



OREGON JUDICIAL DEPARTMENT
Josephine County Court

May 11, 2007

RECEIVED

Mr. Walter L. Cauble
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Grants Pass, Oregon 97526

MAY 16 2007
Trial Division, Dept. of Justice
Salem, Oregon

~~Ms.~~ Erika Hadlock
Attorney at Law
1162 Court Street NE
Salem, Oregon 97301

Mr. Steven E. Rich
County Legal Counsel
500 NW 6th Street
Grants Pass, Oregon 97526

RE: Perrott v. Josephine County, Oregon and State of Oregon, et al.
Case # 06CV0677
Respondent State of Oregon's Motion to Dismiss
Petitioner's Objection to Respondent Josephine County's Proposed Order

Dear Mr. Cauble, Ms. Hadlock and Mr. Rich:

The Court has reviewed the record herein on the State's Motion to Dismiss. Oral argument was not requested on this motion. Oral argument was requested and held on the objection to Respondent Josephine County's Proposed Order. The Court has had these matters under advisement and makes the following findings:

1. State of Oregon's Motions to Dismiss-

The State raises the same issues raised in another case recently before the Court, Pondelick, et al. v. Josephine County, et al., 06-CV-0622. Further, the Court has earlier ruled on similar issues raised by Respondent Josephine County. For all of the reasons detailed in the Court's earlier rulings, the Court grants the State's Motions to Dismiss and finds that with respect to its claims against the State, Petitioners will be limited to relief under the Administrative Procedures Act.

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2. Petitioner's Objection to Respondent Josephine County's Proposed Order

Again, this issue was heard by the Court in conjunction with the Pondelick case. For the reasons stated in the Court's Pondelick letter opinion of May 11, 2007, (which letter opinion is fully incorporated herein by this reference) the Court finds that this matter shall be placed on hold until the Corey case is finally resolved.

The Court requests that the attorneys collaborate to fashion an appropriate and mutually acceptable order consistent with the Court's rulings and present the proposed order to the Court for review and execution.

Respectfully yours,



Lindi Baker
Circuit Court Judge

LLB:ts