

Cannery Pier loses bid to have insurer cover pandemic losses

ASTORIA — Two federal judges have found that the Cannery Pier Hotel & Spa in Astoria is not entitled to compensation from its insurance company for losses sustained due to the coronavirus.

In March, U.S. District Court Judge Michael Mosman dismissed with prejudice a class-action lawsuit that Fortuna Cannery LLC brought on behalf of the Cannery Pier against Westchester Surplus Lines Insurance Co.

In a March 2021 complaint, Fortuna claimed that Cannery Pier's all-risk insurance policy is meant to cover losses that include the financial hit brought about by the COVID-19 pandemic. Fortuna filed for relief and breach of contract.

The hotel and spa should be covered, Fortuna argued, for income lost as a result of the economic shutdowns ordered by Gov. Kate Brown and local governments to limit the virus' spread.

These measures curtailed Cannery Pier's customer activity and forced the business to modify its operations to abide by the new restrictions. The Uniontown business is owned and operated by Vesta Hospitality, based in Vancouver, Washington.

Mosman's decision affirms an earlier decision of U.S. Magistrate Judge Youlee Yim You, who found that the loss would need to apply to physical damage to the property and a resulting hit in revenue.

The decision dovetails with those in a growing list of similar cases.

In her decision in February, You wrote of the Cannery Pier case: "This insurance coverage dispute raises a question about which state and federal courts across the country have reached an overwhelming consensus: business loss insurance policies like the policy at issue here do not cover pandemic-related economic losses."

Columbia Memorial welcomes new hospitalist

ASTORIA — Columbia Memorial Hospital has announced that Dr. Bill Lytollis has joined the hospital and will provide inpatient care as a hospitalist.

He recently worked as the division president for Apogee Physicians in Coeur D'Alene, Idaho, where he was responsible for 19 hospitalist programs in the U.S.

He has also worked as a program director, medical director, physician and scientist.

Lytollis earned his medical degree from Oregon Health & Science University, where he also completed a residency and fellowship. He also holds a doctorate in organic chemistry from the University of Newcastle.

Lytollis is board-certified in internal medicine.

He enjoys weightlifting, scuba diving and watching films.



Dr. Bill Lytollis

New providers join Columbia Memorial

ASTORIA — Columbia Memorial Hospital has announced that two new providers have joined the hospital.

Dr. Kenneth Starks and Dr. Rushabh Shah began work at Columbia Memorial last month.

Starks works as a hospitalist for Columbia Memorial. He most recently worked for Foundation Health Partners in Fairbanks, Alaska, where he worked as a hospitalist, intensivist and medical director. He has also worked at his own practice and other hospitals and medical systems in Alaska and Texas. He has served as a medical director for Fairbanks Memorial Hospital, University of Texas Southwestern Medical Center, Foundation Health Partners and Northern Hospitalist Associates.

He earned his medical degree and a bachelor's degree in biochemistry from the University of Minnesota. He has worked as an assistant professor of internal medicine, and completed his residency and internship at the University of Texas Southwestern Medical School.

Starks is board-certified in internal medicine. He is a member of the American College of Physicians and Society of Critical Care Medicine.

Shah works in Columbia Memorial's emergency department as a part-time provider. He is a full-time provider at Adventist Health in Portland. He will cover shifts as needed through Columbia Memorial's partnership with Oregon Health & Science University. Shah earned his medical degree from New York University School of Medicine in New York. He also earned a master of business administration degree from New York University Stern School of Business, and a bachelor's in engineering science from Tufts University in Somerville, Massachusetts.

Prior to moving to Oregon, Shah worked as the chief resident of emergency medicine and as a clinical assistant instructor at Kings County Hospital Center. He completed a residency at State University of New York Downstate Health Sciences University in Brooklyn, New York.

He is a member of the American College of Emergency Physicians, the Council of Emergency Medicine Residency Directors and the Emergency Medicine Residents' Association. Shah's work has been published in The Journal of Emergency Medicine, the American Journal of Emergency Medicine and the Journal of NeuroVirology.

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Dr. Rushabh Shah



Dr. Kenneth Starks

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