HARDY MYERS
ATTORNEY GENERAL

DAVID SCHUMAN
DEPUTY ATTORNEY GENERAL



DEPARTMENT OF JUSTICE
1162 Court Street NE
Justice Building
Salem, Oregon 97310-0506
Telephone: (503) 378-4400
TDD: (503) 378-5938

December 27, 1999

ell L. Baldwin
ey at Law
x 1242
n City, OR 97367

Re. *Public Records Order Petition*

Dear Mr. Baldwin:

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 December 21, 1999, asks the Attorney General to direct the Oregon Liquor Control Commission (OLCC) to make available records related to a notice of violation issued against your clients, Italian Riviera, Inc., Valerie Musso, and Richard DiBlasi.[1/]

Pete O'Rourke, OLCC Regional Manager, informs us that the OLCC did not deny access to the public records. Instead, there was a miscommunication about the physical location of the complete files. Pamela Erickson, OLCC Administrator, informs us that the OLCC will be sending you copies of the files you requested within the next several days. Therefore, we deny your petition as either "premature" or "moot." See ORS 192.450(1).

[1/] Based on discussions you had with Assistant Attorney General Teya Penniman, we interpret your requests to be limited to records involving the subject of the violation.

The agency may charge you a fee to reimburse it for its actual cost in making such records available, including its photocopy costs and the time spent by agency personnel in reviewing the records. ORS 192.440(3).

Sincerely,

DAVID SCHUMAN
Deputy Attorney General

DS:jh/AGS03767
cc: Pamela S. Erickson, Administrator