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DEPARTMENT OF JUSTICE
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February 2, 1995

Poo-sa'-key
960 Division Street
Bandon, OR 97411

Re: Petition for Public Records Disclosure Order:
Oregon Department of Transportation Records

Dear Poo-sa'-key:

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 January 20, 1995,[1/] asks the Attorney General to direct the Oregon Department of Transportation (ODOT) to make available the following records:

1. An ODOT letter, possibly a form letter, to the City of Bandon requesting the City's opinion on a by-pass for Bandon.

2. The response to #1 by Mayor Judy Densmore.

3. A second letter from the City of Bandon, signed by Judy Densmore, correcting #2.

4. A letter from Councilman Lee Sutton regarding the above. It was mailed the beginning of this month.

For the reasons that follow, we respectfully deny your petition.

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[1/] We appreciate your extending the time within which the law would have otherwise obligated us to respond.

Petition is Moot

Assistant Attorney General Lucinda Moyano contacted you on January 26, 1995, regarding this request. You told Ms. Moyano that you no longer needed record #1 if records #2 and #3 were available. ODOT supplied those records to Ms. Moyano, and she sent them to you by facsimile on January 26, 1995.

You obtained a copy of record #4 and supplied it to ODOT. ODOT acknowledged receipt of this document on February 1, 1995. You indicated, by letter to June Carlson on February 1, 1995, that your records request would be complete upon ODOT's receipt of record #4.

Accordingly, your petition for disclosure of records #1, #2, #3 and #4 is moot. For these reasons, we deny your petition to compel disclosure.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel
to the Attorney General

ESH:LDM:AV:ldm/JGG0B073
c: June Carlson, ODOT
2860 SE State Street
Salem, OR 97310