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AUG 24 2009

DEPARTMENT OF JUSTICE
PORTLAND LEGAL

BEFORE THE OREGON FISH AND WILDLIFE COMMISSION

IN THE MATTER OF DENNIS LEE
STURGELL
Hammond, Oregon

) DECLARATION OF DENNIS STURGELL
) IN SUPPORT OF AMENDED PETITION
) FOR HEARING AND FOR
) DETERMINATION OF APPLICABILITY
) OF THE 60-DAY PERIOD TO REQUEST A
) HEARING OF THE DEPARTMENT'S
) NOTICE OF INTENT TO REVOKE
) COMMERCIAL FISHING LICENSES

UNDER PENALTY OF PERJURY:

I, DENNIS STURGELL, do hereby declare that the statements herein are made based on personal knowledge and I am competent to testify.

1. I did not receive, hear about, or have any information regarding the Commission's Notice of Intent to Revoke my commercial fishing licenses and crab permit until Saturday, May 30, 2009, when I returned from a commercial fishing trip and looked through my mail that had been placed in my home by my bookkeeper, Kelly Smith. Kelly had placed the Notice on top of my mail pile.

2. The following Monday, June 1, 2009, I got the Notice to my personal attorney, Harold "Hal" Snow, and he told me that he would associate Thane Tienson to assist me with this matter.

3. On June 12, 2009, Hal, Thane, and I met with Hal's office in Astoria and had a conference call with Steve Sanders, attorney for the Commission, about the Notice and whether there was willingness on the part of the Commission to negotiate a settlement. Mr. Sanders said he thought the Commission was interested in settling. We all agreed, including Mr. Sanders, that we would defer requesting a hearing to see if we could negotiate a settlement that potentially would allow me to sell the permit that was being revoked and make sure that Oregon's action did not affect my Washington permits. Mr. Sanders said that he would talk with Roy Elicker and Marla Rae and call my attorneys, but that he believed they were interested in a settlement.


4. I had several additional telephone calls with my counsel who were talking with Mr. Sanders over the next several weeks, and I thought we were still headed toward a settlement.

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5. While in Newport at an ODF&W meeting in late July, DeAnna Erickson told me that the time for requesting a hearing had expired, and that the Commission was going to proceed with revocation of my license and crab permit.

DATED this 24th day of August, 2009.


Dennis Sturgell

PAGE 2. STURGELL DECLARATION IN SUPPORT OF AMENDED PETITION FOR
HEARING AND DETERMINATION OF THE 60-DAY RULE

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CERTIFICATE OF SERVICE

I hereby certify that on August 24, 2009, I served the foregoing **STURGELL DECLARATION IN SUPPORT OF AMENDED PETITION FOR HEARING AND FOR DETERMINATION OF APPLICABILITY OF 60-DAY RULE** on the following individual(s):

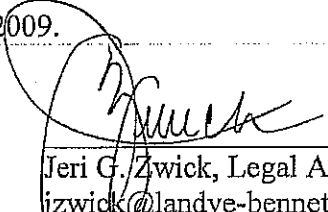
Marla Rae, Chair
c/o Colleen Munson (*colleen.r.munson@state.or.us*)
Oregon Dept. of Fish and Wildlife
3406 Cherry Avenue NE
Salem, OR 97303

Roy Elicker, Director
c/o Colleen Munson (*colleen.r.munson@state.or.us*)
Oregon Dept. of Fish and Wildlife
3406 Cherry Avenue NE
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Stephen Sanders (*steve.sanders@state.or.us*)
Oregon Department of Justice
1515 SW 5th Avenue, Ste. 410
Portland, OR 97201

via email and first class mail.

DATED this 24th day of August, 2009.



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