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FROM:	THOMAS C. LEE, AUSA	TEL #	(503) 727-1008
DATE:	July 25, 2002	# PAGES INCL COVER -	3 -
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Letter from AUSA Tom Lee in above case.

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BY TELEFAX

July 25, 2002

Ralph Bloemers
Cascade Resources Advocacy Group
1602 S.E. 32nd Place, Ground Floor
Portland, OR 97214

Christopher Winter
Cascade Resources Advocacy Group
3024 S.#. 26th Ave.
Portland, OR 97202

Re: BARK, et al., v. Larsen, D.Or. Civil No. 02-904-HU

Dear Messrs. Bloemer and Winter:

This is in response to Mr. Bloemer's telephone call to me of July 22, 2002. Mr. Bloemers raised the prospect of plaintiffs' moving for a preliminary injunction against the Forest Service to prevent the agency from going forward with three timber sales in the Polallie Cooper Planning Area of the Mt. Hood National Forest. The timber sales are identified as Clan, Kilt, and Tartan. In response, I raised the possibility that we could work out a schedule for the Court's disposition of this case without the necessity for a preliminary injunction, if I could obtain the Forest Service's agreement to hold off on awarding the three timber sales pending a decision by the Court. I undertook to check with the Forest Service to find out what is possible in terms of an agreement.

Thus far, I am able to offer a commitment by the Forest Service to give the plaintiffs thirty (30) days advance notice prior to awarding each of the three timber sales, pending further negotiations between the parties. The reason why I cannot make a more detailed offer at this time is the absence of key personnel, including the Forest Supervisor, who are out on fire duty. However, the offer of thirty days advance notice prior to award has been approved by the Deputy Forest Supervisor, so it is firm.

I am also able to inform you that the Forest Service regional office will be making an assessment of whether the decision notice on the Polallie Cooper EA should be withdrawn, thereby rendering moot the three timber sales. Thereafter, new NEPA documentation would be needed if timber sales were to be proposed again in this Area, followed by a new decision notice with appeal rights. In light of this possible change in

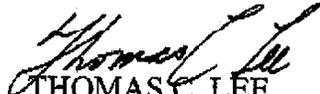
Ralph Bloemers
Christopher Winter
July 25, 2002
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direction, I wish to discuss with you the postponement of litigation in this case until the Forest Service can determine whether the Polallie Cooper projects should go forward with the current EA.

I would appreciate your calling me today to inform me whether you will accept, on a temporary basis, our undertaking to give you thirty days advance notice in writing prior to making an award of any of the three timber sales. If you cannot reply until after today, you may telephone Assistant U.S. Attorney Jeffrey K. Handy at (503) 727-1013, who will be covering for me during my absence from the office. I shall return on August 5, and hopefully, we may be able to reach some agreement for future proceedings or disposition of the case after that date.

Sincerely yours,

MICHAEL W. MOSMAN
United States Attorney
District of Oregon


THOMAS C. LEE
Assistant U.S. Attorney

cc:

Susan M. Zike (via Telefax)
Jeffrey K. Handy
Owen L. Schmidt
Arno Reifenberg (via Telefax)
K. Jack Haugrud