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DEPARTMENT OF JUSTICE

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August 13, 1985

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The Rajneesh Legal Services Corporation
P.O. Box 20
Rajneeshpuram, Oregon 97741

Re: Public Records Requests Addressed to Governor's Office

Dear Counselors:

I have been assigned to expedite the processing of your many public records requests. On Monday, August 5 and Tuesday, August 6, 1985, I met with Robert Oliver and reviewed the public records requests addressed to the Governor's office. The following constitutes a status report on the requests addressed to the Governor's office.

1. June 17, 1985 request for public records requests: There are no recorded public records requests other than those requested by the Rajneesh Legal Services Corporation. According to Mr. Oliver, other parties requesting information have used informal, oral requests. To Mr. Oliver's knowledge, only the Rajneesh Legal Services Corporation has made written requests during the time period in question.

2. June 17, 1985 request for a Governor's office administrative rule establishing fees charged for public records requests: Mr. Oliver states that the Governor's office does not have an administrative rule on this matter. The policy of the Governor's office is stated in an interoffice memo dated March 29, 1985 from Gerry Thompson to the Governor's staff, a copy of which is included with this letter. In addition to the information contained in the March 29, 1985 interoffice memo, he advised that attorney fees will be billed at \$50.00 per hour.

3. July 8, 1985 request for writings in response to a letter dated August 17, 1982 from M.B. Courtney: A search was made for correspondence to M. B. Courtney. No such correspondence was found.

4. July 22, 1985 request for minutes, notes and memoranda from a staff meeting of January 17, 1983: Robert Oliver has

responded to this request by a handwritten note dated 7/29/85 in which he states: "No minutes, memos, notes can be found. No staff person recalls the subject having been discussed."

5. June 25, 1985 request for all correspondence, etc., concerning meetings between representatives from the Department of Commerce to the Governor's office and the Attorney General's office for the period from January 1, 1981 to present regarding or relating to Rancho Rajneesh, the City of Rajneeshpuram, the City of Rajneesh and all residents of the aforementioned cities and all corporations whose principal place of business is the City of Rajneeshpuram: Robert Oliver and Geraldine Thompson state that they know of no documents in the Governor's office which relate to the subject matter described, other than documents contained in Robert Oliver's Rajneesh file. "Oliver's Rajneesh file" has been disclosed previously.

6. June 25, 1985 request for all telephone bills and telephone logs of Governor Vic Atiyeh for the time period January 1, 1981 through the present: No telephone logs exist. Telephone bills are part of the Governor's voucher file. You have reviewed these.

7. January 25, 1985 request for all calendars of Governor Vic Atiyeh for the time period January 1, 1981 through the present: The Governor's office publishes the Governor's official calendar weekly. Mr. Dennis Miles keeps copies of them. You may inspect them. The Governor also has a calendar which contains personal as well as official appointments. If you want to see this calendar, the Governor's office will have to copy the pages, obliterating the personal appointments. We will give you our best estimate of how many hours this job would take. You, of course, would be billed for this effort.

8. June 25, 1985 request for all correspondence, etc., between the Governor's office and the Department of Commerce for the period January 1, 1981 to the present regarding Rancho Rajneesh, the City of Rajneeshpuram, the City of Rajneesh, and the residents of the aforementioned cities, and corporations whose principal place of business in Rajneeshpuram: No records exist as described by this request other than documents contained in "Oliver's Rajneesh file." This file has been made available. It is open for further inspection upon request.

9. June 25, 1985 request for all telephone bills and telephone logs of Geraldine Thompson from January 1, 1982 through the present: No telephone logs exist. Telephone bills

are contained in the Governor's voucher file, which you have inspected previously.

10. June 25, 1985 request for all correspondence between the Governor's office and Representative Paul Hanneman from January, 1981 to the present: A search for correspondence with Rep. Hanneman was made. No correspondence was found in the Governor's office.

11. June 25, 1985 request for a letter from the Governor to private citizen M.H. Ramsey before April 20, 1982: A search was made for such a letter. No letter was found.

12. June 25, 1985 request for all calendars of Geraldine Thompson for the time period January 1, 1981 through the present: The Governor's office is gathering all calendars of Geraldine Thompson. Ms. Thompson informed me that her calendars have been made available to you previously. You may inspect them upon request. You should make any such requests in advance in order to minimize interruption to state business.

13. July 8, 1985 request for all invoices and receipts from the Governor's "discretionary" or "special" fund from 1981 to present: These documents would be in the Governor's voucher file, which you have inspected previously.

14. June 25, 1985 request for all calendars of Neal R. Fisher from January 1, 1981 through the present. Mr. Fisher informed me that you have inspected his calendar.

15. June 25, 1985 request for all telephone bills and telephone logs of Neal R. Fisher from January 1, 1985 [sic 1982] through the present. Mr. Fisher informed me that you have inspected telephone bills. No logs exist.

16. July 8, 1985 request for all documents, correspondence, memoranda that is found in Governor's file #101-3: I reviewed this file. It contains documents exempt pursuant to ORS 40.225 as well as non-exempt documents. You may inspect the non-exempt documents upon request made to Mr. Oliver.

17. July 8, 1985 response to letter from Dell Isham to Governor Atiyeh dated October 3, 1984: A search was made for this letter. No such letter was located.

18. July 29, 1985 request for all transcripts, etc., of the September 25, or 26, 1984 meeting: No documents fitting

The Rajneesh Legal Services Corporation
August 13, 1985
Page Four

this description exist in the Governor's office.

19. July 29, 1984 request for all transcripts, etc. of the September 28, 1984 meeting: No documents fitting this description exist in the Governor's office.

20. July 29, 1985 request for all transcripts, etc. of the January 3, 1985 meeting between Governor Vic Atiyeh and Fred Heard: No documents fitting this description exist in the Governor's office.

21. July 29, 1985 request for all transcripts, etc., of the September 28, 1984 meeting: No documents fitting this description exist in the Governor's office.

22. July 29, 1985 request for records of Governor Atiyeh's approval of Emergency Board's allocation of \$50,000 for the interagency team created for collecting information regarding Rajneesh issues surrounding the Rajneesh Humanities Trust Program begun in September, 1984: No documents fitting this description have been located.

23. July 29, 1985 request for Executive Memorandum #83 and other memoranda: Robert Oliver responded to this request in a letter dated July 30, 1985. Enclosed with that letter was Executive Memorandum #83.

24. August 5, 1985 request for all documents, etc. authorizing the Attorney General to conduct any and all investigations for legal proceedings against Rajneeshpuram, Rajneesh, etc.: Robert Oliver reports there was only one document fitting this description. It is a letter to Attorney General Frohnmayer. No copy was found in Governor's file 101-3. Unless a copy is in "Oliver's Rajneesh file," the Governor's office no longer has a copy.

To my knowledge, the above constitutes a comprehensive list of outstanding public records requests made to the Governor's office and/or the Executive Department. If I have overlooked any, please let me know. I understand that the wording of your requests is different from the shorthand identification I have used in this letter.

In the weeks to come, I will be doing my best to expedite all outstanding public records requests made by the Rajneesh

The Rajneesh Legal Services Corporation
August 13, 1985
Page Five

Legal Services Corporation. I hope we can work together to speed the processing of your public records requests.

Thank you in advance for your cooperation.

Sincerely,

Jeffrey S. Merrick
Assistant Attorney General

JSM:cm

Enclosure

cc: ✓ Robert W. Oliver
G. Thompson
Donald C. Arnold