

IN THE SUPREME COURT OF THE  
STATE OF OREGON

LEONARD WILLIAMSON,  
*Plaintiff,*

*v.*

DEPARTMENT OF CORRECTIONS,  
an Oregon State Agency, and  
Collette Peters, an individual,  
in her personal capacity,  
*Defendants.*

(United States District Court 6:16-cv-00783-MC;  
SC S064696)

En Banc

On certified question from the United States District Court for the District of Oregon; certification order filed February 13, 2017; certification accepted March 30, 2017.

Andrew Altschul, Buchanan Angeli Altschul and Sullivan LLP, Portland, filed the brief for plaintiff.

Keith J. Bauer, Parks Bauer Sime Winkler, Salem, appeared on behalf of defendants.

Shenoa Payne, Shenoa Payne Attorney at Law PC, Portland, filed the brief for *amicus curiae* Oregon Trial Lawyers Association.

PER CURIAM

The Oregon Supreme Court declines to answer the certified question.

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**PER CURIAM**

The United States District Court for the District of Oregon certified the following state-law question to this court: “Whether public employers can be sued under ORS 659A.199?” After this court accepted certification, the parties filed a joint motion in this court, in which they ask us “to dismiss this case with prejudice, and without a prevailing party designation, costs or attorney fees to any party.” Although the motion does not set out the basis for the request, we understand from the parties’ representations that they have settled their differences.

Given that understanding, we decline to answer the certified question. Any answer that we might give to that question would be advisory. To the extent that the parties wish to have the case dismissed with prejudice and without fees, they should file an appropriate motion in the District Court.

The Oregon Supreme Court declines to answer the certified question.