THEODORE R. KULONGOSKI
ATTORNEY GENERAL

THOMAS A. BALMER
DEPUTY ATTORNEY GENERAL

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

February 14, 1995

Daniel Stotter
Attorney at Law
Bahr & Stotter Law Offices
259 East Fifth Street, Suite 200
Eugene, OR 97401

Re: ***Petition for Public Records Disclosure***
University of Oregon Records

Dear Mr. Stotter:

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 February 7, 1995, asks the Attorney General to direct the University of Oregon to make available "copies of any written notices sent to Ms. Gonsalez regarding potential sanctions provided by OAR 571-60-025." For the reason that follows, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. However, the Attorney General may order a state agency to disclose records only where the agency first has denied a request for public records. ORS 192.450(1).

Your letter indicates that you made a request to the University of Oregon for records on January 6, 1995. By copy of a letter to you from Peter Swan, University Counsel, dated February 9, 1995, the University has provided you with copies of the

records you requested. Because the records you requested have been provided to you, your petition is denied as moot.

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the
Attorney General

ESH:AV:JMM:lsl/JM0597.LET

c: Peter Swan, Assistant to the President
for Legal Affairs
University of Oregon
369 Law Center
Eugene, OR 97403

Larry Tergesen
University of Oregon
Office of Business Affairs
Oregon Hall
P.O. Box 3237
Eugene, OR 97403