

# TIMMONS LAW PC

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April 17, 2015

Thomas C. Peachey  
PO Box 2190  
The Dalles, OR 97058

Via email: [tpeachey@thedalles-law.com](mailto:tpeachey@thedalles-law.com)  
and 1<sup>st</sup> Class Mail

Re: Amended Public Records Request dated April 9, 2015 -ORS 192.440  
John L. Wood v. Wasco County, *et al.*, CC15-00040

Dear Mr. Peachey:

In accordance with ORS 192.440(2), please be advised that Wasco County (the "County") is in receipt of your April 9, 2015 amended request for records on behalf of John L. Wood. I again note that this request mirrors, identically, your simultaneous discovery request in the pending litigation in the above referenced lawsuit, which you referenced in your request. Illustratively, along with this amended request you submitted an identical amended Request for Production of Documents in the litigation.

This also confirms that the County possesses, or is the custodian of, some of the requested public records. The County estimates that it will require thirty (30) business days from the date of receipt of the payment deposit or any fee waiver determination before the public records will be provided. The estimated fee for making the records available is \$10,000 - \$15,000. This estimate is inclusive of, but not limited to: a) approximately five to ten (5-10) hours of electronic information department services; b) three to five (3-5) hours of each Commissioner's time to transact with data services/providers and to compile records; c) the cost of copies should documents be unavailable in digital form or should documents in digital form require manual redaction; and d) a reasonable allotment of time for my services to review the voluminous response for any exemptions.

I note that you have requested a fee waiver. A public body may reduce or waive fees if it is in the "public interest because making the record available primarily benefits the general public." ORS 192.440(5). The matter of your fee waiver request has been noticed to be considered at the April 29, 2015 meeting of the Wasco County Board of Commissioners.

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The County intends to suspend its response to this request until that time, unless you agree to pay the fees assessed and are willing to provide the deposit amount of \$10,000.00 while the fee waiver determination is pending. Of course, if charges are less than the prepayment amount, any overpayment would be immediately refunded.

Sincerely,

TIMMONS LAW PC

*Kristen A. Campbell*

Kristen A. Campbell  
kristen@timmonslaw.com

*KAC*

cc: Tyler Stone