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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF LINCOLN

REX CAPRI, WAKEFIELD FARMS, LLC,  
Plaintiffs,  
v.  
DANA W. JENKINS, LINCOLN COUNTY,  
Defendants,  
and  
LINCOLN COUNTY COMMUNITY RIGHTS,  
Intervenor-Defendant.

Case No. 17CV23360  
**INTERVENOR-DEFENDANT'S  
REPLY TO DEFENDANT'S  
COUNTERCLAIMS**

For its Reply to Defendant's Counterclaim, Intervenor-Defendant admits, denies, and  
alleges as follows:

1.

Admits the allegations in paragraph 10, 12, 13(a), and 13(b).

///  
///  
///

2.

Denies the allegations in 13(c), 13(d) (to the extent that any part of Section 6(c) is invalid and unconstitutional under the Oregon and U.S. constitutions), and each and every other allegation not expressly admitted.

DATED this 11<sup>th</sup> day of August, 2017.

s/ Ann B. Kneeland  
Ann B. Kneeland, OSB #992977  
Community Environmental Legal Defense Fund  
P.O. Box 10294  
Eugene, OR 97440  
Tel: (541) 514-9720  
Email: ann@kneelandlaw.net

Attorney for Intervenor-Defendant Lincoln  
County Community Rights

1 **CERTIFICATE OF SERVICE**

2 I certify that on August 11, 2017, I served the foregoing INTERVENOR-  
3 DEFENDANT'S REPLY TO DEFENDANT'S COUNTERCLAIMS upon:

4 Gregory A. Chaimov  
5 Davis Wright Tremaine LLP  
6 1300 S. W. Fifth Avenue, Suite 2400  
7 Portland, Oregon 97201-5610,

8 and

9 Wayne Belmont  
10 Lincoln County Counsel  
11 110 Lincoln County Courthouse  
12 225 W Olive St  
13 Newport, OR 97365

14 by E-serve.

15 DATED this 11<sup>th</sup> day of August, 2017.

16 s/ Ann B. Kneeland

17 Ann B. Kneeland, OSB #992977  
18 Community Environmental Legal Defense Fund  
19 P.O. Box 10294  
20 Eugene, OR 97440  
21 (541) 514-9720  
22 ann@kneelandlaw.net

23 Attorney for Intervenor-Defendant Lincoln  
24 County Community Rights  
25  
26