DAVE FROHNMAYER
ATTORNEY GENERAL
STATE OF OREGON

WILLIAM F. GARY
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400

March 18, 1988

See 3/9-05 Order

John M. Wight
Attorney at Law
Suite 1111/Wilcox Building
506 SW Sixth Avenue
Portland, Oregon 97204-1556

Re: Dental Board Records

Dear Mr. Wight:

I write to report on the procedures the Department of Justice is following with regard to your March 10, 1988 letter to me. In that letter, you request that I provide you with any written notes of Dental Board members or staff which relate to a board executive session that you and your client, Dr. Grier, were not allowed to attend.

I have forwarded your request to the Dental Board through Assistant Attorney General Frank Mussell, the board's contact attorney. Mr. Mussell is checking with the board members and staff to determine whether they have any notes of the executive session to which your letter refers. If such notes exist, the board will determine in the fist instance whether it is required or nonetheless willing to disclose those notes to you. If you are denied disclosure of any existing notes, you may then petition the Attorney General for a public records disclosure order.

I note that your March 10 letter states that you " . . . would like sworn statements by each of the participants of the discussions that took place of [sic] that meeting." I am aware of no law that would authorize the Attorney General to compel board members to submit sworn statements to you.

Mr. Mussell will be contacting you in the next few days about your disclosure request.

Very truly yours,

JAMES E. MOUNTAIN, JR.
Special Counsel to the
Attorney General

JEM:cm
cc: Frank Mussell, Assistant Attorney General
Jane Edwards, Executive Director, Board of Dentistry
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