

1 BEFORE THE LAND USE BOARD OF APPEALS  
2 OF THE STATE OF OREGON

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4 MICHAEL L. WALKER, HAL ANTHONY,  
5 STEVE LIEBENBERG, SUSAN LIEBENBERG,  
6 WAYNE MCKY, MADELYN READMOND,  
7 BOB ROTACH, JAMES SARGENT,  
8 PATRICIA SARGENT and WILLIAM STEIN,  
9 *Petitioners,*

10  
11 and

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13 HOLGER T. SOMMER,  
14 *Intervenor-Petitioner,*

15  
16 vs.

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18 JOSEPHINE COUNTY,  
19 *Respondent,*

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21 and

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23 WARD OCKENDEN,  
24 *Intervenor-Respondent.*

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26 LUBA No. 2008-224

27 ORDER

28 On April 27, 2009, LUBA received the record in this appeal. On May 4, 2009,  
29 petitioners objected to that record. On July 27, 2009, LUBA issued an order resolving the  
30 record objections and requiring the county to file a second supplemental record.<sup>1</sup> On August  
31 17, 2009, LUBA received a second supplemental record. The second supplemental record  
32 appears to fully resolve the record objections sustained in our July 27, 2009 order.

33 Pursuant to OAR 661-010-0026(2), all parties shall have 14 days from the date of this  
34 order to object to the second supplemental record. Petitioners shall have 14 days from the  
35 date of this order to inform the Board whether one or more of the record objections sustained

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<sup>1</sup> The county filed the first supplemental record with its response to the record objections.

1 in our July 27, 2009 order are not resolved by the second supplemental record. Unless an  
2 objection is filed or petitioners inform us that outstanding objections remain unresolved,  
3 LUBA will consider the record settled. If such an objection is filed, the briefing schedule set  
4 out in the next paragraph will be suspended pending resolution of the objection. OAR 661-  
5 010-0026(6).

6 The petitions for review shall be due 21 days from the date of this order. The  
7 respondent's briefs shall be due 42 days from the date of this order. The Board's final  
8 opinion and order shall be due 77 days from the date of this order.

9 Dated this 8<sup>th</sup> day of September, 2009.

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Michael A. Holstun  
Board Member