

December 20, 2007

Mark Abrams
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Salem Or 97301-4096

John DiLorenzo, Jr.
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Re: VanNatta v. Oregon Governments Ethics Commission and State of Oregon
Case 07C20464

Dear Mr. Abrams and Mr. DiLorenzo:

This letter is in follow-up to our telephone conference this afternoon. After receipt of my letter opinion today, Mr. DiLorenzo called indicating he believed the court was only to rule on his client's request for a Preliminary Injunction and the plaintiff was to be given additional time to respond to defendant's Motion for Summary Judgment. Mr. Abrams, after conferring with Mr. Fletcher, confirmed that is, indeed, the case and that further pleadings and briefing were anticipated on the Summary Judgment issue.

I apologize to counsel. In my attempts to answer all the questions presented by this interesting case, I ended up answering one too many. Accordingly, that portion of my opinion allowing defendant's Motion for Summary Judgment is hereby withdrawn as are any final conclusions regarding the legal sufficiency of SB 10. My decision regarding the denial of plaintiff's request for a Preliminary Injunction remains in effect. Mr. Abrams may prepare that Order.

I would finally ask that counsel confer regarding a schedule for the filing of any additional pleadings, including any motions or replies to motions, and advise this court by January 15th, 2008 of that schedule so that further court proceedings can be set in a timely fashion. Thank you.

Very Truly Yours,

Joseph C. Guimond
Circuit Court Judge