

IN THE SUPREME COURT OF THE STATE OF OREGON

PORTLAND PUBLIC SCHOOL DISTRICT, NO. 1J,
an Oregon Public School District,

Plaintiff-Respondent, Respondent on Review,

v.

PORTLAND CUSTODIAN CIVIL SERVICE BOARD, an
Oregon Civil Service Board;

Defendant,

and

DONALD W. STRONG, DAVID P. VECSEI, LYNDA M. ANDERSON, MARY J. ANDERSON, ROBERT L. ANDERSON, STEVEN R. ARMONY, GLENN E. ARMSTRONG, WAYNE L. ARNESON, DANIEL ARNOLD, PHILLIP L. BARTLETT, WILLIAM K. BEATTY, PATRICK S. BECKMEYER, WILLIAM P. BLACKMON, DANIEL E. BLANCHARD, EDWARD J. BORNE, LONNIE L. BOWDEN SR., GERALD C. BRANDON, SHAWN H. BRIGGS, JOHN W. BROOKS, SARAH E. BROPHY, ERIC A. BROWN, JOHN W. BRYANT, HUGH A. BURGETT, WILLIAM L. CAMP, PARLOR G. CAMPBELL, RICHARD R. CARLSON, ROBERT H. CARRON, CLYDE R. CHAMBERLAIN JR., HUYEN D. CHU, TROY C. CLASSEN, ROBERT J. CLAUSEN, RAY D. CLAY, MARSHALL W. COLLINS, GORDON C. CORDA, TIMOTHY J. CURTIN, WAYNE A. CURTIN, LARRY D. CUSHMAN, ANTONIO L. DASILVA, TIMOTHY D. DAVIDSON, DANNY J. DAVIS, JAMES L. DAVIS, JAMES R. DEAN, PHYLLIS J. DEAN, KENNETH D. DEWEESE, RICHARD P. DOBAS, CARL A. DONALDSON, FRANCIS J. DUNCAN, MATTHEW B. DUTTON, RICHARD W. EHRHART, WILLIAM C. ENDICOTT, DANIEL L. ESMOND, RONALD J. FAHEY, GARY FERNS, EDWARD E. FLAGLER, LONNIE D. FLEMMING, BELINDA G. FOSNOT, ELLIOTT R. FOSNOT, MICHELLE R. FOSNOT, STEVEN R. FRAISER, MARK W. FREIMARK, KENNETH D. FRY, FELIPE C. FUENTS, JEFFERY W. FURLOW, JAMES L. GRANVILLE, DONALD D. GRAVES, CLIFFORD L. GREEN, PAUL F. GRIGNON, JAMES W. GRINNELL, DAVID F. GUINN, HANNELORE GYDEN, DOUGLAS G. HALENBECK, MARK A. HAMILTON, JEFFREY C. HANER, BRIAN G. HARDIN, BRUCE W. HARRIS, RONALD L. HASELWOOD, ROGER D. HASTINGS,

Multnomah County Circuit
Court No. 0302-01196

SC S52246
CA A122865

**ORDER ALLOWING
PETITION FOR REVIEW,
VACATING DECISION OF
COURT OF APPEALS, AND
REMANDING TO COURT
OF APPEALS FOR
RECONSIDERATION**

Upon consideration by the court.

Petitioner's petition for review is allowed. The decision of the Court of Appeals is vacated and this case is remanded to the Court of Appeals for reconsideration in light of *Walter v. Scherzinger* (S51169; A118491), 339 Or 408 (2005).

Dated this 25th day of April 2005.



PAUL J. DE MUNIZ
CHIEF JUSTICE

c: Jeffrey Condit
Jeffrey Deming Austin
William H. Walters
James E. Leuenberger

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Appellants

No costs allowed.
