



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Electronically Filed
Dec 17 2020 10:26 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

December 17, 2020

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: LAS VEGAS REVIEW-JOURNAL vs. CLARK COUNTY OFFICE OF THE
CORONER/MEDICAL EXAMINER
S.C. CASE: 82229
D.C. CASE: A-17-758501-W

Dear Ms. Brown:

On December 16, 2020 our office submitted a Notice of Appeal packet for the above referenced case noting that the minutes from October 29, 2020 and December 10, 2020 were not included. The minutes have now been completed and are enclosed. Please contact our office at (702) 671-0512 if you have any questions.

Sincerely,

STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "Heather Ungermann", written over a horizontal line.

Heather Ungermann, Deputy Clerk

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus**COURT MINUTES****October 29, 2020**

A-17-758501-W	Las Vegas Review-Journal, Plaintiff(s)
	vs.
	Clark County Office of the Coroner/ Medical Examiner, Defendant(s)

October 29, 2020	9:00 AM	Hearing	Hearing on briefs re: Remand
------------------	---------	---------	---------------------------------

HEARD BY: Crockett, Jim	COURTROOM: Phoenix Building 11th Floor 116
-------------------------	---

COURT CLERK: Rem Lord

RECORDER: Nancy Maldonado

REPORTER:

PARTIES

PRESENT: McLetchie, Margaret A.	Attorney
Nichols, Jacqueline	Attorney
Shell, Alina	Attorney

JOURNAL ENTRIES

- ALSO PRESENT: Benjamin Lipman, Counsel for the Las Vegas Review Journal, and Arthur Kane.

The original issue was Plaintiff sought unredacted juvenile autopsy reports from the Clark County Coroner's Office for investigative reasons. The case went up to the Supreme Court, and the Supreme Court issued an Opinion. The case was Remanded for Judge Crockett to apply the balancing test regarding a non-trivial privacy interest, and whether or not it is outweighed by the significant public interest. The Court addressed counsel. Argument by Ms. McLetchie.

The Court stated it appears that the Coroner's Office wants to also serve as the judicial decider by providing a spreadsheet and redacted records, and everyone should accept on face value the contention that it is everything that pertains to the cause of death. Anything redacted doesn't need to be seen. The Court addressed the value of transparency in our Government, and the value of public

oversight. Argument by Ms. Nichols. The Court offered to perform an in camera review of unredacted juvenile autopsy reports with an explanation from a qualified expert. Ms. Nichols stated an in camera review would address her concerns. Colloquy.

Upon the Court's inquiry, Ms. McLetchie didn't know the number of juvenile autopsy reports. Argument by Ms. McLetchie. Judge Crockett FINDS the multiple significant public interests identified in Ms. McLetchie's brief SUBSTANTIALLY OUTWEIGHS the non-trivial privacy interests asserted by the Coroner's Office. Ms. Nichols believes there are 600 to 700 juvenile autopsy reports. Colloquy regarding the autopsy reports are not redacted. Arguments by counsel.

COURT ORDERED, autopsy reports requested by the Las Vegas Review Journal will be produced in an UNREDACTED format within 30 days of today's date; the Coroner's Office can determine the charges as discussed; for hard copies, the charge is capped at fifty cents per page pursuant to the Supreme Court's Opinion (page 24). Argument by Ms. McLetchie. The Court alerted both sides that given today's ruling it is only a matter of time before the Court declares Plaintiff to be the prevailing party, and it will become relevant on the issue of fees and costs. Colloquy regarding actual costs must be disclosed by the Coroner's Office.

Ms. McLetchie addressed costs. The Court addressed counsel on the cost of medical records. Colloquy. The Court stated electronic copies are fine. COURT ORDERED, the Coroner's Office can charge for a digital medium (CD). Nothing further from counsel. Based upon today's ruling, COURT ORDERED, PLAINTIFF IS THE PREVAILING PARTY, and Plaintiff can submit a supplemental Application for fees and costs, including those previously awarded. Ms. McLetchie to prepare the Order.

CLERK'S NOTE: Minute Order typed from JAVS. (jl 12-16-2020)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Mandamus

COURT MINUTES

December 10, 2020

A-17-758501-W Las Vegas Review-Journal, Plaintiff(s)
vs.
Clark County Office of the Coroner/ Medical Examiner, Defendant(s)

December 10, 2020 9:00 AM All Pending Motions

HEARD BY: Crockett, Jim **COURTROOM:** Phoenix Building 11th Floor
116

COURT CLERK: Jill Chambers

RECORDER: Nancy Maldonado

REPORTER:

PARTIES

PRESENT: McLetchie, Margaret A. Attorney
 Nichols, Jacqueline Attorney

JOURNAL ENTRIES

- RESPONDENT CLARK COUNTY OFFICE OF THE CORONER/MEDICAL EXAMINER'S
MOTION TO STAY ON AN ORDER SHORTENING TIME...PETITIONER LAS VEGAS REVIEW
JOURNAL'S MOTION TO ORDER SHOW CAUSE ON ORDER SHORTENING TIME

Court reviewed its notes with counsel. Upon the Court's inquiry, Ms. Nichols stated she had nothing to add. Ms. McLetchie argued.

COURT ORDERED, as to the Motion to Stay, DENIED, stated findings and directed Ms. McLetchie to prepare the order.

As to the Motion to Order Show Cause, COURT ORDERED, DENIED and extended the deadline to produce un-redacted autopsy reports to no later than 12/30/20. Ms. Nichols to prepare the order.