

Federal government again seeks halt to climate change suit

EUGENE (AP) — The federal government has again asked a judge to suspend legal proceedings in a climate change lawsuit filed by a group of young people that is scheduled to go to trial in Oregon later this month.

The *Register-Guard* reports government attorneys filed a motion last week in federal court in Eugene, requesting a stay pending a review of the case by the U.S. Supreme Court.

“A brief stay to allow the Supreme Court to consider whether a lawsuit is the appropriate means to address climate change will not appreciably harm plaintiffs,” the motion states.

If a judge at the district

court level does not agree to halt proceedings, the government plans to ask the 9th U.S. Circuit Court of Appeals for a stay sometime this week, according to the motion.

Both the 9th Circuit and the Supreme Court declined in July to intervene in the case, after reviewing government requests to do so.

In a news release, Julia Olson, one of the plaintiffs’ lawyers, called the government’s latest request a “redundant motion” and “a show of fear.”

Another attorney for the young people, Philip Gregory, said he is “doubtful” Brett Kavanaugh’s appointment to the Supreme Court would make it more likely

that the case is dismissed at this stage, “given the fact that Justice (Anthony) Kennedy and the rest of the court, less than three months ago, determined the case should proceed forward to trial.”

A group of 21 young people filed the suit in 2015, arguing that the federal government’s actions violate their constitutional rights to life, liberty, and property, and the government has violated its obligation to hold certain natural resources in trust for future generations.

The case is part of an effort led by the Oregon-based nonprofit Our Children’s Trust to force governments to take action on climate change.



Chris Pietsch/The Register-Guard via AP, File

In this July 18, 2018, file photo, lawyers and youth plaintiffs lineup behind a banner after a hearing before Federal District Court Judge Ann Aiken between lawyers for the Trump Administration and the so-called Climate Kids in federal court in Eugene. The federal government has again asked a judge to suspend legal proceedings in the climate change lawsuit scheduled to go to trial in Oregon later this month.

Gubernatorial candidate Starnes files complaint over debate snub

By **PARIS ACHEN**
Capital Bureau

Patrick Starnes, a cabinetmaker and gubernatorial candidate from the Independent Party of Oregon, on Tuesday filed an elections complaint that could test a 2017 state law that encourages debate hosts to invite all major party candidates.

Starnes filed the complaint just hours before the final debate in the Oregon

governor’s race. He was left out of the debate.

He has been barred from participating in two out of the three gubernatorial debates before the Nov. 6 election.

Organizers of the three televised gubernatorial debates have resisted including Starnes, largely because of limited broadcast time and his low odds of winning.

Starnes, from Browns-

ville, participated in the first debate Oct. 2 in Portland after the Independent Party threatened legal action.

Starnes wasn’t allowed in the Oct. 4 debate hosted by KOBI television in Medford or Tuesday’s debate, hosted by KGW and *The Oregonian*.

Only incumbent Gov. Kate Brown and state Rep. Knute Buehler, R-Bend, were included.

Starnes’s complaint

against KGW/*The Oregonian* and KOBI marks the first time anyone has sought to enforce the law.

“I think we are on the high ground here,” Starnes said Tuesday. “People are really ready for more choices.”

By filing the complaint, he hopes to force news outlets to report the cost of the debates and air time as in-kind contributions to the campaigns of Brown and Buehler.

“We have looked carefully at Mr. Starnes’ new claims and remain confident that we are on firm ground, fully supported by Oregon law,” said Duane Bosworth, a Portland attorney for KGW and *The Oregonian*. “The format we are using best serves Oregon’s voters.”

Lawyers with the Independent Party argued that excluding a major party candidate carries a requirement to report an in-kind campaign contribution to the candidates who were included. The Independent Party became Oregon’s third major political party in 2015.

Starnes had planned to

file the complaint against the news outlets with the state Elections Division last week and met in Salem with state Elections Director Steve Trout to discuss his position.

But a day later, the state concluded that such debates weren’t subject to the law requiring spending reports. Trout told Starnes in a call that he and his staff concluded that a debate is not considered a campaign finance contribution, said Deb Royal, chief of staff for Secretary of State Dennis Richardson.

Starnes said he opted to file the complaint to force a written decision by the Elections Division. The complaint focuses on a letter by legislative attorney in July who supported the Independent Party’s argument.

Deputy Legislative Counsel Dan Gilbert wrote that if a debate occurred within two months of the general election, “it would likely fall within the expanded definition of a ‘communication in support of or opposition to a clearly identified candidate or measure.’”

As a result, a media outlet that excluded a major party

nominee would “likely” have to report the value of the debate as an independent expenditure or a contribution to the campaigns of the two participating candidates, he stated.

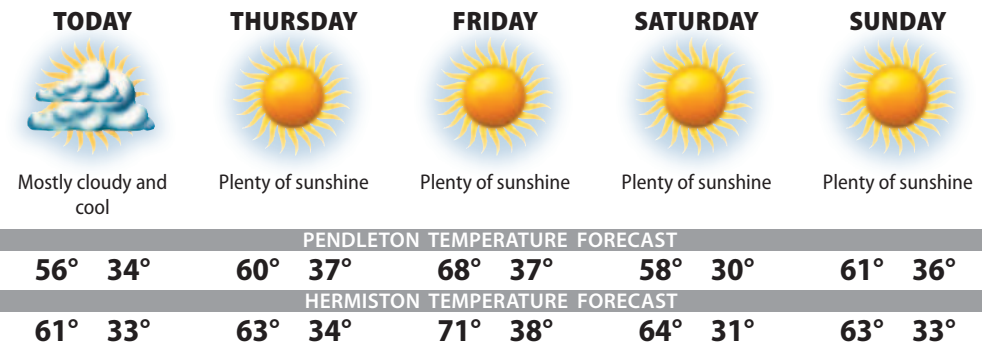
“It appears that the secretary of state intends to dismiss Mr. Gilbert’s legal analysis,” Starnes wrote in the complaint. “As Mr. Gilbert points out, to ignore the statute in the way the secretary of state intends would effectively gut the statute.”

Starnes argued that “there is no logical difference” between a candidate debate hosted by a nonprofit group such as the League of Women Voters and one organized by KGW or KOBI.

“Yet, the secretary of state has stated its intent to find that in one case, the (organizer) must follow the law and count the production as a contribution and in the other, it becomes a news event because it’s organized by the media,” he wrote. “The secretary of state is making a distinction without a difference and gutting the reporting law, and ignoring the opinion of Legislative Counsel.”

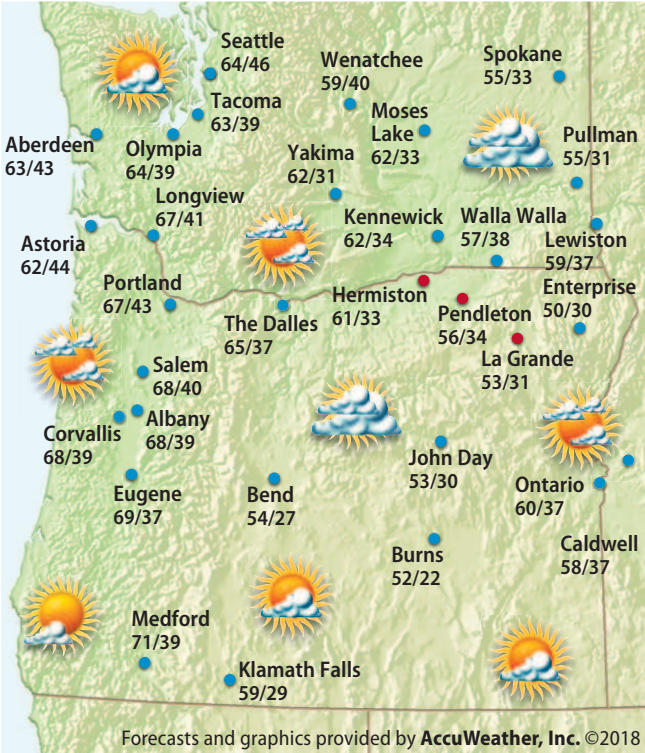
Royal said Tuesday it was too early to comment on how the Elections Division would act on the complaint.

Forecast for Pendleton Area



OREGON FORECAST

Shown is today's weather. Temperatures are today's highs and tonight's lows.



ALMANAC

PENDLETON through 3 p.m. yest.

TEMP.	HIGH	LOW
Yesterday	53°	47°
Normals	67°	42°
Records	90° (1934)	23° (1916)

PRECIPITATION	
24 hours ending 3 p.m.	0.79"
Month to date	1.38"
Normal month to date	0.28"
Year to date	7.90"
Last year to date	12.36"
Normal year to date	9.22"

HERMISTON through 3 p.m. yest.

TEMP.	HIGH	LOW
Yesterday	57°	51°
Normals	68°	40°
Records	86° (1934)	23° (1931)

PRECIPITATION	
24 hours ending 3 p.m.	0.66"
Month to date	1.14"
Normal month to date	0.15"
Year to date	6.29"
Last year to date	7.04"
Normal year to date	6.71"

WINDS (in mph)

	Today	Thu.
Boardman	N 4-8	ENE 3-6
Pendleton	WNW 4-8	NW 4-8

SUN AND MOON

Sunrise today	7:05 a.m.
Sunset tonight	6:19 p.m.
Moonrise today	8:38 a.m.
Moonset today	7:37 p.m.

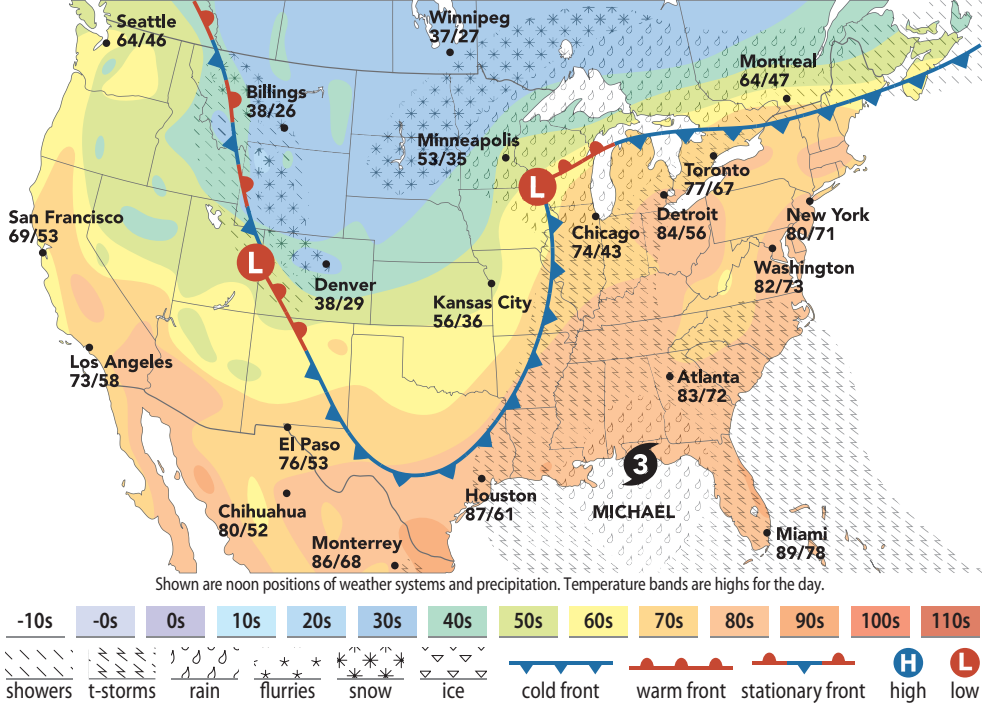


NATIONAL EXTREMES

Yesterday's National Extremes: (for the 48 contiguous states)

High 97° in McAllen, Texas Low 13° in Bodie State Park, Calif.

NATIONAL WEATHER TODAY



Crews search for missing injured hiker on Mount Hood

MOUNT HOOD (AP) — Authorities are searching on Mount Hood for a 30-year-old injured hiker from Phoenix, Arizona, who was last seen on Monday.

The Clackamas County Sheriff’s Office said Tuesday that David Yaghmourian was hiking the Timberline Trail with a companion when he injured his leg.

The sheriff’s office says on the last day of their hike on Monday Yaghmourian stopped to rest while his friend continued to Timberline Lodge.

The sheriff’s office says the friend waited, but Yaghmourian never arrived.

Yaghmourian was last seen wearing a black jacket and tan pants at the eastern junction of the Timberline Trail at the Pacific Crest Trail. He also had a large backpack with what appears to be a yellow towel attached to it.

People who may have seen him are asked to call authorities.

Mom sues McDonald’s for teen’s alleged burns from hot water

PORTLAND (AP) — A woman has filed a \$1.56 million lawsuit against a central Oregon McDonald’s restaurant, claiming her teen was badly burned after being served a cup of water that was too hot.

The *Oregonian*/OregonLive reports the suit filed last week by Shirelle Thomas in Multnomah County Circuit Court seeks \$10,000 in medical bills and related expenses, \$50,000 in future expenses and \$1.5 million for pain and suffering.

BRIEFLY

The lawsuit doesn’t list the water temperature or explain if the 14-year-old girl spilled the water on herself or someone spilled it onto her at the Madras McDonald’s in July 2017.

The suit claims the teen suffered “partial thickness burns” to her abdomen, groin and inner thighs.

It lists the McDonald’s corporation and the individual franchise, Taylor Enterprises, as defendants.

Neither returned messages seeking comment.

Lawsuit: Fred Meyer camera pointed at dressing room

PORTLAND (AP) — A Fred Meyer customer in Clackamas, who says she was caught on store video while half-naked in a dressing room, has filed a \$300,000 lawsuit.

The *Oregonian*/OregonLive reports Carlee Gish filed the lawsuit against the shopping chain Monday in Clackamas County Circuit Court.

Gish claims in the lawsuit that she entered a dressing room May 10 to try on clothes and was wearing only underpants when she noticed the reflection of a camera pointed at the mirror.

The suit claims Gish then located the camera up in the rafters.

She says she complained to customer service and was told the camera would be removed but the lawsuit says when she returned to the store in July she found the camera still pointed at the dressing room mirror.

Fred Meyer spokesperson Jeffery Temple said Tuesday he couldn’t comment “on matters under investigation and/or litigation.”

EAST OREGONIAN

— Founded Oct. 16, 1875 —

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Office hours: Monday through Friday, 8 a.m. to 5 p.m.
Closed major holidays

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East Oregonian (USPS 164-980) is published daily except Sunday, Monday and postal holidays, by the EO Media Group, 211 S.E. Byers Ave., Pendleton, OR 97801.
Periodicals postage paid at Pendleton, OR. Postmaster: send address changes to East Oregonian, 211 S.E. Byers Ave., Pendleton, OR 97801.
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Single copy price:

\$1 Tuesday through Friday, \$1.50 Saturday

Circulation Manager:

Bonny Tuller, 541-966-0828

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