



Public Records Lawsuit Timeline

James Walker, Partner, Miller Nash LLP

Souvanny Miller, Associate, Miller Nash LLP

*For the City of Manzanita
March 2025*

2023

- **May**

- Internal complaint by City employee against then-Mayor Simmons
- Addressed to City Attorney

- **June 14**

- City Council authorizes City Attorney to commission attorney-client privileged investigation

- **June 30**

- City Attorney's office engages independent attorney investigator to conduct privileged investigation

- **December 6 – Council Meeting**

- Council states that on the advice of legal counsel no findings or other specific information will be disclosed and that “as a privileged report and personnel matter, the specific findings and other information from the report will not be disclosed.”

- **December 7**

- Investigative report provided to City Attorney's office. City Attorney's office briefs the Council on the report in executive session for purposes of providing legal advice to the City Council regarding the employee's complaint.

2024

▪ **February**

- Public records requests received, including requests from plaintiffs Randy Kugler and Laura Swanson
- City denied those requests as the investigation report and related documents are exempt under the public records law
- Requesters petitioned the Tillamook County District Attorney for review of the City's denial of public records request. City responds.

▪ **March**

- Tillamook County District Attorney upholds City's decision, declines to order City to produce documents.

▪ **June**

- Mr. Randy Kugler, Mr. William Stone, Ms. Laura Swanson ("Plaintiffs") file a lawsuit in Tillamook County Circuit Court against the City of Manzanita seeking Court review of the District Attorney's decision.

▪ **October**

- City of Manzanita files a motion for summary judgment, taking position that there are no issues of material fact and the City is entitled to judgment as a matter of law. Plaintiffs respond.

▪ **November**

- Parties have oral argument before the court.

2025

- **January**

- Judge rules in favor of the City, grants summary judgment, dismisses Plaintiffs' case.

Thank You



James Walker

james.walker@millernash.com

503.205.2353



Souvanny Miller

souvanny.miller@millernash.com

503.205.2363