



Water for Citizens of Weed, California (WCWC)

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CITY OF WEED THROWS IN THE TOWEL ON LAWSUIT WITH ROSEBURG FOREST PRODUCTS OVER BEAUGHAN SPRINGS WATER

Roseburg Forest Products Uses Legal Bullying to Force City's Hand

The ongoing struggle of the people of Weed to maintain our historic access to the community's most important source of drinking water has suffered a setback. The lawsuit was scheduled to be heard in Superior Court on September 30th but the City of Weed, reportedly facing mounting legal costs, determined it no longer had the financial resources to continue the case. It has thus been forced to concede the case--with Mayor Ken Palfini signing a statement last week recognizing Roseburg's rights to the Beaughan Springs water in dispute. The judge overseeing the lawsuit then issued a "stipulated judgement" against the City, closing the case. Despite requests for transparency from WCWC and other Weed citizens, these negotiations and deliberations were all done in secret, with no opportunity for community input or review. Roseburg Forest Products issued a press release yesterday, so far City officials have remained silent.

"The only thing this proves is that Roseburg had more financial resources to fight this case than did the City of Weed" said Bruce Shoemaker of WCWC. "It is simply wrong for Roseburg to be allowed to use legal bullying to get its way by intimidating and trying to bankrupt our community. It is a shame that, due to the City's capitulation, these compelling issues will not have their day in court."

Jim Taylor, President of WCWC, said, “Over the course of this campaign, we uncovered a number of historical documents that all confirm the intention of International Paper to give this water to the people of Weed. It became obvious that Roseburg has exploited a lack of clarity in historical records, many related to mistakes made by state agencies, to pursue its illegitimate, greedy and unethical strategy intended to take away the water we depend on--all so they can make money off of it. The City’s unwillingness or inability to pursue this lawsuit does not change those facts.”

While it remains silent on the issue, the City of Weed may now turn to undisclosed alternative strategies to maintain the Beaughan Springs water supply. “The problem is, even if this is successful, we will still end up paying for the water that should already be ours” said WCWC member Michael Yates.

The settlement of the case between the City of Weed and Roseburg Forest Products does not resolve the ongoing “SLAPP” (Strategic Lawsuit Against Public Participation) intimidation lawsuit initiated by Roseburg against nine Weed citizens (the “Weed 9”) and WCWC. Roseburg has appealed the December, 2017 Superior Court decision that ruled the lawsuit was a “SLAPP” and that the citizens and the group could not be sued for exercising their constitutional rights when they asked local government agencies for help. The court ruled that Roseburg must reimburse the defendants for their legal fees and costs. In a court filing on August 9th, Roseburg asked for yet another two-month delay in the case but indicated they hoped to settle the case during this time period.

“We are confident we have a strong legal case. This is a textbook illegal “SLAPP” intimidation lawsuit. We look forward to watching their lawyers attempt to defend the indefensible in court in Sacramento,” said Bruce Shoemaker.