Depending on the opinion, if there is one, then ODOT may want to file amicus.

Will you be filing a motion to dismiss?

Stacy C. Posegate

Sr. Asst. Atty General | Government Services Section| General Counsel Division
503.947.4542 cel 971-718-7950

From: Todd Sadlo <sadlot@co.yamhill.or.us>
Sent: Thursday, May 28, 2020 11:38 AM
To: Posegate Stacy C <Stacy.C.Posegate@doj.state.or.us>
Subject: Re: Yamhelas Trail Permit

Thank you Stacey. They want to think everything is in their wheelhouse, and it isn't. I'm not expecting a good decision, but hope I can get it to the Court of Appeals before the guard changes here.

Todd Sadlo

> On May 28, 2020, at 10:46 AM, Posegate Stacy C <Stacy.C.Posegate@doj.state.or.us> wrote:

[This email originated outside of Yamhill County]

Good morning Todd and congratulations.

Are you going to file a motion with LUBA? I would like to let ODOT know what to expect. A dismissal based on mootness would be ideal, so hopefully that will be the outcome. Would you mind sending me a copy of your briefing when you do?

By the way, great job yesterday. I am really concerned about Board Member Zamudio's questions in that she seemed unable to get away from seeing bridge construction as a land use and I think you did everything possible to help her understand, she just didn't seem to get it.

Stacy C. Posegate
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