

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

PAUL RUETTIGERS and HEEYSUN,  
RUETTIGERS  
Plaintiffs,  
vs.  
JOHN AUDETTE and SUZANNE DAY,  
AUDETTE  
Defendants.

CASE No.: 22CV33239  
  
**GENERAL JUDGMENT AFTER JURY  
TRIAL AND MONEY AWARD**

Trial to a jury was held on July 18 2023, before the Honorable Alison Emerson.  
Plaintiffs appeared with counsel, Paul Heatherman. Defendants, despite sufficient notice,  
failed to appear.

After a trial with a duly empaneled jury of 12, a verdict was returned and read as follows:

- 1. Defendants are adjudged liable to Plaintiffs for breach of contract and negligence.
- 2. The amount of damages for each claim is \$104,315.00, itemized as follows:  
\$69,015.00 for property damage, \$8,550.00 for unpaid rent, and \$6,750.00 for loss  
of rents.

Based on the verdict of the jury, this court orders and adjudges the following:

- 1. A money judgment shall be entered in favor of Plaintiffs and against Defendants  
in the amount of \$104,315.00.
- 2. Costs and disbursements are awarded to Plaintiffs.
- 3. Plaintiffs are given leave to file a petition for reasonable attorney fees, as pled in

1 -GENERAL JUDGMENT AND MONEY AWARD

**Paul Heatherman PC**  
250 NW Franklin Ave. #402  
Bend, OR 97703  
Phone: 541-389-1010  
Fax: 541-382-6875  
Email: paul@bendattorneys.com

1 the complaint. Plaintiffs shall file a petition pursuant to ORCP 68.

2  
3 **MONEY AWARD**

- 4 (a) Judgment creditor: PAUL RUETTIGERS and HEEYSUN  
5 REUTTIGERS  
6 (b) Judgment creditor attorney: PAUL B. HEATHERMAN  
7 (c) Judgment debtor: JOHN AUDETTE and SUZANNE DAY  
8 AUDETTE  
9 (d) Judgment debtors attorney: PRO SE  
10 (e) Amount of the judgment: \$104,315.00  
11 (f) Costs: \$594.00  
12 (g) Interest shall accrue on the judgment (e) and costs (f) at the rate of 9% simple  
13 interest from date of judgment until paid.  
14  
15

16 9/29/2023 10:27:17 AM

17 

18 \_\_\_\_\_  
19 Circuit Court Judge Alison M. Emerson

20 Submitted by:

21 LAW OFFICE OF PAUL HEATHERMAN PC

22  
23 /s/ Paul Heatherman  
24 Paul B. Heatherman, OSB 933000  
25 Paul@wealthestate.law  
26 Attorney for Plaintiffs  
27

28 2 -GENERAL JUDGMENT AND MONEY AWARD

**Paul Heatherman PC**  
250 NW Franklin Ave. #402  
Bend, OR 97703  
Phone: 541-389-1010  
Fax: 541-382-6875  
Email: paul@bendattorneys.com



**UNITED STATES  
POSTAL SERVICE®**

**Certificate  
M**



This Certificate of Mailing provides evidence that mail has been presented to USPS®.  
This form may be used for domestic and international mail.

**From:**

\_\_\_\_\_  
**PAUL HEATHERMAN PC**  
**250 NW Franklin Ave., Suite 402**  
**PO Box 8**  
**Bend, OR 97709**

**To:**

\_\_\_\_\_  
**John Audette and Suzanne Day Audette** \_\_\_\_\_  
\_\_\_\_\_  
**7 Sandy Creek Road** \_\_\_\_\_  
\_\_\_\_\_  
**Savannah, Georgia 31410** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PS Form **3817**, April 2007 PSN 7530-02-000-9065

**U.S. POSTAGE PAID**  
**BEND, OR**  
**97703**  
**AUG 17 23**  
**AMOUNT**  
**\$1.95**  
R2305M148983-69

1 **UTCR 5.100(2) CERTIFICATION**

2  
3 If applicable, the proposed order or judgment to which this certificate is attached was:

- 4 \_\_\_\_\_ Served on opposing counsel not less than 3 days prior to submission to the court.
- 5 \_\_\_\_\_ Accompanied by a stipulation by opposing counsel that no objection exists as to
- 6 X \_\_\_\_\_ Mailed to a self-represented party at the party's last known address not less than 7
- 7 \_\_\_\_\_ days prior to submission to the court and accompanied by notice of the time
- 8 \_\_\_\_\_ period to object.

9 This proposed order or judgment is ready for judicial signature because:

- 10 \_\_\_\_\_ Each opposing party affected by this order or judgment has stipulated to the order
- 11 \_\_\_\_\_ or judgment, as shown by each opposing party's signature on the document being
- 12 V \_\_\_\_\_ submitted.
- 13 \_\_\_\_\_ Each opposing party affected by this order or judgment has approved the order or
- 14 \_\_\_\_\_ judgment, as shown by signature on the document being submitted or by written
- 15 \_\_\_\_\_ confirmation of approval sent to me.
- 16 \_\_\_\_\_ I have served a copy of this order or judgment on all parties entitled to service
- 17 \_\_\_\_\_ and:
- 18 X \_\_\_\_\_ No objection has been served on me.
- 19 \_\_\_\_\_ I received objections that I could not resolve with the opposing
- 20 \_\_\_\_\_ party despite reasonable efforts to do so. I have filed a copy of the
- 21 \_\_\_\_\_ objections I received and indicated which objections remain
- 22 \_\_\_\_\_ unresolved.
- 23 \_\_\_\_\_ After conferring about objections, (role and name of opposing
- 24 \_\_\_\_\_ party) agreed to independently file any remaining objection.
- 25 \_\_\_\_\_ The relief sought is against an opposing party who has been found in default.
- 26 \_\_\_\_\_ An order of default is being requested with this proposed judgment.
- 27 \_\_\_\_\_ Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or
- 28 \_\_\_\_\_ otherwise.
- \_\_\_\_\_ This is a proposed judgment that includes an award of punitive damages and
- \_\_\_\_\_ notice has been served on the Director of the Crime Victims' Assistance Section
- \_\_\_\_\_ as required by subsection (4) of this rule.

29 DATED: September 28, 2023.

30 /s/ Paul Heatherman

31 \_\_\_\_\_  
32 Paul B. Heatherman - OSB #933000  
33 Attorney for Plaintiffs

34 3 -GENERAL JUDGMENT AND MONEY AWARD

**Paul Heatherman PC**  
250 NW Franklin Ave. #402  
Bend, OR 97703  
Phone: 541-389-1010  
Fax: 541-382-6875  
Email: paul@bendattorneys.com