



## Nathan Vasquez, Multnomah County District Attorney

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April 24, 2026

*via email only*

Mariposa Gollery  
[posa.gollery@gmail.com](mailto:posa.gollery@gmail.com)

Re: Petition of Mariposa Gollery seeking records from Oregon Health & Science University

Dear Ms. Gollery:

You submitted a public records request to Oregon Health & Science University (OHSU) on February 20, 2026, seeking three categories of records related to the Oregon National Primate Research Center (ONPRC):

1. All communications (emails, letters, text messages, calendar invitations, meeting notes, and any other written or electronic records) between the president of OHSU Shereef Elnahal or any member of the Board of Directors and the following parties, from January 1, 2024 to the present, regarding the Oregon National Primate Research Center (ONPRC), excluding public testimony submitted for public BoD meetings: (a) Governor Tina Kotek or any member of her staff; (b) Representatives David Gomberg and Farrah Chaichi or any of their staff; (c) Jeff Swickard or any of his representatives.
2. All communications between OHSU President Shereef Elnahal and any NIH official regarding a primate sanctuary transition, from August 1, 2025 to the present.
3. Any term sheets, letters of intent, memoranda of understanding, or financial proposals received from NIH regarding a sanctuary transition of ONPRC.

OHSU provided responsive records on April 14, 2026, and confirmed the following day that it possesses no additional responsive records.

You petitioned this office on April 17, 2026, as permitted by ORS 192.422, arguing that OHSU's response is incomplete. You point to specific details within the disclosed records as circumstantial evidence that additional responsive records exist: an email from Jeff Swickard opening "Per our discussion tonight," text messages referencing a joint statement and related emails not produced, and a draft memorandum of understanding with no accompanying transmittal.

OHSU has stated that it independently searched President Elnahal's OHSU-issued accounts and directed Board members and President Elnahal to search personal accounts and devices, disclosing all responsive records located.

You have offered contextual speculation that there might be additional records. OHSU has responded that it has performed a thorough search, described that search, and states there are not any such records. It is possible that your speculation that OHSU as a body has additional records is correct, but that they do not exist in the accounts of the individuals you have identified; that such records existed at one point, but are no longer retained; that such records never existed; or that, as you suspect, OHSU's response to your request is simply incomplete. Resolution of this disagreement in your favor would require the development of a factual record that you do not have the ability to create in a district attorney petition under ORS 192.415. *Petition of Bial*, MCDA PRO 24-33 (2024) ("parties before the district attorney lack civil discovery tools necessary to develop a factual record necessary to prove or disprove facts. And, as such, this is not the appropriate forum for resolving contested issues of fact[.]")

The public records law does not grant the district attorney the power to require a public body to justify its search protocol or "search again" for additional records. *Petition of Eubanks*, MCDA PRO 26-14 (2026) ("The public records law does not give the district attorney the authority to 'check the work' of a public body by retracing their steps and looking at every document they reviewed during the course of their search.")

I cannot find on this record that OHSU has denied your records request, which is a necessary prerequisite for me to order them to produce withheld records.

### ORDER

Accordingly, the petition is denied.

Regards,

NATHAN VASQUEZ  
District Attorney  
Multnomah County, Oregon

By: 

Adam Gibbs  
General Counsel

26-26

cc: D. Raghav Shan, Oregon Health & Science University