



DEPARTMENT OF JUSTICE  
TRIAL DIVISION

March 21, 2008

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Davis Wright Tremaine

VIA HAND DELIVERY

Honorable Joseph C. Guimond  
Circuit Court Judge  
Marion County Courthouse  
P.O. Box 12869  
Salem, Oregon 97309-0869

Re: *VanNatta, et al. v. Oregon Government Ethics Comm. and State of Oregon*  
Marion County Circuit Court Case No. 07C-20464

Dear Judge Guimond:

Enclosed for filing are:

1. Defendants' Motion for Summary Judgment; and
2. Memorandum in Opposition to Plaintiffs' Motion for Summary Judgment and in Support of Defendants' Motion for Summary Judgment.

Please have your assistant sign and date the attached confirmation card and return it to me. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Leith".

David E. Leith  
Attorney-in-Charge  
Michael A. Casper  
Assistant Attorney General  
Special Litigation Unit

TRIU4982/MC2/cjw

Enclosures

cc: John DiLorenzo, Jr.

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4 IN THE CIRCUIT COURT OF THE STATE OF OREGON  
5 FOR THE COUNTY OF MARION

6 FRED VANNATTA AND CENTER TO  
7 PROTECT FREE SPEECH, INC., an Oregon  
8 Not-For-Profit Corporation,

9 Plaintiffs,

10 v.

11 OREGON GOVERNMENT ETHICS  
12 COMMISSION, formerly known as the  
13 Oregon Government Standards and Practices  
14 Commission, and STATE OF OREGON,

15 Defendants.

Case No. 07C-20464  
Honorable Joseph C. Guimond

DEFENDANTS' (RENEWED) MOTION FOR  
SUMMARY JUDGMENT

**(ORAL ARGUMENT REQUESTED)**

16 Defendants hereby renew their motion for summary judgment pursuant to ORCP 47B.

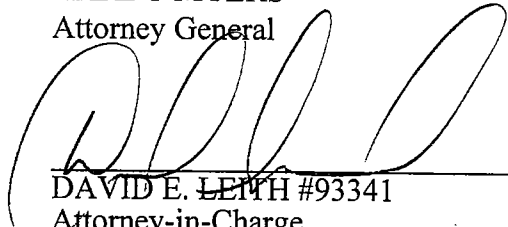
17 As explained in defendants' *Memorandum in Opposition to Plaintiffs' Motion for Summary*  
18 *Judgment and in Support of Defendants' Motion for Summary Judgment*, submitted herewith,  
19 there is no genuine issue of material fact and defendants are entitled to judgment as a matter of  
20 law. Defendants' motion is supported also by the record and file herein. Defendants request oral  
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1 argument on this motion, with official court reporting services, and estimate that such oral  
2 argument will take 90 minutes.

3 DATED this 21 day of March, 2008.

4 Respectfully submitted,

5 HARDY MYERS  
6 Attorney General

7   
8 \_\_\_\_\_


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1 **CERTIFICATE OF SERVICE**

2 I certify that on March 21, 2008, I served the foregoing DEFENDANTS' (RENEWED)  
3 MOTION FOR SUMMARY JUDGMENT upon the parties hereto by the method indicated  
4 below, and addressed to the following:

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MARION

FRED VANNATTA AND CENTER TO  
PROTECT FREE SPEECH, INC., an Oregon  
Not-For-Profit Corporation,

Plaintiffs,

v.

OREGON GOVERNMENT ETHICS  
COMMISSION, formerly known as the  
Oregon Government Standards and Practices  
Commission, and STATE OF OREGON,

Defendants.

Case No. 07C-20464  
Honorable Joseph C. Guimond

MEMORANDUM IN OPPOSITION TO  
PLAINTIFFS' MOTION FOR SUMMARY  
JUDGMENT AND IN SUPPORT OF  
DEFENDANTS' MOTION FOR SUMMARY  
JUDGMENT

TABLE OF CONTENTS

1 INTRODUCTION..... 1
2 BACKGROUND..... 2
3 I. The Code of Ethics prior to amendment by SB 10..... 2
4 II. Amendments made by SB 10 (2007)..... 3
5 III. Proceedings in this case..... 4
6 ARGUMENT..... 5
7 I. The challenged restrictions do not infringe free speech under Article I,
8 section 8..... 5
9 A. The court correctly held that the alleged expression is within the
10 incompatibility exception ..... 7
11 1. Under Lasswell and Fadeley, the gift restrictions are within
12 the incompatibility exception ..... 7
13 2. Plaintiffs’ argument that the incompatibility exception does
14 not apply is without merit..... 9
15 a. Unlike the contribution restrictions rejected in
16 Vannatta I, the gift restrictions are narrowly tailored ..... 9
17 b. Determining where to draw the line between
18 compatible and incompatible gifts is within the
19 legislature’s prerogative ..... 10
20 B. If the court were to reconsider the incompatibility exception, it also
21 should reconsider whether gifts to public officials are protected
22 expression at all ..... 12
23 C. In any event, expression is not a sufficiently intrinsic component of
24 gift-giving to warrant entertaining a facial challenge..... 16
25 D. In all events, the challenged regulations do not violate free
26 expression rights ..... 18
1. The Code of Ethics gift restrictions are not “category one”
laws under Robertson because they are content-neutral
restrictions aimed at the possible effects of gift giving ..... 18
a. The Outdoor Media framework..... 18
b. Under Outdoor Media, the Code of Ethics gift
restrictions are constitutionally permissible ..... 20

1 i. The Code of Ethics gift restrictions are content-neutral .....20

2 ii. The Code of Ethics gift restrictions place reasonable limitations on the time, place, and manner of gift-giving while leaving open ample avenues for expression .....21

3

4

5 2. The Court of Appeals’ recent decision in *State v. Rich* confirms that conclusion.....23

6 II. The classifications in the Code of Ethics do not offend free expression rights .....24

7

8 A. Plaintiffs’ facial challenges to those classifications should not be entertained .....24

9

10 B. The classifications in any event do not violate free speech protections .....25

11 1. The limited application to only those with a legislative or administrative interest is a permissible, content-neutral classification .....25

12

13 a. The classification does not violate Article I, section 8 .....26

14

15 b. The classification also does not violate the First Amendment .....27

16 2. The exemption for governmental entities and nonprofits also is a reasonable, content-neutral classification .....28

17 C. The remedy if the classifications were impermissible.....29

18 III. The classifications in the Code of Ethics do not violate Article I, section 20 .....30

19

20 IV. Plaintiffs’ Article I, section 26 challenge to the offer restrictions of the Code of Ethics is without merit, because nothing in the Code of Ethics restricts plaintiffs’ ability to instruct their representatives or petition the legislature.....31

21

22 A. The text of Article I, section 26 demonstrates that plaintiffs’ challenge under that provision is without merit .....31

23

24 B. Case law does not support plaintiffs’ Article I, section 26 challenge .....32

25

26 C. The history of Article I, section 26 shows that the framers did not intend that provision to protect unlimited gifts, entertainment, or honoraria for candidates or public officials .....33

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V. Even if the court were to agree with plaintiffs as to the offer restrictions,  
the court should reject plaintiffs' challenge to the solicitation-and-receipt  
restrictions .....34

CONCLUSION .....35

1 **TABLE OF AUTHORITIES**

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4 *Bessett v. Huson*, 179 Or. App. 69, 39 P.3d 220 (2002)..... 13

5 *Brian v. Oregon Govt. Ethics Comm.*, 320 Or. 676, 891 P.2d 649 (1995)..... 25

6 *Broadrick v. Oklahoma*, 413 U.S. 601 (1973)..... 16, 17

7 *City of Dallas v. Stanglin*, 490 U.S. 19 (1989)..... 27

8 *City of Portland v. Tidyman*, 306 Or. 174, 759 P.2d 242 (1988) ..... 26

9 *Crocker & Crocker*, 332 Or. 42, 22 P.3d 759 (2001)..... 30

10 *Fidanque v. Oregon Gov't Standards and Practices*, 141 Or. App. 495, 920 P.2d 154

11 (1996) ..... 32

12 *Fidanque v. Oregon Gov't Standards and Practices*, 328 Or. 1, 969 P.2d 376 (1998) ..... 14, 26

13 *FW/PBS, Inc. v. Dallas*, 493 U.S. 215 (1990)..... 16

14 *Gale v. Department of Revenue*, 293 Or. 221, 646 P.2d 27 (1982)..... 11

15 *In re Fadeley*, 310 Or. 548, 802 P.2d 31 (1990)..... passim

16 *In re Lasswell*, 296 Or. 121, 673 P.2d 855 (1983) ..... 7, 9

17 *In re Schenck*, 318 Or. 402, 870 P.2d 185 (1994) ..... 7

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(2005) ..... 32, 33, 34

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20 *Libertarian Party of Oregon v. Roberts*, 305 Or. 238, 750 P.2d 1147 (1988) ..... 31

21 *National Endowment for Arts v. Finley*, 524 U.S. 569 (1998) ..... 16

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24 (2006) ..... passim

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26 *Roulette v. City of Seattle*, 97 F.3d 300 (9<sup>th</sup> Cir. 1996) ..... 17

*Spence v. Washington*, 418 U.S. 405 (1974) ..... 13

1 *State v. Ausmus*, 336 Or. 493, 85 P.3d 864 (2004).....32

2 *State v. Illig-Renn*, 341 Or. 228, 142 P.3d 62 (2006) .....17, 32

3 *State v. Laundry*, 103 Or. 443, 204 P. 958 (1922) .....34

4 *State v. Robertson*, 293 Or. 402, 649 P.2d 569 (1982).....passim

5 *U.S. Railroad Retirement Bd. v. Fritz*, 449 U.S. 166 (1980).....11

6 *Vannatta v. Keisling*, 324 Or. 514, 931 P.2d 770 (1997) .....passim

7  
8 **Statutes**

9 Or. Laws 2007 ch. 877, section 16a .....14

10 ORS 166.025(1)(b) .....23

11 ORS 174.040 .....29

12 ORS 244.010(1).....2

13 ORS 244.020(10).....2

14 ORS 244.020(5)(b)(F) .....4, 28

15 ORS 244.020(7).....2

16 ORS 244.020(7)(a) .....14

17 ORS 244.020(8).....13

18 ORS 244.025 .....3

19 ORS 244.025(1).....4

20 ORS 244.025(4).....4

21 ORS 244.040 .....3

22 ORS 244.040(1).....3, 35

23 ORS 244.040(1)(a) .....2

24 ORS 244.040(1)(b) .....3

25 ORS 244.040(1)(c) .....3

26 ORS 244.040(2).....2

ORS 244.040(2)(e) .....3

1 ORS 244.040(5).....2

2 ORS 244.042 .....4

3 ORS 260.407 .....22

4

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6 37 WILLAMETTE L. REV. 469 (2001).....33

7 C. BURTON & A. GRADE, *A Legislative History of the Oregon Constitution of 185 – Part*  
*I (Articles I & II)*.....33

8 THE OREGON CONSTITUTION AND PROCEEDINGS AND DEBATES OF THE CONSTITUTIONAL  
9 CONVENTION OF 1857 (1926) (C. Carey, ed.).....33

10

11 **Constitutional Provisions**

12 Mass. Const. Pt. I, art. XIX (1780).....33

13 N.C. Const. art. I, § 12 (1776).....33

14 Or. Const., Art. I, section 20.....30

15 Or. Const., Art. I, section 26.....passim

16 Or. Const., Art. I, section 8.....passim

17 Vt. Const. Ch. I, art. § XVIII (1786) .....33

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