




1 of the record in this appeal, and Petitioners do not so assert. Further, these three documents  
2 are not documents for which LUBA takes official notice. Notably, Petitioners do not request  
3 that LUBA take official notice of Appendix A; rather, Petitioners simply attach the three  
4 documents to their brief and cite to them throughout their Petition for Review. Accordingly,  
5 Petitioners' Appendix "A" should not be considered by the Board, and should be struck.  
6 Similarly, the Board should disregard Petitioners' assertions supported by Appendix A. *See*  
7 *Pet. Br. 5 - 6.*

8 In footnote 3 of the Petition for Review, Petitioners make a number of  
9 unsubstantiated allegations regarding what they believe are the true reasons for the  
10 Metropolitan Planning Organization's (MPO) adoption of the regional transportation plan  
11 (RTP) update. *See Pet. Br. 7.* Petitioners' assertions are unsupported "suspicions" that are  
12 not appropriately included in an on-the-record appeal to this Board. As such, Respondents  
13 move to strike footnote 3 from the Petition for Review and ask LUBA not to consider it.


14 For the reasons set forth above, Respondents respectfully requests that the Board  
15 strike Petitioners' Appendix "A" and footnote 3 from the Petition for Review.

16 Dated this 16<sup>th</sup> day of June, 2005.

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