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August 29, 2007

William T. Harbaugh
Department of Economics
1228 University of Oregon
Eugene, OR 97403

Re: Petition for Public Records Order
University of Oregon Records (Petition 8.5)

Dear Mr. Harbaugh:

This letter is the Attorney General's order on your petition labeled 8.5 for disclosure for records under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition, which we received on August 22, 2007, asks the Attorney General to order the University of Oregon to produce two sets of documents: First, copies of employment contracts for Penny Daugherty and, second, copies of consulting contracts between the University of Oregon and outside firms relating to the preparation of Affirmative Action plans, reports or related data collection or analysis since 2000. For the reasons that follow, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. However, the Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. *See* 192.450(1).

Your petition, dated August 22, 2007, states that you had not received any of the requested records from the University of Oregon. We received a copy of an email message from Brian Whalen, University of Oregon, sent to you on August 23, 2007. Attached were copies of Ms. Daugherty's employment contracts. According to University General Counsel Melinda Grier, there are no consulting contracts meeting your second request. You have acknowledged receipt of these documents (Email, Harbaugh to Chute, August 26, 2007). Because the University has disclosed the requested records to the extent they exist, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS20222
c: Melinda Grier, General Counsel, University of Oregon