



PATRICIA W. PERLOW
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January 31, 2022

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Andy Clark
County Counsel
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Re: *January 26, 2022 Public Records Appeal*

Dear Mr. King and Mr. Clark,

This letter will constitute the District Attorney's order in this matter.

On November 9, 2021, Mr. King submitted a request to Lane County, for certain documents concerning a land use application to operate the Old Hazeldell Quarry.

On January 26, 2022, the law firm of Thomas Larkin submitted an appeal to the District Attorney. The Larkin letter attached as exhibit 1, an appeal form listing Mr. King as the appellant. I will therefore consider Mr. King the appellant, while considering the arguments made by Mr. Larkin.


The crux of the appeal is that the County has not provided the records, and that the delay is unreasonable, and therefore constitutes a denial of the request. On January, 28, 2022, the District Attorney was advised by the County that 416 emails and various text messages responsive to Mr. King's request were provided on this same date. 300 emails were determined to be exempt from disclosure. The County considers Mr. King's request fulfilled.

Therefore, regarding the County's "denial," the appeal is denied as moot. If Mr. King wishes to challenge the County's exemption determination, he may submit a new appeal on that basis.

Mr. King has also requested the District Attorney exercise her authority to waive a \$200 fee initially assessed by the County, and to impose a fine. The District Attorney denies both requests.

Sincerely,

PATRICIA W. PERLOW, District Attorney

A handwritten signature in blue ink, appearing to read 'R. Lane', is positioned above the typed name of the signatory.

Robert D. Lane
Deputy District Attorney