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1 This evidence of past promiscuous behavior relates a possible reason for the victim
2 to be at the apartment of defendant on the night of the incident complained of in this
3 case. It is necessary to explain scientific and other evidence anticipated, or is otherwise
4 constitutionally required to be admitted and is therefore within the terms of ORE
5 412(2)(b) and admissible.

6 Dated this 2 day of January, 1998.

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8 William S. Brennan, OSB 79019
Of Attorneys for Defendant / Oatney

9 Points and Authorities:

10 ORE 412

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