

IN THE SUPREME COURT OF THE STATE OF OREGON

HECTOR MACPHERSON; BANNOCKBURN FARMS, INC.; CLACKAMAS COUNTY FARM BUREAU; LINN COUNTY FARM BUREAU; WASHINGTON COUNTY FARM BUREAU; MARION COUNTY FARM BUREAU; YAMHILL COUNTY FARM BUREAU; DAVID T. ADAMS; MARK TIPPERMAN; JAMES D. GILBERT; NORTHWOODS NURSERY INC.; DAVID A. VANASCHE; KEITH FISHBACK; FISHBACK NURSERY, INC.; JACK CHAPIN and 1000 FRIENDS OF OREGON,

Plaintiffs-Respondents,

v.

DEPARTMENT OF ADMINISTRATIVE SERVICES, Risk Management Division, by and through Laurie Warner, its Acting Director; LAND CONSERVATION AND DEVELOPMENT COMMISSION, Department of Land Conservation and Development, by and through Lane Shetterly, its Director; THE STATE OF OREGON DEPARTMENT OF JUSTICE, by and through its Attorney General, Hardy Myers,

Defendants-Appellants,

and

CLACKAMAS COUNTY; MARION COUNTY; and WASHINGTON COUNTY,

Defendants,

and

BARBARA PRETE; EUGENE PRETE; DOROTHY ENGLISH; and HOWARD MEREDITH

Intervenors-Defendants-Appellants,

and

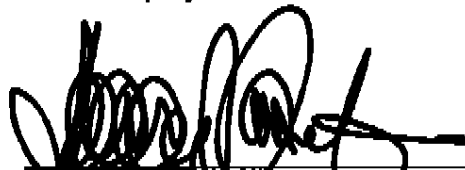
JACKSON COUNTY,

Intervenor-Defendant.

Upon consideration by the court.

The emergency motion for stay pending appeal is denied. Appellant Meredith's motion to dismiss (and to vacate) for lack of jurisdiction is denied without prejudice to Meredith assigning an appropriate error in his opening brief

Dated this 1st day of November 2005.


WALLACE F. CARSON, JR.
CHIEF JUSTICE

Marion County
Circuit Court No.
05C10444

SC S52875

***AMENDED
ORDER
DENYING
EMERGENCY
MOTION FOR
STAY, AND
DENYING
MOTION TO
DISMISS**

* Amended to show correct year of order

- c: Todd S. Baran
- c: Richard David Wasserman
- c: Jane E. Stonecipher
- David Euan Leith
- Janet A. Metcalf
- Danny R. Olsen
- Stephen K. Bushong
- Michael E. Judd
- Ross A. Day
- Russell L. Baldwin
- Michael D. Jewett
- Hon. Mary Mertens James