

**FILED: May 31, 2012**

IN THE COURT OF APPEALS OF THE STATE OF OREGON

CORNELIUS FAST SERV, INC.,  
an Oregon corporation,  
Plaintiff-Appellant,

v.

CITY OF CORNELIUS,  
an Oregon municipal corporation,  
Defendant-Respondent.

Washington County Circuit Court  
C101621CV

A146041

Donald R. Letourneau, Judge.

Argued and submitted on July 14, 2011.

Paul R. Romain argued the cause for appellant. With him on the brief was The Romain Group, LLC.

Nancy L. Werner argued the cause for respondent. With her on the brief were Paul C. Elsner and Beery, Elsner & Hammond, LLP.

Before Ortega, Presiding Judge, and Brewer, Judge, and Sercombe, Judge.\*

PER CURIAM

Affirmed. [\*American Energy, Inc. v City of Sisters\*](#), 250 Or App \_\_\_, \_\_\_ P3d \_\_\_ (May 31, 2012).

\*Brewer, J., *vice* Rosenblum, S. J.