

1 ALBERTAZZI LAW FIRM
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3 Bend, OR 97702
4 Telephone: (541) 317-0231

5 Anthony V. Albertazzi, OSB #960036
6 E-mail: a.albertazzi@albertazzilaw.com
7 Attorney for Plaintiff

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

10 MAX ZWEIZIG,

11 Plaintiff,

12 vs.

13 NORTHWEST DIRECT TELESERVICES, INC.;
14 NORTHWEST DIRECT MARKETING OF
15 OREGON, INC.; TIMOTHY ROTE;
16 NORTHWEST DIRECT MARKETING
(DELAWARE), INC.; NORTHWEST DIRECT OF
17 IOWA, INC.; ROTE ENTERPRISES, LLC; and
18 NORTHWEST DIRECT MARKETING, INC.

19 Defendants,

Case No. 19CV00824

ORDER RE DEFENDANT’S
MOTION TO CHANGE VENUE
AND MOTION TO SET ASIDE
SHERIFF’S SALE

19 This matter came before the court on June 16, 2022 before the Honorable Beth Bagley.

20 Defendant Timothy Rote appeared pro se. Anthony V. Albertazzi appeared on behalf of Plaintiff

21 The court heard argument and considered the papers filed. Now therefore,

22 IT IS HEREBY ORDERED:

- 23 1. Defendant’s Motion to Change Venue is DENIED.
- 24 2. Defendant’s Motion to Set Aside the Sheriff’s Sale filed by Defendant is

25 GRANTED. The sale conducted February 3, 2022 is VACATED.
26
27



CERTIFIED TRUE COPY OF THE ORIGINAL
Dated this 9 day of Sept, 2021.
CIRCUIT COURT OF THE STATE OF OREGON
FOR DESCHUTES COUNTY

BY: [Signature]
COURT CLERK

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ALBERTAZZI LAW FIRM
296 SW Columbia St., Ste. B
Bend, OR 97702
541 317-0231

Anthony V. Albertazzi, OSB #960036
a.albertazzi@albertazzilaw.com
Of Attorneys for Plaintiff

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

MAX ZWEIZIG,)	Case No. 19CV00824
Plaintiff,)	
vs.)	WRIT OF EXECUTION
)	
NORTHWEST DIRECT TELESERVICES, INC.;)	
NORTHWEST DIRECT MARKETING OF)	
OREGON, INC.; TIMOTHY ROTE;)	
NORTHWEST DIRECT MARKETING)	
(DELAWARE), INC.; NORTHWEST DIRECT OF)	
IOWA, INC.; ROTE ENTERPRISES, LLC; and)	
NORTHWEST DIRECT MARKETING, INC.)	
Defendants,)	
)	

TO: SHERIFF OF DESCHUTES COUNTY

On or about November 20, 2018, a judgment was entered in the register for this case in favor of MAX ZWEIZIG and against NORTHWEST DIRECT TELESERVICES, INC.; NORTHWEST DIRECT MARKETING OF OREGON, INC.; TIMOTHY ROTE; NORTHWEST DIRECT MARKETING (DELAWARE), INC.; NORTHWEST DIRECT OF IOWA, INC.; ROTE ENTERPRISES, LLC; and NORTHWEST DIRECT MARKETING, INC providing money award(s) in the amount of \$ 500,000, together with 2.70% interest per annum from the dates of judgment(s) until paid. A true and correct copy of the judgment is attached hereto as Exhibit 1.

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Now, therefore, in the name of the State of Oregon, you are hereby commanded to sell, in the manner prescribed by law for the sale of intangible personal property: any and all share(s), or membership interest(s) which TIMOTHY ROTE has in the following entity:

NORTHWEST DIRECT HOMES INC. an Oregon corporation

To satisfy the principal sum of \$ **500,000.00**, together with **2.70% interest per annum from the dates of judgment(s) until paid, due and owing as of November 20, 2018**, and also the costs of and upon this writ and make due return hereon within 60 days after you have received this writ. Interest continues to accrue at the rate of \$ 36.98 per day.

The mailing address for the judgment creditor is:

Max Zweizig
c/o Anthony V. Albertazzi, Esq.
296 Columbia St. Suite B
Bend, OR 97702

Signed: 8/20/2021 10:40 AM

Angela R. Curtis

Trial Court Administrator
Angela Curtis



Submitted By:
Anthony V. Albertazzi, OSB 960036
296 Columbia St. Suite B
Bend, OR 97702
(541) 317-0231
a.albertazzi@albertazzilaw.com
Of Attorneys for Plaintiff/Judgment Creditor

UNITED STATES DISTRICT COURT
District of Oregon

EXEMPLIFICATION CERTIFICATE

I, Mary L. Moran, Clerk of this United States District Court,
keeper of the records and seal, certify that the attached documents:

3:15-cv-02401-HZ
Zweizig v. Northwest Direct Teleservices, Inc. et al
Docket #240, Judgment, filed on 11/20/2018

are true copies of records of this Court.

In testimony whereof I sign my name and affix the seal of this Court, in this District, at

Portland
City

on 12/12/2018
Date

Mary L. Moran
Mary L. Moran, Clerk of Court



Morgan
Deputy Clerk

I, Marco A. Hernández, a Judicial Officer of this Court,
certify that Mary L. Moran, named above, is and was on the date noted,
Clerk of this Court, duly appointed and sworn, and keeper of the records and seal, and that this certificate, and the
attestation of the record, are in accordance with the laws of the United States.

12/13/18
Date



Marco Hernandez
Signature of Judge

Marco A. Hernández
U.S. District Judge

I, Mary L. Moran, Clerk of this United States District Court,
keeper of the seal, certify that the Honorable Marco A. Hernández
U.S. District Judge

named above, is and was on the date noted a Judicial Officer of this Court, duly appointed, sworn and qualified, and that
I am well acquainted with the Judge's official signature and know and certify the above signature to be that of
the Judge.

In testimony whereof I sign my name, and affix the seal of this Court at

Portland
City

on 12/18/2018
Date

Mary L. Moran
Mary L. Moran, Clerk of Court



Morgan
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MAX ZWEIZIG,

No. 3:15-cv-02401-HZ

Plaintiff,

JUDGMENT

v.

NORTHWEST DIRECT TELESERVICES,
INC.; NORTHWEST DIRECT MARKETING
OF OREGON, INC.; TIMOTHY ROTE;
NORTHWEST DIRECT MARKETING
(DELAWARE), INC.; NORTHWEST DIRECT
OF IOWA, INC.; ROTE ENTERPRISES, LLC;
and NORTHWEST DIRECT MARKETING, INC.;

Defendants.

HERNÁNDEZ, District Judge:

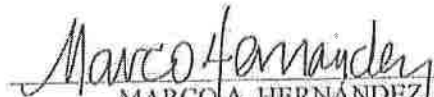
This matter was tried before a jury from January 16 to January 17, 2018, in Portland, Oregon, the Honorable Marco A. Hernández presiding. The matter being tried and the jury having rendered its verdict,

IT IS ORDERED AND ADJUDGED that Judgment is entered for Plaintiff and against Defendants Timothy C. Rote, Northwest Direct Teleservices, Inc., Northwest Direct Marketing of Oregon, Inc., Northwest Direct Marketing, Inc., Northwest Direct of Iowa, Inc., Rote

1 - JUDGMENT

Enterprises, LLC, and Northwest Direct Marketing, Inc (Delaware) jointly and severally in the amount of five hundred thousand dollars (\$500,000.00) with interest accruing on Plaintiff's claims against Defendants under Oregon Revised Statutes Chapter 659A at the rate of 2.70% per annum from the date judgment is entered.

DATED this 20 day of November, 2018.


MARCO A. HERNÁNDEZ
United States District Judge

Anthony V. Albertazzi

From: Timothy Rote <timothy.rote@gmail.com>
Sent: Monday, June 20, 2022 10:41 AM
To: Sarah M. Schofield
Cc: Anthony V. Albertazzi
Subject: Re: Zweizig v. Rote, et al.; Deschutes County Case #19CV00824
Attachments: Motion to Amend or Clarify Judgment.pdf; Defendant's Declaration and Exhibit 19cv00824.pdf

Object to the form of the Order. Since it is Albertazzi's position that a new writ is required, the Amended Judgment should also be reflected. The record of the case however seems unclear, your office having filed the amended Judgment as a new Judgment. See Attached Motion to Amend or Clarify Judgment.

On Fri, Jun 17, 2022 at 4:02 PM Sarah M. Schofield <s.schofield@albertazzilaw.com> wrote:

Dear Mr. Rote,

Pursuant to UTCR 5.100, attached you will find the proposed Order Re Defendant's Motion to Change Venue and Motion to Set Aside Sheriff's Sale.

Thank you,

Sarah Schofield

Paralegal



Albertazzi Law Firm

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