copy of January and October 2008 email messages from Greg Rote to Max Zweizig.

Dated: May 9, 2016

/s/ Joel Christiansen  
Joel Christiansen, OSB #080561  
Of Attorneys for Plaintiff



**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing DECLARATION OF JOEL CHRISTIANSEN IN SUPPORT OF PLAINTIFF'S SPECIAL MOTION TO STRIKE on:

Timothy Rote  
24790 SW Big Fir Rd.  
West Linn, OR 97068  
*Pro Se Defendant*

Andrew C. Brandsness  
BRANDSNESS, BRANDSNESS & RUDD, P.C.  
411 Pine Street  
Klamath Falls, OR 97601  
*Of Attorneys for Defendants Northwest Direct Teleservices, Inc.; Northwest Direct Marketing of Oregon, Inc.; Northwest Direct Marketing, Inc.; Northwest Direct of Iowa, Inc.; Rote Enterprises, LLC; Northwest Direct Marketing, Inc. aka Northwest Direct Marketing (Delaware), Inc.*

through the Court's electronic filing system on May 9, 2016.

/s/ Joel Christiansen  
Joel Christiansen, OSB #080561  
Of Attorneys for Plaintiff