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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LINN
PROBATE DEPARTMENT

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In the Matter of a Protective Order for) Case No.: 20140
JEAN MARIE PRIMROSE)
Respondent.) PETITION FOR LIMITED PROTECTIVE
ORDER REGARDING RESPONDENT'S
PROPERTY: CATS
[ORS 125.650(4)]

Petitioner, Cat Champion, by and through its attorney, Dana M. Campbell of the Animal Legal Defense Fund, petitions the court for a protective order for the court to appoint the Petitioner as a fiduciary for the above-named Respondent for the limited purpose of providing for the continued physical care and the legal, permanent placement of Respondent's cats, which at present number 11. For further information, please reference Linn County Circuit Court Criminal Case No. 04081771 in which Respondent was found by the Court to be unable to aid and assist in her own defense against charges of animal neglect of the same 11 cats. This petition is made pursuant to ORS 125.650(4). Petitioner presents as follows:

1.

The following information is given with regard to the Respondent:

Name: Jean Marie Primrose
Age/ Birthdate: April 5, 1958/47 years old
Address: 38423 Century Drive
Albany, OR 97321

Current Location: See above

2.

The following information is given with regard to the Petitioner/Proposed Fiduciary:

1 f. Any person required notice by ORS 125.060(2):

2 Respondent: see page 1

3 Spouse or Adult Child or Next of Kin:

4 **Father, Robert Primrose and Mother, Silvia Primrose**
5 **28423 Century Drive**
6 **Albany, OR 97321**

7 Courtesy notice sent to:

8 **Wade Pierce**
9 **Resource Connection of Oregon**
10 **3876 Beverly Avenue NW, Suite G1**
11 **Salem, OR 97305**

12 5.

13 The name and address of the Respondent's treating physician and any other person who
14 is providing care to Respondent are as follows:

15 **Gary E. Neilsen, Ph.D. (Licensed Psychologist)**
16 **Forensic Psychology Associates**
17 **P.O. Box 565**
18 **Salem, OR 97308**

19 6.

20 The names and addresses of persons, other than Petitioner, who have information that
21 Respondent is incapacitated are as follows:

22 **Wade Pierce**
23 **Resource Connection of Oregon**
24 **3876 Beverly Avenue NE, Suite G1**
25 **Salem, OR 97305**

26 **Eric Hsu**
Deputy District Attorney
Linn County
Linn County Courthouse
Albany, OR 97321

1
2 The Petitioner requests that the court issue a protective order pursuant to ORS 125.650(4)
3 appointing Cat Champion as a fiduciary for the limited purpose of providing for the continuing
4 care and permanent placement of Respondent's cats. The factual information for this request is
5 as follows, which is supported in more detail in the attached Affidavits of Deputy Beth Adams
6 and Sergeant Art Sprague, incorporated herein:

7 Upon lawful entry into Respondent's home in early July 2004, it was apparent to the
8 animal welfare investigators that Respondent had been unable to care for her cats or maintain a
9 healthy home. Approximately 20 cats were in poor health; there was a strong odor of urine and
10 feces; kitchen appliances, stove and sink were filled with old and fresh feces; there were spider
11 webs in each corner with old flies stuck in them; rats had chewed holes into what used to be the
12 bedroom wall, preventing anyone from sleeping in there; and there was debris and fecal matter
13 on the floors. Upon disclosure that her cats would be seized, Respondent became irate and
14 quietly threatened to kill whomever had reported her cats' condition to the authorities. The
15 following day, when Sergeant Sprague and Sandra Chitwood returned to seize the cats,
16 Respondent became violent and began screaming and kicking at the cats and throwing gravel at
17 them in an attempt to make them run away. Most of the cats, however, were too weak to even
18 move.
19
20

21 Respondent's family does not appear to be a suitable home for the cats given that her
22 mother stated to Deputy Adams that she does not see a problem with how Respondent lives and
23 her father remained silent throughout the entire conversation. Cat Champion seized the cats and
24 began caring for them; it was necessary to remove them from Respondent's home because the
25 extreme filth and unhealthy environment was preventing the cats from regaining their health. The
26

1 requested protective order is in the best interest of the respondent and her living property, the 11
2 cats.

3
4 8.

5 The Petitioner does not intend to move the Respondent into a group home, residential
6 facility, adult foster home, or nursing home.

7 9.

8 There are no interests of creditors to consider. The proposed fiduciary will not be
9 managing the respondent's finances. However, to the extent that there may be any money
10 generated by adoption fees for the cats, Petitioner asks that the court order any fees received by it
11 be applied first to offset the Petitioner's costs of caring for the cats from the date that it assumed
12 responsibility for their care to the date of final placement, with any remaining balance to be
13 placed in a trust fund or escrow account for the Respondent's benefit.

14
15 10.

16 To the best of the Petitioner's knowledge, the respondent is not receiving any money paid
17 or payable to the United States through the Department of Veterans Affairs or by the State of
18 Oregon through the Adult and Family Services Division of the Department of Human Resources.

19
20 11.

21 Venue for this proceeding lies in Linn County because the respondent resides in this
22 county and/or has property in this county. No other court in Oregon has acquired jurisdiction in
23 this matter and no temporary or permanent Guardian or Conservator has previously been
24 appointed for the Respondent.

25 ||
26 ||

1 WHEREFORE, Petitioner prays for an Order as follows:

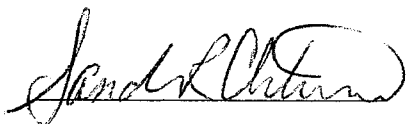
2 (1) For the court to appoint Cat Champion as a fiduciary for the limited
3 purpose of providing for the care and permanent placement of
4 Respondent's 11 cats;
5

6 (2) For the court to order than any adoption fees received by Petitioner be
7 applied first to offset the Petitioner's costs of caring for the cats from the
8 date that it assumed responsibility for their care to the date of placement,
9 with any remaining balance to be placed in a trust fund or escrow account
10 for the Respondent's benefit;
11

12 (3) For the court to order that the \$78 filing fee for this matter be waived and
13 returned to Cat Champion Corporation, being that they are a nonprofit
14 corporation with very little operating funds;
15

16 (4) Any other related order that the Court deems appropriate to protect
17 Respondent and her property.

18 Dated this 1st day of July, 2005.

19 

20
21 Petitioner
22 Sandra Chitwood
23 Cat Champion Corporation
24 37099 Deadwood Drive
25 Lebanon, OR 97355
26 541-451-4126



Dana M. Campbell, OSB number 89029
Attorney for Petitioner
Animal Legal Defense Fund
919 SW Taylor Street, 4th Floor
Portland, OR 97205
503-231-1602, ext. 304

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LINN
PROBATE DEPARTMENT

In the Matter of a Protective Order for)
JEAN MARIE PRIMROSE)
Respondent.)

Case No. 21840

NOTICE OF TIME FOR FILING
OBJECTIONS TO PETITION FOR
PROTECTIVE ORDER

To:

Father, Robert Primrose and Mother, Silvia Primrose
38423 Century Drive
Albany, OR 97321

Arnold W. Poole, Esq.
204 Elsworth SW
Albany, OR 97321

Wade Pierce
Resource Connection of Oregon
3876 Beverly Avenue NE, Suite G1
Salem, OR 97305

Gary E. Neilsen, Ph.D. (Licensed Psychologist)
Forensic Psychology Associates
P.O. Box 565
Salem, OR 97308

NOTICE IS HEARBY GIVEN that CAT CHAMPION, CORP. filed a petition herein for a protective order. A copy of the petition is attached hereto. The name, address, and telephone number of the person or entity which has filed the petition for the protective order is:

PETITIONER


Name: Sandra Chitwood, Cat Champion, Corp.
Address: 37099 Deadwood Drive
Address: Lebanon, OR 97355
Phone: 541-451-4126

I NOTICE OF TIME FOR FILING OBJECTIONS TO PETITION FOR PROTECTIVE ORDER

Any objections to the petition must be filed in the above-referenced court proceeding before July 29, 2005, being not less than fifteen days from the date of this Notice. Objections may be made in writing by mailing to: Linn County Circuit Court, Probate Department, 300 Fourth Avenue SW, Albany, OR 97321. If no objections are received, no court hearing will be held on this matter.

NOTICE: If you wish to receive copies of future filings in this case, you must inform the court and the person named as petitioner in this notice. You must inform the court by filing a request for notice and paying any applicable fee. The request for notice must be in writing, must clearly indicate you wish to receive future filings in the proceedings and must contain your name, address, and telephone number. You must notify the person named as petitioner by mailing a copy of the request to the petitioner. **Unless you take these steps, you will receive no further copies of the filings in this case.**

Dated this 1st day of July, 2005.



Dana M. Campbell, OSB # 89009
Attorney for Petitioner

PETITIONER
Sandra Chitwood
Cat Champion, Corp.
37099 Deadwood Drive
Lebanon, OR 97355
541-451-4126

ATTORNEY FOR PETITIONER
Dana M. Campbell
Animal Legal Defense Fund
919 SW Taylor St., 4th Floor
Portland, OR 97205
503-231-1602

II NOTICE OF TIME FOR FILING OBJECTIONS TO PETITION FOR PROTECTIVE ORDER

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF LINN

PROBATE DEPARTMENT

In the Matter of a Protective Order for)
JEAN MARIE PRIMROSE)
Respondent.)

Case No. 21840

RESPONDENT'S OBJECTION

I object to the petition for the following reasons:

_____ I do not want anyone else making any of my decisions for me.

_____ I do not want Cat Champion making any decisions for me.

_____ I do not want Cat Champion to make the following decisions for me:

(Date)

(Signature of Respondent)

GIVE TO YOUR ATTORNEY OR MAIL TO:

Linn County Circuit Court, Probate Department, 300 Fourth Avenue SW, Albany, OR 97321.

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF LINN

PROBATE DEPARTMENT

In the Matter of a Protective Order for) Case No. 21840
)
 JEAN MARIE PRIMROSE)
)
 Respondent.) NOTICE TO RESPONDENT
) OF PETITION FOR LIMITED -
) PROTECTIVE ORDER

NOTICE IS HEREBY GIVEN that Cat Champion has filed a Petition for Protective Order. A copy of that petition accompanies this notice.

The address and telephone number of the Petitioner is:

Name: Sandra Chitwood, Cat Champion
 Address: 37099 Deadwood Drive
 Address: Lebanon, OR 97355
 Phone: 541-451-4126

The relationship of Petitioner to you is: interested person

You have the right to the protective order. If you disagree with the protective order you can object. If you object the judge will hold a hearing. At the hearing, the judge will listen to what you and others have to say about whether or not a protective order as requested should be granted.

YOU MUST TELL SOMEONE BEFORE July 29, 2005, IF
 YOU OPPOSE THE PROTECTIVE ORDER. Objections may be written or oral.

You can write to the judge if you object or you can appear in person.

You can mark the blue sheet (Respondent's Objection) that is attached to this form if you do not want someone else to make you decisions for you. You can show it to your attorney or you

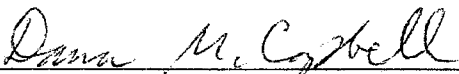
can mail it to the judge. The judge's address is: Linn County Circuit Court, Probate Department, 300 Fourth Avenue SW, Albany, OR 97321.

You can call a lawyer if you do not want someone else making decisions for you. If you do not have a lawyer, you can ask the judge whether an attorney can be appointed for you or you can contact Legal Aid Services of Oregon, 433 Fourth Avenue SW, Albany, OR 97321, (503) 926-8679.

In addition to the right of written and oral objection, you have the following rights:

1. The right to be represented by an attorney, to contact and retain an attorney at any time, to thereafter contact that attorney at any time, and to have records released to the attorney.
2. The right to be informed of free or low-cost legal and other relevant services available in this area.
3. The right to have access to your personal records.
4. The right to request a hearing.
5. The right to present evidence and cross-examine witnesses.
6. The right to request that the powers requested by the petitioner be limited by the court.

Dated this 1st day of July, 2005



Dana M. Campbell, OSB number 89029
Attorney for Petitioner

Petitioner
Sandra Chitwood
Cat Champion
37099 Deadwood Drive
Lebanon, OR 97355
541-451-4126

Attorney for Petitioner
Dana M. Campbell, Senior Attorney
Animal Legal Defense Fund
919 SW Taylor, 4th Floor
Portland, OR 97205
503-231-1602, ext. 304

II NOTICE TO RESPONDENT OF PETITION FOR LIMITED PROTECTIVE ORDER