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May 13, 2021

VIA EMAIL ONLY: cwilson@opb.org

Conrad Wilson
Oregon Public Broadcasting
7140 SW Macadam Ave
Portland, OR 97219

Re: Petition for Public Records Disclosure Order
Oregon State Board of Nursing
DOJ File No.: 851200-GA0047-21

Dear Mr. Wilson:

This letter is the Attorney General's order responding to your petition for disclosure under the Oregon Public Records Law, ORS 192.311 to 192.478. Your petition asks the Attorney General to order the Oregon State Board of Nursing (OSBN) to disclose a Proposed Order in a particular contested case.

In response to your petition, we contacted Barbara Holtry, OSBN Communications Manager. She informed us that the Administrative Law Judge did not draft a Proposed Order in that case because the parties agreed to a Stipulated Order before a hearing was conducted. We confirmed this fact with the DOJ-assigned Assistant Attorney General who represented OSBN in the case. Under the circumstances, we must respectfully dismiss your petition because we cannot order OSBN to disclose a record that does not exist.

Sincerely,

FREDERICK M. BOSS
Deputy Attorney General

FMB:pjn
c via email only: Barbara Holtry (OSBN)
Jon Bial (OPB)