

## August 2018 State Records Committee Case Updates

### District Court Cases

**ACLU v. Davis County**, 3<sup>rd</sup> District, Salt Lake County, Judge Connors, Case No. 180700511, filed May 21, 2018.

**Current Disposition:** Answer filed by the Committee on June 7, 2018. Answer filed by Davis County on June 29, 2018.

**John Tilleman v. Ogden City**, 3<sup>rd</sup> District, Salt Lake County, Judge Kelly, Case No. 180901915, filed March 19, 2018.

**Current Disposition:** Answers filed by Ogden City and the Committee on April 9, 2018.

**Lance Rolph v. Utah Dept. of Human Services**, 3<sup>rd</sup> District, Salt Lake County, Judge Hansen, Case No. 170905372, filed August 23, 2017.

**Current Disposition:** Initial disclosures filed by DHS on January 17, 2018.

**Paul Amann v. Utah Attorney General's Office**, 3<sup>rd</sup> District, Salt Lake City, Judge Paige Petersen, Case No. 170903997, filed June 21, 2017.

**Current Disposition:** Committee was served with the complaint on October 17, 2017, and an answer was filed on behalf of the Committee on November 8, 2017. Answer filed by the AG's Office on December 11, 2017.

**Utah State University v. Alex Stuckey**, 3<sup>rd</sup> District, Salt Lake County, Judge Gardner, Case No. 170901815, filed March 21, 2017.

**Current Disposition:** 170901815 Motion to Classify Records filed and signed by court on July 31, 2018.

**Utah County v. Salt Lake Tribune**, 4<sup>th</sup> District, Utah County, Judge Powell, Case No. 170300010, filed Jan. 18, 2017.

**Current Disposition:** A proposed order was filed with the Court on November 8, 2017, proposing that Utah County release some of the documents subject to redaction to the Tribune. The Tribune after reviewing the documents can then request that the Court review the redactions *in camera* to verify that the redactions were properly done. The Court signed the order on November 9, 2017.

**Heber City v. David Larsen**, 4<sup>th</sup> District, Wasatch County, Judge Brown, Case No. 170500006, filed Jan. 17, 2017.

**Current Disposition:** Motion for a directed verdict/summary judgment filed by Mr. Larsen. Reply filed by Heber City. Probably has lengthened case.

**Salt Lake Tribune v. Utah State Records Committee**, 3<sup>rd</sup> District, Salt Lake County, Judge Scott, Case No. 160904365, filed July 12, 2016.

**Current Disposition:** August 3, 2018, BYU filed a motion for an interlocutory appeal with the Utah Court of Appeals.

**Swen Heimberg v. Utah Dept. of Public Safety**, 3<sup>rd</sup> District, Salt Lake County, Case No. 150904273, Judge Bates, filed June 24, 2015.

**Current Disposition:** Proposed protective order for disclosure of documents filed with the Court. Nothing has been filed in the case since March 3, 2017.

**William Sherratt v. Utah Dept. of Corrections**, 6<sup>th</sup> District, Sanpete County, Case No. 140600023, filed April 23, 2014.

**Current Disposition:** January 3, 2016, Court granted Corrections' second Motion to Quash Service. Committee answer was filed on July 20, 2016. Waiting to see if anything will be filed by Sherratt.

### **Appellate Court Cases**

**Matthew Winters v. West Jordan City**, Utah Court of Appeals, Case No. 20180331.

**Current Disposition:** Writ of Certiorari filed on July 23, 2018.

**Edgardo Mata v. Utah Dept. of Corrections**, Utah Court of Appeals, Case No. 20180051.

**Current Disposition:** Writ of Certiorari filed by Mr. Mata with Utah Supreme Court on June 19, 2018.

**Utah Legal Clinic v. Salt Lake City Corp.**, Utah Court of Appeals, Case No 20170362.

**Current Disposition:** Notice of oral argument mailed to parties.

**Salt Lake City v. Jordan River Restoration Network**, Utah Supreme Court Case No. 20160098.

**Current Disposition:** Oral arguments held before the Utah Supreme Court on March 14, 2018. Case now submitted to the court awaiting a decision from the court.

## Bryner Court Cases

***Roger Bryner v. City of Clearfield***, 3rd District, Salt Lake County, Judge Gardner, Case No. 160907299, filed Nov. 25, 2016; Utah Supreme Court Case No. 20170729.

**Current Disposition:** Certiorari denied by Utah Supreme Court on February 5, 2018.

***Roger Bryner v. Utah Attorney General's Office, et. al.***, 3<sup>rd</sup> District, Salt Lake County, Judge Laura Scott, Case No. 160906562, filed October 20, 2016. Utah Court of Appeals Case No. 20170235.

**Current Disposition:** AG's Office brief filed on May 29, 2018. Mr. Bryner's reply brief was due on June 28, 2018.

***Roger Bryner v. Utah State Records Committee***, 3<sup>rd</sup> District, Salt Lake County, Judge Faust, Case No. 160903793, filed June 15, 2016. Utah Court of Appeals Case No. 20160870, Utah Supreme Court Case No. 20170112.

**Current Disposition:** May 24, 2017, Utah Supreme Court denied request for *writ of certiorari*. Case dismissed by the trial court on May 30, 2017.

***Roger Bryner v. Utah Dept. of Health et. al.***, 3<sup>rd</sup> District, Salt Lake County, Judge Gardner, Case No. 160903244, filed May 23, 2016.

**Current Disposition:** Court put a stay of the proceedings on March 8, 2018 until October 1, 2018 based upon other proceedings taking place.

***Roger Bryner v. City of Clearfield***, 2<sup>nd</sup> District, Davis County, Judge Morris, Case No. 150701062, filed October 20, 2015; Utah Court of Appeals Case Nos. 20160863, 20161089, **20170477**, & 20171016; United States Supreme Court Case No. 17-7806.

**Current Disposition:** Brief filed by Mr. Bryner on July 17, 2018. Appellee's brief is due on August 16, 2018.