**September 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. Answer filed on behalf of the Salt Lake Tribune and Mr. Stecklow on August 3, 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. Acceptance of service by Mr. Stecklow filed on July 27, 2021. On August 17, 2021, Mr. Stecklow filed a “Response to Petition for Judicial Review” stating that he has no intention of participating in the litigation as an active party. May need to have a joint dismissal of the case filed by Cottonwood Heights and the Committee.

**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. Answer filed on behalf of the Salt Lake Tribune and Mr. Stecklow on July 13, 2021.\*

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

 **Current Disposition:** Answer filed on behalf of the Committee on June 8, 2021. Answer filed by University of Utah July 16, 2021.\*

**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, 2020.

 **Current Disposition:** Court order issued on August 24, 2021 extending discovery and ordering Petitioner to respond to specific interrogatories.

**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, 2020.

 **Current Disposition:** Summary Judgment hearing held on August 11, 2021. Judge said would take matters under consideration and issue a decision sometime within the next 2 months.\*

**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.”\*

**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. Notice of Entry of Judgment filed on July 14, 2021.\*

**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:** August 24, 2021 order from the court granting in part a motion for summary judgment filed by the AG’s Office, and denying motions from Mr. Amann. Follow up hearing 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.\*

**Appellate Cases**

**Gollaher v. Morgan County,** 3rd Judicial District, Salt Lake County, Judge Andrew H. Stone, Case No. 180909188, filed Dec. 6, 2018, Court of Appeals Case No. 20210509.

 **Current Disposition:** Notice of Appeal filed by Mr. Gollaher on July 29, 2021. Transcript request due on August 27, 2021 and docketing statement due on September 1, 2021.

**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 Judgment entered by the court on August 2, 2021. Notice of Appeal filed by Mr. Onysko on July 20, 2021, assigned to the Utah Court of Appeals Appellate Case No. 20210511. Record index due on September 23, 2021.

**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 dismiss Patricia Smith-Mansfield filed on July 28, 2021 based upon prior finding by the Court and *Onysko v. State Records Committee* July 7, 2021 decision. Mr. Onysko filed a memorandum opposing the motion to dismiss Ms. Smith-Mansfield on August 8, 2021. Hearing to be scheduled for multiple motions end of October or November 2021.

**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 filed on July 14, 2021. Mr. Onysko to file his reply brief by September 12, 2021.\*