

Everett asks judge to let case against OxyContin maker proceed

By PHUONG LE
Associated Press

SEATTLE — Everett says the pain medication OxyContin has devastated the community and asked a federal judge Monday to let it move forward with a lawsuit seeking to hold the pill's manufacturer accountable for damages.

The working-class city of about 108,000 north of Seattle sued Connecticut-based Purdue Pharma in January, alleging the company knowingly allowed pills to be funneled into the black market and into the city and did nothing to stop it.

Purdue filed a motion to dismiss in March. Before hearing arguments Monday, U.S. District Court Judge Ricardo S. Martinez called the case an interesting one with some novel legal issues.

Purdue attorney Patrick Fitzgerald told the judge the case should be tossed for a number of reasons. Among them, the city fails to show a direct relationship between the company's conduct and the alleged harms.

"It's a textbook example of remoteness," Fitzgerald said. He argued there are nine steps — including wrongdoing by pharmacies and criminal gangs — between Purdue's conduct and the

expenses the city incurred in responding to the problems of opioid addiction.

The lawyer for the city, Christopher Huck, told the judge that emails and other internal documents show that Purdue knowingly put their painkillers into a supply chain they knew ended at an organized drug ring, and the city has suffered for it. The city should be allowed to make its case at trial, he said.

"OxyContin has devastated the community and inflicted enormous harm," said Huck, who was joined at the table by Everett Mayor Ray Stephanson. The injury here is the diversion and misuse of OxyContin and the damages is what the city had to deal with that harm, Huck said.

Three city council members, the police chief and others filled the benches in the courtroom Monday.

"Our city has been significantly damaged. Obviously, we hope the case is not dismissed and goes forward on its merits," the mayor said outside the courtroom. "Our community needs help. And clearly we believe our city has been damaged by this crisis."

Purdue knew their pills were going into the black market, had an obligation to report it and they didn't do that, Stephanson said.

Fitzgerald argued in court that there's no proof Purdue was dealing to drug dealers and noted that Purdue provided pills to a wholesaler.

The company argued Monday that the statute of limitations has passed for the city to file the lawsuit. In court documents, it also argued that city can't hold it responsible for illegal trafficking when law enforcement officials knew and were already investigating criminal trafficking at issue.

The lawsuit doesn't say how much money the city is seeking. Stephanson said that will be determined in the weeks and months to come.

Everett filed its lawsuit after the Los Angeles Times reported that Purdue had evidence that pointed to illegal trafficking of its pills but in many cases did nothing to notify authorities or stop the flow. That newspaper investigation prompted the city's lawsuit.

Last week, a second city in Washington state, Tacoma, sued Purdue Pharma and two other opioid manufacturers, Endo Health Solutions and Janssen Pharmaceuticals. That lawsuit alleges the companies made false and misleading statements about the benefits and risks of opioids to doctors and patients over the past two decades.

Zinke recommendation to cut Cascade-Siskiyou questioned

Hunting, fishing already protected

By ANDREW SELSKY
Associated Press

SALEM — Interior Secretary Ryan Zinke's recommendation to President Donald Trump recommending downsizing the Cascade-Siskiyou National Monument has several errors, one of the people who was behind the creation of the monument said Monday.

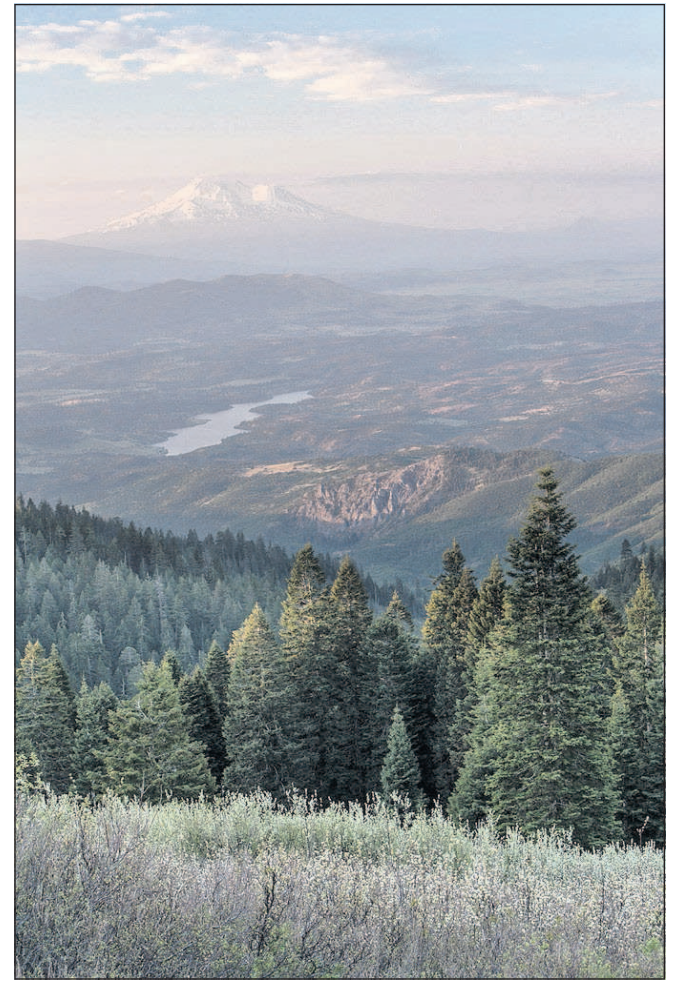
A memo from Zinke to the president justifying his recommendation that the boundaries of the monument, which lies mostly in Oregon and crosses over into California, be "revised" says motor vehicles aren't allowed in it.

"There are hundreds of roads inside this monument. Do we walk or ride horses?" asked Dave Willis, the chairman of the Soda Mountain Wilderness Council.

He also wondered why Zinke's memo referred to protecting hunting and fishing rights, saying those activities are already allowed in national monuments.

"These factual errors make it look disinforming," Willis said in a phone interview. "It's sloppy work or an attempt to make something that's unacceptable acceptable to people who don't know better."

Bob Rees, founder of the Northwest Guides and Anglers Association, said: "Rolling back protections on Cascade-Siskiyou would be the worst attack on Oregon hunters and anglers I've seen in my 20 years as a fishing guide. American outdoor enthusiasts should have more



Bureau of Land Management
A view of Mt. Shasta from the Cascade-Siskiyou National Monument near Ashland.

access to public lands, not less."

But counties that rely on logging revenues according to an old pact have objected to the monument's expansion by President Barack Obama, and a group applauded the reported recommendation.

"Congress already set aside these lands 80 years ago for the specific purpose of sustainable timber production in the O&C Act, and the president — regardless of party — doesn't have the authority to rewrite the law," said American Forest Resource Council

President Travis Joseph.

Lawson Fite, of the Portland-based council, said the monument's expansion caused these counties to lose revenue "as future timber sales have been canceled."

"These funds are used to support important local services," Fite said.

Willis said that given scientific studies into the monument's expansion and numerous public hearings, "it would be sad if this quickie, error-filled report was used to diminish the monument's boundaries and protections."

FIVE-DAY FORECAST FOR ASTORIA AccuWeather.com

TONIGHT	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
48	61 / 47	64 / 46	64 / 46	65 / 48
Occasional rain	Mostly cloudy with rain tapering off	Clouds and sun with a shower or two	Partly sunny	Mostly cloudy

ALMANAC
Astoria through Monday.

Temperatures
High/Low 60°/50°
Normal high/low 68°/49°
Record high 82° in 1991
Record low 38° in 1988

Precipitation
Monday 0.48"
Month to date 0.81"
Normal month to date 1.11"
Year to date 50.87"
Normal year to date 39.21"

SUN AND MOON

Sunset tonight 7:19 p.m.
Sunrise Wednesday 7:00 a.m.
Moonrise today 6:13 a.m.
Moonset today 7:24 p.m.

New First Full Last
Sep 19 Sep 27 Oct 5 Oct 12

UNDER THE SKY

Tonight's Sky: New Moon (10:30 p.m.). One month ago, total solar eclipse on Aug. 21, 2017.

Source: Jim Todd, OMSI

TOMORROW'S TIDES

Astoria / Port Docks

Time	High	Low
1:48 a.m.	8.5 ft.	8:14 a.m.
2:22 p.m.	8.5 ft.	8:34 p.m.
		0.0 ft.

NATIONAL CITIES

City	Today	Wed.	W
Atlanta	88 70 s	87 70 pc	
Boston	67 62 r	71 64 r	
Chicago	79 64 pc	89 70 pc	
Denver	86 47 pc	81 53 s	
Des Moines	83 71 pc	85 65 s	
Detroit	74 64 sh	82 65 pc	
El Paso	94 71 c	93 68 s	
Fairbanks	50 35 c	49 33 r	
Honolulu	88 77 pc	88 76 pc	
Indianapolis	82 65 t	89 69 pc	
Kansas City	86 72 pc	87 70 s	
Las Vegas	91 69 s	92 69 s	
Los Angeles	78 65 pc	78 65 pc	
Memphis	89 74 pc	90 74 pc	
Miami	91 78 sh	91 77 pc	
Nashville	87 67 t	89 70 pc	
New Orleans	89 75 pc	89 74 pc	
New York	75 67 r	80 68 pc	
Oklahoma City	90 73 s	92 72 s	
Philadelphia	79 67 sh	85 69 pc	
St. Louis	87 73 pc	95 74 pc	
Salt Lake City	64 47 pc	76 52 pc	
San Francisco	73 61 s	70 58 pc	
Seattle	60 49 r	59 49 r	
Washington, DC	83 67 pc	87 69 s	

Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sn-snow, i-ice.

REGIONAL WEATHER
Shown is tomorrow's weather. Temperatures are tonight's lows and tomorrow's highs.

Forecast and graphics provided by AccuWeather, Inc. ©2017

TOMORROW'S NATIONAL WEATHER
Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

Washington state tribes consider own carbon emissions plan

Associated Press

TACOMA, Wash. — Tribal leaders might move ahead with their own plan to tax carbon emissions in Washington state after another group working on a statewide carbon-tax initiative for the November 2018 ballot failed to include the tribes when developing a proposal.

The News Tribune reported that Fawn Sharp, president of the Affiliated Tribes of Northwest

Indians, says "there is a very high likelihood" that tribal leaders will end up sending their own initiative to voters next year. The Alliance for Jobs and Clean Energy is working on the statewide initiative.

Aiko Schaefer, who co-chairs the steering committee for the Alliance, acknowledges that the group hasn't done a good job of engaging the tribes, but says the Alliance want to change that by working together to unify the initiatives.

LOTTERIES

OREGON
Monday's Pick 4:
1 p.m.: 0-7-3-0
4 p.m.: 9-5-8-2
7 p.m.: 2-9-2-3
10 p.m.: 1-4-9-4
Monday's Lucky Lines: 04-08-09-15-17-22-26-29

Estimated jackpot: \$12,000
Monday's Megabucks: 1-2-15-29-35-42
Estimated jackpot: \$7.5 million

WASHINGTON
Monday's Daily Game: 2-9-7
Monday's Hit 5: 05-11-21-27-36

Estimated jackpot: \$330,000
Monday's Keno: 09-13-16-20-24-32-42-46-50-53-54-56-60-67-70-72-73-75-76-80
Monday's Lotto: 06-14-19-25-34-38
Estimated jackpot: \$3.5 million
Monday's Match 4: 07-17-21-22

DEATH

Sept. 17, 2017
DRUMHELLER, John Thomas, 64, of Cannon Beach, died in Cannon Beach. Hughes-Ransom Mortuary & Crematory of Astoria/Seaside is in charge of the arrangements.

PUBLIC MEETINGS

TUESDAY
Clatsop County Human Services Advisory Council, 4 to 5:30 p.m., 800 Exchange St., Room 430.
Port of Astoria Commission, 5 p.m., 10 Pier 1, Suite 209.

Seaside Planning Commission, 6 p.m., work session, City Hall, 989 Broadway.
Seaside School District Board of Directors, 6 p.m., 1801 S. Franklin.
Shoreline Sanitary District

Board, 7 p.m., Gearhart Hertig Station, 33496 West Lake Lane, Warrenton.

WEDNESDAY
Seaside Tourism Advisory Committee, 3 p.m., 989 Broadway.

OBITUARY POLICY

The Daily Astorian publishes paid obituaries. The obituary can include a small photo and, for veterans, a flag symbol at no charge. The deadline for all obituaries is 9 a.m. the business day prior.

Obituaries may be edited for spelling, proper punctuation and style. Death notices and upcoming services will be published at no charge. Notices must be submitted by 9 a.m. the day of publication.

Obituaries and notices may be submitted online at www.dailyastorian.com/forms/obits, by email at ewilson@dailyastorian.com, placed via the funeral home or in person at The Daily Astorian office, 949 Exchange St. in Astoria. For more information, call 503-325-3211, ext. 257.

APPLIANCE PACKAGE DEALS

J & S

APPLIANCE AND HOME FURNISHINGS

529 SE MARLIN, WARRENTON
503-861-0929

OVER 30 YEARS IN CLATSOP COUNTY

Mattresses, Furniture & More!

HOURS OPEN: MON-FRI 8-6 • SATURDAY 9-5 • SUNDAY 10-4
We Service What We Sell

VISA MasterCard

The Daily Astorian
Established July 1, 1873 (USPS 035-000)

SUBSCRIPTION RATES
Effective July 1, 2015

HOME DELIVERY	MAIL
EZpay (per month).....\$11.25	EZpay (per month).....\$16.60
13 weeks in advance.....\$36.79	13 weeks in advance.....\$51.98
26 weeks in advance.....\$70.82	26 weeks in advance.....\$102.63
52 weeks in advance.....\$135.05	52 weeks in advance.....\$199.90

Circulation phone number: 503-325-3211
Periodicals postage paid at Astoria, OR

ADVERTISING OWNERSHIP
All advertising copy and illustrations prepared by The Daily Astorian become the property of The Daily Astorian and may not be reproduced for any use without explicit prior approval.

COPYRIGHT ©
Entire contents © Copyright, 2017 by The Daily Astorian. Printed on recycled paper.