

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS METROPOLITAN
POLICE DEPARTMENT,

Appellant,

vs.

THE CENTER FOR INVESTIGATIVE
REPORTING, INC., A CALIFORNIA
NONPROFIT ORGANIZATION,

Respondent.

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May 13 2019 09:53 a.m.
Nos. 77617/77985
Elizabeth A. Brown
Clerk of Supreme Court

Appeal from the Eighth Judicial District
Court, the Honorable Elizabeth
Gonzalez Presiding

CERTIFICATE OF SERVICE FOR JOINT APPENDIX (VOLUMES 1-4)

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **JOINT APPENDIX (VOLUMES 1-4)** were filed electronically with the Nevada Supreme Court on the 10th day of May, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

N/A

/s/ Julia Rodionova
An employee of Marquis Aurbach Coffing

INDEX TO JOINT APPENDIX

| <u>DOCUMENT DESCRIPTION</u> | | <u>LOCATION</u> |
|--|--|-----------------------------|
| Verified Petition for Writ of Mandamus and Incorporated Application for Order and Expedited Hearing Pursuant to NRS 239.011 (filed 05/02/18) | | Vol. 1, Bates Nos. 1–13 |
| Exhibits to Verified Petition for Writ of Mandamus and Incorporated Application for Order and Expedited Hearing Pursuant to NRS 239.011 | | |
| Exhibit | Document Description | |
| 1 | Application for Order Shortening Time | Vol. 1, Bates Nos. 14–17 |
| 2 | Emails from December 2017 to March 2018 Regarding Records Request | Vol. 1, Bates Nos. 18–23 |
| 3 | March 28, 2018 Letter from Philip Erwin to LVMPD | Vol. 1, Bates Nos. 24–31 |
| 4 | Case Report No. LLV960907002063 | Vol. 1, Bates Nos. 32–34 |
| 5 | Emails from March 2018 to April 2018 Regarding Records Request Production | Vol. 1, Bates Nos. 35–37 |
| 6 | April 12, 2018 Letter from LVMPD to Philip Erwin | Vol. 1, Bates Nos. 38–40 |
| 7 | April 23, 2018 Letter from Philip Erwin to LVMPD | Vol. 1, Bates Nos. 41–44 |
| 8 | April 27, 2018 Letter from LVMPD to Philip Erwin | Vol. 1, Bates Nos. 45–46 |
| 9 | Las Vegas Sun Article “The Death of Tupac Shakur One Year Later (dated 09/06/97) | Vol. 1, Bates Nos. 47–50 |
| 10 | Billboard Article “Weapon Used in Tupac’s Murder Suddenly Disappears” (dated 12/17/17) | Vol. 1, Bates Nos. 51–53 |

| <u>DOCUMENT DESCRIPTION</u> | | <u>LOCATION</u> |
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| Exhibits to Verified Petition for Writ of Mandamus and Incorporated Application for Order and Expedited Hearing Pursuant to NRS 239.011 (cont.) | | |
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| 11 | Los Angeles Times Article “Possible Suspect in Tupac Shakur Death Killed in Shootout” (dated 05/30/98) | Vol. 1, Bates Nos. 54–55 |
| Respondent Las Vegas Metropolitan Police Department’s Response to Verified Petition for Writ of Mandamus (filed 05/07/18) | | Vol. 1, Bates Nos. 56–67 |
| Exhibits to Respondent Las Vegas Metropolitan Police Department’s Response to Verified Petition for Writ of Mandamus | | |
| Exhibit | Document Description | |
| A | Declaration of Clifford H. Mogg (dated 05/08/18) | Vol. 1, Bates Nos. 68–70 |
| B | Las Vegas Now Article “I-Team: Police Solve 1991 Cold Case Murder” (dated 07/15/16) | Vol. 1, Bates Nos. 71–73 |
| C | Las Vegas Now Article “I-Team: DNA Evidence Links Man to Las Vegas Cold Case Murder” (dated 10/12/16) | Vol. 1, Bates Nos. 74–76 |
| D | KSNV 3 News Article “Las Vegas’ Oldest Cold Case Gets a New Lead” (dated 08/17/16) | Vol. 1, Bates Nos. 77–80 |
| E | FBI Investigatory File Disclosures | Vol. 1, Bates Nos. 81–183 |
| Reply in Support of Verified Petition for Writ of Mandamus and Incorporated Application for Order and Expedited Hearing Pursuant to NRS 239.011 (filed 05/14/18) | | Vol. 1, Bates Nos. 184–194 |

| <u>DOCUMENT DESCRIPTION</u> | | <u>LOCATION</u> |
|---|--|-------------------------------|
| Notice of Errata to Reply in Support of Verified Petition for Writ of Mandamus and Incorporated Application for Order and Expedited Hearing Pursuant to NRS 239.011 (filed 05/14/18) | | Vol. 1, Bates Nos. 195–208 |
| Exhibit to Notice of Errata to Reply in Support of Verified Petition for Writ of Mandamus and Incorporated Application for Order and Expedited Hearing Pursuant to NRS 239.011 | | |
| Exhibit | Document Description | |
| 1 | Order Granting Amended Public Records Act Applications Pursuant to Nev. Rev. Stat. § 239.011/Petition for Writ of Mandamus in Consolidated Case Nos. A764030/A764169 | Vol. 1, Bates Nos. 209–216 |
| Minutes of May 15, 2018 Hearing on Writ | | Vol. 1, Bates No. 217 |
| Transcript of May 15, 2018 Hearing on Writ (filed 10/05/18) | | Vol. 1, Bates Nos. 218–250 |
| Minutes of September 13, 2018 Hearing on Writ | | Vol. 2, Bates No. 251 |
| Minutes of September 25, 2018 Hearing on Writ | | Vol. 2, Bates No. 252 |
| Minutes of September 28, 2018 Status Check | | Vol. 2, Bates No. 253 |
| Petitioner The Center for Investigative Reporting Inc.’s Supplemental Brief Its Prevailing Status Under NRS 239.011 (filed 10/12/18) | | Vol. 2, Bates Nos. 254–270 |

| <u>DOCUMENT DESCRIPTION</u> | | <u>LOCATION</u> |
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| Exhibits to Petitioner The Center for Investigative Reporting Inc.'s Supplemental Brief Its Prevailing Status Under NRS 239.011 | | |
| Exhibit | Document Description | |
| 1 | Emails from December 2017 to March 2018 Regarding Records Request | Vol. 2, Bates Nos. 271–276 |
| 2 | Letter from Philip Erwin to LVMPD | Vol. 2, Bates Nos. 277–284 |
| 3 | Case Report No. LLV960907002063 | Vol. 2, Bates Nos. 285–287 |
| 4 | Emails from March 2018 to April 2018 Regarding Records Request Production | Vol. 2, Bates Nos. 288–290 |
| 5 | April 12, 2018 Letter from LVMPD to Philip Erwin | Vol. 2, Bates Nos. 291–293 |
| 6 | April 23, 2018 Letter from Philip Erwin to LVMPD | Vol. 2, Bates Nos. 294–297 |
| 7 | April 27, 2018 Letter from LVMPD to Philip Erwin | Vol. 2, Bates Nos. 298–299 |
| 8 | Transcript of May 15, 2018 Hearing on Writ (filed 10/05/18) | Vol. 2, Bates Nos. 300–333 |
| 9 | May 21, 2018 Letter from Philip Erwin to Judge Kishner | Vol. 2, Bates Nos. 334–335 |
| 10 | Declaration of Philip R. Erwin, Esq. in Support of Petitioner The Center for Investigative Reporting Inc.'s Supplemental Brief Regarding Its Prevailing Status Under NRS 239.011 (dated 10/12/18) | Vol. 2, Bates Nos. 336–338 |
| Respondent Las Vegas Metropolitan Police Department's Brief Regarding Issue of Prevailing Party (filed 10/12/18) | | Vol. 2, Bates Nos. 339–346 |

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| Minutes of October 30, 2018 Hearing on Supplemental Briefing | | Vol. 2, Bates Nos. 347–348 |
| Transcript of October 30, 2018 Hearing on Supplemental Briefing (filed 01/30/19) | | Vol. 2, Bates Nos. 349–357 |
| Notice of Entry with Order Regarding Writ of Mandamus (filed 11/06/18) | | Vol. 2, Bates Nos. 358–363 |
| The Center for Investigative Reporting Inc.’s Motion for Attorneys’ Fees and Costs (filed 12/21/18) | | Vol. 2, Bates Nos. 364–368 |
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| Exhibit | Document Description | |
| 1 | Declaration of Philip R. Erwin (dated 11/14/18) | Vol. 2, Bates Nos. 369–372 |
| 2 | Campbell & Williams Invoices | Vol. 2, Bates Nos. 373–380 |
| Respondent Las Vegas Metropolitan Police Department’s Response to Motion for Attorneys’ Fees and Costs (filed 12/04/18) | | Vol. 2, Bates Nos. 381–396 |
| Exhibits to Respondent Las Vegas Metropolitan Police Department’s Response to Motion for Attorneys’ Fees and Costs | | |
| Exhibit | Document Description | |
| A | Legislative Counsel Bureau Bulletin No. 93-9 | Vol. 2, Bates Nos. 397–500 through Vol. 3, Bates Nos. 501–688 |
| B | Legislative Summary for AB 365 | Vol. 4, Bates Nos. 689–755 |

| <u>DOCUMENT DESCRIPTION</u> | | <u>LOCATION</u> |
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| Exhibits to Respondent Las Vegas Metropolitan Police Department's Response to Motion for Attorneys' Fees and Costs (cont.) | | |
| Exhibit | Document Description | |
| C | LVMPD's Privilege Log | Vol. 4, Bates Nos. 756–772 |
| Respondent Las Vegas Metropolitan Police Department's Notice of Appeal (filed 12/04/18) | | Vol. 4, Bates Nos. 773–775 |
| Respondent Las Vegas Metropolitan Police Department's Case Appeal Statement (filed 12/04/18) | | Vol. 4, Bates Nos. 786–789 |
| The Center for Investigative Reporting Inc.'s Reply in Support of Motion for Attorneys' Fees and Costs (filed 12/12/18) | | Vol. 4, Bates Nos. 790–800 |
| Exhibits to The Center for Investigative Reporting Inc.'s Reply in Support of Motion for Attorneys' Fees and Costs | | |
| Exhibit | Document Description | |
| 1 | Order, <i>Las Vegas Review-Journal v. Clark Cty. Office of the Coroner/Med. Exam'r</i> , 2018 WL 1896250 (Nev. Dist. Ct. Feb. 1, 2018) | Vol. 4, Bates Nos. 801–809 |
| 2 | Order, <i>Las Vegas Review-Journal v. Clark Cty. School Dist.</i> , 2018 WL 1896249 (Nev. Dist. Ct. Mar. 22, 2018) | Vol. 4, Bates Nos. 810–821 |
| 3 | Order Granting, in Part, Petitioners' Motion for Attorneys' Fees and Costs in Carson City District Court Case No. 14OC000031B (filed 04/11/14) | Vol. 4, Bates Nos. 822–831 |

| <u>DOCUMENT DESCRIPTION</u> | | <u>LOCATION</u> |
|---|---|-------------------------------|
| Exhibits to The Center for Investigative Reporting Inc.'s Reply in Support of Motion for Attorneys' Fees and Costs (cont.) | | |
| Exhibit | Document Description | |
| 4 | Defendant Stephens Media, LLC's Motion for Attorney's Fees in Clark County District Court Case No. A669057 (filed 03/30/15) | Vol. 4, Bates Nos. 832–862 |
| 5 | Order in Clark County District Court Case No. A669057 (filed 06/22/15) | Vol. 4, Bates Nos. 863–873 |
| 6 | Discovery Commissioner's Report and Recommendation in Clark County District Court Case No. A722259 (filed 01/18/17) | Vol. 4, Bates Nos. 874–879 |
| December 21, 2018 Minute Order Granting Motion for Fees and Costs | | Vol. 4, Bates No. 880 |
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