JOHN R. KROGER
ATTORNEY GENERAL

MARY H. WILLIAMS
DEPUTY ATTORNEY GENERAL



DEPARTMENT OF JUSTICE

1162 Court Street NE
Justice Building
Salem, Oregon 97301-4096
Telephone: (503) 378-4400

December 11, 2009

SENT VIA U.S. MAIL AND EMAIL (njaquiss@wweek.com)

Nigel Jaquiss, Reporter
Willamette Week
2220 NW Quimby
Portland, OR 97210

Re: Petition for Public Records Disclosure Order:
Oregon Investment Council

Dear Mr. Jaquiss:

On November 20, 2009,[1/] we received your petition seeking an order of the Attorney General compelling the Oregon Investment Council (Investment Council) to disclose certain information to you under the Oregon Public Records Law, ORS 192.410 to 192.505. We respectfully deny your petition, for the reason that follows.

Oregon's Public Records Law confers upon every person the right to inspect any record of a public body in the state, subject only to express exemptions. ORS 192.420 (1). A person who is denied the right to inspect the records of a state agency may petition the Attorney General for an order compelling the state agency to disclose the records. ORS 192.450. But where the state agency voluntarily discloses the requested information, there is nothing for the Attorney General to order, and the petition is moot. We understand that the Investment Council has now provided you with the information you sought, and consequently deny your petition as moot.

Sincerely,

DAVID E. LEITH
Associate Attorney General

DEL:MCK:DM
c: James Sinks, Oregon State Treasury
Ron Schmitz, Oregon State Treasury

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[1] You agreed to allow us until December 11, 2009 to issue our order, and we thank you for that courtesy.