**June 2021 State Records Committee Case Updates**

**District Court Cases**

**Washington Cty. v. Sam Stecklow,** 5th Judicial District, Washington County, Judge John J. Walton, Case No. 210500440, filed June 7, 2021.

 **Current Disposition:** Complaint filed, Committee served on June 9, 2021, Answer to be filed on behalf of the Committee.

**Cantwell v. Univ. of Utah,** 3rd Judicial District, Salt Lake County, Judge Robert Faust, Case No. 210902665, filed May 18, 2021.

 **Cuurrent Disposition:** Complaint filed, Answer filed on behalf of the Committee on June 8, 2021. Answer still to be filed by University of Utah.

**Logan City School Dist. v. Michael Favero,** 3rd Judicial District, Salt Lake County, Judge Laura Scott, Case No. 200906659, filed October 21, 2020.

 **Current Disposition:** Complaint filed, Answer filed on behalf of the Committee on November 16, 2020. Answer filed by Mr. Favero on December 4, 2020.\*

**Dept. of Corrections v. Patrick Sullivan,** 3rd District, Salt Lake County, Judge Heather Brereton, Case No. 200906104, filed September 23, 2020.

 **Current Disposition:** March 11, 2021 order by Judge Brereton granting motion to substitute Patrick Sullivan for attorney Trevor Lee.\*

**Blake Johnson v. Judicial Conduct Commission,** 3rd Judicial District, Salt Lake County, Judge Laura Scott, Case No. 200906109, filed September 23, 2020.

 **Current Disposition:** March 12, 2021 decision by the court granting JCC’s Motion to Dismiss. Request made for audio recording from hearing, possibly to be used in an appeal. Final order of judgment entered on May 10, 2021, unknown if an appeal has been filed.

**Dept. of Corrections v. Patrick Sullivan,** 3rd Judicial District, Salt Lake County, Judge Laura Scott, Case No. 200903406, filed May 19, 2019.

 **Current Disposition:** Answer filed on behalf of the Committee on September 14, 2020. Respondent filed first set of admissions on September 16, 2020. Request for discovery filed on June 2, 2021.

**Utah Div. of Child & Family Serv. v. Jana Tibbitts,** 3rd Judicial District, Salt Lake County, Judge Kara Pettit, Case No. 200902499, filed April 1, 2020.

 **Current Disposition:** Motion to Consolidate granted on August 4, 2020. Answer to Amended Petition filed on behalf of the Committee on August 14, 2020.\*

**Big Game Forever v. Eric Peterson,** 3rd Judicial District, Salt Lake County, Judge Kara Pettie, Case No. 200902471, filed March 31, 2010.

 **Current Disposition:** Summary Judgment hearing set for August 11, 2021.

**Davis County v. Riley Booker,** 2nd Judicial District, Davis County, Judge Robert Dale, Case No. 200700081, filed Jan. 21, 2020.

 **Current Disposition:** Status update on case filed by Davis County on February 2, 2021.\*

**Beaver County Sheriff’s Office v. Utah Cold Case Coalition,** 3rd Judicial District, Salt Lake County, Judge Patrick Corum, Case No. 190908404, filed Oct. 23, 2019.

 **Current Disposition:** Trial held on January 13, 2021. Prior to oral ruling to be given by the court on February 1, 2021, the parties reached a settlement agreement and are dismissing the appeal.\*

**Brigham Young University v. Miller,** 4th Judicial District, Utah County, Judge Darold McDade, Case No. 190401673, filed Oct. 23, 2019.

 **Current Disposition:** Stipulated court order entered on February 12, 2020 staying all further proceedings “until further notice to allow the parties to explore potential resolution of the case.”\*

**Allred v. State Records Committee,** 3rd Judicial District, Salt Lake County, Judge Andrew Stone, Case No. 190903142, filed Apr. 17, 2019.

 **Current Disposition:** April 28, 2021 Notice of Intent to dismiss the case within 20 days of the notice for lack of prosecution unless a written statement is filed by a party showing good cause for why the case should not be dismissed.\*

**Gollaher v. Morgan County,** 3rd Judicial District, Salt Lake County, Judge Andrew H. Stone, Case No. 180909188, filed Dec. 6, 2018.

 **Current Disposition:** Summary Judgment granted in favor of Morgan County on May 18, 2021. Proposed order being drafted for court’s consideration.

**Platt v. Utah Attorney General’s Office,** 3rd District, Salt Lake County, Judge Keith Kelly, Case No. 180906128, filed August 22, 2018.

 **Current Disposition:** Hearing took place April 8, 2021 regarding Platt’s motion to compel testimony from a witness. The court denied Platt’s motion to compel compliance with deposition subpoenas, quashed the subpoena of a former AAG, and denied an oral motion to deny deposition of another individual. Trial scheduled for July 26-28, 2021. Request for a hearing to set aside an order filed on May 31, 2021.

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

 **Current Disposition:** Status and scheduling conference set for June 28, 2021 via WebEx.

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

 **Current Disposition:** Discover deadlines already ended and a certificate for readiness for trial should have been filed in March 2019. Sent e-mail to Ogden City’s counsel asking if they were planning on filing a motion to dismiss based upon a failure to prosecute.\*

**Paul Amann v. Utah Attorney General’s Office,** 3rd District, Salt Lake City, Judge Skanchy, Case No. 170903997, filed June 21, 2017.

 **Current Disposition:** Motion hearing is set for July 7, 2021.

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

 **Current Disposition:** Currently under consideration by the court is a motion to supply the court with a supplemental motion for attorney fees and to request the court to issue a show cause order, and a motion to continue hearing or trial.\*

**Matthew Piper v. State Records Committee (BYUPD Case),** 3rd District, Salt Lake County, Judge Scott, Case No. 160904365, filed July 12, 2016.

 **Current Disposition:** Stipulated court order entered on February 12, 2020 staying all further proceedings “until further notice to allow the parties to explore potential resolution of the case.” Stay ends on December 2, 2020.\*

**Steven Onysko Cases**

**Steven Onysko v. State Records Committee,** 3rd District, Salt Lake County, Judge Teresa Welch, Case No. 210901695, filed March 23, 2021.

 **Current Disposition:** Motion to Dismiss Committee and Ken Williams filed on May 4, 2021. Mr. Onysko filed a Motion for Summary Judgment on May 6, 2021 and a memorandum opposing the Motion to Dismiss on May 12, 2021. Hearing scheduled for June 14, 2021 on Committee’s Motion to Dismiss.

**Steven Onysko v. Dept. of Environmental Quality,** 3rd District, Salt Lake County, Judge Adam Mow, Case No. 200907218, filed November 19, 2020.

 **Current Disposition:** Motions Hearing held on May 11, 2021 granting partial motion for summary judgment in favor of DEQ and dismissing DEQ employees. Motion to be filed to dismiss Patricia Smith-Mansfield.

**Steve Onysko v. Emigration Improvement Dist.,** 3rd Judicial District, Salt Lake County, Judge Keith Kelley, Case No. 200906661, filed October 21, 2020.

 **Current Disposition:** Motion for Joinder by Mark Tracy to join Mr. Onysko as Co-Petitioners filed on April 20, 2021. Objection to motion filed by Emigration Improvement District on April 21, 2021, arguing that joinder is improper because Tracy is seeking to appeal a similar previous GRAMA request that had been appealed to the Committee but not timely appealed to district court. Hearing scheduled for June 22, 2021.

**Steven Onysko v. State Records Committee,** 3rd Judicial District, Salt Lake County, Judge Robert Faust, Case No. 190909752, filed Dec. 15, 2019, Court of Appeals Case No. 20200406-CA.

 **Current Disposition:** Mr. Onysko’s Appellant brief filed on April 14, 2021. AG’s Office requested extension to file Appellee brief.\*