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July 24, 2006

Bill Harbaugh
UO Economics
1285 UO
Eugene, OR 97403

Re: Petition for Public Records Disclosure
University of Oregon Records

Dear Dr. Harbaugh:

This letter is the Attorney General's Order on your petition for disclosure of records under the Public Records Law, ORS 192.410 to 192.505. Your petition, which we received July 18, 2006, asks the Attorney General to direct the University of Oregon to make available:

> A list of all UO tenure related hires since 1994, with their name, department, rank when hired, and current department.

You have asked us to treat the University's delay in providing the records as a denial of your request. For 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. A custodian of public records must provide "proper and reasonable opportunities for inspection and examination." ORS 193.430. The custodian is allowed a "reasonable" time to respond to a request for records.

According to the information you provided with your petition, you made your initial request for the records on June 5, 2006, requesting records dating back to 2000. On June 15, 2006, you amended your request to include records back to 1994, in an email message to University of Oregon General Counsel Melinda Grier.

Ms Grier has now provided you with a cost estimate for responding to your request for public records, and has agreed to prepare the requested records once payment is received. (Email from Grier to Harbaugh dated July 20, 2006). Based upon Ms. Grier's actions, we conclude that there has been no denial of your request. As a result, this office lacks authority to order disclosure. ORS 192.450(1). Therefore, we respectfully deny your petition to compel disclosure as premature.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS18073
c: Melinda Grier, General Counsel, University of Oregon