

# Circuit Court of the State of Oregon for Jackson County



Jackson County Justice Building – 100 S. Oakdale, Medford, OR 97501  
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G. Philip Arnold, Judge

November 29, 2007

James E. Leuenberger  
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Lake Oswego, OR 97035

Timothy Gerking  
Attorney at Law  
PO Box 128  
Medford, OR 97501

Re: Jane Doe v. Medford School District 549C  
Case No. 07-3765-E-2

Gentlemen:

Mr. Gerking has submitted to me two documents; an Order on Defendant's Motion to Dismiss and a General Judgment. The documents indicate they were sent to Mr. Leuenberger on November 14, 2007 and I am advised by my assistant he has not objected.


The ruling I made was on the motion for preliminary injunction. I did not specifically rule on the Rule 21 motion, although it may be that the order on motion for preliminary injunction dealt with all issues. I have not gone back through the file to do that analysis.

I note in his motion for preliminary injunction Mr. Leuenberger specifically stated the parties did not stipulate to a trial on the merits as a part of the preliminary injunction.

As you know, a case does not automatically move from a ruling on a preliminary injunction to a final judgment. It is obvious Mr. Gerking believes these two orders are appropriate, and, if Mr. Leuenberger also believes they are, I would appreciate some affirmative statement, motion, or any other appropriate document indicating these documents should be granted based upon the ruling of the Court.

If there is no response, I will enter these documents on December 10, 2007.

Sincerely,

  
G. Philip Arnold  
Circuit Judge

GPA:glq