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7 Attorney for Plaintiff

8 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
9 FOR THE COUNTY OF CLACKAMAS

10 MAX ZWEIZIG, and individual,  
11 Plaintiff,

12 v.

13 TANYA ROTE and TIMOTHY ROTE, husband and  
14 wife; and NORTHWEST HOLDING, LLC, an Oregon  
15 limited liability company,  
16 Defendants.

Case No. 19CV01547

PETITION FOR PRETRIAL ORDER

17 MOTION

18 Plaintiff moves the Court for an order prohibiting the parties from posting on Twitter or  
19 other social media platforms regarding the following topics:

- 20 (a) association of Plaintiff, his past counsel, or his present counsel with pedophilia or child pornography; and
- 21 (b) allegations of conspiracy(ies) to deprive Defendant(s) of due process of law or other legal rights by any or all of the following persons or entities:
  - 22 (i) Plaintiff,
  - 23 (ii) Plaintiff's past of present attorneys;
  - 24 (iii) the Professional Liability Fund; or
  - 25 (iv) the Oregon judiciary, its officers and employees.

26 Plaintiff requests that this order be made effective immediately and continue until a general judgment is entered in this case.

27 POINTS AND AUTHORITIES

1 Every judicial officer has the power to preserve and enforce order in judicial proceedings.  
2 ORS 1.240(a), ORS 1.210 [defining “judicial officer”]. Likewise, a judge has a duty to administer  
3 justice according to law and to require others to do so. This includes matters relating to impaneling  
4 of juries and the conduct of trials. ORS 1.025(2). The court’s duties and powers extend to  
5 contempt, which is defined for purposes relevant here as “[m]isconduct in the presence of the  
6 court that interferes with a court proceeding or with the administration of justice, or that impairs  
7 the respect due the court.” ORS 33.015. In addition, the Oregon Constitution provides that “In all  
8 civil cases the right of Trial by Jury shall remain inviolate.” OR CONST Art. I, § 17.

10 FACTUAL BACKGROUND

11 Defendant Timothy Rote has a long history of litigation with Plaintiff Max Zweizig, in  
12 both State and Federal courts. In misguided attempts to gain advantage, Mr. Rote has made false  
13 accusations against Mr. Zweizig and his attorneys online. Likewise, he has spun and promulgated  
14 wild conspiracy theories about the judiciary system, the Oregon State Bar, and others involved in  
15 administering justice.  
16

17 ARGUMENT

18 As set forth in the declaration of Max Zweizig, Mr. Rote’s conduct has been egregious  
19 and, because it is being done online, has the potential to taint the jury pool. Mr. Rote’s scurrilous  
20 accusations and conspiracy theories have already interfered with the administration of justice in  
21 this case. If he is allowed to continue with this conduct, Mr. Zweizig’s right to a fair jury and for  
22 orderly administration of justice will be impaired. For these reasons, the motion should be granted.  
23

24  
25 Dated this 18th day of <sup>February</sup>~~January~~, 2021.

26 DocuSigned by:  
  
27 Anthony Albertazzi, OSB #960036  
Attorney for Plaintiff