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Elizabeth A. Brown
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Attorneys for Plaintiff Steve Wynn

DISTRICT COURT
CLARK COUNTY, NEVADA

STEVE WYNN, an individual,

Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**NOTICE OF APPEAL BY PLAINTIFF
STEVE WYNN**

Notice is hereby given that Plaintiff Steve Wynn ("Mr. Wynn") appeals to the Supreme Court of Nevada from the District Court's "Order Granting Defendant's The Associated Press and Regina Garcia Cano's Special Motion to Dismiss" entered on August 23, 2018. (*See Exhibit 1 attached hereto*). In the District Court's "Order Granting Motion for Entry of Judgment and Rule 54(b) Certification" entered on November 27, 2018, the District Court made an express determination that there is no just reason for delay, included an express direction for entry of

1 judgment in favor of Defendants The Associated Press and Regina Garcia Cano, and certified the
2 Order attached hereto as Exhibit 1 as final pursuant to Nev. R. Civ. P. 54(b). (*See* Exhibit 2 attached
3 hereto.)

4 Respectfully submitted this 14th day of December, 2018.

5 PETERSON BAKER, PLLC

6
7 By: /s/ Nikki L. Baker

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Attorneys for Plaintiff Steve Wynn

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that I am an employee of Peterson Baker, PLLC, and pursuant to
3 NRCP 5(b), EDCR 8.05, Administrative Order 14-2, and NEFCR 9, I caused a true and correct
4 copy of the foregoing **NOTICE OF APPEAL BY PLAINTIFF STEVE WYNN** to be submitted
5 electronically for filing and service with the Eighth Judicial District Court via the Court's Electronic
6 Filing System on the 14th day of December, 2018, to the following:

7 JOEL E. TASCA, ESQ.
8 tasca@ballardspahr.com
9 JUSTIN A. SHIROFF, ESQ.
10 shiroffj@ballardspahr.com
11 BALLARD SPAHR LLP
12 1980 Festival Plaza Drive, Suite 900
13 Las Vegas, Nevada 89135
14 *Attorneys for Defendants The Associated*
15 *Press and Regina Garcia Cano*

JAY W. BROWN, ESQ.
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BALLARD SPAHR LLP
1909 K Street, NW
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Attorneys for Defendants The Associated
Press and Regina Garcia Cano

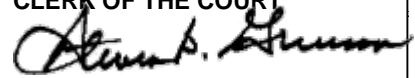
12 I FURTHER CERTIFY that I caused a true and correct copy of the foregoing **NOTICE OF**
13 **APPEAL BY PLAINTIFF STEVE WYNN** to be served via U.S. Mail, postage prepaid, to those
14 parties not registered with the Eighth Judicial District Court via the Court's Electronic Filing System
15 on the 14th day of December, 2018, to the following address:

16 Halina Kuta
17 17 W. Pinehurst Drive
18 Laguna Vista, TX 78578
19 *In Proper Person*

20 /s/ Erin Parcells
21 An employee of Peterson Baker, PLLC
22
23
24
25
26
27
28

EXHIBIT 1

EXHIBIT 1



1 NOEJ
Joel E. Tasca
2 Nevada Bar No. 14124
Justin A. Shiroff
3 Nevada Bar No. 12869
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6 Email: tasca@ballardspahr.com
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*Attorneys for Defendants
The Associated Press and Regina Garcia Cano*

DISTRICT COURT

CLARK COUNTY, NEVADA

11 STEVE WYNN, an individual)	Case No. A-18-772715-C
12 Plaintiffs,)	Dept. No. 28
13 v.)	
14 THE ASSOCIATED PRESS, a foreign)	
corporation; REGINA GARCIA CANO, an)	
15 individual; and HALINA KUTA, an)	
individual; DOES I-X,)	
16 Defendants.)	
17)	

**NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' THE ASSOCIATED
PRESS AND REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS**

PLEASE TAKE NOTICE that on the 23rd day of August, 2018, the Clerk of
the Court entered an Order Granting Defendants' The Associated Press and Regina
Garcia Cano's Special Motion to Dismiss in the above-referenced matter.

A copy of said Order is attached hereto as Exhibit 1.

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Dated: August 23, 2018.

BALLARD SPAHR LLP

By: /s/ Justin A. Shiroff
Joel E. Tasca
Nevada Bar No. 14124
Justin A. Shiroff
Nevada Bar No. 12869
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

*Attorneys for Defendants
The Associated Press and Regina Garcia
Cano*

1 CERTIFICATE OF SERVICE

2 I HEREBY CERTIFY that on the 23rd day of August, 2018, and pursuant to
3 N.R.C.P. 5(b), I filed and served a true and correct copy of the foregoing NOTICE OF
4 ENTRY OF ORDER GRANTING DEFENDANTS' THE ASSOCIATED PRESS AND
5 REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS on the following
6 parties via the Court's electronic service system:

7
8 Tamara Beatty Peterson, Esq.
9 Nikki L. Baker, Esq.
10 PETERSON BAKER, PLLC
1001 Park Run Drive
Las Vegas, NV 89145

11 L. Lin Wood, Esq. (pro hac pending)
12 Nicole J. Wade, Esq. (pro hac pending)
13 G. Taylor Wilson, Esq. (pro hac pending)
14 L. LIN WOOD, P.C.
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15 *Attorneys for Plaintiffs*

16
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18 /s/ Sarah H. Walton
19 An Employee of Ballard Spahr LLP
20
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28

EXHIBIT 1

EXHIBIT 1

1 JUDGE RONALD J. ISRAEL
2 EIGHTH JUDICIAL DISTRICT COURT
3 DEPARTMENT 28
4 Regional Justice Center
200 Lewis Avenue, 15th Floor
Las Vegas, Nevada 89155

6 DISTRICT COURT
7 CLARK COUNTY, NEVADA

8 STEVE WYNN, an individual
9 Plaintiff,

10 v.

11 THE ASSOCIATED PRESS, a foreign
12 corporation; REGINA GARCIA CANO, an
13 individual; and HALINA KUTA, an
14 individual; DOES I-X,

15 Defendants.

Case No.: A-18-772715-C
Dept.: XXVIII

ORDER GRANTING DEFENDANT'S
THE ASSOCIATED PRESS AND
REGINA GARCIA CANO'S SPECIAL
MOTION TO DISMISS

17
18 ORDER GRANTING DEFENDANT'S THE ASSOCIATED PRESS AND
19 REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS

20 This matter came before the Court on Defendants The Associated Press
21 ("AP") and Regina Garcia Cano's ("Garcia Cano", and together with AP, the
22 "Defendants") Special Motion to Dismiss Plaintiff Steve Wynn's ("Wynn") Complaint
23 pursuant to Nev. Rev. Stat. §41.660 (the "Motion"), filed May 31, 2018. On July 18,
24 2018, Wynn filed his Opposition to the Motion. Defendants filed their Reply in
25 support of their Motion on August 7, 2018.

26 On August 14, 2018, the Court heard oral argument on the Motion. L. Lin
27 Wood, Esq. of L. Lin Wood, P.C., and Tamara Beatty Peterson, Esq., and Nikki L.
28 Baker, Esq. of Peterson Baker, PLLC appeared on behalf of Wynn; Jay Ward

1 Brown, Esq. and Justin A. Shiroff, Esq. of Ballard Spahr LLP appeared on behalf of
2 Defendants. Having considered the Motion, Opposition, and Reply, as well as the
3 arguments of counsel, the Court hereby finds and orders as follows:

4 FACTS & PROCEDURE

5 This case stems from an article published by the Associated Press and
6 written by Regina Garcia Cano on February 27, 2018. The AP article was based on
7 the police report entered on February 7, 2018, by two (2) individuals alleging prior
8 conduct that occurred in the 1970's by Plaintiff, Steve Wynn. A copy of the article
9 was attached as Exhibit # 3 to the Complaint. Plaintiff filed a Complaint against AP,
10 Regina Cano and Halina Kuta alleging various causes of action including,
11 Defamation by all parties. The Article outlines the allegations made to the police by
12 the two complainants, including one made by Defendant Kuta against Plaintiff Wynn.

13 On July 5, 2018, Wynn and Defendants entered into a Stipulation and Order
14 Regarding Defendants' Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the
15 "Stipulation"). The Stipulation included modifications both to this Court's scheduling
16 for the hearing and to the Court's consideration of the grounds argued by
17 Defendants in their Motion.

18 The Stipulation was entered between the parties prior to the Hearing
19 specifically setting forth that Defendants argued in their Motion "that N.R.S. §41.660
20 [the 'Nevada Anti-SLAPP Statute'] applies and that Wynn cannot demonstrate a
21 likelihood of success, as required under the statute, for two separate reasons: first,
22 that the reporting by the Defendants is privileged; and second, that Wynn cannot
23 demonstrate fault." Stipulation at 2 (citations omitted). Wynn and the Defendants
24 stipulated "that discovery is not necessary to resolve the first basis for the motion,
25 i.e., whether the challenged news report is subject to the fair reporting privilege as a
26 matter of law." Id. Wynn and the Defendants further stipulated and the Court
27 ordered that, at the hearing on the Motion (then set for July 31, 2018, but later
28 moved to August 14, 2018), "the Court shall consider the fair reporting privilege

1 under the Nevada Anti-SLAPP Statute, a question of law.” *Id.* at 3. Wynn and the
2 Defendants further stipulated and the Court ordered that, “[i]f the Court finds the
3 reporting in this case not to be covered by the fair reporting privilege, the Court shall
4 continue to a second hearing to consider the issue of fault[.]” *Id.* (emphasis added).

5 FINDINGS OF FACTS AND CONCLUSIONS OF LAW AND ORDER

6 “Under Nevada’s anti-SLAPP statutes, a defendant may file a special motion
7 to dismiss if the defendant can show ‘by a preponderance of the evidence, that the
8 claim is based upon a good faith communication in furtherance of the right to petition
9 or the right to free speech in direct connection with an issue of public concern.’” NRS
10 § 41.660(3)(a); *Shapiro v. Welt*, 133 Nev. Adv. Op. 6, 389 P.3d 262, 267 (2017).

11 NRS 41.637(4) defines a “[g]ood faith communication in furtherance of the
12 right to petition or the right to free speech in direct connection with an issue of public
13 concern” as any “[c]ommunication made in direct connection with an issue of public
14 interest in a place open to the public or in a public forum, which is *truthful or is made*
15 *without knowledge of its falsehood.*” *Id.* (Emphasis added).

16 The Court finds the News article fairly reported information that was the
17 subject of the News article, i.e., the police reports filed by the two (2) complainants.
18 Additionally, the News article clearly states that the information was obtained from
19 copies of police reports that were recently filed. Plaintiff argued that additional
20 information should have been included in the News article, which in turn, would have
21 led readers of the article to reach their own conclusion as to the truth of the
22 allegations made to the police. However, Plaintiff’s argument is misplaced because
23 the police report did not provide the names of the complainants.

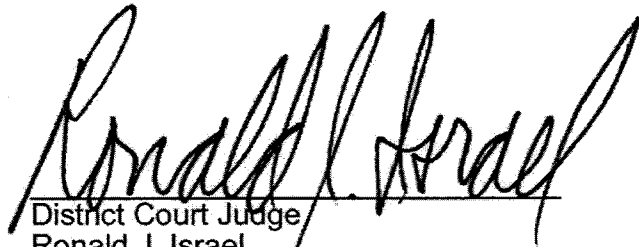
24 The Court finds that the reporter accurately described the Police reports, and
25 therefore, the privilege is absolute. The Court further finds that the Nevada fair
26 reporting privilege applies to the news report at issue and, therefore, pursuant to the
27 parties’ stipulation, no hearing on the issue of fault is required. The Nevada Anti-
28 SLAPP statute applies in this case; therefore,

ORDER

IT IS ORDERED that the Motion is **GRANTED** and the Complaint shall be **DISMISSED WITH PREJUDICE** as against the Associated Press and Garcia Cano pursuant to Nev. Rev. Stat. § 41.660.

IT IS SO ORDERED.

DATED: August 23, 2018



District Court Judge
Ronald J. Israel

Case No. A-18-772715-C

*Order Granting Defendant's The Associated Press
And Regina Garcia Cano's Special Motion To
Dismiss*




JUDGE RONALD J. ISRAEL

EIGHTH JUDICIAL DISTRICT COURT
DEPARTMENT 28

CERTIFICATE OF SERVICE

I hereby certify that on the 23 day of August, 2018, a copy of this **ORDER GRANTING DEFENDANT'S THE ASSOCIATED PRESS AND REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS** was electronically served to all registered parties in the Eighth Judicial District Court Electronic Filing Program per the attached Service Contacts List:



JUDICIAL EXECUTIVE ASSISTANT

SANDRA JETER

A-18-772715-C

File Into Existing Case

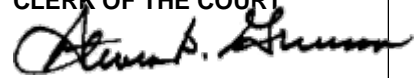
Service Contacts: A-18-772715-C

Case Number	Name	Location	Description	Email	Case Type
A-18-772715-C	Department 20		Steve Wynn, Plaintiff(s) v...		Other Tort
1	▼ Party: Steve Wynn - Plaintiff				1 - 1 of 1 items
		20	items per page		
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	Sam Parcells			eparcells@petersonbaker.com	
	Tamara Beatty Peterson			tpeterson@petersonbaker.com	
	Benjamin K. Reitz			breitz@petersonbaker.com	
	Nicole J. Wade, Esq.			nwade@linwoodlaw.com	
	G. Taylor Wilson, Esq.			twilson@linwoodlaw.com	
	L. Lin Wood, Esq.			lwood@linwoodlaw.com	
	▼ Party: Associated Press - Defendant				
	Las Vegas Docket			LVDocket@ballardspahr.com	
	Las Vegas Intake			LVCTIntake@ballardspahr.com	
	JUSTIN A. SHIROFF, ESQ.			shiroffj@ballardspahr.com	
	JOEL E. TASCA, ESQ.			tasca@ballardspahr.com	
	▼ Party: Regina Garcia Cano - Defendant				
	Las Vegas Docket			LVDocket@ballardspahr.com	
	Las Vegas Intake			LVCTIntake@ballardspahr.com	
	Justin A. Shiroff			shiroffj@ballardspahr.com	
	Joel E. Tasca			tasca@ballardspahr.com	
	► Party: Halina Kuta - Defendant				
	► Other Service Contacts				
	1	10	items per page		1 - 5 of 5 items

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EXHIBIT 2

EXHIBIT 2



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Attorneys for Plaintiff Steve Wynn

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVE WYNN, an individual,

Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**NOTICE OF ENTRY OF ORDER
GRANTING MOTION FOR ENTRY OF
FINAL JUDGMENT AND RULE 54(b)
CERTIFICATION**

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PLEASE TAKE NOTICE that an Order Granting Motion for Entry of Final Judgment and Rule 54(b) Certification ("Order") was entered on November 27, 2018. A copy of said Order is attached hereto.

Respectfully submitted this 27th day of November, 2018.

PETERSON BAKER, PLLC

By: /s/ Tamara Beatty Peterson

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Atlanta, Georgia 30309

Telephone: 404.891.1402

Facsimile: 404.506.9111

Attorneys for Plaintiff Steve Wynn

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Peterson Baker, PLLC, and pursuant to NRCF 5(b), EDCR 8.05, Administrative Order 14-2, and NEFCR 9, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR ENTRY OF FINAL JUDGMENT AND RULE 54(b) CERTIFICATION** to be submitted electronically for filing and service with the Eighth Judicial District Court via the Court's Electronic Filing System on the 27th day of November, 2018, to the following:

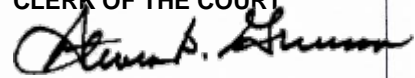
JOEL E. TASCA, ESQ.
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1980 Festival Plaza Drive, Suite 900
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*Attorneys for Defendants The Associated
Press and Regina Garcia Cano*

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BALLARD SPAHR LLP
1909 K Street, NW
Washington DC 20006
*Attorneys for Defendants The Associated
Press and Regina Garcia Cano*

I FURTHER CERTIFY that I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR ENTRY OF FINAL JUDGMENT AND RULE 54(b) CERTIFICATION** to be served via U.S. Mail, postage prepaid, to those parties not registered with the Eighth Judicial District Court via the Court's Electronic Filing System on the 27th day of November, 2018, to the following address:

Halina Kuta
17 W. Pinehurst Drive
Laguna Vista, TX 78578
In Proper Person

/s/ Erin L. Parcels
An employee of Peterson Baker, PLLC



1 **OMG**

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22 Telephone: 404.891.1402

23 Facsimile: 404.506.9111

24 *Attorneys for Plaintiff Steve Wynn*

25 **DISTRICT COURT**

26 **CLARK COUNTY, NEVADA**

27 STEVE WYNN, an individual,

28 Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**ORDER GRANTING MOTION FOR
ENTRY OF FINAL JUDGMENT AND
RULE 54(b) CERTIFICATION**

Date of Hearing: November 6, 2018

Time of Hearing: 9:00 a.m.

This matter came before the Court on November 6, 2018, on Plaintiff Steve Wynn's "Motion for Entry of Final Judgment and Rule 54(b) Certification" filed on September 25, 2018 ("Mr. Wynn's Motion"). Tamara Beatty Peterson, Esq. and Nikki L. Baker, Esq., of Peterson Baker, PLLC., appeared on behalf of Plaintiff Steve Wynn ("Mr. Wynn"). Justin A. Shiroff, Esq.,

11-15-18
28

1 of Ballard Spahr LLP, appeared on behalf of Defendants The Associated Press and Regina Garcia
2 Cano (the "AP Defendants"). Defendant Halina Kuta ("Ms. Kuta"), proceeding *pro se*, did not
3 appear. The Court, having reviewed and considered the briefs filed by the parties and the papers
4 on file herein, as well as the arguments made during the hearing, hereby finds as follows:

5 1. On August 23, 2018, the Court entered an "Order Granting Defendant's The
6 Associated Press and Regina Garcia Cano's Special Motion to Dismiss" (the "anti-SLAPP Order").

7 2. In the anti-SLAPP Order, the Court dismissed with prejudice Mr. Wynn's Complaint
8 as against the AP Defendants pursuant to NRS 41.660, resulting in the dismissal of the AP
9 Defendants as parties to this action.

10 3. In their response to Mr. Wynn's Motion, the AP Defendants stated they "have no
11 objection to the entry of a final judgment against Mr. Wynn on his defamation claim arising from
12 that news report."

13 4. Ms. Kuta did not file any opposition to Mr. Wynn's Motion.

14 5. The AP Defendants and Defendant Kuta did not (i) dispute that Mr. Wynn will suffer
15 prejudice if his appeal of the anti-SLAPP Order is delayed, (ii) claim that they will suffer any
16 prejudice by the granting of Mr. Wynn's Motion, or (iii) refute that the prejudice to Mr. Wynn
17 would be greater than the non-existent prejudice to Ms. Kuta and the AP Defendants. *See Mallin*
18 *v. Farmers Ins. Exchange*, 106 Nev. 606, 611, 797 P.2d 978, 981-82 (1990) (setting forth three
19 steps for determining whether "there is no just reason for delay," based on the elimination of a
20 party).

21 6. Pursuant to NRCP 54(b) and the above findings, there is no just reason to delay
22 certifying the finality of the anti-SLAPP Order and directing entry of a final judgment in favor of
23 the AP Defendants.

24 7. The granting of Mr. Wynn's Motion has no impact on Mr. Wynn's claim against Ms.
25 Kuta.

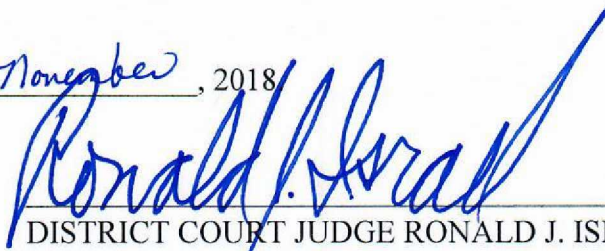
26 In light of the above findings and good cause appearing therefore, the Court orders as
27 follows:
28

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Mr. Wynn's Motion is
GRANTED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that final judgment is
expressly directed to be entered in favor of the AP Defendants and certified pursuant to NRC
54(b).

IT IS SO ORDERED.

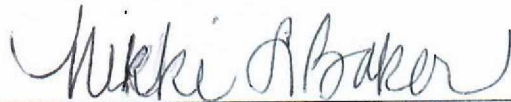
DATED this 20 day of November, 2018


DISTRICT COURT JUDGE RONALD J. ISRAEL

Case No. A-18-772715-C

Order Granting Motion for Entry of Final Judgment and
Rule 54(b) Certification

Respectfully submitted by:



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JONATHAN D. GRUNBERG, ESQ.

(admitted pro hac vice)

G. TAYLOR WILSON, ESQ.

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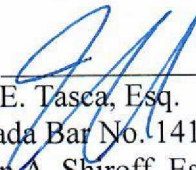
Telephone: 404.891.1402

Facsimile: 404.506.9111

Attorneys for Plaintiff Steve Wynn

1 Reviewed and approved by:

2 BALLARD SPAHR LLP

3
4 By: 

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5 Nevada Bar No. 14124

Justin A. Shiroff, Esq.

6 Nevada Bar No. 12869

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8 Las Vegas, NV 89135

Telephone: 702.471.7000

9 Jay Ward Brown, Esq.

(admitted *pro hac vice*)

10 Chad R. Bowman, Esq.

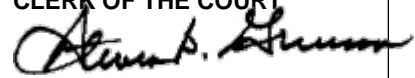
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13
14 *Attorney for Defendant The Associated Press and*
15 *Regina Garcia Cano*



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Facsimile: 404.506.9111

Attorneys for Plaintiff/Appellant Steve Wynn

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVE WYNN, an individual,

Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

Steve Wynn

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Honorable Ronald J. Israel

3. Identify each appellant and the name and address of counsel for each appellant:

Appellant:

Steve Wynn

Counsel for Appellant:

TAMARA BEATTY PETERSON, ESQ., Bar No. 5218

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Facsimile: 404.506.9111

4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of the respondent's trial counsel):

Respondents:

The Associated Press

Regina Garcia Cano

Counsel for Respondents:

JOEL E. TASCA, ESQ., Bar No. 14124

tasca@ballardspahr.com

JUSTIN A. SHIROFF, ESQ., Bar No. 12869

shiroffj@ballardspahr.com

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1909 K Street, NW, 12th Floor
Washington, DC 20006
Telephone: 202.661.2200

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada, and, if so, whether the district counsel granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):

L. Lin Wood, Esq., Nicole Jennings Wade, Esq., Jonathan D. Grunberg, Esq., G. Taylor Wilson, Esq., Jay Ward Brown, Esq., and Chad R. Bowman, Esq. are not licensed to practice law in Nevada. The District Court granted L. Lin Wood, Esq. permission to appear under SCR 42 in its Order entered June 15, 2018. The District Court granted Nicole Jennings Wade, Esq. permission to appear under SCR 42 in its Order entered June 15, 2018. The District Court granted Jonathan D. Grunberg, Esq. permission to appear under SCR 42 in its Order entered September 12, 2018. The District Court granted G. Taylor Wilson, Esq. permission to appear under SCR 42 in its Order entered June 15, 2018. The District Court granted Jay Ward Brown, Esq. permission to appear under SCR 42 in its Order entered July 24, 2018. The District Court granted Chad R. Bowman, Esq. permission to appear under SCR 42 in its Order entered July 24, 2018. The relevant orders are attached hereto.

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

Appellant was represented by retained counsel in the District Court.

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

Appellant is represented on appeal by the retained counsel identified in response to question 3, *supra*.

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

Not applicable.

1 **9. Indicate the date the proceedings commenced in the district court (e.g., date**
2 **complaint, indictment, information, or petition was filed):**

3 The Complaint was filed on April 11, 2018.

4 **10. Provide a brief description of the action and result in the district court,**
5 **including the type of judgment or order being appealed and the relief granted**
6 **by the district court.**

7 The instant action arises out of false accusations of rape published by Respondents and
8 Defendant Kuta with actual malice. On February 7, 2018, Defendant Kuta filed a voluntary
9 statement with the police against Appellant Mr. Wynn ("Kuta's Police Statement"). Kuta's Police
10 Statement is replete with allegations that are outrageous, false, and inherently improbable on their
11 face. Defendant Kuta claimed to be Mr. Wynn's wife, and that he repeatedly raped her in her
12 Chicago apartment in 1973-1974, leaving her pregnant, resulting in her giving birth in a gas station
13 bathroom to a purple doll in a water bag, which she opened using her teeth and her fingers.
14 Moreover, despite her allegations of being raped in the 1970s, Kuta stated that at the time of her
15 Police Statement she was 27 years old.

16 Despite that the accusations in Kuta's Police Statement are outrageous, false, and inherently
17 improbable on their face, on February 27, 2018, Respondents published an article titled
18 "APNewsBreak: Woman tells police Steve Wynn raped her in '70s," (the "AP Article"). The AP
19 Article recounts portions of Kuta's Police Statement accusing Mr. Wynn of raping her nearly forty-
20 five (45) years ago, while knowingly omitting portions that reveal the false and fanciful nature of
21 the Police Statement—e.g., Defendant Kuta claiming to be 27 years old but nevertheless alive in
22 the 1970s, and Defendant Kuta giving birth in a gas station bathroom to a purple doll in a water bag
23 that she opened with her teeth. Additionally, the AP Article falsely stated that it was unclear how
24 Mr. Wynn and the claimant (Defendant Kuta) knew each other, intentionally omitting the fact that
25 Defendant Kuta falsely claimed in her Police Statement that she was Mr. Wynn's spouse.

26 Because Respondents declined to retract the AP Article, Mr. Wynn was forced to file his
27 Complaint for Defamation against Respondents and Defendant Kuta on April 11, 2018, to defend
28 his reputation. Respondents filed an anti-SLAPP Motion on May 31, 2018, arguing that the AP

Article is protected under the absolute fair report privilege and that Mr. Wynn cannot prove they published with actual malice.

On August 23, 2018, the District Court entered an order granting Respondents' anti-SLAPP Motion and dismissing with prejudice the Complaint as to Respondents (the "anti-SLAPP Order"). Citing to Nevada's anti-SLAPP statute (NRS 41.660(3) and NRS 41.637(4)), the District Court found that the AP Article "fairly reported" the information in Kuta's Police Statement for two reasons: (1) the AP Article states the information was obtained from the statement filed with the police; and (2) Kuta's Police Statement "did not provide the names of the complainants." The District Court concluded that the AP Article "accurately described" Kuta's Police Statement "and therefore, the privilege is absolute." The District Court determined that the "Nevada fair reporting privilege applies to the news report at issue" and that the Nevada anti-SLAPP statute "applies in this case."

On September 25, 2018, Mr. Wynn filed a "Motion for Entry of Judgment and Rule 54(b) Certification" regarding the District Court's anti-SLAPP Order. In the District Court's "Order Granting Motion for Entry of Judgment and Rule 54(b) Certification" entered on November 27, 2018, the District Court granted Mr. Wynn's motion, made an express determination that there is no just reason for delay, included an express direction for entry of judgment in favor of Respondents, and certified the anti-SLAPP Order as final pursuant to Nev. R. Civ. P. 54(b). This appeal follows.

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding.

No.

12. Indicate whether this appeal involves child custody or visitation.

No.

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13. If this is a civil case, indicate whether this appeal involves the possibility of settlement.

At this time, there does not appear to be a disposition toward settlement.

Respectfully submitted this 14th day of December, 2018.

PETERSON BAKER, PLLC

By: /s/ Nikki L. Baker

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Facsimile: 404.506.9111

Attorneys for Plaintiff/Appellant Steve Wynn

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Peterson Baker, PLLC, and pursuant to NRCF 5(b), EDCR 8.05, Administrative Order 14-2, and NEFCR 9, I caused a true and correct copy of the foregoing **CASE APPEAL STATEMENT** to be submitted electronically for filing and service with the Eighth Judicial District Court via the Court's Electronic Filing System on the 14th day of December, 2018, to the following:

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JUSTIN A. SHIROFF, ESQ.
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*Attorneys for Defendants The Associated
Press and Regina Garcia Cano*

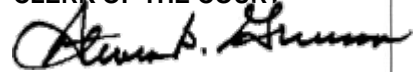
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1909 K Street, NW
Washington DC 20006
*Attorneys for Defendants The Associated
Press and Regina Garcia Cano*

I FURTHER CERTIFY that I caused a true and correct copy of the foregoing **CASE APPEAL STATEMENT** to be served via U.S. Mail, postage prepaid, to those parties not registered with the Eighth Judicial District Court via the Court's Electronic Filing System on the 14th day of December, 2018, to the following address:

Halina Kuta
17 W. Pinehurst Drive
Laguna Vista, TX 78578
In Proper Person

/s/ Erin Parcells

An employee of Peterson Baker, PLLC



1 **OGM**

2 TAMARA BEATTY PETERSON, ESQ., Bar No. 5218

3 tpeterson@petersonbaker.com

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11 *Attorneys for Plaintiff Steve Wynn*

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 STEVE WYNN, an individual,

15 Plaintiff,

16 v.

17 THE ASSOCIATED PRESS, a foreign
18 corporation; REGINA GARCIA CANO, an
19 individual; and HALINA KUTA, an
20 individual; DOES I-X,

21 Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**ORDER GRANTING MOTION TO
ASSOCIATE COUNSEL L. LIN WOOD,
ESQ.**

Date of Hearing: June 6, 2018

Time of Hearing: In Chambers

22 L. LIN WOOD, ESQ. having filed his Motion to Associate Counsel under Nevada Supreme
23 Court Rule 42, together with a Verified Application for Association of Counsel, Certificate of Good
24 Standing for the State of Georgia, and the State Bar of Nevada Statement; said application having
25 been noticed, no objections having been made, and the Court being fully apprised in the premises,
26 and good cause appearing, it is hereby

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6/15/18
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1 ORDERED, that said application is hereby granted, and L. Lin Wood, Esq. is admitted to
2 practice in the above entitled Court for the purposes of the above-entitled matter only.

3 Dated this 14 day of June, 2018.

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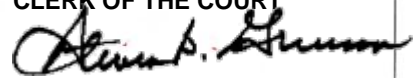
Ronald L. Gray
DISTRICT COURT JUDGE
A 7727/15 gw

Submitted by:

PETERSON BAKER, PLLC

By: Tamara Beatty Peterson
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Attorneys for Plaintiff Steve Wynn

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVE WYNN, an individual,

Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**ORDER GRANTING MOTION TO
ASSOCIATE COUNSEL NICOLE
JENNINGS WADE, ESQ.**

Date of Hearing: June 6, 2018

Time of Hearing: In Chambers

NICOLE JENNINGS WADE, ESQ. having filed her Motion to Associate Counsel under Nevada Supreme Court Rule 42, together with a Verified Application for Association of Counsel, Certificate of Good Standing for the State of Georgia, and the State Bar of Nevada Statement; said application having been noticed, no objections having been made, and the Court being fully apprised in the premises, and good cause appearing, it is hereby

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6/13/18
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1 ORDERED, that said application is hereby granted, and Nicole Jennings Wade, Esq. is
2 admitted to practice in the above entitled Court for the purposes of the above-entitled matter only.

3 Dated this 14 day of June, 2018.

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Ronald J. Israel
DISTRICT COURT JUDGE pw

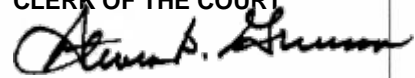
A 272715

Submitted by:

PETERSON BAKER, PLLC

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Attorneys for Plaintiff Steve Wynn

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVE WYNN, an individual,

Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**ORDER GRANTING MOTION TO
ASSOCIATE COUNSEL JONATHAN
DAVID GRUNBERG, ESQ.**

Jonathan David Grunberg, Esq., having filed his Motion to Associate Counsel under Nevada Supreme Court Rule 42, together with a Verified Application for Association of Counsel, Certificate of Good Standing for the State of Georgia, and the State Bar of Nevada Statement; said application having been noticed, no objections having been made, and the Court being fully apprised in the premises, and good cause appearing, it is hereby



1 ORDERED, that said application is hereby granted, and Jonathan David Grunberg, Esq. is
2 admitted to practice in the above entitled Court for the purposes of the above-entitled matter only.

3 Dated this 11 day of September, 2018.

4
5
6 
7 DISTRICT COURT JUDGE *ME*

8 RONALD J. ISRAEL

A-18-772715-C

9 Respectfully submitted by:

10 PETERSON BAKER, PLLC

11 By: 

12 TAMARA BEATTY PETERSON, ESQ., Bar No. 5218

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26 L. LIN WOOD, P.C.

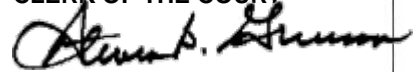
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28 Atlanta, Georgia 30309

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Attorneys for Plaintiff Steve Wynn



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11 *Attorneys for Plaintiff Steve Wynn*

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 STEVE WYNN, an individual,

15 Plaintiff,

16 v.

17 THE ASSOCIATED PRESS, a foreign
18 corporation; REGINA GARCIA CANO, an
19 individual; and HALINA KUTA, an
20 individual; DOES I-X,

21 Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**ORDER GRANTING MOTION TO
ASSOCIATE COUNSEL G. TAYLOR
WILSON, ESQ.**

Date of Hearing: June 6, 2018

Time of Hearing: In Chambers

22 G. TAYLOR WILSON, ESQ. having filed his Motion to Associate Counsel under Nevada
23 Supreme Court Rule 42, together with a Verified Application for Association of Counsel,
24 Certificate of Good Standing for the State of Georgia, and the State Bar of Nevada Statement; said
25 application having been noticed, no objections having been made, and the Court being fully
26 apprised in the premises, and good cause appearing, it is hereby

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1 ORDERED, that said application is hereby granted, and G. Taylor Wilson, Esq. is admitted
2 to practice in the above entitled Court for the purposes of the above-entitled matter only.

3 Dated this 14 day of June, 2018.

4
5
6
7 
8 DISTRICT COURT JUDGE
A 772715 pw

9 Submitted by:

10 PETERSON BAKER, PLLC

11 By: 
12 TAMARA BEATTY PETERSON, ESQ., Bar No. 5218
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20 Attorneys for Plaintiff Steve Wynn
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28

*Attorneys for Defendants
The Associated Press and Regina Garcia Cano*

Defendants.

6/18/18
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ORDERED, that said application is hereby granted, and JAY WARD BROWN, ESQ., is hereby admitted to practice in the above entitled Court for the purposes of the above entitled matter only.

Dated this 19 day of July, 2018. Ronald J. Israel
DISTRICT JUDGE

RONALD J. ISRAEL

A-18-172715-C

Submitted by:

BALLARD SPAHR LLP

By: [Signature]
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Steven D. Grierson

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2 Nevada Bar No. 14124
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Email: shiroffj@ballardspahr.com
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*Attorneys for Defendants
The Associated Press and Regina Garcia Cano*

8
9 DISTRICT COURT

10 CLARK COUNTY, NEVADA

11 STEVE WYNN, an individual)

Case No. A-18-772715-C

12 Plaintiffs,)

Dept. No. ~~XIV~~ XXVIII

13 v.)

14 THE ASSOCIATED PRESS, a foreign)
corporation; REGINA GARCIA CANO, an)
15 individual; and HALINA KUTA, an)
individual; DOES I-X,)

16 Defendants.)
17)
18)

19 ORDER ADMITTING TO PRACTICE TO ASSOCIATE COUNSEL
20 (CHAD RUSSELL BOWMAN)

21 Date of Hearing:

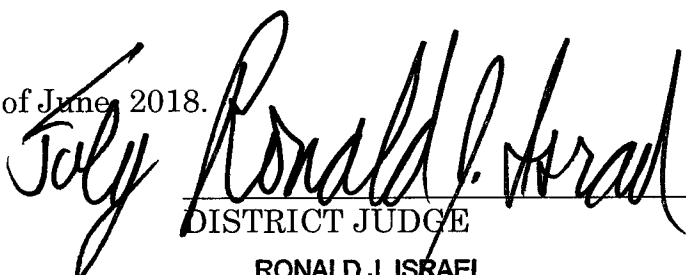
22 Time of Hearing:

23 CHAD RUSSELL BOWMAN, ESQ., having filed his Motion to Associate
24 Counsel under Nevada Supreme Court Rule 42, together with a Verified Application
25 for Association of Counsel, a Certificate of Good Standing for the District of
26 Columbia, state of Maryland, and the State Bar of Nevada Statement; said
27 application having been noticed, no objections having been made, and the Court
28 being fully apprised in the premises, and good cause appearing, it is hereby

6/18/18
28

1 ORDERED, that said application is hereby granted, and CHAD RUSSELL
2 BOWMAN, ESQ., is hereby admitted to practice in the above entitled Court for the
3 purposes of the above entitled matter only.

4
5 Dated this 17 day of June, 2018.

6
7 
DISTRICT JUDGE

8 RONALD J. ISRAEL

9 Submitted by:

A18-772715 C

10 BALLARD SPAHR LLP

11 By: 

12 Joel E. Tasca, Esq.
13 Nevada Bar No. 14121
14 Justin A. Shiroff, Esq.
15 Nevada Bar No. 12869
16 1980 Festival Plaza Drive, Suite 900
17 Las Vegas, NV 89135
18 (702) 471-7000
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CASE SUMMARY**CASE NO. A-18-772715-C****Steve Wynn, Plaintiff(s)****vs.****Associated Press, Defendant(s)**§
§
§
§
§Location: **Department 28**Judicial Officer: **Israel, Ronald J.**Filed on: **04/11/2018**

Case Number History:

Cross-Reference Case Number: **A772715****CASE INFORMATION**Case Type: **Other Tort**Case Status: **04/11/2018 Open****DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number	A-18-772715-C
Court	Department 28
Date Assigned	05/02/2018
Judicial Officer	Israel, Ronald J.

PARTY INFORMATION

Plaintiff	Wynn, Steve	<i>Lead Attorneys</i> Peterson, Tamara Beatty <i>Retained</i> 702-786-1001(W)
Defendant	Associated Press	Tasca, Joel E. <i>Retained</i> 702-471-7000(W)
	Cano, Regina Garcia Removed: 08/23/2018 Dismissed	Tasca, Joel E. <i>Retained</i> 702-471-7000(W)
	Kuta, Halina	Pro Se

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

04/11/2018



Complaint

Filed By: Plaintiff Wynn, Steve
Complaint for Defamation

04/11/2018



Initial Appearance Fee Disclosure

Filed By: Plaintiff Wynn, Steve
Initial Appearance Fee Disclosure

04/11/2018



Summons Electronically Issued - Service Pending

Party: Plaintiff Wynn, Steve
Summons - The Associated Press

04/11/2018



Summons Electronically Issued - Service Pending

Party: Plaintiff Wynn, Steve
Summons - Regina Garcia Cano

CASE SUMMARY

CASE NO. A-18-772715-C

04/11/2018	 Summons Electronically Issued - Service Pending Party: Plaintiff Wynn, Steve <i>Summons - Halina Kuta</i>
04/13/2018	 Summons Filed by: Plaintiff Wynn, Steve <i>Summons</i>
04/14/2018	 Answer to Complaint Filed by: Defendant Kuta, Halina <i>Answer to Plaintiff's Complaint</i>
04/14/2018	 Initial Appearance Fee Disclosure Filed By: Defendant Kuta, Halina <i>Initial Appearance Fee Disclosure</i>
04/17/2018	 Motion to Associate Counsel Filed By: Plaintiff Wynn, Steve <i>Motion to Associate Counsel (L. Lin Wood, Esq.)</i>
04/17/2018	 Motion to Associate Counsel Filed By: Plaintiff Wynn, Steve <i>Motion to Associate Counsel (Nicole Jennings Wade, Esq.)</i>
04/17/2018	 Motion to Associate Counsel Filed By: Plaintiff Wynn, Steve <i>Motion to Associate Counsel (G. Taylor Wilson, Esq.)</i>
04/17/2018	 Summons Filed by: Plaintiff Wynn, Steve <i>Summons</i>
04/25/2018	 Peremptory Challenge Filed by: Plaintiff Wynn, Steve <i>Notice of Peremptory Challenge of Judge</i>
04/27/2018	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
04/27/2018	 Change of Address Filed By: Defendant Kuta, Halina <i>Change of Address</i>
04/30/2018	 Acceptance of Service Filed By: Plaintiff Wynn, Steve <i>Acceptance of Service</i>
05/01/2018	 Peremptory Challenge Filed by: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Peremptory Challenge of Judge</i>
05/02/2018	 Initial Appearance Fee Disclosure

CASE SUMMARY

CASE NO. A-18-772715-C

	Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Initial Appearance Fee Disclosure</i>
05/02/2018	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
05/02/2018	 Change of Address Filed By: Defendant Kuta, Halina <i>Change of Address</i>
05/04/2018	 Stipulation and Order Filed by: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Stipulation and Order to Extend Time to Respond to Complaint (First Request)</i>
05/04/2018	 Notice of Entry of Stipulation and Order Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Notice of Entry of Stipulation and Order to Extend Time to Respond to Complaint (First Request)</i>
05/24/2018	 Commissioners Decision on Request for Exemption - Granted <i>Commissioner's Decision on Request for Exemption - Granted</i>
05/31/2018	 Motion to Dismiss Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>The Associated Press Defendants' Special Motion to Dismiss Pursuant to N.R.S. Sec. 41.660 (Anti-Slapp Statute)</i>
05/31/2018	 Affidavit Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Affidavit of Regina Garcia Cano</i>
06/04/2018	 Change of Address Filed By: Defendant Kuta, Halina <i>Change of Address</i>
06/13/2018	 Stipulation and Order Filed by: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Stipulation and Order to Continue Hearing on Defendants' Special Motion to Dismiss Pursuant to NRS 41.660 and Set Briefing Schedule (First Request)</i>
06/13/2018	 Notice of Entry of Stipulation and Order Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Notice of Entry of Stipulation and Order to Continue Hearing on Defendants' Special Motion to Dismiss Pursuant to N.R.S. 41.660 and Set Briefing Schedule (First Request)</i>
06/14/2018	 Motion to Associate Counsel Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Motion to Associate Counsel (Chad Russell Bowman)</i>
06/14/2018	 Motion to Associate Counsel Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>Motion to Associate Counsel (Jay Ward Brown)</i>
06/15/2018	 Order Granting Motion

CASE SUMMARY

CASE NO. A-18-772715-C

Filed By: Plaintiff Wynn, Steve
Order Granting Motion to Associate Counsel Nicole Jennings Wade, Esq.

06/15/2018



Order Granting Motion

Filed By: Plaintiff Wynn, Steve
Order Granting Motion to Associate Counsel L. Lin Wood, Esq.

06/15/2018



Order Granting Motion

Filed By: Plaintiff Wynn, Steve
Order Granting Motion to Associate Counsel G. Taylor Wilson

06/15/2018



Notice of Entry of Order

Filed By: Plaintiff Wynn, Steve
Notice of Entry of Order Granting Motion to Associate Counsel L. Lin Wood, Esq.

06/15/2018



Notice of Entry of Order

Filed By: Plaintiff Wynn, Steve
Notice of Entry of Order Granting Motion to Associate Counsel Nicole Jennings Wade, Esq.

06/15/2018



Notice of Entry of Order

Filed By: Plaintiff Wynn, Steve
Notice of Entry of Order Granting Motion to Associate Counsel G. Taylor Wilson, Esq.

07/05/2018



Stipulation and Order

Filed by: Defendant Associated Press; Defendant Cano, Regina Garcia
Stipulation and Order Regarding Defendants' Special Motion to Dismiss Pursuant to N.R.S. 41.660

07/05/2018



Notice of Entry of Stipulation and Order

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia
Notice of Entry of Stipulation and Order Regarding Defendants' Special Motion to Dismiss Pursuant to 41.660

07/17/2018



Opposition to Motion to Dismiss

Filed By: Plaintiff Wynn, Steve
Opposition to The Associated Press Defendants' Special Motion to Dismiss on Issue of Fair Report Privilege

07/24/2018



Order Admitting to Practice

Filed By: Defendant Associated Press
Order Admitting To Practice to Associate Counsel (Chad Russell Bowman)

07/24/2018



Order Admitting to Practice

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia
Order Admitting To Practice to Associate Counsel (Jay Ward Brown)

07/24/2018



Notice of Entry of Order

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia
Notice of Entry of Order Admitting Practice to Associate Counsel (Chad Russell Bowman)

07/24/2018



Notice of Entry of Order

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia
Notice of Entry of Order Admitting Practice to Associate Counsel (Jay Ward Brown)

07/26/2018

CASE SUMMARY

CASE NO. A-18-772715-C

	 Stipulation and Order Filed by: Plaintiff Wynn, Steve <i>Stipulation and Order to Continue July 31 Hearing on the Associated Press Defendants Special Motion to Dismiss on Issue of Fair Report Privilege</i>
07/26/2018	 Motion to Associate Counsel Filed By: Plaintiff Wynn, Steve <i>Motion to Associate Counsel (Jonathan David Grunberg, Esq.)</i>
07/30/2018	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Wynn, Steve <i>Notice of Entry of Stipulation and Order to Continue July 31 Hearing on The Associated Press Defendants' Special Motion to Dismiss on Issue of Fair Report Privilege</i>
08/07/2018	 Motion Filed By: Plaintiff Wynn, Steve <i>Motion to Request DNA Testing of Kevyn Wynn</i>
08/07/2018	 Reply in Support Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>The Associated Press Defendants' Reply in Support of Special Motion to Dismiss Pursuant to N.R.S. 41.660 (Anti-SLAPP Statute)</i>
08/09/2018	 Certificate of Mailing <i>Certificate of Mailing</i>
08/14/2018	 Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing Defendants Associated Press and Regina Garcia Cano's Special Motion to Dismiss Pursuant to NRS 41.660 Anti-Slapp Statute</i>
08/23/2018	 Order <i>Order Granting Defendant's The Associated Press And Regina Garcia Cano's Special Motion To Dismiss</i>
08/23/2018	 Notice of Entry of Order Filed By: Defendant Associated Press <i>Notice of Entry of Order Granting Defendants' The Associated Press and Regina Garcia Cano's Special Motion to Dismiss</i>
08/24/2018	 Opposition to Motion Filed By: Plaintiff Wynn, Steve <i>Opposition to Halina Kuta's Motion to Request DNA Testing of Kevyn Wynn</i>
09/12/2018	 Order Granting Motion Filed By: Plaintiff Wynn, Steve <i>Order Granting Motion to Associate Counsel Jonathan David Grunberg, Esq.</i>
09/12/2018	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>Notice of Entry of Order Granting Motion to Associate Counsel Jonathan David Grunberg, Esq.</i>
09/12/2018	 Motion for Fees Filed By: Defendant Associated Press <i>The Associated Press Defendants' Motion for Attorneys' Fees Pursuant to N.R.S. Sec. 41.660</i>

CASE SUMMARY






CASE NO. A-18-772715-C

(Anti-Slapp Statute)

09/14/2018	 Recorders Transcript of Hearing <i>Defendant Kuta's Pro Per Motion to Request DNA Testing of Kevyn Wynn</i>
09/25/2018	 Motion for Entry of Judgment Filed By: Plaintiff Wynn, Steve <i>Motion for Entry of Final Judgment and Rule 54(b) Certification</i>
09/27/2018	 Notice of Hearing Filed By: Plaintiff Wynn, Steve <i>Notice of Hearing of Motion for Entry of Final Judgment and Rule 54(b) Certification</i>
10/08/2018	 Notice of Early Case Conference Filed By: Plaintiff Wynn, Steve <i>Notice of Telephonic Early Case Conference</i>
10/08/2018	 Stipulation and Order Filed by: Defendant Associated Press <i>Stipulation and Order Regarding Defendants' Motion for Attorneys' Fees</i>
10/08/2018	 Notice of Entry of Stipulation and Order Filed By: Defendant Associated Press <i>Notice of Entry of Stipulation and Order Regarding Defendants' Motion for Attorneys' Fees</i>
10/08/2018	 Order Denying Motion Filed By: Plaintiff Wynn, Steve <i>Order Denying Defendant Kuta's Motion to Request DNA Testing of Kevyn Wynn</i>
10/09/2018	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>Notice of Entry of Order Denying Defendant Kuta's Motion to Request DNA Testing of Kevyn Wynn</i>
10/10/2018	 Response Filed by: Defendant Associated Press <i>The Associated Press Defendants' Response to Plaintiff's Motion for Entry of Final Judgment and Rule 54(b) Certification</i>
10/30/2018	 Reply in Support Filed By: Plaintiff Wynn, Steve <i>Plaintiff Steve Wynn's Reply in Support of Motion for Entry of Final Judgment And Rule 54(b) Certification</i>
11/08/2018	 Joint Case Conference Report Filed By: Plaintiff Wynn, Steve <i>Joint Case Conference Report</i>
11/09/2018	 Scheduling Order <i>Scheduling Order</i>
11/09/2018	 Recorders Transcript of Hearing <i>Motion for Entry of Final Judgment and Rule 54(b) Certification</i>

CASE SUMMARY


CASE NO. A-18-772715-C

11/15/2018	 Order Setting Civil Jury Trial <i>Order Setting Civil Jury Trial</i>
11/27/2018	 Order Granting Motion Filed By: Plaintiff Wynn, Steve <i>Order Granting Motion for Entry of Final Judgment and Rule 54(b) Certification</i>
11/27/2018	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>Notice of Entry of Order Granting Motion for Entry of Final Judgment and Rule 54(b) Certification</i>
12/14/2018	 Notice of Appeal Filed By: Plaintiff Wynn, Steve <i>Notice of Appeal by Plaintiff Steve Wynn</i>
12/14/2018	 Case Appeal Statement Filed By: Plaintiff Wynn, Steve <i>Case Appeal Statement</i>

DISPOSITIONS

08/23/2018	Order of Dismissal With Prejudice (Judicial Officer: Israel, Ronald J.) Debtors: Associated Press (Defendant), Regina Garcia Cano (Defendant) Creditors: Steve Wynn (Plaintiff) Judgment: 08/23/2018, Docketed: 08/23/2018
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HEARINGS

06/06/2018	Motion to Associate Counsel (3:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 04/17/2018 Motion to Associate Counsel <i>Motion to Associate Counsel (G. Taylor Wilson, Esq.)</i> Peremptory filed 4/25/18 Granted; Motion to Associate Counsel (G. Taylor Wilson, Esq.)
06/06/2018	Motion to Associate Counsel (3:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 04/17/2018 Motion to Associate Counsel <i>Motion to Associate Counsel (I. Lin Wood, Esq.)</i> Peremptory filed 4/25/18 Granted; Motion to Associate Counsel (I. Lin Wood, Esq.)
06/06/2018	Motion to Associate Counsel (3:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 04/17/2018 Motion to Associate Counsel <i>Motion to Associate Counsel (Nicole Jennings Wade, Esq.)</i> Peremptory filed 4/25/18 Granted; Motion to Associate Counsel (Nicole Jennings Wade, Esq.)
06/06/2018	 All Pending Motions (3:00 AM) (Judicial Officer: Israel, Ronald J.) <i>All Pending Motions (06/06/18)</i> Matter Heard; All Pending Motions (06/11/18) Journal Entry Details: <i>MOTION TO ASSOCIATE COUNSEL (NICOLE JENNINGS WADE, ESQ.)...MOTION TO ASSOCIATE COUNSEL (G. TAYLOR WILSON, ESQ.)...MOTION TO ASSOCIATE COUNSEL (I. LIN WOOD, ESQ.) On April 17, 2018, Plaintiffs Steve Wynn filed three Motions to Associate Counsel for G. Taylor Wilson, Esq., Nicole Jennings Wade, Esq., and L. Lin Wood, Esq., pursuant to Nevada Supreme Court Rule 42 (SRC 42). The matter was subsequently placed on Department XXIII's June 6, 2018 Chambers Calendar. Given there was good cause set forth in the pleadings, the Court finds that the motion is GRANTED pursuant to EDCR 2.20 and EDCR 2.23, Nevada Supreme Court Rule 42 (SRC 42) and on the merits. Counsel to submit the order</i>

CASE SUMMARY

CASE NO. A-18-772715-C

(s) to chambers for signature. CLERK'S NOTE: A copy of this minute order was e-served to Counsel. kk/___ 06/11/18.;

06/07/2018



Motion (9:00 AM) (Judicial Officer: Israel, Ronald J.)

06/07/2018, 08/14/2018

Defendants Associated Press and Regina Garcia Cano's Special Motion to Dismiss Pursuant to NRS 41.660 Anti Slapp Statute

Matter Continued; The Associated Press Defendants' Special Motion to Dismiss Pursuant to NRS 41.660 Anti Slapp Statute

Duplicate entry

Granted; Defendants Associated Press and Regina Garcia Cano's Special Motion to Dismiss Pursuant to NRS 41.660 Anti Slapp Statute

Journal Entry Details:

Counsel noted Mr. Jonathan Grunberg, Esq. is present, however the Motion to Associate Mr. Grunberg had not yet been heard. Court stated he is not associated in this case, at this time and will not be allowed to argue the motion today. Court further noted it had read all the pleadings in this matter. Arguments by Mr. Brown in support of the motion, noting the Anti-Slapp Statute that applies and the second issue being resolved under the fair report privilege issue. Mr. Wood argued against the motion and cited the Reilly v. Associated Press 59 Mass. case and further argued regarding the hearsay and explained the false police report and the statement of the date of the birth prior to mothers date of birth. Further arguments by Counsel. Court stated findings and noted the fair reporting privilege does apply. Court noted it was clear the communication made in direct of public interest; The article states it was from the police report and did not say it was verified and the allegations of Ms. Kuta was without merit. COURT ORDERED, Defendants Associated Press and Regina Garcia Cano's Special Motion to Dismiss Pursuant to NRS 41.666 Anti Slapp Statute, GRANTED, as to the stipulation; ONLY the first part is decided today, Privilege applies. Court directed Mr. Brown to prepare the order and pass it by Plaintiff's Counsel.;

Matter Continued; The Associated Press Defendants' Special Motion to Dismiss Pursuant to NRS 41.660 Anti Slapp Statute

Duplicate entry

Granted; Defendants Associated Press and Regina Garcia Cano's Special Motion to Dismiss Pursuant to NRS 41.660 Anti Slapp Statute

Journal Entry Details:

Mr. Shiroff represented, the parties agreed to stipulate to continue this hearing, Stipulation & Order was submitted yesterday. COURT ORDERED, Matter CONTINUED. 07/19/18 9:00 AM THE ASSOCIATED PRESS DEFENDANTS' SPECIAL MOTION TO DISMISS PURSUANT TO NRS 41.660 ANTI SLAPP STATUTE;

07/18/2018

Motion to Associate Counsel (3:00 AM) (Judicial Officer: Israel, Ronald J.)

Motion to Associate Counsel(Chad Russell Bowman)

07/18/2018

Motion to Associate Counsel (3:00 AM) (Judicial Officer: Israel, Ronald J.)

Motion to Associate Counsel (Jay Ward Brown)

07/18/2018



All Pending Motions (3:00 AM) (Judicial Officer: Israel, Ronald J.)

Granted;

Journal Entry Details:

(Motion to associate Counsel) Given there was good cause set forth in the pleadings, the Court finds that the motion is GRANTED pursuant to EDCR 2.20 and EDCR 2.23, Nevada Supreme Court Rule 42 (SRC 42) and on the merits. Order Admitting to Practice has been received, signed, and placed in Department XXIII's outbox or attorney folder on the first floor. ;

08/30/2018



Motion to Associate Counsel (3:00 AM) (Judicial Officer: Israel, Ronald J.)

Motion to Associate Counsel (Jonathan David Grunberg, Esq.)

Granted; Motion to Associate Counsel (Jonatahan David Grunberg, Esq.)

Journal Entry Details:

Given there was good cause set forth in the pleadings, and no opposition has been filed, COURT ORDERED, Motion to Associate Counsel, Jonathan David Grunberg, Esq. GRANTED, pursuant to EDCR 2.20 and EDCR 2.23, Nevada Supreme Court Rule 42 (SRC 42) and on the merits. This Decision sets forth the Court's intended disposition on the subject but anticipates further Order of the Court to make such disposition effective as an Order or

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-18-772715-C

Judgment. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and argument. Order Admitting to Practice needs to be submitted to the Department. CLERK'S NOTE: A copy of this minute order was e-served to counsel. kk 09/04/18.;

09/11/2018



Motion (9:00 AM) (Judicial Officer: Israel, Ronald J.)

Defendant Kuta's ProPer Motion to Request DNA Testing of Kevyn Wynn

Denied; Defendant Kuta's ProPer Motion to Request DNA Testing of Kevyn Wynn

Journal Entry Details:

Ms. Kuta appearing by CourtCall. Upon Court's inquiry of jurisdiction, Ms. Kuta explained her issues and stated Kevyn is her daughter. Ms. Baker stated they are locating the Birth Certificate and stated the Wynn s are the biological parents of Kevyn and she resides in California. Court noted Kevyn Wynn is not a party in this case and this Court has no jurisdiction over Kevyn Wynn; Further this Court cannot randomly order DNA testing. COURT ORDERED, Motion to Request DNA Testing of Kevyn Wynn, DENIED.;

10/18/2018

CANCELED Motion for Attorney Fees (3:00 AM) (Judicial Officer: Israel, Ronald J.)

Vacated - per Stipulation and Order

The Associated Press Defendants Motion for Attorneys Fees Pursuant to NRS 41.660 (Anti Slapp Statute)

11/06/2018



Motion (9:00 AM) (Judicial Officer: Israel, Ronald J.)

Motion for Entry of Final Judgment and Rule 54(b) Certification

Granted; Motion for Entry of Final Judgment and Rule 54(b) Certification

Journal Entry Details:

Upon Court's inquiry of the non-appearance of Ms. Kuta, Counsel thought Ms. Kuta might appear by telephone. Clerk noted there was no notice of a courtcall appearance today. Ms. Peterson had no opposition to the entry of the final judgment. Mr. Shiroff requested Ms. Kuta be dismissed for the appellate aspect. COURT ORDERED, Motion, GRANTED; 54 (b) Certification, GRANTED as to the Court's decision. Court DENIED the request to dismiss Ms. Kuta, she will remain in the case. Ms. Peterson to prepare the order.;

02/26/2019

Status Check: Trial Readiness (9:45 AM) (Judicial Officer: Israel, Ronald J.)

08/13/2019

Pre Trial Conference (9:30 AM) (Judicial Officer: Israel, Ronald J.)

08/27/2019

Calendar Call (9:30 AM) (Judicial Officer: Israel, Ronald J.)

09/09/2019

Jury Trial (1:30 PM) (Judicial Officer: Israel, Ronald J.)

DATE

FINANCIAL INFORMATION

Defendant Associated Press

Total Charges

703.00

Total Payments and Credits

703.00

Balance Due as of 12/17/2018

0.00

Defendant Kuta, Halina

Total Charges

223.00

Total Payments and Credits

223.00

Balance Due as of 12/17/2018

0.00

Plaintiff Wynn, Steve

Total Charges

744.00

Total Payments and Credits

744.00

Balance Due as of 12/17/2018

0.00

Plaintiff Wynn, Steve

Appeal Bond Balance as of 12/17/2018

500.00

CASE SUMMARY

CASE NO. A-18-772715-C

DISTRICT COURT CIVIL COVER SHEET

A-18-772715-C

Clark County, Nevada

Case No. _____
(Assigned by Clerk's Office)

Department 14

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): Steve Wynn c/o Tamara Beatty Peterson, Esq., Peterson Baker, PLLC 10001 Park Run Drive, Las Vegas, NV 89145 702.786.1001	Defendant(s) (name/address/phone): The Associated Press Regina Garcia Cano Halina Kuta
Attorney (name/address/phone): Tamara Beatty Peterson, Esq., Peterson Baker, PLLC 10001 Park Run Drive Las Vegas, NV 89145 702.786.1001	Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input checked="" type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

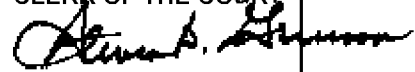
April 11, 2018

Date

/s/ Tamara Beatty Peterson

Signature of initiating party or representative

See other side for family-related case filings.



JUDGE RONALD J. ISRAEL
EIGHTH JUDICIAL DISTRICT COURT
DEPARTMENT 28
Regional Justice Center
200 Lewis Avenue, 15th Floor
Las Vegas, Nevada 89155

**DISTRICT COURT
CLARK COUNTY, NEVADA**

STEVE WYNN, an individual
Plaintiff,

Case No.: A-18-772715-C
Dept.: XXVIII

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,
Defendants.

**ORDER GRANTING DEFENDANT'S
THE ASSOCIATED PRESS AND
REGINA GARCIA CANO'S SPECIAL
MOTION TO DISMISS**

**ORDER GRANTING DEFENDANT'S THE ASSOCIATED PRESS AND
REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS**

This matter came before the Court on Defendants The Associated Press ("AP") and Regina Garcia Cano's ("Garcia Cano", and together with AP, the "Defendants") Special Motion to Dismiss Plaintiff Steve Wynn's ("Wynn") Complaint pursuant to Nev. Rev. Stat. §41.660 (the "Motion"), filed May 31, 2018. On July 18, 2018, Wynn filed his Opposition to the Motion. Defendants filed their Reply in support of their Motion on August 7, 2018.

On August 14, 2018, the Court heard oral argument on the Motion. L. Lin Wood, Esq. of L. Lin Wood, P.C., and Tamara Beatty Peterson, Esq., and Nikki L. Baker, Esq. of Peterson Baker, PLLC appeared on behalf of Wynn; Jay Ward

1 Brown, Esq. and Justin A. Shiroff, Esq. of Ballard Spahr LLP appeared on behalf of
2 Defendants. Having considered the Motion, Opposition, and Reply, as well as the
3 arguments of counsel, the Court hereby finds and orders as follows:

4 FACTS & PROCEDURE

5 This case stems from an article published by the Associated Press and
6 written by Regina Garcia Cano on February 27, 2018. The AP article was based on
7 the police report entered on February 7, 2018, by two (2) individuals alleging prior
8 conduct that occurred in the 1970's by Plaintiff, Steve Wynn. A copy of the article
9 was attached as Exhibit # 3 to the Complaint. Plaintiff filed a Complaint against AP,
10 Regina Cano and Halina Kuta alleging various causes of action including,
11 Defamation by all parties. The Article outlines the allegations made to the police by
12 the two complainants, including one made by Defendant Kuta against Plaintiff Wynn.

13 On July 5, 2018, Wynn and Defendants entered into a Stipulation and Order
14 Regarding Defendants' Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the
15 "Stipulation"). The Stipulation included modifications both to this Court's scheduling
16 for the hearing and to the Court's consideration of the grounds argued by
17 Defendants in their Motion.

18 The Stipulation was entered between the parties prior to the Hearing
19 specifically setting forth that Defendants argued in their Motion "that N.R.S. §41.660
20 [the 'Nevada Anti-SLAPP Statute'] applies and that Wynn cannot demonstrate a
21 likelihood of success, as required under the statute, for two separate reasons: first,
22 that the reporting by the Defendants is privileged; and second, that Wynn cannot
23 demonstrate fault." Stipulation at 2 (citations omitted). Wynn and the Defendants
24 stipulated "that discovery is not necessary to resolve the first basis for the motion,
25 i.e., whether the challenged news report is subject to the fair reporting privilege as a
26 matter of law." Id. Wynn and the Defendants further stipulated and the Court
27 ordered that, at the hearing on the Motion (then set for July 31, 2018, but later
28 moved to August 14, 2018), "the Court shall consider the fair reporting privilege

1 under the Nevada Anti-SLAPP Statute, a question of law." Id. at 3. Wynn and the
2 Defendants further stipulated and the Court ordered that, "[i]f the Court finds the
3 reporting in this case not to be covered by the fair reporting privilege, the Court shall
4 continue to a second hearing to consider the issue of fault[.]" Id. (emphasis added).

5 FINDINGS OF FACTS AND CONCLUSIONS OF LAW AND ORDER

6 "Under Nevada's anti-SLAPP statutes, a defendant may file a special motion
7 to dismiss if the defendant can show 'by a preponderance of the evidence, that the
8 claim is based upon a good faith communication in furtherance of the right to petition
9 or the right to free speech in direct connection with an issue of public concern.'" NRS
10 § 41.660(3)(a); Shapiro v. Welt, 133 Nev. Adv. Op. 6, 389 P.3d 262, 267 (2017).

11 NRS 41.637(4) defines a "[g]ood faith communication in furtherance of the
12 right to petition or the right to free speech in direct connection with an issue of public
13 concern" as any "[c]ommunication made in direct connection with an issue of public
14 interest in a place open to the public or in a public forum, which is *truthful or is made*
15 *without knowledge of its falsehood*." Id. (Emphasis added).

16 The Court finds the News article fairly reported information that was the
17 subject of the News article, i.e., the police reports filed by the two (2) complainants.
18 Additionally, the News article clearly states that the information was obtained from
19 copies of police reports that were recently filed. Plaintiff argued that additional
20 information should have been included in the News article, which in turn, would have
21 led readers of the article to reach their own conclusion as to the truth of the
22 allegations made to the police. However, Plaintiff's argument is misplaced because
23 the police report did not provide the names of the complainants.

24 The Court finds that the reporter accurately described the Police reports, and
25 therefore, the privilege is absolute. The Court further finds that the Nevada fair
26 reporting privilege applies to the news report at issue and, therefore, pursuant to the
27 parties' stipulation, no hearing on the issue of fault is required. The Nevada Anti-
28 SLAPP statute applies in this case; therefore,


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ORDER

IT IS ORDERED that the Motion is **GRANTED** and the Complaint shall be **DISMISSED WITH PREJUDICE** as against the Associated Press and Garcia Cano pursuant to Nev. Rev. Stat. § 41.660.

IT IS SO ORDERED.

DATED: August 23, 2018

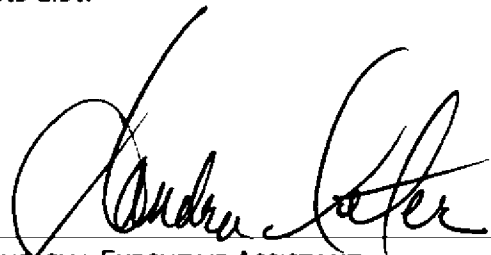


District Court Judge
Ronald J. Israel
Case No. A-18-772715-C
*Order Granting Defendant's The Associated Press
And Regina Garcia Cano's Special Motion To
Dismiss*



CERTIFICATE OF SERVICE

I hereby certify that on the 23 day of August, 2018, a copy of this **ORDER GRANTING DEFENDANT'S THE ASSOCIATED PRESS AND REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS** was electronically served to all registered parties in the Eighth Judicial District Court Electronic Filing Program per the attached Service Contacts List:



JUDICIAL EXECUTIVE ASSISTANT

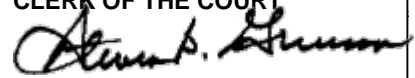
SANDRA JETER

A-18-772715-C

File Into Existing Case

Service Contacts: A-18-772715-C

Case Number	Name	Location	Description	Email	Case Type
A-18-772715-C	Department 20		Steve Wynn, Plaintiff(s) v...		Other Tort
1	▼ Party: Steve Wynn - Plaintiff				1 - 1 of 1 items
	20 items per page				
	Nikki L. Baker			nbaker@petersonbaker.com	
	Chelsea Haney			chaney@linwoodlaw.com	
	Lin Parcells			eparcells@petersonbaker.com	
	Tamara Beatty Peterson			tpeterson@petersonbaker.com	
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	▼ Party: Regina Garcia Cano - Defendant				
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	► Party: Halina Kuta - Defendant				
	► Other Service Contacts				
1	10 items per page				1 - 5 of 5 items



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*Attorneys for Defendants
The Associated Press and Regina Garcia Cano*

DISTRICT COURT

CLARK COUNTY, NEVADA

11 STEVE WYNN, an individual)	Case No. A-18-772715-C
12 Plaintiffs,)	Dept. No. 28
13 v.)	
14 THE ASSOCIATED PRESS, a foreign)	
15 corporation; REGINA GARCIA CANO, an)	
individual; and HALINA KUTA, an)	
15 individual; DOES I-X,)	
16 Defendants.)	
17)	

**NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' THE ASSOCIATED
PRESS AND REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS**

PLEASE TAKE NOTICE that on the 23rd day of August, 2018, the Clerk of
the Court entered an Order Granting Defendants' The Associated Press and Regina
Garcia Cano's Special Motion to Dismiss in the above-referenced matter.

A copy of said Order is attached hereto as Exhibit 1.

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Dated: August 23, 2018.

BALLARD SPAHR LLP

By: /s/ Justin A. Shiroff
Joel E. Tasca
Nevada Bar No. 14124
Justin A. Shiroff
Nevada Bar No. 12869
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

*Attorneys for Defendants
The Associated Press and Regina Garcia
Cano*

1 CERTIFICATE OF SERVICE

2 I HEREBY CERTIFY that on the 23rd day of August, 2018, and pursuant to
3 N.R.C.P. 5(b), I filed and served a true and correct copy of the foregoing NOTICE OF
4 ENTRY OF ORDER GRANTING DEFENDANTS' THE ASSOCIATED PRESS AND
5 REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS on the following
6 parties via the Court's electronic service system:

7
8 Tamara Beatty Peterson, Esq.
9 Nikki L. Baker, Esq.
10 PETERSON BAKER, PLLC
1001 Park Run Drive
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11 L. Lin Wood, Esq. (pro hac pending)
12 Nicole J. Wade, Esq. (pro hac pending)
13 G. Taylor Wilson, Esq. (pro hac pending)
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15 *Attorneys for Plaintiffs*

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17
18 /s/ Sarah H. Walton
19 An Employee of Ballard Spahr LLP
20
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28

EXHIBIT 1

EXHIBIT 1

JUDGE RONALD J. ISRAEL
EIGHTH JUDICIAL DISTRICT COURT
DEPARTMENT 28
Regional Justice Center
200 Lewis Avenue, 15th Floor
Las Vegas, Nevada 89155

DISTRICT COURT
CLARK COUNTY, NEVADA

STEVE WYNN, an individual
Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,
Defendants.

Case No.: A-18-772715-C
Dept.: XXVIII

ORDER GRANTING DEFENDANT'S
THE ASSOCIATED PRESS AND
REGINA GARCIA CANO'S SPECIAL
MOTION TO DISMISS

ORDER GRANTING DEFENDANT'S THE ASSOCIATED PRESS AND
REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS

This matter came before the Court on Defendants The Associated Press ("AP") and Regina Garcia Cano's ("Garcia Cano", and together with AP, the "Defendants") Special Motion to Dismiss Plaintiff Steve Wynn's ("Wynn") Complaint pursuant to Nev. Rev. Stat. §41.660 (the "Motion"), filed May 31, 2018. On July 18, 2018, Wynn filed his Opposition to the Motion. Defendants filed their Reply in support of their Motion on August 7, 2018.

On August 14, 2018, the Court heard oral argument on the Motion. L. Lin Wood, Esq. of L. Lin Wood, P.C., and Tamara Beatty Peterson, Esq., and Nikki L. Baker, Esq. of Peterson Baker, PLLC appeared on behalf of Wynn; Jay Ward

1 Brown, Esq. and Justin A. Shiroff, Esq. of Ballard Spahr LLP appeared on behalf of
2 Defendants. Having considered the Motion, Opposition, and Reply, as well as the
3 arguments of counsel, the Court hereby finds and orders as follows:

4 FACTS & PROCEDURE

5 This case stems from an article published by the Associated Press and
6 written by Regina Garcia Cano on February 27, 2018. The AP article was based on
7 the police report entered on February 7, 2018, by two (2) individuals alleging prior
8 conduct that occurred in the 1970's by Plaintiff, Steve Wynn. A copy of the article
9 was attached as Exhibit # 3 to the Complaint. Plaintiff filed a Complaint against AP,
10 Regina Cano and Halina Kuta alleging various causes of action including,
11 Defamation by all parties. The Article outlines the allegations made to the police by
12 the two complainants, including one made by Defendant Kuta against Plaintiff Wynn.

13 On July 5, 2018, Wynn and Defendants entered into a Stipulation and Order
14 Regarding Defendants' Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the
15 "Stipulation"). The Stipulation included modifications both to this Court's scheduling
16 for the hearing and to the Court's consideration of the grounds argued by
17 Defendants in their Motion.

18 The Stipulation was entered between the parties prior to the Hearing
19 specifically setting forth that Defendants argued in their Motion "that N.R.S. §41.660
20 [the 'Nevada Anti-SLAPP Statute'] applies and that Wynn cannot demonstrate a
21 likelihood of success, as required under the statute, for two separate reasons: first,
22 that the reporting by the Defendants is privileged; and second, that Wynn cannot
23 demonstrate fault." Stipulation at 2 (citations omitted). Wynn and the Defendants
24 stipulated "that discovery is not necessary to resolve the first basis for the motion,
25 i.e., whether the challenged news report is subject to the fair reporting privilege as a
26 matter of law." Id. Wynn and the Defendants further stipulated and the Court
27 ordered that, at the hearing on the Motion (then set for July 31, 2018, but later
28 moved to August 14, 2018), "the Court shall consider the fair reporting privilege

1 under the Nevada Anti-SLAPP Statute, a question of law.” *Id.* at 3. Wynn and the
2 Defendants further stipulated and the Court ordered that, “[i]f the Court finds the
3 reporting in this case not to be covered by the fair reporting privilege, the Court shall
4 continue to a second hearing to consider the issue of fault[.]” *Id.* (emphasis added).

5 FINDINGS OF FACTS AND CONCLUSIONS OF LAW AND ORDER

6 “Under Nevada’s anti-SLAPP statutes, a defendant may file a special motion
7 to dismiss if the defendant can show ‘by a preponderance of the evidence, that the
8 claim is based upon a good faith communication in furtherance of the right to petition
9 or the right to free speech in direct connection with an issue of public concern.’” NRS
10 § 41.660(3)(a); *Shapiro v. Welt*, 133 Nev. Adv. Op. 6, 389 P.3d 262, 267 (2017).

11 NRS 41.637(4) defines a “[g]ood faith communication in furtherance of the
12 right to petition or the right to free speech in direct connection with an issue of public
13 concern” as any “[c]ommunication made in direct connection with an issue of public
14 interest in a place open to the public or in a public forum, which is *truthful or is made*
15 *without knowledge of its falsehood.*” *Id.* (Emphasis added).

16 The Court finds the News article fairly reported information that was the
17 subject of the News article, i.e., the police reports filed by the two (2) complainants.
18 Additionally, the News article clearly states that the information was obtained from
19 copies of police reports that were recently filed. Plaintiff argued that additional
20 information should have been included in the News article, which in turn, would have
21 led readers of the article to reach their own conclusion as to the truth of the
22 allegations made to the police. However, Plaintiff’s argument is misplaced because
23 the police report did not provide the names of the complainants.

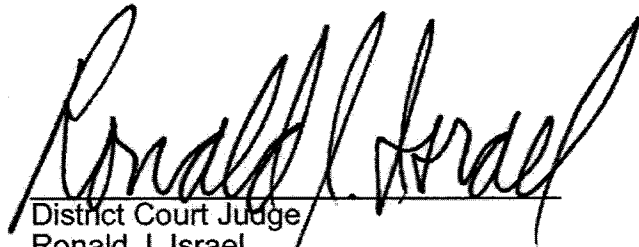
24 The Court finds that the reporter accurately described the Police reports, and
25 therefore, the privilege is absolute. The Court further finds that the Nevada fair
26 reporting privilege applies to the news report at issue and, therefore, pursuant to the
27 parties’ stipulation, no hearing on the issue of fault is required. The Nevada Anti-
28 SLAPP statute applies in this case; therefore,

ORDER

IT IS ORDERED that the Motion is **GRANTED** and the Complaint shall be **DISMISSED WITH PREJUDICE** as against the Associated Press and Garcia Cano pursuant to Nev. Rev. Stat. § 41.660.

IT IS SO ORDERED.

DATED: August 23, 2018



District Court Judge
Ronald J. Israel

Case No. A-18-772715-C

*Order Granting Defendant's The Associated Press
And Regina Garcia Cano's Special Motion To
Dismiss*



JUDGE RONALD J. ISRAEL

EIGHTH JUDICIAL DISTRICT COURT
DEPARTMENT 28

CERTIFICATE OF SERVICE

I hereby certify that on the 23 day of August, 2018, a copy of this **ORDER GRANTING DEFENDANT'S THE ASSOCIATED PRESS AND REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS** was electronically served to all registered parties in the Eighth Judicial District Court Electronic Filing Program per the attached Service Contacts List:



JUDICIAL EXECUTIVE ASSISTANT

SANDRA JETER

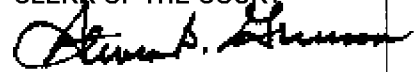
A-18-772715-C

File Into Existing Case

Service Contacts: A-18-772715-C

Case Number	Name	Location	Description	Email	Case Type
A-18-772715-C	Department 20		Steve Wynn, Plaintiff(s) v...		Other Tort
1	▼ Party: Steve Wynn - Plaintiff				1 - 1 of 1 items
		20	items per page		
	Nikki L. Baker			nbaker@petersonbaker.com	
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	Sam Parcells			eparcells@petersonbaker.com	
	Tamara Beatty Peterson			tpeterson@petersonbaker.com	
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	L. Lin Wood, Esq.			lwood@linwoodlaw.com	
	▼ Party: Associated Press - Defendant				
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	Las Vegas Intake			LVCTIntake@ballardspahr.com	
	Justin A. Shiroff			shiroffj@ballardspahr.com	
	Joel E. Tasca			tasca@ballardspahr.com	
	► Party: Halina Kuta - Defendant				
	► Other Service Contacts				
	1	10	items per page		1 - 5 of 5 items

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23 Facsimile: 404.506.9111

24 *Attorneys for Plaintiff Steve Wynn*

25 **DISTRICT COURT**

26 **CLARK COUNTY, NEVADA**

27 STEVE WYNN, an individual,

28 Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**ORDER GRANTING MOTION FOR
ENTRY OF FINAL JUDGMENT AND
RULE 54(b) CERTIFICATION**

Date of Hearing: November 6, 2018

Time of Hearing: 9:00 a.m.

This matter came before the Court on November 6, 2018, on Plaintiff Steve Wynn's "Motion for Entry of Final Judgment and Rule 54(b) Certification" filed on September 25, 2018 ("Mr. Wynn's Motion"). Tamara Beatty Peterson, Esq. and Nikki L. Baker, Esq., of Peterson Baker, PLLC., appeared on behalf of Plaintiff Steve Wynn ("Mr. Wynn"). Justin A. Shiroff, Esq.,

11-15-18
28

1 of Ballard Spahr LLP, appeared on behalf of Defendants The Associated Press and Regina Garcia
2 Cano (the "AP Defendants"). Defendant Halina Kuta ("Ms. Kuta"), proceeding *pro se*, did not
3 appear. The Court, having reviewed and considered the briefs filed by the parties and the papers
4 on file herein, as well as the arguments made during the hearing, hereby finds as follows:

5 1. On August 23, 2018, the Court entered an "Order Granting Defendant's The
6 Associated Press and Regina Garcia Cano's Special Motion to Dismiss" (the "anti-SLAPP Order").

7 2. In the anti-SLAPP Order, the Court dismissed with prejudice Mr. Wynn's Complaint
8 as against the AP Defendants pursuant to NRS 41.660, resulting in the dismissal of the AP
9 Defendants as parties to this action.

10 3. In their response to Mr. Wynn's Motion, the AP Defendants stated they "have no
11 objection to the entry of a final judgment against Mr. Wynn on his defamation claim arising from
12 that news report."

13 4. Ms. Kuta did not file any opposition to Mr. Wynn's Motion.

14 5. The AP Defendants and Defendant Kuta did not (i) dispute that Mr. Wynn will suffer
15 prejudice if his appeal of the anti-SLAPP Order is delayed, (ii) claim that they will suffer any
16 prejudice by the granting of Mr. Wynn's Motion, or (iii) refute that the prejudice to Mr. Wynn
17 would be greater than the non-existent prejudice to Ms. Kuta and the AP Defendants. *See Mallin*
18 *v. Farmers Ins. Exchange*, 106 Nev. 606, 611, 797 P.2d 978, 981-82 (1990) (setting forth three
19 steps for determining whether "there is no just reason for delay," based on the elimination of a
20 party).

21 6. Pursuant to NRCP 54(b) and the above findings, there is no just reason to delay
22 certifying the finality of the anti-SLAPP Order and directing entry of a final judgment in favor of
23 the AP Defendants.

24 7. The granting of Mr. Wynn's Motion has no impact on Mr. Wynn's claim against Ms.
25 Kuta.

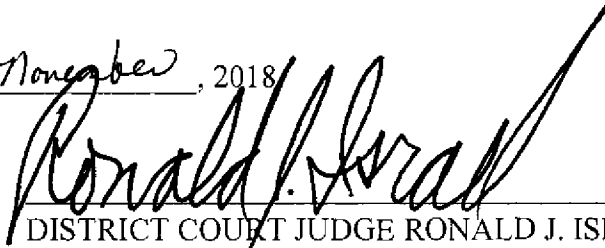
26 In light of the above findings and good cause appearing therefore, the Court orders as
27 follows:
28

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Mr. Wynn's Motion is
2 GRANTED.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that final judgment is
4 expressly directed to be entered in favor of the AP Defendants and certified pursuant to NRC
5 54(b).

6 IT IS SO ORDERED.

7 DATED this 20 day of November, 2018


DISTRICT COURT JUDGE RONALD J. ISRAEL ^{4F}

Case No. A-18-772715-C

Order Granting Motion for Entry of Final Judgment and
Rule 54(b) Certification

8
9
10
11
12
13 Respectfully submitted by:



14
15 TAMARA BEATTY PETERSON, ESQ., Bar No. 5218

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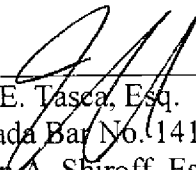
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26 Attorneys for Plaintiff Steve Wynn

1 Reviewed and approved by:

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3
4 By: 

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9 Jay Ward Brown, Esq.

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10 Chad R. Bowman, Esq.

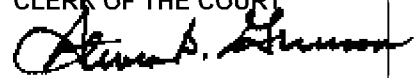
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14 *Attorney for Defendant The Associated Press and*
Regina Garcia Cano



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Attorneys for Plaintiff Steve Wynn

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVE WYNN, an individual,

Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**NOTICE OF ENTRY OF ORDER
GRANTING MOTION FOR ENTRY OF
FINAL JUDGMENT AND RULE 54(b)
CERTIFICATION**

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PLEASE TAKE NOTICE that an Order Granting Motion for Entry of Final Judgment and Rule 54(b) Certification ("Order") was entered on November 27, 2018. A copy of said Order is attached hereto.

Respectfully submitted this 27th day of November, 2018.

PETERSON BAKER, PLLC

By: /s/ Tamara Beatty Peterson

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Attorneys for Plaintiff Steve Wynn

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Peterson Baker, PLLC, and pursuant to NRCP 5(b), EDCR 8.05, Administrative Order 14-2, and NEFCR 9, I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR ENTRY OF FINAL JUDGMENT AND RULE 54(b) CERTIFICATION** to be submitted electronically for filing and service with the Eighth Judicial District Court via the Court's Electronic Filing System on the 27th day of November, 2018, to the following:

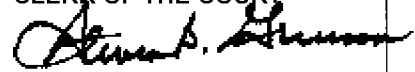
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Washington DC 20006
*Attorneys for Defendants The Associated
Press and Regina Garcia Cano*

I FURTHER CERTIFY that I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR ENTRY OF FINAL JUDGMENT AND RULE 54(b) CERTIFICATION** to be served via U.S. Mail, postage prepaid, to those parties not registered with the Eighth Judicial District Court via the Court's Electronic Filing System on the 27th day of November, 2018, to the following address:

Halina Kuta
17 W. Pinehurst Drive
Laguna Vista, TX 78578
In Proper Person

/s/ Erin L. Parcels
An employee of Peterson Baker, PLLC



1 **OMG**

2 TAMARA BEATTY PETERSON, ESQ., Bar No. 5218

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4 NIKKI L. BAKER, ESQ., Bar No. 6562

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22 Telephone: 404.891.1402

23 Facsimile: 404.506.9111

24 *Attorneys for Plaintiff Steve Wynn*

25 **DISTRICT COURT**

26 **CLARK COUNTY, NEVADA**

27 STEVE WYNN, an individual,

28 Plaintiff,

v.

THE ASSOCIATED PRESS, a foreign
corporation; REGINA GARCIA CANO, an
individual; and HALINA KUTA, an
individual; DOES I-X,

Defendants.

Case No.: A-18-772715-C

Dept. No.: XXVIII

**ORDER GRANTING MOTION FOR
ENTRY OF FINAL JUDGMENT AND
RULE 54(b) CERTIFICATION**

Date of Hearing: November 6, 2018

Time of Hearing: 9:00 a.m.

This matter came before the Court on November 6, 2018, on Plaintiff Steve Wynn's "Motion for Entry of Final Judgment and Rule 54(b) Certification" filed on September 25, 2018 ("Mr. Wynn's Motion"). Tamara Beatty Peterson, Esq. and Nikki L. Baker, Esq., of Peterson Baker, PLLC., appeared on behalf of Plaintiff Steve Wynn ("Mr. Wynn"). Justin A. Shiroff, Esq.,

11-15-18
28

1 of Ballard Spahr LLP, appeared on behalf of Defendants The Associated Press and Regina Garcia
2 Cano (the "AP Defendants"). Defendant Halina Kuta ("Ms. Kuta"), proceeding *pro se*, did not
3 appear. The Court, having reviewed and considered the briefs filed by the parties and the papers
4 on file herein, as well as the arguments made during the hearing, hereby finds as follows:

5 1. On August 23, 2018, the Court entered an "Order Granting Defendant's The
6 Associated Press and Regina Garcia Cano's Special Motion to Dismiss" (the "anti-SLAPP Order").

7 2. In the anti-SLAPP Order, the Court dismissed with prejudice Mr. Wynn's Complaint
8 as against the AP Defendants pursuant to NRS 41.660, resulting in the dismissal of the AP
9 Defendants as parties to this action.

10 3. In their response to Mr. Wynn's Motion, the AP Defendants stated they "have no
11 objection to the entry of a final judgment against Mr. Wynn on his defamation claim arising from
12 that news report."

13 4. Ms. Kuta did not file any opposition to Mr. Wynn's Motion.

14 5. The AP Defendants and Defendant Kuta did not (i) dispute that Mr. Wynn will suffer
15 prejudice if his appeal of the anti-SLAPP Order is delayed, (ii) claim that they will suffer any
16 prejudice by the granting of Mr. Wynn's Motion, or (iii) refute that the prejudice to Mr. Wynn
17 would be greater than the non-existent prejudice to Ms. Kuta and the AP Defendants. *See Mallin*
18 *v. Farmers Ins. Exchange*, 106 Nev. 606, 611, 797 P.2d 978, 981-82 (1990) (setting forth three
19 steps for determining whether "there is no just reason for delay," based on the elimination of a
20 party).

21 6. Pursuant to NRCP 54(b) and the above findings, there is no just reason to delay
22 certifying the finality of the anti-SLAPP Order and directing entry of a final judgment in favor of
23 the AP Defendants.

24 7. The granting of Mr. Wynn's Motion has no impact on Mr. Wynn's claim against Ms.
25 Kuta.

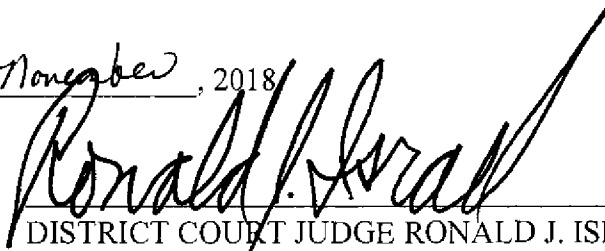
26 In light of the above findings and good cause appearing therefore, the Court orders as
27 follows:
28

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Mr. Wynn's Motion is
2 GRANTED.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that final judgment is
4 expressly directed to be entered in favor of the AP Defendants and certified pursuant to NRC
5 54(b).

6 IT IS SO ORDERED.

7 DATED this 20 day of November, 2018


DISTRICT COURT JUDGE RONALD J. ISRAEL ^{4F}

Case No. A-18-772715-C

Order Granting Motion for Entry of Final Judgment and
Rule 54(b) Certification

8 Respectfully submitted by:



15 TAMARA BEATTY PETERSON, ESQ., Bar No. 5218

16 NIKKI L. BAKER, ESQ., Bar No. 6562

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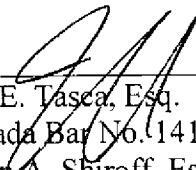
Telephone: 404.891.1402

Facsimile: 404.506.9111

26 Attorneys for Plaintiff Steve Wynn

1 Reviewed and approved by:

2 BALLARD SPAHR LLP

3
4 By: 

Joel E. Tasca, Esq.

5 Nevada Bar No. 14124

Justin A. Shiroff, Esq.

6 Nevada Bar No. 12869

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Telephone: 702.471.7000

9 Jay Ward Brown, Esq.

(admitted *pro hac vice*)

10 Chad R. Bowman, Esq.

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12 Washington, DC 20006

Telephone: 202.661.2200

13
14 *Attorney for Defendant The Associated Press and*
Regina Garcia Cano

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

June 06, 2018

A-18-772715-C Steve Wynn, Plaintiff(s)
vs.
Associated Press, Defendant(s)

June 06, 2018

3:00 AM

All Pending Motions

**All Pending Motions
(06/11/18)**

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Thomas

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- MOTION TO ASSOCIATE COUNSEL (NICOLE JENNINGS WADE, ESQ)...MOTION TO ASSOCIATE COUNSEL (G. TAYLOR WILSON, ESQ)...MOTION TO ASSOCIATE COUNSEL (I. LIN WOOD, ESQ)

On April 17, 2018, Plaintiffs Steve Wynn filed three Motions to Associate Counsel for G. Taylor Wilson, Esq., Nicole Jennings Wade, Esq., and L. Lin Wood, Esq., pursuant to Nevada Supreme Court Rule 42 (SRC 42). The matter was subsequently placed on Department XXIII's June 6, 2018 Chambers Calendar. Given there was good cause set forth in the pleadings, the Court finds that the motion is GRANTED pursuant to EDCR 2.20 and EDCR 2.23, Nevada Supreme Court Rule 42 (SRC 42) and on the merits. Counsel to submit the order(s) to chambers for signature.

CLERK'S NOTE: A copy of this minute order was e-served to Counsel. kk/ __ 06/11/18.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

June 07, 2018

A-18-772715-C Steve Wynn, Plaintiff(s)
vs.
Associated Press, Defendant(s)

June 07, 2018

9:00 AM

Motion

**The Associated Press
Defendants' Special
Motion to Dismiss
Pursuant to NRS
41.660 Anti Slapp
Statute**

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Thomas

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Shiroff, Justin Attorney

JOURNAL ENTRIES

- Mr. Shiroff represented, the parties agreed to stipulate to continue this hearing, Stipulation & Order was submitted yesterday. COURT ORDERED, Matter CONTINUED.

07/19/18 9:00 AM THE ASSOCIATED PRESS DEFENDANTS' SPECIAL MOTION TO DISMISS
PURSUANT TO NRS 41.660 ANTI SLAPP STATUTE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

July 18, 2018

A-18-772715-C Steve Wynn, Plaintiff(s)
vs.
Associated Press, Defendant(s)

July 18, 2018

3:00 AM

All Pending Motions

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Alice Jacobson

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- (Motion to associate Counsel)

Given there was good cause set forth in the pleadings, the Court finds that the motion is GRANTED pursuant to EDCR 2.20 and EDCR 2.23, Nevada Supreme Court Rule 42 (SRC 42) and on the merits. Order Admitting to Practice has been received, signed, and placed in Department XXIII's outbox or attorney folder on the first floor.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Tort**COURT MINUTES****August 14, 2018**

A-18-772715-C Steve Wynn, Plaintiff(s)
vs.
Associated Press, Defendant(s)

August 14, 2018	9:00 AM	Motion	Defendants
			Associated Press and
			Regina Garcia Cano's
			Special Motion to
			Dismiss Pursuant to
			NRS 41.660 Anti
			Slapp Statute

HEARD BY: Israel, Ronald J.**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Kathy Thomas**RECORDER:** Judy Chappell**REPORTER:****PARTIES**

PRESENT:	Baker, Nikki L.	Attorney
	Brown, Jay W.	Attorney
	Peterson, Tamara Beatty	Attorney
	Shiroff, Justin	Attorney
	Wood, L. Lin	Attorney

JOURNAL ENTRIES

- Counsel noted Mr. Jonathan Grunberg, Esq. is present, however the Motion to Associate Mr. Grunberg had not yet been heard. Court stated he is not associated in this case, at this time and will not be allowed to argue the motion today. Court further noted it had read all the pleadings in this matter. Arguments by Mr. Brown in support of the motion, noting the Anti-Slapp Statute that applies and the second issue being resolved under the fair report privilege issue. Mr. Wood argued against the motion and cited the Reilly v. Associated Press 59 Mass. case and further argued regarding the hearsay and explained the false police report and the statement of the date of the birth prior to mothers date of birth. Further arguments by Counsel. Court stated findings and noted the fair

reporting privilege does apply. Court noted it was clear the communication made in direct of public interest; The article states it was from the police report and did not say it was verified and the allegations of Ms. Kuta was without merit. COURT ORDERED, Defendants Associated Press and Regina Garcia Cano's Special Motion to Dismiss Pursuant to NRS 41.666 Anti Slapp Statute, GRANTED, as to the stipulation; ONLY the first part is decided today, Privilege applies. Court directed Mr. Brown to prepare the order and pass it by Plaintiff's Counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

August 30, 2018

A-18-772715-C Steve Wynn, Plaintiff(s)
vs.
Associated Press, Defendant(s)

August 30, 2018	3:00 AM	Motion to Associate Counsel	Motion to Associate Counsel (Jonatahan David Grunberg, Esq.)
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HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Thomas

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Given there was good cause set forth in the pleadings, and no opposition has been filed, COURT ORDERED, Motion to Associate Counsel, Jonathan David Grunberg, Esq. GRANTED, pursuant to EDCR 2.20 and EDCR 2.23, Nevada Supreme Court Rule 42 (SRC 42) and on the merits. This Decision sets forth the Court's intended disposition on the subject but anticipates further Order of the Court to make such disposition effective as an Order or Judgment. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and argument. Order Admitting to Practice needs to be submitted to the Department.

CLERK'S NOTE: A copy of this minute order was e-served to counsel. kk 09/04/18.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

September 11, 2018

A-18-772715-C Steve Wynn, Plaintiff(s)
vs.
Associated Press, Defendant(s)

September 11, 2018	9:00 AM	Motion	Defendant Kuta's ProPer Motion to Request DNA Testing of Kevyn Wynn
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HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Thomas

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Baker, Nikki L.	Attorney
	Kuta, Halina	Defendant

JOURNAL ENTRIES

- Ms. Kuta appearing by CourtCall. Upon Court's inquiry of jurisdiction, Ms. Kuta explained her issues and stated Kevyn is her daughter. Ms. Baker stated they are locating the Birth Certificate and stated the Wynn s are the biological parents of Kevyn and she resides in California. Court noted Kevyn Wynn is not a party in this case and this Court has no jurisdiction over Kevyn Wynn; Further this Court cannot randomly order DNA testing. COURT ORDERED, Motion to Request DNA Testing of Kevyn Wynn, DENIED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

November 06, 2018

A-18-772715-C Steve Wynn, Plaintiff(s)
vs.
Associated Press, Defendant(s)

**November 06, 2018 9:00 AM Motion Motion for Entry of
Final Judgment and
Rule 54(b)
Certification**

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Thomas

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Baker, Nikki L. Attorney
Peterson, Tamara Beatty Attorney
Shiroff, Justin Attorney

JOURNAL ENTRIES

- Upon Court's inquiry of the non-appearance of Ms. Kuta, Counsel thought Ms. Kuta might appear by telephone. Clerk noted there was no notice of a courtcall appearance today. Ms. Peterson had no opposition to the entry of the final judgment. Mr. Shiroff requested Ms. Kuta be dismissed for the appellate aspect. COURT ORDERED, Motion, GRANTED; 54 (b) Certification, GRANTED as to the Court's decision. Court DENIED the request to dismiss Ms. Kuta, she will remain in the case. Ms. Peterson to prepare the order.

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL BY PLAINTIFF STEVE WYNN; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING DEFENDANT'S THE ASSOCIATED PRESS AND REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS; NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' THE ASSOCIATED PRESS AND REGINA GARCIA CANO'S SPECIAL MOTION TO DISMISS; ORDER GRANTING MOTION FOR ENTRY OF FINAL JUDGMENT AND RULE 54(B) CERTIFICATION; NOTICE OF ENTRY OF ORDER GRANTING MOTION FOR ENTRY OF FINAL JUDGMENT AND RULE 54(B) CERTIFICATION; DISTRICT COURT MINUTES

STEVE WYNN,

Plaintiff(s),

vs.

THE ASSOCIATED PRESS; REGINA
GARCIA CANO; HALINA KUTA,

Defendant(s),

Case No: A-18-772715-C

Dept No: XXVIII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 17 day of December 2018.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

PETERSON BAKER, PLLC
10001 PARK RUN DRIVE
LAS VEGAS, NV 89145-8857
(702) 786-1001



Wells Fargo, N.A.
Nevada
wellsfargo.com

3391
94-7074/3212

DATE 12/14/2018

PAY TO THE
ORDER OF

Supreme Court Clerk

\$ **250.00

Two Hundred Fifty and 00/100 ***** DOLLARS

Supreme Court Clerk

MEMO

Case No. A-18-772715-C



Nikki Abaker

THE BACK OF THIS DOCUMENT CONTAINS CHECK SECURITY WATERMARK AND COIN REACTIVE INK

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PETERSON BAKER, PLLC
Supreme Court Clerk

Case No. A-18-772715-C

12/14/2018

3391

250.00

Wells Fargo Ckg (054 Case No. A-18-772715-C

250.00