

IN THE SUPREME COURT OF THE STATE OF OREGON

ROGER W. BEYER,  
Petitioner,

v.

ELLEN F. ROSENBLUM, Attorney General, State of Oregon,  
Respondent.

S065981 (Control)

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KEELY HOPKINS and PAUL DONHEFFNER,  
Petitioners,

v.

ELLEN F. ROSENBLUM, Attorney General, State of Oregon,  
Respondent.

S065989

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BRYAN DALE MUNSON,  
Petitioner,

v.

ELLEN F. ROSENBLUM, Attorney General, State of Oregon,  
Respondent.

S065990

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DOMINIC AIELLO and ASHA AIELLO,  
Petitioners,

v.

ELLEN F. ROSENBLUM, Attorney General, State of Oregon,  
Respondent.

S065992

**ORDER ON MOTIONS TO RECONSIDER, TO APPEAR *AMICUS CURIAE*, AND TO STRIKE**

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REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,  
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563

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KEVIN STARRETT,  
Petitioner,

v.

ELLEN F. ROSENBLUM, Attorney General, State of Oregon,  
Respondent.

S065993

**ORDER ON MOTIONS TO RECONSIDER, TO APPEAR *AMICUS CURIAE*,  
AND TO STRIKE**

In these consolidated cases concerning the certified ballot title for Initiative Petition (IP) 43, all petitioners have moved for reconsideration of the court's June 8, 2018 scheduling order, on the ground that it both shortens their time to file reply memoranda and provides too little time to respond to *amicus curiae* memoranda filed in support of the Attorney General's position. Petitioners Beyer, Hopkins, Donheffner, Munson, and Starrett note that the Attorney General has stated that she intends to file her answering memorandum on June 15, 2018, and the Chief Petitioners of IP 43 have offered to apply to file an amicus brief on that date, giving petitioners additional time to reply. However, those same petitioners note that they would still have limited time to reply if other persons apply to file *amicus curiae* memoranda in support of the ballot title.

The Chief Petitioners of IP 43 have moved to appear as *amicus curiae*, both to object to the motions to reconsider and also to file, at a later date, a memorandum in support of the certified ballot title. The Chief Petitioners note, as did petitioners Beyer *et al.*, that they and the Attorney General intend to file memoranda in support of the ballot title on June 15. All petitioners have moved to strike the Chief Petitioners' motion to appear amicus, on two grounds: (1) as to their objection to petitioners' motions for reconsideration, Chief Petitioners have no standing to object; and (2) as to the merits, Chief Petitioners were required to file their memorandum in support of the ballot title together with their motion to appear, but they did not do so.

The Chief Petitioners' motion to appear as *amicus curiae* to file an objection is denied. Their motion to appear as *amicus curiae* to file a memorandum in support of the ballot title is denied without prejudice; they may refile a timely motion to appear as *amicus curiae* accompanied by the memorandum that they intend to file in support of the ballot title. Petitioners' motions to strike are denied as moot.

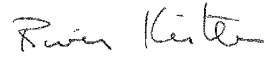
Petitioners' motions to reconsider the June 8, 2018, order are granted in part.

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Any person wishing to appear as *amicus curiae* must simultaneously file an application and proposed memorandum on or before the date that the Attorney General's answering memorandum is due. Any reply memorandum is due 3 business days from the due date of the answering memorandum. Otherwise, the motions to reconsider are denied.



RIVES KISTLER PRESIDING JUSTICE, SUPREME COURT 6/13/2018 2:52 PM
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c: Timothy Beau Ellis  
Denise G Fjordbeck  
Carson L Whitehead  
Shawn M Lindsay  
Kristian Spencer Roggendorf  
Ross A Day  
Eric C Winters  
Walter John Knutson  
Michael Z Cahana  
Alcena E Boozer  
Margaret Olney

od

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