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**CITY OF**  
**PORTLAND, OREGON**

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**OFFICE OF THE CITY AUDITOR**  
**Hearings Office**

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**HEARINGS OFFICER'S SECOND MODIFIED ORDER**

TriMet vs. Eric Martin Young

CASE NO. 3100184  
(TriMet Exclusion Number 163299)

HEARING DATE: May 13, 2010

**APPEARANCES:**

Eric Martin Young, Excluded Party

Officer Jason Billings, for TriMet

HEARINGS OFFICER: Mr. Gregory J. Frank (for Modified Orders)  
Ms. Christina A. Austin-Smith (at hearing)

**FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

Hearings Officer Austin-Smith issued an Order, dated May 14, 2010, in this case. Mr. Young, on June 4, 2010, submitted a request to permit him to ride TriMet vehicles not provided for in the May 14, 2010 Order (Exhibit 8). The Hearings Officer granted Mr. Young's request for a qualified exclusion in a Modified Order dated June 4, 2010.

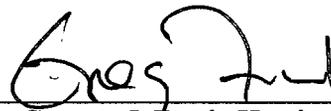
Mr. Young requested, in a letter to the Hearings Office dated July 6, 2010 (Exhibit 9), another qualified exclusion. The Hearings Officer admits Exhibit 9 into the evidentiary record. Mr. Young requested that he be given the right to ride TriMet bus lines #76 and 78 and the Blue Line Max train to access an appointment with a probation officer.

The Hearings Officer finds Mr. Young's request to be reasonable and appropriate. The Hearings Officer finds that the May 14, 2010 Order, and the June 4, 2010 Modified Order should be further modified to allow Mr. Young to ride TriMet vehicles #76, #78 and the Blue Line Max train, between 8:00 a.m. and 5:00 p.m. to travel to/from his residence and an appointment with a probation officer (Hillsboro).

ORDER AND DETERMINATION:

1. The May 14, 2010 Order, Paragraph 3 Scope of Exclusion and June 4, 2010 Modified Order are modified to permit Mr. Young to ride TriMet bus lines #78 and #78 and the Blue Line Max train on July 13, 2010 between the hours of 8:00 a.m. and 5:00 p.m.
2. The May 14, 2010 Order shall remain in full force and effect except as modified by paragraph 1 (immediately above).
3. This Second Modified Order has been mailed to the parties on July 13, 2010 and shall become effective immediately.
4. This order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: July 13, 2010



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Gregory J. Frank, Hearings Officer

GJF:cb

Enclosure

<b>Exhibit #</b>	<b>Description</b>	<b>Submitted by</b>	<b>Disposition</b>
1	Appeal Form page 2	Turner, Anna	Received
2	TriMet Fare Inspection System print out	Turner, Anna	Received
3	Notice of Exclusion	Turner, Anna	Received
4	Mailing list	Hearings Office	Received
5	Hearing notice	Hearings Office	Received
6	Statement of Rights	Hearings Office	Received
7	Group Schedule	Young, Eric Martin	Received
8	Request for variance	Young, Eric Martin	Received
9	Request for variance	Young, Eric Martin	Received

