

**APPELLATE OPINIONS  
CITED**

| <b><u>Case Name</u></b>                         | <b><u>Topic</u></b>        |
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| AFSCME Local 2623 v. Dept. of Corrections ..... | A.3.b.                     |
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| Automotive Technology v. Employment Div .....   | A.5.b.                     |
| Babcock .....                                   | A.4.b.1.; A.5.d.           |
| Battle Creek Golf Course .....                  | A.6.a.1.; A.6.b.           |
| Bennett v. Board of Optometry.....              | A.2.e.1.                   |
| Benson .....                                    | A.5.e.                     |
| Benson v. Mult. Co. School Dist. #1.....        | A.6.a.3.b.                 |
| Berwick.....                                    | A.2.j.; A.6.a.3.b.; A.6.c. |
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| Breivogel v. Washington County.....             | C.2.a.                     |
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| Burns Brothers Inc. v. Employment Div.....        | A.6.a.3.b.                         |
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| Capelner v. U.S. National Bank .....              | A.2.m.                             |
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| Carlson v. Reservation Ranch .....                | E.4.                               |
| Carney v. MVD .....                               | A.2.d.; A.4.b.1.                   |
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| Cascade Forest Products .....                     | A.6.c.                             |
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| Delehant v. Board on Police Standards .....            | A.3.d.                               |
| Delehant v. Board on Police Standards .....            | A.3.d.                               |
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| Dennis (1987) .....                                    | A.2.j.; A.4.b.1.; A.6.a.3.a.; A.6.c. |

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| Dept. of Revenue v. Universal .....                 | A.2.d.                     |
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| Dika v. Dept. of Ins. and Finance .....             | A.3.c.                     |
| Dinkins v. Board of Accountancy .....               | A.3.e.                     |
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| Douglas County v. Employment Div. ....              | A.6.a.1.                   |
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| Eddie's Supper Club .....                           | A.4.b.2.; C.1.o.3.; C.1.q. |
| Employment Division v. Bingham.....                 | A.3.e.                     |
| Employment Division v. Ring .....                   | A.3.c.                     |
| Employment Div. v. Western Graphics Corp .....      | C.2.a.                     |
| Englund v. Thunderbird .....                        | A.3.b.                     |
| Erck v. Brown Oldsmobile .....                      | A.6.a.3.b.                 |
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| Gates.....                                      | A.4.b.1.                                     |
| George's Gold Coin .....                        | A.2.b.                                       |
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| G. L. v. Kaiser Foundation Hospitals, Inc ..... | C.1.m.; C.4.a.3.                             |
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| Grog House, The.....                            | A.2.b.; A.2.d.; A.4.b.1.                     |
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| Hanson v. Dept. of Rev. ....                    | A.2.m.                                       |
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| Harsh Investment Corp .....                     | C.2.a.                                       |
| Haviland Hotels .....                           | A.2.b.; A.3.a.2.a.; A.6.a.2.; A.6.b.; C.1.p. |
| Heller v. Ebb Auto Co. ....                     | A.2.m.                                       |

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| In re Mettler .....                      | A.2.j.                         |
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| In re Yacob.....                         | C.1.i.                         |
| Int'l Cncl Shopping Cntrs .....          | A.3.c.                         |
| International Paper Co. v. McElroy ..... | A.6.a.3.b.                     |
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| Keller .....                             | A.6.b.                         |
| Kids Against the Cut .....               | A.3.b.                         |
| Kim v. Mt. Hood Community College .....  | A.6.a.2.                       |
| Klumb v. Employment Division .....       | A.6.c.                         |
| Korgan .....                             | A.3.a.2.a.; A.3.e.; C.1.k.; G. |

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| Lake County v. State of Oregon.....                       | A.6.d.                                                   |
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| Llewellyn v. Board of Chiropractic (119 Or App 397) ..... | A.2.r.                                                   |
| Llewellyn v. Board of Chiropractic (318 or 120) .....     | A.2.r.                                                   |
| Llewellyn v. Board of Chiropractic Examiners .....        | A.2.r.                                                   |
| Local 555 v. Fred Meyers.....                             | A.2.r                                                    |
| Local 290 v. Dept. of Environmental Quality .....         | A.3.a.2.c.                                               |
| Local 290 v. Dept. of Envir. Quality.....                 | A.3.a.2.c.                                               |
| Lyon .....                                                | A.5.c.3.                                                 |
| Marcoules.....                                            | A.2.b.; A.3.a.2.a.; A.4.b.1.; A.3.e.; A.6.b.; C.1.l.; D. |
| Markantonatos .....                                       | A.2.i.                                                   |
| Marks v. McKenzie High School .....                       | A.2.d.                                                   |
| Marracco, Inc .....                                       | B.1.c.3.                                                 |
| Marshall v. Korpa .....                                   | A.2.m.                                                   |

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| Martini v. OLCC .....                             | A.3.e.; B.1.a.5.; B.1.c.3.            |
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| McCleary v. Board of Chiropractic Examiners ..... | A.3.c.                                |
| McPherson .....                                   | A.3.e.                                |
| Megdal .....                                      | A.3.a.2.a.; A.4.b.1.; A.3.e.          |
| Meltebeke v. BOLI .....                           | A.3.a.2.c.                            |
| Mendieta v. Division of State Lands.....          | A.6.d.                                |
| Mercy Medical Center .....                        | A.1.                                  |
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| Moki, Inc .....                                   | A.6.b.                                |
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| North Clackamas School District .....             | A.2.m.                                |

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| Oregon Environmental Council (1987).....             | A.1.                                                     |
| Oregon Environmental Council (1988).....             | A.1.                                                     |
| Oregon Fire/Police Retirement v. PERB .....          | A.3.b.                                                   |
| Oregon Health Care Assn. v. Health Division .....    | A.2.d.; A.6.d.                                           |
| Oregon Occupational Safety v. PGE.....               | A.3.b.                                                   |
| Oregon Shores.....                                   | A.3.e.                                                   |
| OSCI v. Bureau of Labor and Industries .....         | A.5.b.                                                   |
| P.G. Enterprises v. OLCC .....                       | B.6.                                                     |
| Palm Gardens, Inc. ....                              | A.3.a.2.a.; A.4.b.1.; A.3.a.2.c.; C.1.k.; C.1.l.; C.2.a. |
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| Pen-Nor, Inc. ....                              | A.1.                     |
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| Plaid Pantries, Inc. ....                       | A.2.q.; C.1.a.1.         |
| Plaid Pantry No. 96 .....                       | C.1.a.1.; C.4.a.2.       |
| Planned Parenthood Assn .....                   | A.3.b.                   |
| Polizos .....                                   | A.6.a.2.; A.6.b.         |
| Power Master, Inc. v. National Council .....    | A.2.m.                   |
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| Premier Technology v. Oregon State Lottery..... | A.1.                     |
| Price .....                                     | A.3.e.                   |
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| Realty Group.....                               | A.3.b.                   |
| Red Robin Enterprises .....                     | A.3.e.; A.6.a.2.; B.4.a. |
| Redman Homes, Inc. v. Employment Div. ....      | B.1.c.3.                 |
| Red Willow v. CSD .....                         | D.                       |
| Reguero v. Teacher Standards (312 Or 401) ..... | A.6.a.2.                 |
| Reguero v. Teacher Standards & Practices .....  | A.5.c.3.; A.6.a.2.       |
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| Ross v. Springfield (1986) .....  | A.6.d.                                                                                                                          |
| Rotten Roberts Inc. ....          | B.1.a.5.                                                                                                                        |
| Sahli .....                       | A.3.a.2.b.; A.4.b.1.; C.1.k.; C.4.c.; G                                                                                         |
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| SAIF v. Fisher .....              | A.2.p.                                                                                                                          |
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| Schurman v. Bureau of Labor ..... | A.2.a.                                                                                                                          |
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| Scovell v. Goldschmidt .....      | A.6.d.                                                                                                                          |
| Sekne .....                       | A.3.a.2.b.; A.3.a.2.c.; C.1.m.                                                                                                  |
| 7455 Inc. ....                    | A.2.d.; A.2.h; A.3.a.2.a.; A.5.b.; A.5.c.2.; A.5.c.3.; A.5.d.; B.1.b.1.;<br>..... B.1.b.11.; C.1.f.; C.1.g.2.; C.2.d.; C.4.a.2. |
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| Shiloh Youth Revival Center ..... | C.2.a.                                                                                                                          |
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| Smith .....                       | A.5.d.; C.1.f.                                                                                                                  |
| Sonderen .....                    | B.1.b.7.                                                                                                                        |

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| Speck Restaurant .....                        | B.1.b.2.               |
| Sportservice Corp. ....                       | C.1.i.                 |
| Springfield Education Assn. ....              | A.3.e.                 |
| Stadelman .....                               | A.2.i.                 |
| Standard Ins. Co. ....                        | A.3.e.                 |
| Stanich v. Precision Body and Paint Inc. .... | A.2.m.                 |
| Starview, Inc.....                            | C.1.k.; C.1.l.         |
| State v. Allen .....                          | A.5.c.2.               |
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| State v. Ciancanelli .....                    | B.1.c.4.; C.1.k.       |
| State v. Cervantes .....                      | A.5.e.                 |
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| State v. Hayes .....                          | A.5.f.                 |
| State v. House .....                          | A.3.a.2.b.; A.3.a.2.c. |
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| State v. King .....                           | B.1.b.8.               |
| State v. Kissell .....                        | A.4.b.2.               |
| State v. Laughlin. ....                       | G.                     |
| State v. Long .....                           | A.3.b.                 |

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| State v. Phillips .....                               | A.4.b.2.                                                         |
| State v. Strance .....                                | B.1.c.3.; C.1.m.; C.2.d.                                         |
| State ex rel Roberts v. Acropolis McLoughlin Inc..... | C.1.k.; C.3.a.                                                   |
| Steinkellner .....                                    | A.6.a.3.a.                                                       |
| Sun Ray Dairy .....                                   | A.3.e.; B.1.c.6.                                                 |
| Sun Ray Drive-In Dairy .....                          | A.3.a.2.a.; A.3.a.2.b.; B.2.d.1.                                 |
| Swearingen .....                                      | A.4.b.1.; A.6.a.2.                                               |
| Swift & McCormick Metal Processors v. Durbin .....    | C.2.a.                                                           |
| Taylor's Coffee Shop.....                             | A.3.a.2.a.; A.3.b.; A.6.b.; B.1.c.5.; C.1.k.; C.1.l.; C.3.a.; G. |
| Teledyne Wah Chang .....                              | A.2.1.                                                           |
| Thomas .....                                          | A.6.a.3.b.                                                       |
| Thompson v. Bolliger, Hampton & Tarlow .....          | E.4.                                                             |
| Thrift .....                                          | C.2.a.                                                           |
| Tilden v. Board of Chiropractic Examiners.....        | A.6.b.                                                           |
| Tompkins .....                                        | A.6.d.                                                           |
| Trebesch .....                                        | A.3.e.                                                           |
| Tri-Met v. Employment Division .....                  | A.5.c.3.; A.6.a.1.                                               |
| Tri-Met Inc. v. Odighizuwa .....                      | C.3.a.; G.                                                       |
| Troutlodge Inc. v. Dept. of Fish & Wildlife .....     | A.3.c.                                                           |
| Turnquist .....                                       | A.2.i.                                                           |
| Unified Sewerage Agency v. DEQ .....                  | A.3.b.                                                           |
| Van Ripper .....                                      | A.3.a.2.f.; A.3.b.; C.1.p.                                       |

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| Village of Arlington Heights.....             | A.4.b.5.                                     |
| Von Weidlein/N.W. Bottling .....              | A.2.q.; A.3.a.2.a.; A.6.a.2.; B.1.d.; C.1.f. |
| Voorhies .....                                | A.2.e.1.                                     |
| Wasson .....                                  | A.6.c.                                       |
| Waterwatch of Or. v. Or. Water Res. Comm..... | A.3.c.                                       |
| Watson .....                                  | A.3.c.                                       |
| Wells .....                                   | G.                                           |
| Westfall v. Rust International .....          | I.                                           |
| Westmoreland .....                            | A.5.d.                                       |
| Weyerhauser .....                             | A.3.b.                                       |
| Wheeler .....                                 | G.                                           |
| Whitney .....                                 | A.6.a.3.b.                                   |
| Wiggett .....                                 | A.5.c.3.                                     |
| Younger .....                                 | A.5.a.2                                      |