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DEPARTMENT OF JUSTICE
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May 6, 1992

Bill Kloos
Attorney at Law
Johnson & Kloos
767 Willamette St., Suite 203
Eugene, OR 97401-2954

Re: **Petition for Public Records Disclosure Order; Department of Transportation**

Dear Mr. Kloos:

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. Your petition, which we received on April 30, 1992, asks the Attorney General to direct the Oregon Department of Transportation either to make available for inspection and copying, or to produce copies, of public records related to an April 9 letter from Jim Gix, Region 3 Engineer, Highway Division to Representative Larry L. Campbell. For the reasons that follow, we respectfully deny your petition as moot.

We have been informed by Mr. Gix' office that the documents you requested, to the extent they exist, are in the office of Mr. Vernon L. Tabery, Traffic Analysis Engineer, Planning Section, in Salem. We have also been informed that you were made aware of that fact, but did not contact Mr. Tabery or his office to request inspection of those documents. The Department of Transportation, through Mr. Gix, Mr. Tabery, and Larry Asburry, District 5 Manager, has informed this office that it will allow inspection of any and all documents related to the April 9 letter.

We have also been informed by Mr. Tabery that he has sent, or soon will be sending, a packet of material to you which contains all of the information available and used by him to

perform the traffic analysis upon which he based his April 3 memorandum to Kipp Osborn, Region 3 Traffic Operations Supervisor, and upon which Mr. Gix based his April 9 letter. We have been informed that there are no other documents which would fit your request.

For these reasons, your petition is denied as moot.

Sincerely,

Jack L. Landau
Deputy Attorney General

JLL:DKH:AV:bjs/JGG03170
c: James J. Gix, Region 3 Engineer
Highway Division
3099 N.E. Diamond Lake Blvd.
P.O. Box 1128
Roseburg, OR 97470

Vernon L. Tabery, Traffic Analysis Engineer
Planning Section
Highway Division
325 13th, NE
Salem, OR 97310