**July 2021 State Records Committee Case Updates**

**District Court Cases**

**West Jordan v. Sam Stecklow,** 3rd Judicial District, Salt Lake County, Judge Vernice Trease, Case No. 210903045, filed June 9, 2021.

**Current Disposition:** Answer filed on behalf of the Committee on July 8, 2021.

**Cottonwood Heights v. Sam Stecklow,** 3rd Judicial District, Salt Lake County, Judge Kara Petit, Case No. 210903044, filed June 9, 2021.

**Current Disposition:** Answer filed on behalf of the Committee on July 8, 2021.

**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 filed on behalf of the Committee on June 28, 2021.

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

 **Current 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:** June 30, 2021 Mr. Sullivan filed a request with the court for all copies of documents filed in the case.

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

 **Current Disposition:** Request for extension of discovery filed on June 2, 2021 by Mr. Sullivan. Corrections opposed the extension request on June 16, 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:** June 19, 2021 notice of appearance for new counsel filed.

**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:** Order of dismissal entered on June 18, 2021 for lack of prosecution by the Petitioner.

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

 **Current Disposition:** June 29, 2021 order granting summary judgment in favor of Morgan County, finding that Mr. Gollaher’s records request was not reasonably specific.

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

 **Current Disposition:** Three day trial scheduled for November 9, 10, & 12. Final pre-trial conference set for September 14, 2021.

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

 **Current Disposition:** Hearing held on June 28, 2021 via WebEx. Judge Connors found that some records should be released, some records should remain non-public after completing an *in camera* review of the disputed records. Parties have stated that no appeal will be filed.

**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 held on July 7, 2021. Court determined that an evidentiary hearing should be held to determine issues of whether a reasonable search has been completed by the AG’s Office. Hearing is scheduled for September 28, 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:** Final Order issued on July 7, 2021, granting Committee’s Motion to Dismiss case based upon failure to state a claim upon which relief can be granted. Court also found that Ken Williams was an unnecessary party to the case.

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

 **Current Disposition:** Motion for Summary Judgment on all issues filed by DEQ July 1, 2021. Motion to be filed to dismiss Patricia Smith-Mansfield based upon prior finding by the Court and *Onysko v. State Records Committee* July 7, 2021 decision.

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

 **Current Disposition:** Request to join Mark Tracy as a co-Petitioner denied by court based upon Mr. Tracy’s status as a vexatious litigant in Utah Courts. Court granted stipulated motion to extend discovery until June 28, 2021 for the parties issued on June 17, 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:** Committee’s appellee brief due to be filed on July 14, 2021.