

Romania Sues Two ***Eugene Weekly*, April 1, 2003**

After several delays, a trial in Joe Romania Chevrolet Inc's civil suit against two imprisoned environmental activists has been scheduled for June 11 in Lane County Circuit Court. The company sued Jeffrey "Free" Luers and Craig "Critter" Marshall for \$28,213.40 each after they were convicted on charges stemming from a fire at the dealership's lot on Franklin Boulevard. The June 2000 blaze, set to protest gas-guzzling SUVs and similar vehicles, destroyed one truck and damaged two others.

The upcoming trial will involve only Marshall, who will be in prison for at least another 18 months. Luers is appealing his 22-year arson sentence. The dealership is pursuing the case even though both men have almost no money. "I had about \$2 when I was arrested, and it was a rare occasion that I had more than that," Marshall told EW. "These idiots are spending more on this lawsuit than they'll ever get from me". Frank Bocci Jr., the attorney representing Romania Chevrolet, said the activists should be held civilly as well as criminally liable for the fire. The dealership is simply covering its financial bases with the lawsuit, he said. "You never know when they'll come into money" Bocci said. "If we don't proceed to get a judgment against them and they do come into money, shame on us"

The lawsuit was filed in February of last year. Luers, who is serving his sentence in Oregon State Penitentiary in Salem, did not respond to the lawsuit or attempt to arrange transportation to the court hearings, according to court documents. In September of last year, the court found him in default and awarded Romania the full amount, plus 9 percent annual interest until the debt is paid. Marshall, however, has opposed the lawsuit vigorously, even though he's locked up on the other side of the state in the Snake River Correctional Institute in Ontario. The case was referred to arbitration at one point. Marshall's paperwork did not reach the arbitrator in time, and Romania won a judgment. Marshall appealed, arguing that he shouldn't be punished because the prison mail system is slow and unpredictable, and Lane County Circuit Judge Kartsen Rasmussen agreed. The court finds that Mr. Marshall attempted to participate in the arbitration in this matter but was not allowed to do so by the arbitrator, the judge wrote. Rasmussen set aside the arbitrator's decision. Marshall's case is now scheduled to go before a jury. Bocci acknowledged that the lawsuit becomes costlier the longer it continues: "Any time you have a delay in justice it's more expensive, he said. That suits Marshall, who said he was glad to be costing Romania more money while in prison. "They're not going to get any money out of us," he said. "We didn't burn their trucks to give them money. We burned their trucks to cost them money."