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April 27, 2007

Jack D. Hoffman
Dunn Carney Allen Higgins & Tongue, LLP
851 SW Sixth Ave. Ste 1500
Portland, OR 97204-1357

Re: Petition for Public Records Disclosure Order
University of Oregon Records

Dear Mr. Hoffman:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. Our office received your petition on April 20, 2007. The petition asks the Attorney General to direct the University of Oregon to permit you to inspect the documents in the possession of or in the office of Steve McBride related to the "Villard Building," the "Arena Project," the "University of Oregon Arena Project, the "U of O Arena Project," or the "University of Oregon Basketball Arena Project." On April 23, 2007 we received a follow up letter stating that you are simply asking for an opportunity to review a public employee's file and requesting a disclosure order permitting you to review the file within the next week or two.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exceptions. 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. If an agency has not denied a request for disclosure of records, the Attorney General may not order the agency to disclose them. ORS 192.450(1).

On March 2, 2007, you asked Melinda Grier, the University of Oregon general counsel, for an opportunity to review these documents. On March 16, Ms. Grier sent you a letter in which she stated they were preparing an estimate of the cost to gather and review the documents. On March 30, 2007, you asked Ms. Grier if you could review Mr. McBride's file as soon as possible. You repeated that request on April 10 and 13. Ms. Grier's response is enclosed.

Because UO has not denied your request to inspect the described records, we deny your petition as premature.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

Enclosure
AGS19609
c: Melinda Grier, UO General Counsel