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December 23, 2010

Ms. Susan Hansen
PO Box 50
Molalla, OR 97038.

Re: Petition for Public Records Disclosure Order
Department of Land Conservation and Development Records

This 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. We received your petition on December 20, 2010. Your petition asks the Attorney General to order the Department of Land Conservation and Development ("DLCD") and its employees to make available for inspection, or to produce copies of:

> [A]ll documents related to the Sept 30, 2010 email from Jennifer Donnelly to Shane Potter regarding 003-08 "current PAPA for refinement" (copy of the "current PAPA for refinement") and all and any documents related to that email about the lacking documents or any DLCD work to "help" refine any documents already passed by the Molalla City council for the comp plan/urban reserves in spring 2010. All notes, emails or documents that have been generated to help "fix" the already passed comp plan/urban reserves.

As we explain below, your petition is moot and we respectfully deny it on that basis.

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* ORS 192.450(1).

Your petition, dated December 20, 2010, states that you had not received any of the requested records from DLCD. We spoke with Casaria Tuttle, Records Coordinator, about your petition. She informed us that, on December 21, DLCD sent you all of the records responsive to your request in its custody. Ms. Tuttle further explains that, like you, DLCD is attempting to

obtain information from the City of Molalla. Because DLCD has provided you with all of the responsive records in its custody, we respectfully deny your petition as moot.

Sincerely,

MARY H. WILLIAMS
Deputy Attorney General

c: Casaria Tuttle, DLCD