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## The Oregonian

### Plaintiff in high court right-to-die case dies

**Assisted suicide Cancer kills Don James, who is the 12th plaintiff to die while fighting for the Oregon law**

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**DON COLBURN**  
The Oregonian

Don James, a plaintiff in the Oregon doctor-assisted suicide case now before the U.S. Supreme Court, died peacefully early Saturday in his Portland apartment. He was 79.

"It was time. He was ready to go," said his wife, Claire, who was at his bedside with three of their four children. The couple celebrated their 60th wedding anniversary in May.

James died of prostate cancer that spread to his bones.

He was one of five patient plaintiffs in the Oregon case, which was argued before the Supreme Court this month. Eleven others had died during the nearly four years the case has been in the courts.

At stake is the right of Oregonians to end their lives by doctor-assisted suicide under the 8-year-old Oregon Death With Dignity Act. Oregon is the only state that allows doctors to prescribe a lethal overdose to terminally ill patients who request it in writing and meet other requirements.

The Bush administration challenged that law on the grounds it violates federal anti-drug laws.

Two days before the high court debate, James filled his prescription for a lethal drug overdose. He said he did not expect to take the drug but wanted the comfort of knowing it was available if his pain became unbearable.

He died without taking that drug, and with home care delivered by his family and Adventist Medical Center Hospice.

A retired Portland Public Schools administrator, James became a prominent national spokesman for the Oregon law.

"Don will be missed, but his courageous support for his right to die with dignity will live on," said George Eighmey, executive director of Compassion in Dying of Oregon, an advocacy group.

A memorial service will be at 2 p.m. Sunday, Oct. 30, at Eastrose Unitarian-Universalist Church in Northeast Portland. Remembrances to the Eastrose church or Adventist Hospice.

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