



CITY OF PORTLAND

Office of City Auditor LaVonne Griffin-Valade

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HEARINGS OFFICER'S ORDER

APPEAL OF BARRY JOE STULL

CASE NO. 3110506

DATE OF HEARING: November 21, 2011

APPEARANCES:

Mr. Barry Joe Stull, Appellant

Ms. Ellen Osoinach, on behalf of the City

HEARINGS OFFICER: Mr. Gregory J. Frank

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Ms. Ellen Osoinach, Deputy City Attorney, appeared as the City of Portland representative. Mr. Barry Joe Stull, Appellant, appeared at the hearing and represented himself. The Hearings Officer admits Exhibits 1 through and including 11.

Ms. Osoinach, at the start of the hearing, requested that the Park Exclusion issued to Mr. Stull on November 6, 2011, be dismissed; the Park Exclusion would be considered not enforceable. Mr. Stull agreed with Ms. Osoinach's request to dismiss.

The Hearings Officer finds that the Notice of Exclusion From City of Portland Park (Exhibit 2) shall be considered invalid and therefore not enforceable.

ORDER AND DETERMINATION:

1. The Notice of Exclusion From City of Portland Park (Exhibit 2) issued to Mr. Barry Joe Stull on November 6, 2011, shall be considered invalid and therefore not enforceable.
2. This order has been mailed to the parties on November 23, 2011.

3. This order may be appealed to a court of competent jurisdiction pursuant to ORS 34.010 et seq.

Dated: November 23, 2011



Gregory J. Frank, Hearings Officer

GJF: jeg

Enclosure

Exhibit #	Description	Submitted by	Disposition
1	Appeal Form Page 1A	Complaint Signer's Office,	Received
2	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Received
3	Mailing List	Hearings Office	Received
4	Notice of Hearing	Hearings Office	Received
5	Appeal form page 1a	Complaint Signer's Office,	Received
5a	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Received
6	Appeal form page 2	Complaint Signer's Office,	Received
7	Special Report	Complaint Signer's Office,	Received
8	Notice of Exclusion or Warning From City of Portland Park	Complaint Signer's Office,	Received
9	Investigation Report	Complaint Signer's Office,	Received
10	Custody Report	Complaint Signer's Office,	Received
11	Mailing List	Hearings Office	Received