1 2 3 IN THE CIRCUIT COURT OF THE STATE OF OREGON 4 FOR THE COUNTY OF DESCHUTES 5 AVION WATER COMPANY, INC., an Case No. 22CV18513 6 Oregon corporation, GENERAL JUDGMENT 7 Plaintiff, 8 VS. 9 SOURCE WEEKLY, an assumed business name of LAY IT OUT, INC., 10 an Oregon corporation, 11 Defendant. 12 13 THIS MATTER came for hearing on Plaintiff's Motion for Summary Judgment 14 on August 11, 2023, before the Honorable Beth Bagley. Plaintiff Avion Water Company 15 ("Avion") was represented by its counsel, C. Robert Steringer. Defendant Source 16 Weekly was represented by its counsel, Steven Wilker. After hearing argument and 17 reviewing submissions by counsel, the Court granted all motions included in Plaintiff's 18 Motion for Summary Judgment. 19 IT IS ORDERED and ADJUDGED as follows: 20 1. The Court declares that Avion is neither a "public body" nor the functional 21 equivalent of a public body under Oregon's Public Records Law, ORS chapter 192. 22 2. Defendant is enjoined from enforcing the Deschutes County District 23 Attorney's order requiring Avion to produce records to defendant. 24 /// 25 /// 26 ///

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| 1    | 3. Defendant Source Weekly's First Counterclaim (Injunctive Relief) is |
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| 2    | DISMISSED.   |
| 3    | 4. Avion is the prevailing party.                                      |
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| 7    | 8/22/2023 9:29:51 AM   |
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| 9 10 | Circuit Count Judge Beth M. Bagle                                      |
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| 12   | Submitted by:<br>C. Robert Steringer, OSB 983514                       |
| 13   | Of Attorneys for Plaintiff   |
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## CERTIFICATE OF COMPLIANCE AND READINESS 1 **PURSUANT TO UTCR 5.100** 2 This proposed **GENERAL JUDGMENT** is ready for judicial signature because: 3 ☐ Each party affected by this order or judgment has stipulated to the order or 4 judgment, as shown by each party's signature on the document being submitted. 5 ☑ Each party affected by this order or judgment has approved the order or 6 judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me. 7 8 ☐ I have served a copy of this order or judgment on each party entitled to service and: (select one) 9 ☐ No objection has been served on me. 10 ☐ I received objections that I could not resolve with a party despite 11 reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved. 12 13 ☐ After conferring about objections, (role and name of objecting party) agreed to independently file any remaining objection. 14 Service is not required pursuant to subsection (3) of this rule, or by statute, 15 rule or otherwise. See UTCR 6.030(6) (excluding motions to postpone from requirements of UTCR Chapter 5, except UTCR 5.040 and 5.060). 16 ☐ Other: 17 DATED this 21st day of August, 2023. 18 19 HARRANG LONG P.C. 20 21 By: \_\_\_\_ s/ C. Robert Steringer C. Robert Steringer, OSB #983514 22 bob.steringer@harrang.com Of Attorneys for Plaintiff 23 24 25

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## CERTIFICATE OF SERVICE 1 I certify that on August 21, 2023, I served or caused to be served a true and 2 complete copy of the foregoing GENERAL JUDGMENT on the party or parties listed 3 below as follows: 4 5 $\square$ Via the Court's Efiling System 6 Via First-Class Mail, Postage Prepaid 7 Via Email 8 Steven M. Wilker, OSB #911882 Lisa Zycherman, Pro Hac Vice 9 Reporters Committee for Freedom of the Tonkon Torp LLP 10 888 SW Fifth Avenue, Suite 1600 Press 1156 15th Street NW, Suite 1020 Portland, OR 97204 11 Phone: 503-802-2040 Washington, DC 20005 Email: steven.wilker@tonkon.com Phone: 202-795-9317 12 Email: lzycherman@rcfp.org Email: <a href="mailto:sdudding@rcfp.org">sdudding@rcfp.org</a> Of Attorneys for Defendant 13 14 Of Attorneys for Defendant 15 16 HARRANG LONG P.C. 17 By: \_\_\_\_ s/ C. Robert Steringer 18 C. Robert Steringer, OSB #983514 bob.steringer@harrang.com 19 Erica Tatoian, OSB #164896 20 erica.tatoian@harrang.com Of Attorneys for Plaintiff 21

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