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July 10, 2007

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

Re: Petition for Public Records Order
University of Oregon Records
File No. 580500-GA0072-07

Dear Mr. Harbaugh:

This letter is the Attorney General's order on your petition for disclosure of public records, received on July 3, 2007, titled "public records petition 9.0." The petition asks for an order requiring the University of Oregon to disclose the following documents:

> Any e-mails, letters, or notes produced by, or received by, AAEO Director Penny Daugherty or produced by or received by UO General Counsel Melinda Grier, dealing with the question of whether Dr. Martinez's initial hire, and the subsequent conversion to regular status were or were not made in accordance with the University's hiring rules and with Affirmative Action Equal Opportunity rules.

The Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. *See* ORS 192.450(1). The University is permitted a reasonable amount of time to respond to public records requests. ATTORNEY GENERAL'S PUBLIC RECORDS AND PUBLIC MEETINGS MANUAL (2005) at 9. You submitted your request on June 20, 2007. The University has informed us that it is processing your request and has not denied it. In light of the number and frequency of public records requests that you have made over the past two or three months, we do not regard the time

that has elapsed since the request as unreasonable.[1] We therefore deny your petition as premature.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS19942
c: Melinda Grier

[1] In your petition you also "ask for a waiver of fees." Nothing in your petition or supporting documents suggests that the University has denied such a request. We therefore deny that part of your petition as premature.