

**THIRTY-NINTH ADJUSTED INVOICE FOR DAMAGES CLAIM  
AND LAWFUL DEMAND FOR PAYMENT IN FULL:  
18 U.S.C. 1961(5), 1964(c);  
ORS 82.010, ORS 124.100**

TO: Risk Manager(s)  
Douglas County  
1036 S.E. Douglas Avenue, Room 322  
Roseburg 97470  
Oregon, USA

FROM: People of Douglas County *ex rel.*  
Paul Andrew Mitchell, B.A., M.S.,  
Private Attorney General: 18 U.S.C. 1964, and  
Agent of the United States: 31 U.S.C. 3729 *et seq.*

DATE: November 1, 2020 A.D.

SUBJECT: Douglas County Damages Claim (5/24/2017)

Greetings Risk Manager(s):

This is our INVOICE for the *Total Damages* for RICO Years 6-10 showing on our TRANSMITTAL: DOUGLAS COUNTY DAMAGES CLAIM dated May 24, 2017, as previously served upon your office via Priority U.S. Mail; plus the *Total Damages* for RICO Years 1-5 and RICO Years 11-15; plus adjustments for accrued interest and elder abuse penalties; and, our LAWFUL DEMAND FOR PAYMENT IN FULL:

| Item | Description (see details in <i>Addendum</i> )   | Total                               |
|------|---|-------------------------------------|
| 1    | Total Damages: RICO Years 1-5: \$38,711,250.<br>Total Damages: RICO Years 6-10: \$42,000,000.<br>Total Damages: RICO Years 11-15: \$41,358,681.   |                                     |
|      | Subtotal:   | \$122,069,931. \$122,069,931.00 USD |
| 2    | 9% simple interest APR as of 7/1/2019<br>(9% / 12 x \$122,069,931 x 16):  | \$14,648,391.00 USD                 |
|      | Subtotal:   | \$136,718,322.00 USD                |
| 3    | Accrued interest, non-seniors: FY 2010-2014<br>(87% of damaged taxpayers, 5 yrs. @ \$2.8M x 3):   |                                     |
|      | \$8.4M x 0.87 x (1.09 <sup>11</sup> - 1): \$11,549,756.<br>\$8.4M x 0.87 x (1.09 <sup>10</sup> - 1): \$9,992,693.<br>\$8.4M x 0.87 x (1.09 <sup>9</sup> - 1): \$8,564,196.<br>\$8.4M x 0.87 x (1.09 <sup>8</sup> - 1): \$7,253,647.<br>\$8.4M x 0.87 x (1.09 <sup>7</sup> - 1): \$6,051,309.                    |                                     |
|      | Subtotal:   | \$43,411,601. \$43,411,601.00 USD   |
| 4    | Accrued interest, seniors: FY 2010-2014<br>(add 3X damages for elder abuse):  |                                     |
|      | \$8.4M x 0.13 x (1.09 <sup>11</sup> - 1) x 3: \$5,177,476.<br>\$8.4M x 0.13 x (1.09 <sup>10</sup> - 1) x 3: \$4,479,483.<br>\$8.4M x 0.13 x (1.09 <sup>9</sup> - 1) x 3: \$3,839,122.<br>\$8.4M x 0.13 x (1.09 <sup>8</sup> - 1) x 3: \$3,251,635.<br>\$8.4M x 0.13 x (1.09 <sup>7</sup> - 1) x 3: \$2,712,656. |                                     |
|      | Subtotal:   | \$19,460,372. \$19,460,372.00 USD   |

| Item | Description   | Total                             |
|------|---|-----------------------------------|
| 5    | Accrued interest, non-seniors: FY 2005-2009<br>(87% of damaged taxpayers, 5 yrs. @ \$2.58M x 3):  |                                   |
|      | \$7.74M x .87 x (1.09 <sup>16</sup> - 1):   | \$20,001,445.                     |
|      | \$7.74M x .87 x (1.09 <sup>15</sup> - 1):   | \$17,793,948.                     |
|      | \$7.74M x .87 x (1.09 <sup>14</sup> - 1):   | \$15,768,721.                     |
|      | \$7.74M x .87 x (1.09 <sup>13</sup> - 1):   | \$13,910,715.                     |
|      | \$7.74M x .87 x (1.09 <sup>12</sup> - 1):   | \$12,206,122.                     |
|      | Subtotal:   | \$79,680,951. \$79,680,951.00 USD |
| 6    | Accrued interest, seniors: FY 2005-2009<br>(add 3X damages for elder abuse):                      |                                   |
|      | \$7.74M x .13 x (1.09 <sup>16</sup> - 1) x 3:   | \$8,966,165.                      |
|      | \$7.74M x .13 x (1.09 <sup>15</sup> - 1) x 3:   | \$7,976,597.                      |
|      | \$7.74M x .13 x (1.09 <sup>14</sup> - 1) x 3:   | \$7,068,737.                      |
|      | \$7.74M x .13 x (1.09 <sup>13</sup> - 1) x 3:   | \$6,235,837.                      |
|      | \$7.74M x .13 x (1.09 <sup>12</sup> - 1) x 3:   | \$5,471,709.                      |
|      | Subtotal:   | \$35,719,045. \$35,719,045.00 USD |
| 7    | Accrued interest, non-seniors: FY 2015-2019<br>(87% of damaged taxpayers, 5 yrs. @ \$2.757M x 3): |                                   |
|      | \$8.27M x .87 x (1.09 <sup>6</sup> - 1):  | \$4,871,667.                      |
|      | \$8.27M x .87 x (1.09 <sup>5</sup> - 1):  | \$3,875,345.                      |
|      | \$8.27M x .87 x (1.09 <sup>4</sup> - 1):  | \$2,961,288.                      |
|      | \$8.27M x .87 x (1.09 <sup>3</sup> - 1):  | \$2,122,704.                      |
|      | \$8.27M x .87 x (1.09 <sup>2</sup> - 1):  | \$1,353,360.                      |
|      | Subtotal:   | \$15,184,364. \$15,184,364.00 USD |
| 8    | Accrued interest, seniors: FY 2015-2019<br>(add 3X damages for elder abuse):                      |                                   |
|      | \$8.27M x .13 x (1.09 <sup>6</sup> - 1) x 3:  | \$2,183,850.                      |
|      | \$8.27M x .13 x (1.09 <sup>5</sup> - 1) x 3:  | \$1,737,223.                      |
|      | \$8.27M x .13 x (1.09 <sup>4</sup> - 1) x 3:  | \$1,327,474.                      |
|      | \$8.27M x .13 x (1.09 <sup>3</sup> - 1) x 3:  | \$951,557.                        |
|      | \$8.27M x .13 x (1.09 <sup>2</sup> - 1) x 3:  | \$606,678.                        |
|      | Subtotal:   | \$6,806,782. \$6,806,782.00 USD   |
|      | <b>TOTAL AMOUNT DUE:</b>  | <b>\$336,981,437.00 USD</b>       |

Simple interest on the above *Total Damages* began accruing on July 1, 2019 A.D. at the rate of **nine percent (9%) per annum**, as expressly authorized by all applicable subsections of ORS 82.010. (See Items 1 and 2.)

Compound interest was computed for RICO Years 1 thru 5 (FY 2005-2009) on an average of \$2.58M per year for seniors and non-seniors. (See Items 5 and 6, and *Addendum*.)

Compound interest was computed for RICO Years 6 thru 10 (FY 2010-2014) on an average of \$2.80M per year for seniors and non-seniors. (See Items 3 and 4, and *Addendum*.)

Compound interest was computed for RICO Years 11 thru 15 (FY 2015-2019) on an average of \$2.757M per year for seniors and non-seniors. (See Items 7 and 8, and *Addendum*.)

Our terms are payment in full within 30 days of your receipt of this INVOICE.

Proper identification of all eligible payees remains subject to negotiation, mediation or other appropriate dispute resolution ("ADR") technique(s).

Thank you for your prompt and professional attention to this matter.

Sincerely yours,

/s/ Paul Andrew Mitchell

Paul Andrew Mitchell, B.A., M.S.  
Private Attorney General, Civil RICO: 18 U.S.C. 1964;  
Agent of the United States as *Qui Tam* Relator (4X),  
Federal Civil False Claims Act: 31 U.S.C. 3729 *et seq.*

**All Rights Reserved** (cf. UCC 1-308)

Addendum:

**Douglas County Damages Claim: Nomenclature  
and Schedule of Interest Accruals by Fiscal Year**

| RICO<br>Year | Fiscal Year Ending | Compound<br>Exponent | Comment                             |
|--------------|--------------------|----------------------|-------------------------------------|
| 1            | June 30, 2005      | 1.09 <sup>16</sup>   | yearly @ 9% APR                     |
| 2            | June 30, 2006      | 1.09 <sup>15</sup>   | yearly @ 9% APR                     |
| 3            | June 30, 2007      | 1.09 <sup>14</sup>   | yearly @ 9% APR                     |
| 4            | June 30, 2008      | 1.09 <sup>13</sup>   | yearly @ 9% APR                     |
| 5            | June 30, 2009      | 1.09 <sup>12</sup>   | yearly @ 9% APR                     |
| 6            | June 30, 2010      | 1.09 <sup>11</sup>   | yearly @ 9% APR                     |
| 7            | June 30, 2011      | 1.09 <sup>10</sup>   | yearly @ 9% APR                     |
| 8            | June 30, 2012      | 1.09 <sup>9</sup>    | yearly @ 9% APR                     |
| 9            | June 30, 2013      | 1.09 <sup>8</sup>    | yearly @ 9% APR                     |
| 10           | June 30, 2014      | 1.09 <sup>7</sup>    | yearly @ 9% APR                     |
| 11           | June 30, 2015      | 1.09 <sup>6</sup>    | yearly @ 9% APR                     |
| 12           | June 30, 2016      | 1.09 <sup>5</sup>    | yearly @ 9% APR                     |
| 13           | June 30, 2017      | 1.09 <sup>4</sup>    | yearly @ 9% APR                     |
| 14           | June 30, 2018      | 1.09 <sup>3</sup>    | yearly @ 9% APR                     |
| 15           | June 30, 2019      | 1.09 <sup>2</sup>    | yearly @ 9% APR                     |
|              | July 1, 2019       |                      | monthly @ 9% APR (see Item 2 supra) |

**SUMMARIES OF PROPERTY TAX COLLECTIONS FOR 15 FISCAL YEARS  
ENDING JUNE 30, 2005 THRU JUNE 30, 2019 (inclusive)**

| RICO<br>Year | Fiscal<br>Year | Personal Property<br>Taxes Certified | Remaining<br>Uncollected | Total<br>Collected |
|--------------|----------------|--------------------------------------|--------------------------|--------------------|
| 1            | 2004-2005      | 2,598,226.85                         | - 89,739.82 =            | 2,508,487.03       |
| 2            | 2005-2006      | 2,645,065.94                         | - 92,462.87 =            | 2,552,602.07       |
| 3            | 2006-2007      | 2,910,004.49                         | - 85,326.59 =            | 2,824,677.90       |
| 4            | 2007-2008      | 3,120,859.92                         | - 124,338.25 =           | 2,996,521.67       |
| 5            | 2008-2009      | 3,240,746.73                         | - 178,495.37 =           | 3,062,251.36       |
|              | Subtotal:      | <b>\$14,514,903.93</b>               | 570,362.90               | 13,944,540.03      |
| 6            | 2009-2010      | 3,226,751.01                         | - 228,426.12 =           | 2,998,324.89       |
| 7            | 2010-2011      | 3,048,375.54                         | - 223,678.54 =           | 2,824,697.00       |
| 8            | 2011-2012      | 3,014,572.82                         | - 204,801.00 =           | 2,809,771.82       |
| 9            | 2012-2013      | 3,163,497.71                         | - 234,958.57 =           | 2,928,539.14       |
| 10           | 2013-2014      | 3,297,524.24                         | - 201,226.48 =           | 3,096,297.76       |
|              | Subtotal:      | <b>\$15,750,721.32</b>               | 1,093,090.71             | 14,657,630.61      |
| 11           | 2014-2015      | 3,391,196.14                         | - 182,794.95 =           | 3,208,401.19       |
| 12           | 2015-2016      | 2,900,390.01                         | - 91,215.37 =            | 2,809,174.64       |
| 13           | 2016-2017      | 3,034,749.15                         | - 92,235.54 =            | 2,942,513.61       |
| 14           | 2017-2018      | 3,128,311.89                         | - 84,854.72 =            | 3,043,457.17       |
| 15           | 2018-2019      | 3,052,919.85                         | - 85,249.94 =            | 2,967,669.91       |
|              | Subtotal:      | <b>\$15,507,567.04</b>               | 536,350.52               | 14,971,216.52      |

**Ratio Methodology:**

$\$14,000,000 / \$15,750,721 = \sim 0.889$  (RICO Years 6-10)  
 $\$14,514,903 \times 0.889 = \$12,903,750$  (estimated overcharges)  
 $\$12,903,750 / 5 = \$2,580,750$  per year (RICO Years 1-5)  $\times 3 = \mathbf{\$7.74M}$   
 $\$15,507,567 \times 0.889 = \$13,786,227$  (estimated overcharges)  
 $\$13,786,227 / 5 = \$2,757,245$  per year (RICO Years 11-15)  $\times 3 = \mathbf{\$8.27M}$

**PROOF OF SERVICE**

I, Paul Andrew Mitchell, *Sui Juris*, hereby certify, under penalty of perjury, under the laws of the **United States of America**, without the "United States" (Federal government), that I am at least 18 years of age, a Citizen of ONE OF the **United States of America**, and that I personally served the following document(s):

**THIRTY-NINTH ADJUSTED INVOICE FOR DAMAGES CLAIM  
AND LAWFUL DEMAND FOR PAYMENT IN FULL:  
18 U.S.C. 1961(5), 1964(c);  
ORS 82.010, ORS 124.100**

by transmitting same via electronic mail ("email") to the following:

Originals in **.pdf** Adobe Reader Format:

**Risk Manager(s)**

Douglas County  
1036 S.E. Douglas Avenue, Room 322  
Roseburg 97470  
Oregon, USA

**Email: pbvandyk@co.douglas.or.us**

**Douglas County Board of Commissioners**

Douglas County Courthouse  
1036 S.E. Douglas Avenue, Room 216  
Roseburg 97470  
Oregon, USA

**Email: commissioners@co.douglas.or.us**

**Kenneth Kuhns & Co.**

Certified Public Accountants  
570 Liberty Street S.E., Suite 210  
Salem 97301-3594  
Oregon, USA

**Email: ken@kkuhnscpa.com  
scott@kkuhnscpa.com**

[Please see USPS Publication #221 for "addressing" instructions.]

Dated: November 1, 2020 A.D.

Signed: /s/ Paul Andrew Mitchell

Printed: Paul Andrew Mitchell, B.A., M.S.;  
Private Attorney General, 18 U.S.C. 1964(c)  
(see *Rotella v. Wood*); and,  
Agent of the United States as *Qui Tam* Relator: 31 U.S.C. 3730  
(see *U.S. ex rel. Madden v. General Dynamics Corp.*)