

DANIEL WONG, MARK and MARIE LI and PATRICK HEADE,
Appellants, and DANIEL and LORRAINE LUM, Plaintiffs, v.
HENRY Y.H. WONG, WESTBOROUGH ASSOCIATES, L.P., a California
Limited Partnership, and WESTBOROUGH PARTNERS, INC., a ...

Wong v. Wong

CA A82046

COURT OF APPEALS OF OREGON

134 Ore. App. 13; 894 P.2d 519; 1995 Ore. App. LEXIS 667

December 21, 1994, Argued and submitted

April 26, 1995, FILED

DISPOSITION:

Affirmed.

CASE SUMMARY

PROCEDURAL POSTURE: Plaintiffs investors challenged the judgment of the Circuit Court, Multnomah County (Oregon), which entered a judgment notwithstanding the verdict (JNOV) on the basis that it did not have personal jurisdiction over defendants, shareholder and his development companies.

OVERVIEW: The investors, who were not residents of Oregon, invested money in defendants' businesses, including a limited partnership that was formed in California. After defendants suffered financial hardship, the investors brought an action against defendants. The trial court returned a verdict in favor of the investors for breach of fiduciary duties; however, it granted a motion for JNOV and concluded that it did not have jurisdiction over defendants. On appeal, the court affirmed the judgment of the trial court and concluded that the shareholder's signing of a letter that was drafted in and sent from Oregon, which confirmed the details of an agreement previously reached in California, was not such a meaningful contact to constitute personal jurisdiction over defendants. The court stated that defendants did not waive jurisdiction because personal jurisdiction could be challenged on appeal. The court found that other transactions that took place in Oregon that the investors participated in were not related to the claim and therefore, could not help in establishing jurisdiction. The court stated that defendants did not purposefully direct their business toward Oregon residents.

OUTCOME: The court affirmed the judgment of the trial court in favor of defendants in the action brought by the investors for breach of fiduciary duty.

OPINION:

... [*15] over defendants. We affirm.

- - - - -Footnotes- - - - -

n1 Plaintiffs Daniel and Lorraine Lum voluntarily dismissed their claims before trial and are not parties to this appeal. When we refer to plaintiffs, we mean Mark and Maria Li, Patrick Heade and Daniel Wong, who is not related to defendant Henry Wong.

- - - - -End Footnotes- - - - -

Plaintiffs, who are not residents of Oregon, invested money in a limited partnership, Ag CV Associates, L.P. (ACA), which was formed to develop housing ...