

MAR 29 2007

Allen's P. C. B. Est. 1888

Settler's Park Named In Class Action Law Suit

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— Steven Stradley, Sunwest
Management

Fifty residential facilities operated by Sunwest Management of Salem, Ore., including Settlers Park Assisted Living and Memory Care of Baker City, are named in a class action lawsuit filed March 22, in Multnomah County Circuit Court.

"This is about broken promises for higher profits," said elder rights attorney Kathryn Stebner, who filed the lawsuit. The lawsuit claims that residents' contracts promise care and services of a certain quality. However, Stebner alleges the contract fails to state that the facilities and Sunwest Management cannot and do not provide those services. Stebner is a San Francisco attorney who practices in Oregon and California.

Named as representative plaintiffs in the class action are 81-year-old Cathleen Naylor and 80-year-old Gwen Olmstead, two residents of Sunwest-operated Deer Meadow Assisted Living in Sheridan, Ore. The lawsuit states that Naylor and Olmstead signed contracts for services at Deer Meadow that were never provided. The lawsuit also alleges that the facility is in violation of state laws governing the operation of residential facilities and does not meet the legal staffing and training requirements. Naylor has been a resident of the home since February 2004 and Olmstead since January 2003.

Steven Stradley, director of Risk Management for Sunwest said, "Our company has enjoyed a long history of quality operations in a variety of states; and we deeply regret the filing of this frivolous and inaccurate claim. In the coming weeks and months, we look forward to addressing the issues in the lawsuit via the judicial process where we are confident that the true facts of the situation will come to light. Until then, we will continue to work hard in keeping with our mission of bringing a premier senior lifestyle to mature adults, allowing them to be healthy, vital and vigorous members of their respective communities in which we are privileged to provide care."

Stebner says there are up to 60 residents in each center, which would put the potential total number of plaintiffs at about 3,000. Stebner is co-counsel in a similar class action lawsuit against Sunwest in California. Stebner said Sunwest operates more than 200 residential facilities for seniors nationally, about 25 percent of them are in Oregon.