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Clerk of Supreme Court

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*Attorneys for Plaintiff Steve Wynn*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

STEVE WYNN,

Plaintiff,

v.

THE ASSOCIATED PRESS, and REGINA  
GARCIA CANO,

Defendant.

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

**STEVE WYNN'S NOTICE OF APPEAL**

Plaintiff Steve Wynn, by and through his counsel of record hereby appeals to the Supreme Court of Nevada from the Order Granting Defendants The Associated Press and Regina Garcia Cano's Renewed Special Motion to Dismiss entered on November 2, 2022 and attached hereto as Exhibit 1, as well as all orders, rulings or decisions relating thereto, and any other order or decision made appealable thereby.

DATED this 30th day of November, 2022.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice

Todd L. Bice, Esq., Bar No. 4534  
Jordan T. Smith, Esq., Bar No. 12097  
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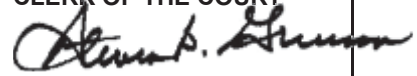
*Attorneys for Plaintiff Steven Wynn*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of Pisanelli Bice PLLC, and that on this 30th day of November, 2022, I caused to be e-filed/e-served the above **STEVEN WYNN'S NOTICE OF APPEAL** to all parties listed on the Court's Master Service List.

/s/ Shannon Dinkel  
An employee of Pisanelli Bice PLLC

# **EXHIBIT 1**



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

14 **EIGHTH JUDICIAL DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 STEVE WYNN,	)	Case No. A-18-772715-C
17	)	
18 Plaintiff,	)	Dept. No. XXVIII
19	)	
20 v.	)	
21	)	
22 THE ASSOCIATED PRESS, and REGINA	)	
23 GARCIA CANO,	)	
24	)	
25 Defendants.	)	
26	)	
27	)	
28	)	

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

26 [continued on following page]

1 Please take notice that an Order Granting Defendants The Associated Press  
2 and Regina Garcia Cano's Renewed Special Motion to Dismiss (the "Order") was  
3 entered on October 26, 2022. A copy of the Order is attached as Exhibit A.

4 Dated: November 2, 2022

5 BALLARD SPAHR LLP

6 By: /s/ David E. Chavez

7 David E. Chavez, Esq.  
8 Nevada Bar No. 15192  
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14 *Attorneys for Defendants*

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**CERTIFICATE OF SERVICE**

I CERTIFY that on November 2, 2022, I served a true and correct copy of the foregoing Notice of Entry of Order Granting Defendants The Associated Press and Regina Garcia Cano's Renewed Special Motion to Dismiss on the following parties via the Court's electronic service system, pursuant to NRCP 5:

Todd L. Bice, Esq.  
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*Attorneys for Plaintiffs*

/s/ Adam Crawford  
An Employee of Ballard Spahr LLP

**EXHIBIT A**

**EXHIBIT A**

*Heather S. Lewis*  
CLERK OF THE COURT

**JUDGE RONALD J. ISRAEL**  
**EIGHTH JUDICIAL DISTRICT COURT**  
**DEPARTMENT 28**  
Regional Justice Center  
200 Lewis Avenue, 15<sup>th</sup> 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  
DEFENDANTS THE  
ASSOCIATED PRESS AND  
REGINA GARCIA CANO'S  
RENEWED SPECIAL MOTION  
TO DISMISS**

**ORDER GRANTING DEFENDANTS THE ASSOCIATED PRESS AND  
REGINA GARCIA CANO'S RENEWED 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") Renewed Special Motion to Dismiss Plaintiff Steve Wynn's ("Wynn") Complaint pursuant to Nev. Rev. Stat. §41.660 (the "Renewed Motion"), filed July 1, 2022. On August 9, 2022, Wynn filed his Opposition to the Motion. Defendants filed their Reply in support of their Motion on August 23, 2022.

On September 8, 2022, the Court heard the matter in-chambers. Having considered the Motion, Opposition, and Reply, the Court hereby finds and orders as follows:

///



**FACTS & PROCEDURE**

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

This matter originally came before this 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 5, 2018, Wynn and Defendants entered into a Stipulation and Order Regarding Defendants’ Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the “Stipulation”). The Stipulation included modifications both to this Court’s scheduling for the hearing and to the Court’s consideration of the grounds argued by Defendants in their Motion.

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

1 2018), “the Court shall consider the fair report privilege under the Nevada Anti-  
2 SLAPP Statute, a question of law.” *Id.* at 3. Wynn and the Defendants further  
3 stipulated and the Court ordered that, “[i]f the Court finds the reporting in this case  
4 not to be covered by the fair report privilege, the Court shall continue to a second  
5 hearing to consider the issue of fault[.]” *Id.* (emphasis added).

6 On July 18, 2018, Wynn filed his Opposition to the Motion. Defendants filed  
7 their Reply in support of their Motion on August 7, 2018. On August 14, 2018, the  
8 Court heard oral argument on the Motion. L. Lin Wood, Esq. of L. Lin Wood, P.C.,  
9 and Tamara Beatty Peterson, Esq., and Nikki L. Baker, Esq. of Peterson Baker, PLLC  
10 appeared on behalf of Wynn; Jay Ward Brown, Esq. and Justin A. Shiroff, Esq. of  
11 Ballard Spahr LLP appeared on behalf of Defendants.

12 This court issued an Order on August 23, 2018, granting the Motion and found  
13 that the news article fairly reported information that was found in the police reports  
14 filed by the two (2) complainants and that the article was a “[g]ood faith  
15 communication in furtherance of . . . the right to free speech in direct connection with  
16 an issue of public interest.” *See* Aug. 23, 2018 Order Granting Defendants’ Special  
17 Mot. to Dismiss at 3.

18 Wynn appealed this Court’s ruling regarding the fair report privilege and the  
19 Nevada Supreme Court addressed whether the filing of a report documenting  
20 allegations to police constitutes an official action under the fair report privilege. The  
21 Court held that the complainant’s statement did not fall within the fair report privilege  
22 because it was a statement of facts about a case rather than an official action or  
23 proceeding, such as an arrest or the bringing of charges. *Wynn v. Associated Press*,  
24 136 Nev. 611, 617, 475 P.3d 44, 50 (2020). Ultimately, the Court found that while the  
25 report privilege shields a defendant from liability for publication of defamatory  
26 content, the district court erred by extending the fair report privilege to the AP article  
27 because law enforcement did not take any official action concerning the allegations  
28 and they were not investigated, evaluated, or pursued by law enforcement. *Id.* at 619.

1 Accordingly, the Court reversed and remanded for determination of application  
2 of the Anti-SLAPP statute and “whether Wynn, as a public figure, could demonstrate  
3 a probability of prevailing on his defamation claim.” *Id.* at 620. On remand, Wynn  
4 was permitted to take written, document, and deposition discovery on the limited  
5 issue of actual malice. That discovery period has ended and AP Defendants re-filed  
6 the Motion as a Renewed Motion.

### 7 FINDINGS OF FACTS, CONCLUSIONS OF LAW, AND ANALYSIS

8 This Court finds Mr. Wynn was a public figure and the sexual assault  
9 allegations are a matter of public concern given his ownership and title with Wynn  
10 Casinos, as well as the prior ongoing investigation and claims concerning female  
11 employees and other regarding inappropriate behavior. Wynn argued additional  
12 information should have been included in the news article and a thorough  
13 investigation by Defendants was needed to verify the police reports. However, Wynn  
14 ignores the fact that the reporter used two redacted complaints and there was no way  
15 to verify the truthfulness of the complaints.

16 This Court finds the news article clearly states that the information was  
17 obtained from copies of recently filed police reports. While the article referred to two  
18 complaints, the first complaint has never been addressed while the second  
19 complainant was not disclosed in the AP report. Consequently, no additional  
20 information could have been obtained through further investigation. It was only after  
21 Metro police disclosed the alleged victim’s name that contact could be made with Ms.  
22 Kuta and it became apparent her allegations were without merit. Defendants could not  
23 have known that Ms. Kuta’s allegations were false when the article was published and  
24 there’s nothing in the record to suggest that Defendants knew or should have known  
25 that the allegations were false.

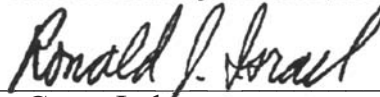
26 Further, the case was remanded to allow discovery for Wynn to substantiate  
27 actual malice to prevail on his defamation claim. To prevail on the defamation claim,  
28 the Plaintiff must show actual malice by clear and convincing evidence. Here, the

1 Plaintiff has not established a likelihood of prevailing on the merits and there is  
2 nothing in the record to show Defendants published information knowing of its  
3 falsehood or that it was established with reckless disregard of the truth and therefore  
4 Wynn cannot prevail.

5 For the above reasons, Defendants' Renewed Special Motion to Dismiss is  
6 GRANTED.

7  
8 **IT IS SO ORDERED.**

9 Dated this 26th day of October, 2022

10 

11 District Court Judge

Ronald J. Israel

Case No. A-18-11279-C

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

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Steve Wynn, Plaintiff(s)

CASE NO: A-18-772715-C

7 vs.

DEPT. NO. Department 28

8 Associated Press, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order Granting Motion was served via the court's electronic eFile  
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/26/2022

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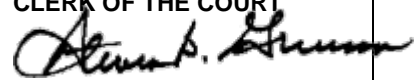
27

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Las Vegas Docket	LVDocket@ballardspahr.com
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Docket Clerk	DocketClerk_LasVegas@ballardspahr.com
David Astur	dastur@petersonbaker.com
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If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 10/27/2022

Halina Kuta	17 W Pinehurst DR Laguna Vista, TX, 78578
-------------	--



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*Attorneys for Plaintiff Steve Wynn*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

STEVE WYNN,

Plaintiff,

v.

THE ASSOCIATED PRESS, REGINA  
GARCIA CANO,

Defendants.

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

**STEVE WYNN'S CASE APPEAL  
STATEMENT**

**1. Name of appellant filing this case appeal statement:**

Steve Wynn

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

The Honorable Ronald J. Israel, Dept. No. XXVIII

**3. Parties to the district court proceedings:**

Plaintiff: Steve Wynn

Defendant: The Associated Press

1 Defendant: Regina Garcia Cano

2 Defendant: Halina Kuta<sup>1</sup>

3 **4. Parties involved in this appeal:**

4 Appellant: Steve Wynn

5 Respondent: The Associated Press

6 Respondent: Regina Garcia Cano

7 **5. Name, law firm, address and telephone number of all counsel on appeal:**

8 Counsel for Plaintiff/Appellant:

9 Todd L. Bice, Esq., Bar No. 4534

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24 PETERSON BAKER, PLLC

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27 Counsel for Defendants/Respondents:

28 David Chavez, Esq., Bar No. 15192

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BALLARD SPAHR LLP

<sup>1</sup> While the first appeal was pending, Mr. Wynn proceeded to trial against Ms. Kuta and obtained a non-jury verdict in his favor, which Ms. Kuta did not appeal. Ms. Kuta is not a party to this Appeal.



1 1909 K Street NW  
2 Washington DC 20006

3 **6. Whether appellant is represented by appointed or retained counsel in the district**  
4 **court:**

5 Appellant is represented by retained counsel in the district court.

6 **7. Whether appellant is represented by appointed or retained counsel on appeal:**

7 Appellant is represented by retained counsel on appeal.

8 **8. Whether appellant was granted leave to proceed in forma pauperis and the date of**  
9 **entry of the district court order granting such leave:**

10 Appellant is not proceeding in forma pauperis.

11 **9. The date the proceedings commenced in the district court:**

12 April 11, 2018.

13 **10. Brief description of the nature of the action and result in the district court, including**  
14 **the type of judgment or order being appealed and the relief granted by the district**  
15 **court:**

16 This action involves an anti-SLAPP special motion to dismiss. Plaintiff/Appellant Steve  
17 Wynn ("Mr. Wynn") brought a defamation claim against Defendants/Respondents The Associated  
18 Press and Regina Garcia Cano ("Ms. Garcia Cano") collectively "AP Defendants") and Defendant  
19 Halina Kuta ("Ms. Kuta"). Mr. Wynn's defamation claim alleges that the AP Defendants acted  
20 with actual malice when they published a newspaper article authored by Ms. Garcia Cano that  
21 simply re-published Ms. Kuta's false and defamatory police report without completing any  
22 investigation into the truth of the outlandish and "crazy" allegations.

23 The AP Defendants moved to dismiss under Nevada's anti-SLAPP statutes. Initially, in  
24 2018, the district court concluded that the fair report privilege applied, that the AP Defendants had  
25 "fairly reported" on Ms. Kuta's police report, and thus, granted the AP Defendants' motion. On  
26 appeal, this Court reversed, concluding that the fair report privilege did not apply when a media  
27 organization "republished allegations of criminal conduct contained in a citizen's complaint on  
28 which law enforcement did not take any official action." *Wynn v. Associated Press*, 136 Nev. 611,  
620, 475 P.3d 44, 52 (2020). The Court instructed the district court, on remand, to "determine  
whether AP Defendants can meet their burden under the first prong of the anti-SLAPP

framework," and, if so, whether Wynn can "demonstrate a probability of prevailing on his defamation claim." *Id.*

On remand, the district court found that the AP Defendants' article "clearly states that the information was obtained from copies of recently filed police reports." (*See* Ex. 1 at 4.) The district court concluded that Defendants' allegations related to a public interest under the first prong of the anti-SLAPP statute because of Mr. Wynn's status as a public figure, without completing the necessary analysis under *Smith v. Zilverberg* to determine whether the article related to an issue of public interest. 137 Nev. 65, 481 P.3d 1222 (2021). Further, despite this Court previously determining that republishing a citizens' complaint was not protected, the district court determined that the AP Defendants could not have obtained any additional information through investigation and that there was "nothing in the record to suggest that Defendants knew or should have known that the allegations were false." (Ex. 1 at 4.) The district court also concluded that Mr. Wynn failed to prove actual malice by clear and convincing evidence. The district court determined that Mr. Wynn has not established a likelihood of prevailing on the merits, and granted the AP Defendant's anti-SLAPP motion to dismiss. Mr. Wynn now appeals the district court's Order Granting Defendants The Associated Press and Regina Garcia Cano's Renewed Special Motion to Dismiss, entered on November 11, 2022.

**11. 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:**

This case was previously on appeal in *Steven Wynn v. Associated Press*, Docket No. 77708.

**12. Whether the appeal involves child custody or visitation:**

This appeal does not involve child custody or visitation.

...

...

...

1 **13. Whether the appeal involves the possibility of settlement:**

2 Settlement is unlikely as this appeal involves significant disputes as to Plaintiff's burden to  
3 overcome issues of actual malice.

4 DATED this 30th day of November, 2022.

5 PISANELLI BICE PLLC

6  
7 By: /s/ Todd L. Bice  
8 Todd L. Bice, Esq., Bar No. 4534  
9 Jordan T. Smith, Esq., Bar No. 12097  
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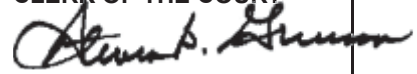
14 *Attorneys for Plaintiff Steve Wynn*  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of Pisanelli Bice PLLC, and that on this 30th day of November, 2022, I caused to be e-filed/e-served the above **STEVE WYNN'S CASE APPEAL STATEMENT** to all parties listed on the Court's Master Service List.

/s/ Shannon Dinkel  
An employee of Pisanelli Bice PLLC

# **EXHIBIT 1**



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

14 **EIGHTH JUDICIAL DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 STEVE WYNN,	)	Case No. A-18-772715-C
17	)	
18 Plaintiff,	)	Dept. No. XXVIII
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22 THE ASSOCIATED PRESS, and REGINA	)	
23 GARCIA CANO,	)	
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23 **NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS**  
24 **THE ASSOCIATED PRESS AND REGINA GARCIA CANO'S**  
25 **RENEWED SPECIAL MOTION TO DISMISS**

26 [continued on following page]

1 Please take notice that an Order Granting Defendants The Associated Press  
2 and Regina Garcia Cano's Renewed Special Motion to Dismiss (the "Order") was  
3 entered on October 26, 2022. A copy of the Order is attached as Exhibit A.

4 Dated: November 2, 2022

5 BALLARD SPAHR LLP

6 By: /s/ David E. Chavez

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9 -and-

10 Jay W. Brown, Esq.  
11 (admitted *pro hac vice*)  
12 Chad R. Bowman, Esq.  
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14 *Attorneys for Defendants*

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**CERTIFICATE OF SERVICE**

I CERTIFY that on November 2, 2022, I served a true and correct copy of the foregoing Notice of Entry of Order Granting Defendants The Associated Press and Regina Garcia Cano's Renewed Special Motion to Dismiss on the following parties via the Court's electronic service system, pursuant to NRCP 5:

Todd L. Bice, Esq.  
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Emily A. Buchwald, Esq.  
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Las Vegas, Nevada 89101

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/s/ Adam Crawford  
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**EXHIBIT A**

**EXHIBIT A**

*Heather S. Lewis*  
CLERK OF THE COURT

**JUDGE RONALD J. ISRAEL**  
**EIGHTH JUDICIAL DISTRICT COURT**  
**DEPARTMENT 28**  
Regional Justice Center  
200 Lewis Avenue, 15<sup>th</sup> 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  
DEFENDANTS THE  
ASSOCIATED PRESS AND  
REGINA GARCIA CANO'S  
RENEWED SPECIAL MOTION  
TO DISMISS**

**ORDER GRANTING DEFENDANTS THE ASSOCIATED PRESS AND  
REGINA GARCIA CANO'S RENEWED 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") Renewed Special Motion to Dismiss Plaintiff Steve Wynn's ("Wynn") Complaint pursuant to Nev. Rev. Stat. §41.660 (the "Renewed Motion"), filed July 1, 2022. On August 9, 2022, Wynn filed his Opposition to the Motion. Defendants filed their Reply in support of their Motion on August 23, 2022.

On September 8, 2022, the Court heard the matter in-chambers. Having considered the Motion, Opposition, and Reply, the Court hereby finds and orders as follows:

///

**FACTS & PROCEDURE**

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

This matter originally came before this 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 5, 2018, Wynn and Defendants entered into a Stipulation and Order Regarding Defendants’ Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the “Stipulation”). The Stipulation included modifications both to this Court’s scheduling for the hearing and to the Court’s consideration of the grounds argued by Defendants in their Motion.

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

1 2018), “the Court shall consider the fair report privilege under the Nevada Anti-  
2 SLAPP Statute, a question of law.” *Id.* at 3. Wynn and the Defendants further  
3 stipulated and the Court ordered that, “[i]f the Court finds the reporting in this case  
4 not to be covered by the fair report privilege, the Court shall continue to a second  
5 hearing to consider the issue of fault[.]” *Id.* (emphasis added).

6 On July 18, 2018, Wynn filed his Opposition to the Motion. Defendants filed  
7 their Reply in support of their Motion on August 7, 2018. On August 14, 2018, the  
8 Court heard oral argument on the Motion. L. Lin Wood, Esq. of L. Lin Wood, P.C.,  
9 and Tamara Beatty Peterson, Esq., and Nikki L. Baker, Esq. of Peterson Baker, PLLC  
10 appeared on behalf of Wynn; Jay Ward Brown, Esq. and Justin A. Shiroff, Esq. of  
11 Ballard Spahr LLP appeared on behalf of Defendants.

12 This court issued an Order on August 23, 2018, granting the Motion and found  
13 that the news article fairly reported information that was found in the police reports  
14 filed by the two (2) complainants and that the article was a “[g]ood faith  
15 communication in furtherance of . . . the right to free speech in direct connection with  
16 an issue of public interest.” *See* Aug. 23, 2018 Order Granting Defendants’ Special  
17 Mot. to Dismiss at 3.

18 Wynn appealed this Court’s ruling regarding the fair report privilege and the  
19 Nevada Supreme Court addressed whether the filing of a report documenting  
20 allegations to police constitutes an official action under the fair report privilege. The  
21 Court held that the complainant’s statement did not fall within the fair report privilege  
22 because it was a statement of facts about a case rather than an official action or  
23 proceeding, such as an arrest or the bringing of charges. *Wynn v. Associated Press*,  
24 136 Nev. 611, 617, 475 P.3d 44, 50 (2020). Ultimately, the Court found that while the  
25 report privilege shields a defendant from liability for publication of defamatory  
26 content, the district court erred by extending the fair report privilege to the AP article  
27 because law enforcement did not take any official action concerning the allegations  
28 and they were not investigated, evaluated, or pursued by law enforcement. *Id.* at 619.

1 Accordingly, the Court reversed and remanded for determination of application  
2 of the Anti-SLAPP statute and “whether Wynn, as a public figure, could demonstrate  
3 a probability of prevailing on his defamation claim.” *Id.* at 620. On remand, Wynn  
4 was permitted to take written, document, and deposition discovery on the limited  
5 issue of actual malice. That discovery period has ended and AP Defendants re-filed  
6 the Motion as a Renewed Motion.

### 7 FINDINGS OF FACTS, CONCLUSIONS OF LAW, AND ANALYSIS

8 This Court finds Mr. Wynn was a public figure and the sexual assault  
9 allegations are a matter of public concern given his ownership and title with Wynn  
10 Casinos, as well as the prior ongoing investigation and claims concerning female  
11 employees and other regarding inappropriate behavior. Wynn argued additional  
12 information should have been included in the news article and a thorough  
13 investigation by Defendants was needed to verify the police reports. However, Wynn  
14 ignores the fact that the reporter used two redacted complaints and there was no way  
15 to verify the truthfulness of the complaints.

16 This Court finds the news article clearly states that the information was  
17 obtained from copies of recently filed police reports. While the article referred to two  
18 complaints, the first complaint has never been addressed while the second  
19 complainant was not disclosed in the AP report. Consequently, no additional  
20 information could have been obtained through further investigation. It was only after  
21 Metro police disclosed the alleged victim’s name that contact could be made with Ms.  
22 Kuta and it became apparent her allegations were without merit. Defendants could not  
23 have known that Ms. Kuta’s allegations were false when the article was published and  
24 there’s nothing in the record to suggest that Defendants knew or should have known  
25 that the allegations were false.

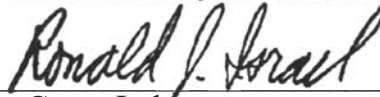
26 Further, the case was remanded to allow discovery for Wynn to substantiate  
27 actual malice to prevail on his defamation claim. To prevail on the defamation claim,  
28 the Plaintiff must show actual malice by clear and convincing evidence. Here, the

1 Plaintiff has not established a likelihood of prevailing on the merits and there is  
2 nothing in the record to show Defendants published information knowing of its  
3 falsehood or that it was established with reckless disregard of the truth and therefore  
4 Wynn cannot prevail.

5 For the above reasons, Defendants' Renewed Special Motion to Dismiss is  
6 GRANTED.

7  
8 **IT IS SO ORDERED.**

9 Dated this 26th day of October, 2022

10 

11 District Court Judge

Ronald J. Israel

Case No. A-18-11279-C

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

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Steve Wynn, Plaintiff(s)

CASE NO: A-18-772715-C

7 vs.

DEPT. NO. Department 28

8 Associated Press, Defendant(s)  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order Granting Motion was served via the court's electronic eFile  
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/26/2022

15 Todd Bice tlb@pisanellibice.com

16 Debra Spinelli dls@pisanellibice.com

17 Emily Buchwald eab@pisanellibice.com

18 Tamara Peterson tpeterson@petersonbaker.com

19 Nikki Baker nbaker@petersonbaker.com

20 Docket Clerk DocketClerk\_LasVegas@ballardspahr.com

21 Chad Bowman bowmanchad@ballardspahr.com

22 Mara Gassmann gassmannm@ballardspahr.com

23 Erin Parcells eparcells@petersonbaker.com

24 Kimberly Peets kap@pisanellibice.com

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27  
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David Astur	dastur@petersonbaker.com
Jay Brown	brownejay@ballardspahr.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 10/27/2022

Halina Kuta	17 W Pinehurst DR Laguna Vista, TX, 78578
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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 **A772715**

Number:

Supreme Court No.: **77708****CASE INFORMATION****Statistical Closures**

03/26/2020 Judgment Reached (bench trial)

03/10/2020 Judgment Reached (bench trial)

Case Type: **Other Tort**Case Status: **12/01/2020 Reopened****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***Lead Attorneys***Baker, Nikki L.***Retained*

702-786-1001(W)

**Defendant****Associated Press****Cano, Regina Garcia**

Removed: 08/23/2018

Dismissed

**Kuta, Halina****Pro Se****DATE****EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

04/11/2018



Complaint

Filed By: Plaintiff Wynn, Steve

*[1] Complaint for Defamation*

04/11/2018



Initial Appearance Fee Disclosure

Filed By: Plaintiff Wynn, Steve

*[2] Initial Appearance Fee Disclosure*

04/11/2018



Summons Electronically Issued - Service Pending

Party: Plaintiff Wynn, Steve

*[3] Summons - The Associated Press*

04/11/2018

















Summons Electronically Issued - Service Pending

Party: Plaintiff Wynn, Steve

*[4] 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>[5] Summons - Halina Kuta</i>
04/13/2018	 Summons Filed by: Plaintiff Wynn, Steve <i>[6] Summons</i>
04/14/2018	 Answer to Complaint Filed by: Defendant Kuta, Halina <i>[7] Answer to Plaintiff's Complaint</i>
04/14/2018	 Initial Appearance Fee Disclosure Filed By: Defendant Kuta, Halina <i>[8] Initial Appearance Fee Disclosure</i>
04/17/2018	 Motion to Associate Counsel Filed By: Plaintiff Wynn, Steve <i>[9] Motion to Associate Counsel (L. Lin Wood, Esq.)</i>
04/17/2018	 Motion to Associate Counsel Filed By: Plaintiff Wynn, Steve <i>[10] Motion to Associate Counsel (Nicole Jennings Wade, Esq.)</i>
04/17/2018	 Motion to Associate Counsel Filed By: Plaintiff Wynn, Steve <i>[11] Motion to Associate Counsel (G. Taylor Wilson, Esq.)</i>
04/17/2018	 Summons Filed by: Plaintiff Wynn, Steve <i>[12] Summons</i>
04/25/2018	 Peremptory Challenge Filed by: Plaintiff Wynn, Steve <i>[13] Notice of Peremptory Challenge of Judge</i>
04/27/2018	 Notice of Department Reassignment <i>[14] Notice of Department Reassignment</i>
04/27/2018	 Change of Address Filed By: Defendant Kuta, Halina <i>[15] Change of Address</i>
04/30/2018	 Acceptance of Service Filed By: Plaintiff Wynn, Steve <i>[16] Acceptance of Service</i>
05/01/2018	 Peremptory Challenge Filed by: Defendant Associated Press; Defendant Cano, Regina Garcia <i>[17] Peremptory Challenge of Judge</i>
05/02/2018	 Initial Appearance Fee Disclosure Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia

# CASE SUMMARY

CASE NO. A-18-772715-C

[18] Initial Appearance Fee Disclosure

05/02/2018



Notice of Department Reassignment

[19] Notice of Department Reassignment

05/02/2018



Change of Address

Filed By: Defendant Kuta, Halina

[20] Change of Address

05/04/2018



Stipulation and Order

Filed by: Defendant Associated Press; Defendant Cano, Regina Garcia

[21] Stipulation and Order to Extend Time to Respond to Complaint (First Request)

05/04/2018



Notice of Entry of Stipulation and Order

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia

[22] Notice of Entry of Stipulation and Order to Extend Time to Respond to Complaint (First Request)

05/24/2018



Commissioners Decision on Request for Exemption - Granted

[23] Commissioner's Decision on Request for Exemption - Granted

05/31/2018



Motion to Dismiss

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia

[24] The Associated Press Defendants' Special Motion to Dismiss Pursuant to N.R.S. Sec. 41.660 (Anti-Slapp Statute)

05/31/2018



Affidavit

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia

[25] Affidavit of Regina Garcia Cano

06/04/2018



Change of Address

Filed By: Defendant Kuta, Halina

[26] Change of Address

06/13/2018



Stipulation and Order

Filed by: Defendant Associated Press; Defendant Cano, Regina Garcia

[27] Stipulation and Order to Continue Hearing on Defendants' Special Motion to Dismiss Pursuant to NRS 41.660 and Set Briefing Schedule (First Request)

06/13/2018



Notice of Entry of Stipulation and Order

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia

[28] 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)

06/14/2018



Motion to Associate Counsel

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia

[29] Motion to Associate Counsel (Chad Russell Bowman)

06/14/2018



Motion to Associate Counsel

Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia

[30] Motion to Associate Counsel (Jay Ward Brown)

06/15/2018



Order Granting Motion

Filed By: Plaintiff Wynn, Steve

# CASE SUMMARY

CASE NO. A-18-772715-C

	<i>[31] Order Granting Motion to Associate Counsel Nicole Jennings Wade, Esq.</i>
06/15/2018	 Order Granting Motion Filed By: Plaintiff Wynn, Steve <i>[32] Order Granting Motion to Associate Counsel L. Lin Wood, Esq.</i>
06/15/2018	 Order Granting Motion Filed By: Plaintiff Wynn, Steve <i>[33] Order Granting Motion to Associate Counsel G. Taylor Wilson</i>
06/15/2018	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>[34] Notice of Entry of Order Granting Motion to Associate Counsel L. Lin Wood, Esq.</i>
06/15/2018	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>[35] Notice of Entry of Order Granting Motion to Associate Counsel Nicole Jennings Wade, Esq.</i>
06/15/2018	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>[36] Notice of Entry of Order Granting Motion to Associate Counsel G. Taylor Wilson, Esq.</i>
07/05/2018	 Stipulation and Order Filed by: Defendant Associated Press; Defendant Cano, Regina Garcia <i>[37] Stipulation and Order Regarding Defendants' Special Motion to Dismiss Pursuant to N.R.S. 41.660</i>
07/05/2018	 Notice of Entry of Stipulation and Order Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>[38] Notice of Entry of Stipulation and Order Regarding Defendants' Special Motion to Dismiss Pursuant to 41.660</i>
07/17/2018	 Opposition to Motion to Dismiss Filed By: Plaintiff Wynn, Steve <i>[39] Opposition to The Associated Press Defendants' Special Motion to Dismiss on Issue of Fair Report Privilege</i>
07/24/2018	 Order Admitting to Practice Filed By: Defendant Associated Press <i>[40] Order Admitting To Practice to Associate Counsel (Chad Russell Bowman)</i>
07/24/2018	 Order Admitting to Practice Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>[41] Order Admitting To Practice to Associate Counsel (Jay Ward Brown)</i>
07/24/2018	 Notice of Entry of Order Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>[42] Notice of Entry of Order Admitting Practice to Associate Counsel (Chad Russell Bowman)</i>
07/24/2018	 Notice of Entry of Order Filed By: Defendant Associated Press; Defendant Cano, Regina Garcia <i>[43] Notice of Entry of Order Admitting Practice to Associate Counsel (Jay Ward Brown)</i>

# CASE SUMMARY

CASE NO. A-18-772715-C

07/26/2018	 Stipulation and Order Filed by: Plaintiff Wynn, Steve <i>[44] 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>[45] 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>[46] 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>[47] 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>[48] 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>[49] Certificate of Mailing</i>
08/14/2018	 Recorders Transcript of Hearing <i>[50] 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>[51] 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>[52] 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>[53] 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>[54] 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>[55] 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>[56] The Associated Press Defendants' Motion for Attorneys' Fees Pursuant to N.R.S. Sec.</i>

# CASE SUMMARY

CASE NO. A-18-772715-C

41.660 (Anti-Slapp Statute)

09/14/2018	 Recorders Transcript of Hearing <i>[57] 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>[58] Motion for Entry of Final Judgment and Rule 54(b) Certification</i>
09/27/2018	 Notice of Hearing Filed By: Plaintiff Wynn, Steve <i>[59] 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>[60] Notice of Telephonic Early Case Conference</i>
10/08/2018	 Stipulation and Order Filed by: Defendant Associated Press <i>[61] 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>[62] 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>[63] 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>[64] 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>[65] 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>[66] 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>[67] Joint Case Conference Report</i>
11/09/2018	 Scheduling Order <i>[68] Scheduling Order</i>
11/09/2018	 Recorders Transcript of Hearing <i>[69] 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>[70] Order Setting Civil Jury Trial</i>
11/27/2018	 Order Granting Motion Filed By: Plaintiff Wynn, Steve <i>[71] 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>[72] 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>[73] Notice of Appeal by Plaintiff Steve Wynn</i>
12/14/2018	 Case Appeal Statement Filed By: Plaintiff Wynn, Steve <i>[74] Case Appeal Statement</i>
12/17/2018	 Notice of Filing Cost Bond Filed By: Plaintiff Wynn, Steve <i>[75] Notice of Costs Bond</i>
03/20/2019	 Stipulation and Order Filed by: Plaintiff Wynn, Steve <i>[76] Stipulation and Order to Extend Discovery Deadline Dates</i>
03/20/2019	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Wynn, Steve <i>[77] Notice of Entry of Stipulation and Order to Extend Discovery</i>
03/25/2019	 Motion for Independent Medical Examination Filed By: Plaintiff Wynn, Steve <i>[78] Plaintiff Steve Wynn's Motion for Order Compelling Defendant Halina Kuta to Submit to an Independent Mental Examination; Ex Parte Application for an Order Shortening Time</i>
03/26/2019	 Certificate of Service Filed by: Plaintiff Wynn, Steve <i>[79] Certificate of Service</i>
04/03/2019	 Recorders Transcript of Hearing <i>[80] Plaintiff Steve Wynn's Motion for Order Compelling Defendant Halina Kuta to Submit to an Independent Mental Examination; Ex Parte Application for an Order Shortening Time</i>
04/24/2019	 Order <i>[82] Order Denying Plaintiff's Motion For Order Compelling Defendant Halina Kuta To Submit To An Independent Mental Examination</i>
05/08/2019	 Notice of Change of Address Filed By: Plaintiff Wynn, Steve <i>[83] Notice of Change of Address</i>

# CASE SUMMARY














CASE NO. A-18-772715-C

08/09/2019	 Mandatory Pretrial Disclosure Party: Plaintiff Wynn, Steve <i>[84] Plaintiff Steve Wynn's Pretrial Disclosures Pursuant to NRCP 16.1(a)(3)</i>
08/23/2019	 Pre-trial Memorandum Filed by: Plaintiff Wynn, Steve <i>[85] Plaintiff Steve Wynn's Pretrial Memorandum</i>
08/28/2019	 Order Setting Civil Jury Trial <i>[86] Order Re-Setting Civil Jury Trial</i>
09/03/2019	 Objection Filed By: Plaintiff Wynn, Steve <i>[87] Plaintiff Steve Wynn's Objections to Defendant Halina Kuta's Pretrial Disclosures Pursuant to NRCP 16.1</i>
09/10/2019	 Notice Filed By: Defendant Associated Press <i>[88] Notice of Disassociation of Counsel</i>
01/06/2020	 Notice <i>[89] Notice Vacating And Rescheduling Hearing</i>
01/10/2020	 Pre-Trial Disclosure Party: Plaintiff Wynn, Steve <i>[90] Plaintiff Steve Wynn's First Supplement to Pretrial Disclosures Pursuant to NRCP 16.1 (a)(3)</i>
01/13/2020	 Objection Filed By: Plaintiff Wynn, Steve <i>[91] Plaintiff Steve Wynn's First Supplement to Objections to Defendant Halina Kuta's Pretrial Disclosures Pursuant to NRCP 16.1</i>
01/30/2020	 Pre-trial Memorandum <i>[92] Defendant Halina Kuta Pre-trial Memorandum</i>
02/03/2020	 Stipulation and Order <i>[93] Stipulation and Order Withdrawing Plaintiff's Jury Demand and Consenting to a Nonjury Trial on Plaintiff's Claim Against Defendant Halina Kuta</i>
02/04/2020	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Wynn, Steve <i>[94] Notice of Entry of Stipulation and Order Withdrawing Plaintiff's Jury Demand and Consenting to a Nonjury Trial on Plaintiff's Claim Against Defendant Halina Kuta</i>
02/05/2020	 Subpoena Duces Tecum Filed by: Defendant Kuta, Halina <i>[95] Civil-Subpoena</i>
02/05/2020	 Subpoena Duces Tecum Filed by: Defendant Kuta, Halina <i>[96] Civil Subpoena (Duces Tecum)</i>
02/05/2020	 Subpoena Duces Tecum



# CASE SUMMARY

CASE NO. A-18-772715-C

	<p>Filed by: Defendant Kuta, Halina [97] <i>Civil-Subpoena</i></p>
03/02/2020	<p> Memorandum Filed By: Plaintiff Wynn, Steve [98] <i>Plaintiff Steve Wynn's Trial Memorandum</i></p>
03/06/2020	<p> Affidavit of Due Diligence Filed By: Defendant Kuta, Halina [99] <i>Affidavit of Due Diligence</i></p>
03/06/2020	<p> Affidavit of Service Filed By: Defendant Kuta, Halina [100] <i>Affidavit of Service</i></p>
03/10/2020	<p> Order to Statistically Close Case [101] <i>Civil Order To Statistically Close Case</i></p>
03/16/2020	<p> Reporters Transcript [102] <i>Bench Trial</i></p>
03/25/2020	<p> Notice Filed By: Plaintiff Wynn, Steve [103] <i>Notice of Withdrawal of Foreign Counsel</i></p>
03/26/2020	<p> Findings of Fact, Conclusions of Law and Judgment [104] <i>Findings of Fact, Conclusions of Law and Judgment</i></p>
03/27/2020	<p> Notice of Entry of Judgment Filed By: Plaintiff Wynn, Steve [105] <i>Notice of Entry of Findings of Fact, Conclusions of Law, and Judgment</i></p>
03/30/2020	<p> Satisfaction of Judgment Filed by: Plaintiff Wynn, Steve [106] <i>Satisfaction of Judgment</i></p>
11/24/2020	<p> Order [107] <i>Order Scheduling Further Proceedings At Request Of Court Per Nevada Supreme Court's Order Of Reversal And Remand With Instructions Filed October 29, 2020</i></p>
12/01/2020	<p> NV Supreme Court Clerks Certificate/Judgment -Remanded [108] <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Reversed and Remand</i></p>
12/14/2020	<p> Notice of Appearance Party: Plaintiff Wynn, Steve [109] <i>Notice of Appearance</i></p>
05/07/2021	<p> Stipulated Protective Order Filed By: Defendant Associated Press; Defendant Kuta, Halina [110] <i>Stipulated Protective and Confidentiality Order</i></p>
05/07/2021	<p> Notice of Entry of Order Filed By: Defendant Associated Press</p>

# CASE SUMMARY

CASE NO. A-18-772715-C

*[111] Notice of Entry of Stipulated Protective and Confidentiality Order*

05/11/2021



Stipulation and Order

Filed by: Plaintiff Wynn, Steve

*[112] Stipulation And Order To Extend Time For Discovery Pursuant To NRS 41.660(4)*

05/11/2021



Notice of Entry of Order

Filed By: Plaintiff Wynn, Steve

*[113] Notice of Entry of Order*

07/08/2021



Stipulation and Order to Extend Discovery Deadlines

Filed By: Plaintiff Wynn, Steve

*[114] Second Stipulation and Order to Extend Discovery Pursuant to NRS 41.660(4)*

07/08/2021



Notice of Entry of Order

Filed By: Plaintiff Wynn, Steve

*[115] Notice of Entry of Order*

09/27/2021



Motion to Compel

Filed By: Plaintiff Wynn, Steve

*[116] Plaintiff's Motion to Compel*

09/27/2021



Motion to Seal/Redact Records

Filed By: Plaintiff Wynn, Steve

*[117] Motion to Redact Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto*

09/27/2021



Filed Under Seal

Filed By: Plaintiff Wynn, Steve

*[118] Plaintiff's Motion to Compel (Filed Under Seal) Sealed per Order 11/22/2021*

09/27/2021



Clerk's Notice of Hearing

*[119] Notice of Hearing*

09/27/2021



Clerk's Notice of Hearing

*[120] Notice of Hearing*

09/29/2021



Motion to Compel

Filed By: Plaintiff Wynn, Steve

*[121] Re-Notice of Hearing on Plaintiff's Motion to Compel*

09/29/2021



Clerk's Notice of Hearing

*[122] Notice of Hearing*

09/30/2021



Joinder To Motion

Filed By: Defendant Associated Press

*[123] Defendant the Associated Press's Joinder to Plaintiff's Motion to Redact Motion to Compel and Seal Exhibits 4, 5, 6 and 13*

10/08/2021



Stipulation and Order

Filed by: Defendant Associated Press; Defendant Kuta, Halina

*[124] Stipulation and Order Regarding Hearing on Defendants' Anticipated Motion for a Protective Order and Scheduling of Depositions*

10/08/2021



Notice of Entry of Stipulation and Order

# CASE SUMMARY

CASE NO. A-18-772715-C

	<p>Filed By: Defendant Associated Press  <i>[125] Notice of Entry of Stipulation and Order Regarding Hearing on Defendants' Anticipated Motion for Protective Order and Scheduling Depositions</i></p>
10/11/2021	<p> Motion for Protective Order            Filed By: Defendant Associated Press; Defendant Kuta, Halina  <i>[126] Defendants' Motion for a Protective Order</i></p>
10/12/2021	<p> Clerk's Notice of Hearing            Party: Defendant Associated Press  <i>[127] Notice of Hearing</i></p>
10/13/2021	<p> Stipulation and Order            Filed by: Defendant Associated Press; Defendant Kuta, Halina  <i>[128] Stipulation and Order Setting Briefing Schedule on Plaintiff Steve Wynn's Motion to Compel</i></p>
10/13/2021	<p> Notice of Entry of Stipulation and Order            Filed By: Defendant Associated Press  <i>[129] Notice of Entry of Stipulation and Order Setting Briefing Schedule of Plaintiff Steve Wynn's Motion to Compel</i></p>
10/15/2021	<p> Order Shortening Time            Filed By: Defendant Associated Press; Defendant Kuta, Halina  <i>[130] Joint Ex Parte Motion for an Order Shortening Time on the Hearing of Defendants' Motion for a Protective Order</i></p>
10/27/2021	<p> Status Report            Filed By: Plaintiff Wynn, Steve  <i>[131] Joint Status Report Regarding Status of Case</i></p>
11/01/2021	<p> Opposition to Motion to Compel            Filed By: Defendant Associated Press  <i>[132] Defendants' Opposition to Plaintiffs' Motion to Compel</i></p>
11/01/2021	<p> Opposition to Motion For Protective Order  <i>[133] Plaintiff's Opposition to Defendants' Motion for a Protective Order</i></p>
11/12/2021	<p> Order Shortening Time  <i>[137] Plaintiff's Refiled Motion to Compel; Ex Parte Application for Order Shortening Time</i></p>
11/15/2021	<p> Motion to Seal/Redact Records            Filed By: Plaintiff Wynn, Steve  <i>[134] Plaintiff's Motion to Redact Refiled Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto</i></p>
11/15/2021	<p> Filed Under Seal            Filed By: Plaintiff Wynn, Steve  <i>[135] SEALED PER MINUTE ORDER 12/16/21 [135] Plaintiff's Refiled Motion to Compel; Ex Parte Application for Order Shortening Time</i></p>
11/15/2021	<p> Clerk's Notice of Hearing  <i>[136] Notice of Hearing</i></p>
11/17/2021	

# CASE SUMMARY

CASE NO. A-18-772715-C

	 Joinder To Motion Filed By: Defendant Associated Press <i>[138] Defendant the Associated Press's Joinder to Plaintiff's Motion to Redact Refiled Motion to Compel and Seal Exhibits 4, 5, 6 and 13 Thereto</i>
11/17/2021	 Clerk's Notice of Hearing <i>[139] Notice of Hearing</i>
11/17/2021	 Clerk's Notice of Hearing <i>[140] Notice of Hearing</i>
11/22/2021	 Order Granting Motion <i>[141] Order Granting Plaintiff's Motion To Redact Motion To Compel And Seal Exhibits 4, 5, 6 and 13</i>
11/22/2021	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>[142] Notice of Entry of Order</i>
12/09/2021	 Opposition to Motion to Compel Filed By: Defendant Associated Press <i>[143] Defendants' Refiled Opposition to Plaintiff's Refiled Motion to Compel</i>
12/10/2021	 Reply in Support Filed By: Defendant Associated Press <i>[144] Reply in Support of a Motion for Protective Order</i>
12/10/2021	 Reply Filed by: Plaintiff Wynn, Steve <i>[145] Plaintiff's Reply in Support of Refiled Motion to Compel</i>
12/20/2021	 Recorders Transcript of Hearing <i>[146] Recorders Transcript of Hearing - All Pending Motions - heard on Dec. 17, 2021</i>
01/04/2022	 Discovery Commissioners Report and Recommendations <i>[147] Discovery Commissioner s Report and Recommendations -Originals</i>
01/04/2022	 Discovery Commissioners Report and Recommendations Filed By: Plaintiff Wynn, Steve <i>[148] Discovery Commissioner s Report and Recommendations</i>
01/07/2022	 Order Granting Motion Filed By: Plaintiff Wynn, Steve <i>[149] Order Granting Plaintiff's Motion To Redact Refiled Motion To Compel And Seal Exhibits 4, 5, 6 And 13 Thereto</i>
01/07/2022	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>[150] Notice of Entry of Order</i>
01/14/2022	 Status Report Filed By: Plaintiff Wynn, Steve <i>[151] Joint Status Report to Discovery Commissioner</i>

# CASE SUMMARY

CASE NO. A-18-772715-C

01/18/2022	 Objection to Discovery Commissioners Report and Recommend Filed By: Defendant Associated Press <i>[152] Objection to Discovery Commissioners Report and Recommendations</i>
01/18/2022	 Errata Filed By: Plaintiff Wynn, Steve <i>[153] Errata to Joint Status Report to Discovery Commissioner</i>
01/25/2022	 Objection to Discovery Commissioners Report and Recommend Filed By: Plaintiff Wynn, Steve <i>[154] Plaintiff's Response to Defendants' Objections to Discovery Commissioner's Report and Recommendation Dated January 4, 2022</i>
01/25/2022	 Order <i>[155] Order RE. Discovery Commissioner s Report and Recommendations - December 17, 2021 Hearing</i>
02/01/2022	 Order <i>[156] Order RE. Discovery Commissioner s Report and Recommendations - December 17, 2021 Hearing</i>
06/14/2022	 Stipulation and Order <i>[157] Stipulation And Order Setting Briefing Schedule And Requesting Hearing</i>
06/14/2022	 Notice of Entry of Order Filed By: Plaintiff Wynn, Steve <i>[158] Notice of Entry of Order</i>
07/01/2022	 Motion to Dismiss Filed By: Defendant Associated Press <i>[159] The Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660</i>
07/01/2022	 Appendix Filed By: Defendant Associated Press <i>[160] Appendix in Support of the Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-SLAPP Statute)</i>
07/05/2022	 Notice of Withdrawal of Attorney Filed by: Defendant Associated Press <i>[161] Notice of Disassociation</i>
07/15/2022	 Errata Filed By: Defendant Associated Press <i>[162] Errata to the Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-Slapp Statute)</i>
08/09/2022	 Opposition Filed By: Plaintiff Wynn, Steve <i>[163] Plaintiff Steve Wynn's Opposition to the Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-SLAPP Statute)</i>
08/09/2022	 Motion to Seal/Redact Records Filed By: Plaintiff Wynn, Steve <i>[164] Plaintiff's Motion to Redact Opposition to the Associated Press Defendants' Renewed</i>

# CASE SUMMARY

CASE NO. A-18-772715-C

*Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-SLAPP Statute) and Seal Exhibits 3, 4, 6, and 9 Thereto*

08/09/2022	 Temporary Seal Pending Court Approval Filed By: Plaintiff Wynn, Steve <i>[165] Plaintiff Steve Wynn's Opposition to the Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-SLAPP Statute)</i>
08/10/2022	 Clerk's Notice of Hearing <i>[166] Notice of Hearing</i>
08/23/2022	 Non Opposition <i>[167] Defendant's Noticed of Non-Opposition to Plaintiff's Motion to Redact Opposition and Seal Selected Exhibits Thereto</i>
08/23/2022	 Reply in Support <i>[168] Reply in Support of the Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-SLAPP Statute)</i>
10/26/2022	 Order Granting Motion <i>[169] Order Granting Defendants The Associated Press And Regina Garcia Cano's Renewed Special Motion To Dismiss</i>
10/31/2022	 Memorandum of Costs and Disbursements Filed By: Defendant Associated Press <i>[170] The AP Defendants' Verified Memorandum of Costs and Disbursements</i>
11/02/2022	 Notice of Entry of Order <i>[171] Notice of Entry of Order Granting Defendants The Associated Press and Regina Garcia Cano's Renewed Special Motion to Dismiss</i>
11/17/2022	 Stipulation and Order Filed by: Defendant Associated Press; Defendant Kuta, Halina <i>[172] Stipulation and Order Extending Time for AP Defendants to Move for Fees</i>
11/30/2022	 Notice of Appeal Filed By: Plaintiff Wynn, Steve <i>[173] Steve Wynn's Notice of Appeal</i>
11/30/2022	 Case Appeal Statement Filed By: Plaintiff Wynn, Steve <i>[174] Steve Wynn's Case Appeal Statement</i>

## **DISPOSITIONS**

08/23/2018	<b>Order of Dismissal With Prejudice</b> (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
03/26/2020	<b>Judgment</b> (Judicial Officer: Israel, Ronald J.) Debtors: Halina Kuta (Defendant) Creditors: Steve Wynn (Plaintiff) Judgment: 03/26/2020, Docketed: 03/27/2020 Total Judgment: 1.00 Satisfaction:

# CASE SUMMARY

CASE NO. A-18-772715-C

12/01/2020 **Clerk's Certificate** (Judicial Officer: Israel, Ronald J.)  
Debtors: Steve Wynn (Plaintiff)  
Creditors: Associated Press (Defendant), Halina Kuta (Defendant)  
Judgment: 12/01/2020, Docketed: 12/02/2020  
Comment: Supreme Court No 77708 - "APPEAL REVERSED/REMANDED"


10/26/2022 **Order of Dismissal With Prejudice** (Judicial Officer: Israel, Ronald J.)  
Debtors: Steve Wynn (Plaintiff)  
Creditors: Associated Press (Defendant), Regina Garcia Cano (Defendant)  
Judgment: 10/26/2022, Docketed: 10/27/2022


## HEARINGS

06/06/2018 **Motion to Associate Counsel** (3:00 AM) (Judicial Officer: Israel, Ronald J.)  
Events: 04/17/2018 Motion to Associate Counsel  
*Motion to Associate Counsel (G. Taylor Wilson, Esq.)*  
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  
*Motion to Associate Counsel ( I. Lin Wood, Esq.)*  
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  
*Motion to Associate Counsel (Nicole Jennings Wade, Esq.)*  
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.)  
*All Pending Motions (06/06/18)*  
Matter Heard; All Pending Motions (06/11/18)  
Journal Entry Details:  
*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.;*




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-*

# CASE SUMMARY

CASE NO. A-18-772715-C

	<p><i>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.;</i></p> <p>Matter Continued; The Associated Press Defendants' Special Motion to Dismiss Pursuant to NRS 41.660 Anti Slapp Statute</p> <p>Duplicate entry</p> <p>Granted; Defendants Associated Press and Regina Garcia Cano's Special Motion to Dismiss Pursuant to NRS 41.660 Anti Slapp Statute</p> <p>Journal Entry Details:</p> <p><i>Mr. Shiroff represented, the parties agreed to stipulate to continue this hearing, Stipulation &amp; 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;</i></p>
07/18/2018	<p><b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p><i>Motion to Associate Counsel(Chad Russell Bowman)</i></p>
07/18/2018	<p><b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p><i>Motion to Associate Counsel (Jay Ward Brown)</i></p>
07/18/2018	<p> <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p>Granted;</p> <p>Journal Entry Details:</p> <p><i>(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. ;</i></p>
08/30/2018	<p> <b>Motion to Associate Counsel</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p><i>Motion to Associate Counsel (Jonathan David Grunberg, Esq.)</i></p> <p>Granted; Motion to Associate Counsel (Jonatahan David Grunberg, Esq.)</p> <p>Journal Entry Details:</p> <p><i>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.;</i></p>
09/11/2018	<p> <b>Motion</b> (9:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p><i>Defendant Kuta's ProPer Motion to Request DNA Testing of Kevyn Wynn</i></p> <p>Denied; Defendant Kuta's ProPer Motion to Request DNA Testing of Kevyn Wynn</p> <p>Journal Entry Details:</p> <p><i>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.;</i></p>
10/18/2018	<p><b>CANCELED Motion for Attorney Fees</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p>



# CASE SUMMARY

CASE NO. A-18-772715-C

*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.)

Matter Heard;

Journal Entry Details:

*Ms. Peterson represented the Defendant is Pro Per and they received an e-mail from her stating she could not make it next week and stated nothing regarding today. Ms. Peterson noted there was a deposition scheduled next week and maybe Ms. Kuta mixed the dates up. Upon Court's inquiry, Ms. Peterson stated she would not be interested in a settlement conference and estimated the trial to be 5 days. Colloquy regarding overflow eligible. Court directed Ms. Peterson to discuss overflow trial setting with her client and inform the Court at the Pre-Trial Conference date if interested.;*

04/02/2019



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

*Plaintiff Steve Wynn's Motion for Order Compelling Defendant Halina Kuta to Submit to an Independent Mental Examination; Ex Parte Application for an Order Shortening Time*

Denied Without Prejudice; Plaintiff Steve Wynn's Motion for Order Compelling Defendant Halina Kuta to Submit to an Independent Mental Examination; Ex Parte Application for an Order Shortening Time

Journal Entry Details:

*Ms. Kuta appearing by CourtCall. Arguments by Counsel and Ms. Kuta. Ms. Baker agued in support of her motion and noted Ms. Kuta's actions of malice and further noted the exam would support Wynn's defamation claim; Additionally they could conduct the exam without the video. Ms. Kuta objected stating it was untimely and unlawful. Colloquy regarding if Ms. Kuta raises the issue of being incapable of understanding as a defense and discovery is being still open. Court stated finding and noted the exam is inappropriate in this civil case. COURT ORDERED, Motion DENIED. Court noted it did not hear of a rule 35 mental exam in a civil case where the Defendant is not claiming a mental issue. Colloquy regarding the Defendant's prior accident and memory issues. Court stated it would not allow an Independent Mental Examination, unless, at trial, the Defendant raises mental issues as a defense. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. Court directed the Law Clerk to prepare the order. Upon Counsel's inquiry, Court clarified, if at trial the Defendant claims a defense of being psychologically incapable, it will be grounds for a mistrial and the Defendant will submit to a rule 35 exam.;*

04/24/2019



**Minute Order** (3:00 AM) (Judicial Officer: Israel, Ronald J.)

*Minute Order Re: Order Stricken*

Minute Order - No Hearing Held; Minute Order Re: Order Stricken

Journal Entry Details:

*The Court s Order filed on the 23rd of April, 2019, is incomplete due to a typographical error and therefore ORDERED STRICKEN from the record. A corrected Order will be filed immediately. ;*

08/13/2019



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

Matter Heard;

Journal Entry Details:

*Ms. Kuta not present. Mr. Grunberg appearing by CourtCall. Upon Court's inquiry of Ms. Kuta's non-appearance, Ms. Baker stated she had heard Ms. Kuta was not going to appear*

# CASE SUMMARY

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today, However she would be present for the calendar call date. Court noted Ms. Kuta does not get her opinion when to appear and further noted this Court could strike her Answer. Court stated although Ms. Kuta is Pro Se she must comply with the Civil Procedures. Court noted if Ms. Kuta is not present for the calendar call, this Court may strike her answer. Ms. Baker estimated 5 trial days and this is set as a jury trial. Ms. Baker noted the Supreme Court matter is set for briefing and they did not ask for a stay. Ms. Baker stated she would be open for a settlement conference especially if Ms. Kuta is in town for the calendar call date. Court noted Counsel may try to schedule the settlement conference through Department XXX.  
CLERK'S NOTE: A copy of this minute order was mailed to Ms. Kuta, 17 W. Pinehurst Drive, Laguna Vista, TX 78578. kt 08/13/19.;

08/27/2019



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

Vacated and Reset;  
Journal Entry Details:

Upon Court's inquiry of overflow, Ms. Peterson estimated trial to be 4 to 5 days. Ms. Kuta, Pro Se, stated the witnesses she would be calling. Colloquy regarding serving witnesses, protective orders and motions. Ms. Peterson noted they just had the Early Case Conference (ECC) yesterday as the Deft. resides out-of-state. Court explained to Ms. Kuta she would need to serve the witnesses and suggested Ms. Kuta obtain counsel. COURT ORDERED, Trial VACATED and RESET. The Judicial Executive Assistant (JEA) to issue the trial order. Court informed the parties that picking a jury for this trial may take some time and suggested a jury questionnaire. 01/14/20 9:30 AM PRE-TRIAL CONFERENCE 02/04/20 9:30 AM CALENDAR CALL 02/10/20 1:30 PM JURY TRIAL;

09/09/2019

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

Vacated - per Judge

01/14/2020

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

Vacated

02/04/2020



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

Trial Date Set;  
Journal Entry Details:

Mr. Grunberg appearing by CourtCall. Court noted the parties agreed to a bench trial and withdrew the request for a jury trial. Ms. Baker agreed. Mr. Kuta noted she would send the subpoenas out for the three witnesses she would be calling. Court directed her to send the subpoenas out now. Colloquy regarding trial schedules. COURT ORDERED, Trial SET. Upon Ms. Bakers inquiry of a bench brief, Court noted both sides can provide a bench brief by 03/02/2020. Colloquy regarding the original media request being in effect for trial. 03/09/2020 1:30 PM BENCH TRIAL (3 DAYS);

03/09/2020



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

Bench Trial

Court Finds for Plaintiff; Bench Trial

Journal Entry Details:

Opening Statement by Ms. Peterson and Ms. Kuta. Counsel and Ms. Kuta stipulated to several exhibits to be admitted. (See worksheets). Testimony and exhibits presented. (See worksheets). Ms. Kuta's deposition published. Plaintiff Rested. Further testimony and exhibits offered. (See worksheets). Colloquy regarding Defendant's subpoenas. Court found the subpoenas for Kevyn Wynn and Elaina Wynn were not completed, However Court found Tia Gibson was served and Ms. Gibson was not present. Colloquy regarding NRS 111.150- holding a witness in contempt. Tia Gibson was called by the Court Clerk; the Clerk noted phone message was not set up and was unable to leave a message. Court recessed. During the recess Ms. Gibson's husband returned the Court's call and was able to reach Ms. Gibson. Ms. Gibson appear and testified. Defendant Rested. No rebuttal. Upon Court's inquiry if the parties would agree to allow the Court to google; Picasso and the Le Reve canvas that was inquired of during testimony, Ms. Kuta objected. Closing arguments by Ms. Peterson and Ms. Kuta. Court stated findings in favor of the Plaintiff. Court referred to the certified birth certificate of Kevyn Wynn being 6 to 7 years prior to the alleged rape. Court found Mr. Wynn s testimony credible and Ms. Kuta's testimony lacked veracity. Court stated further findings regarding the Picasso/Le Reve canvas and Court's personal knowledge of Picasso living in Spain not in France. Court further noted Ms. Gibson's testimony contradicted Ms. Kuta's testimony. Court noted the requirements to show defamation. Court finds Ms. Kuta's statement is defamatory, rape allege is serious, with

# CASE SUMMARY

CASE NO. A-18-772715-C

the police report and communication to the media. Court additionally stated Ms. Kuta seems rational and she stated she is not delusional and other than the story she seemed rational in other areas and she did adequate questioning today. Court noted the serious allegations thrown at Mr. Wynn. COURT AWARDED Mr. Wynn, \$1.00 and finds Ms., Kuta knowingly made a false report to the Metropolitan Police Department. Court further found the Birth Certificate is conclusive presumption. Court directed Ms. Peterson to prepare the Findings of Fact and Conclusions of Law and pass it by Ms. Kuta and the Court will review the order. CLERK'S NOTE: Following Court. Court Ordered the Birth Certificate Exhibit, Sealed. kt 03/11/2020.;

12/15/2020



**Further Proceedings (10:00 AM)** (Judicial Officer: Israel, Ronald J.)

*Further Proceedings: At Request of Court Per The Nevada Supreme Court's Order Of Reversal And Remand With Instructions Filed October 29, 2020*

Matter Heard; Further Proceedings: At Request of Court Per The Nevada Supreme Court's Order Of Reversal And Remand With Instructions Filed October 29, 2020

Journal Entry Details:

*All Parties appearing by video. Court noted the matter was returned, remittitur from the Nevada Supreme Court. Upon Court's inquiry of discovery and time needed, Mr. Bice noted the parties met and conferred and agreed; The Plaintiff to serve request for production and conduct two depositions (depositions of the reporter and person from Associated Press). Counsel agreed to 90 days discovery. Mr. Bice requested if any issues they could submit the issues to the Court. Mr. Bowman agreed. Court noted the delays due to covid and would allow 120 days for discovery. Court noted the trial would not be set until decisions of future motions. Mr. Bice requested the Court handle all the discovery issues. Court noted if all parties agree then the issues may be addressed in the Department or by the Discovery Commissioner. COURT ORDERED, Matter SET in chambers for the status of the case. 05/06/2021 (CHAMBERS) STATUS CHECK: STATUS OF CASE;*

05/06/2021



**Status Check: Status of Case (3:00 AM)** (Judicial Officer: Israel, Ronald J.)

**05/06/2021, 07/15/2021, 10/28/2021**

Matter Continued;

Matter Continued;

Motion Granted;

Journal Entry Details:

*Plaintiff filed this Motion to Redact Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto on September 27, 2021. Defendant The Associated Press joined Plaintiff's Motion on September 30, 3031. To be decided is whether the redacting and sealing of the exhibits at issue is justified by compelling privacy interests that outweigh the public interest to the court record. SRCR 3(4). The exhibits pertain to confidential internal communications protected under NRS 49.275. Thus, this Court finds that these exhibits have compelling privacy interests and Plaintiff's Motion is GRANTED. 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. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. Plaintiff's counsel is to prepare the Order and submit to Chambers for consideration in accordance with EDCR 7.21. ;*

Matter Continued;

Matter Continued;

Motion Granted;

Journal Entry Details:

*The parties stipulated to continue Discovery up and through October 15, 2021. Status Check continued to October 28, 2021 in chambers. The parties are to provide a status report to chambers before this hearing. CLERK'S NOTE: A copy of this minute order was e-served to counsel. kt 07/15/2021.;*

Matter Continued;

Matter Continued;

Motion Granted;

Journal Entry Details:

*COURT ORDERED, Matter CONTINUED 60 days. 07/08/2021 (CHAMBERS) STATUS CHECK: STATUS OF CASE CLERK'S NOTE: A copy of this minute order was e-served to counsel. kt 5/6/21.;*




10/28/2021

**Motion to Seal/Redact Records (3:00 AM)** (Judicial Officer: Israel, Ronald J.)

*Plaintiff's Motion to Redact Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto*

# CASE SUMMARY



CASE NO. A-18-772715-C

	Motion Granted;
10/28/2021	<p><b>CANCELED Motion to Compel</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p><i>Vacated - per Judge</i></p> <p><i>[116] Plaintiff's Motion to Compel</i></p>
10/28/2021	<p> <b>Joinder</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p>Events: 09/30/2021 Joinder To Motion</p> <p><i>Defendant the Associated Press's Joinder to Plaintiff's Motion to Redact Motion to Compel and Seal Exhibits 4, 5, 6 and 13</i></p> <p>Motion Granted;</p>
10/28/2021	<p> <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p><i>Status Check: Status of Case</i></p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>Minute Order: Status of Case (Chambers) PLTF'S MOTION TO REDACT REFILED MOTION TO COMPEL AND SEAL EXHIBITS 4, 5, 6 AND 13 THERETO...DEFT. THE ASSOCIATED PRESS'S JOINDER TO PLTF'S. MOTION TO REFILED MOTION TO COMPEL AND SEAL EXHIBITS 4, 5, 6 AND 13 THERETO Plaintiff filed this Motion to Redact Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto on September 27, 2021. Defendant The Associated Press joined Plaintiff's Motion on September 30, 2021. To be decided is whether the redacting and sealing of the exhibits at issue is justified by compelling privacy interests that outweigh the public interest to the court record. SRCR 3(4). The exhibits pertain to confidential internal communications protected under NRS 49.275. Thus, this Court finds that these exhibits have compelling privacy interests and Plaintiff's Motion is GRANTED. 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. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. Plaintiff's counsel is to prepare the Order and submit to Chambers for consideration in accordance with EDCR 7.21 CLERK'S NOTE: This minute was originally posted 10/28/21 however, Court's staffed noted punctuation errors and the minute order was posted into the incorrect hearing session thereafter, requested these corrections are made and the minute order reposted. The minute order was corrected to reflect an All Pending Motions minute order on the Chambers Calendar, the year Deft. Associated Press joined Pltf's. Motion as 2021 not 3031 as previously listed, and that the matter was "To be decided.." not "To de decided..." as previously listed. Additionally, all punctuation errors were corrected. /sb 10.23.21;</i></p>
11/19/2021	<p><b>CANCELED Motion to Compel</b> (9:00 AM) (Judicial Officer: Young, Jay)</p> <p><i>Vacated</i></p> <p><i>Plaintiff's Re-Notice of Hearing on Plaintiff's Motion to Compel</i></p>
12/16/2021	<p><b>Motion to Seal/Redact Records</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p><i>Plaintiff's Motion to Redact Refiled Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto</i></p> <p>Granted;</p>
12/16/2021	<p><b>Joinder</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p><i>Defendant the Associated Press's Joinder to Plaintiff's Motion to Redact Refiled Motion to Compel and Seal Exhibits 4, 5, 6 and 13 Thereto</i></p> <p>Granted;</p>
12/16/2021	<p> <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Israel, Ronald J.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>PLAINTIFF'S MOTION TO REDACT REFILED MOTION TO COMPEL AND SEAL EXHIBITS 4, 5, 6, AND 13 THERETO...DEFENDANT THE ASSOCIATED PRESS'S JOINDER TO PLAINTIFF'S MOTION TO REDACT REFILED MOTION TO COMPEL AND SEAL EXHIBITS 4, 5, 6 AND 13 THERETO Plaintiff filed this Motion to Redact Refiled Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto on November 15, 2021. Defendant The Associated Press joined Plaintiff's Motion on November 17, 2021. To be decided is whether the redacting and sealing of the exhibits at issue is justified by compelling privacy</i></p>

# CASE SUMMARY

CASE NO. A-18-772715-C

interests that outweigh the public interest to the court record. SRCR 3(4). The exhibits pertain to confidential internal communications protected under NRS 49.275. Thus, this Court finds that these exhibits have compelling privacy interests and Plaintiff's Motion is GRANTED. 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. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. Plaintiff's counsel is to prepare the Order and submit to Chambers for consideration in accordance with EDCR 7.21  
CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Madalyn Kearney, to all registered parties for Odyssey File & Serve. /mk 12/22/21;

- |            |   |
|------------|---|
| 12/17/2021 | <p><b>Motion for Protective Order</b> (9:30 AM) (Judicial Officer: Young, Jay)<br/> <i>Joint Ex Parte Motion for an Order Shortening Time on the Hearing of Defendants' Motion for a Protective Order</i><br/>                     Judicial economy<br/>                     Denied;</p>  |
| 12/17/2021 | <p><b>CANCELED Motion to Compel</b> (9:30 AM) (Judicial Officer: Young, Jay)<br/> <i>Vacated</i><br/> <b>PLAINTIFF'S REFILED MOTION TO COMPEL; EX PARTE APPLICATION FOR ORDER SHORTENING TIME</b></p>   |
| 12/17/2021 | <p><b>Motion to Compel</b> (9:30 AM) (Judicial Officer: Young, Jay)<br/> <i>Plaintiff's Refiled Motion to Compel; Ex Parte Application for Order Shortening Time</i><br/>                     Per signed order filed 11/15/21<br/>                     Granted;</p>   |
| 12/17/2021 | <p> <b>All Pending Motions</b> (9:30 AM) (Judicial Officer: Young, Jay)<br/>                     Matter Heard;<br/>                     Journal Entry Details:<br/> <i>Joint Ex Parte Motion for an Order Shortening Time on the Hearing of Defendants' Motion for a Protective Order Plaintiff's Refiled Motion to Compel; Ex Parte Application for Order Shortening Time Arguments by counsel. Commissioner addressed the proportionality factors. Commissioner stated the privilege log, as created, is not in compliance with Nevada Law. Commissioner suggested counsel read Alboum v. Koe, M.D., et al., Discovery Commissioner Opinion #10 (November, 2001) . Commissioner FINDS the privilege log satisfies three and a half of the requirements as addressed by Commissioner on the record. There is no Trial date at this point. Commissioner advised counsel to create a new privilege log, and disclose the documents by 1-7-2022. Then have another meet and confer; if Mr. Bice is not satisfied with what he received, by 1-14-2022, counsel must submit a Joint Status Report regarding items still in dispute with both parties' positions. At that time, submit a new privilege log with the documents in dispute for Commissioner to review in camera (bates stamp documents). COMMISSIONER RECOMMENDED, Status Check SET. COMMISSIONER RECOMMENDED, Plaintiff's Refiled Motion to Compel; Ex Parte Application for Order Shortening Time is GRANTED; Joint Ex Parte Motion for an Order Shortening Time on the Hearing of Defendants' Motion for a Protective Order is DENIED. Commissioner will make himself available to field issues during the deposition. Court Directed counsel when submitting a DCRR, all parties/counsel must be given an opportunity to approve the DCRR as to form and content. The court set a status hearing for 1-21-2022 to determine if Mr. Bice submitted a timely proposed Discovery Commissioner's Report and Recommendation ( DCRR ). If the DCRR is timely submitted, the matter will be taken off calendar. If the DCRR is not timely submitted, Mr. Bice was given notice in the hearing, pursuant to EDCR 7.60, that Mr. Bice will be given an opportunity to be heard at that status hearing why sanctions should not issue for failure to comply with the order to submit a timely DCRR. 1-21-2022 10:00 a.m. Status Check: Privilege log / production of documents 1-21-2022 10:00 a.m. Status Check: Compliance / 12-17-2021 DCRR;</i></p> |
| 01/21/2022 | <p><b>CANCELED Status Check: Compliance</b> (10:00 AM) (Judicial Officer: Young, Jay)<br/> <i>Vacated</i><br/>                     Status Check: Compliance / 12-17-2021 DCRR</p>   |
| 01/28/2022 | <p> <b>Minute Order</b> (3:00 AM) (Judicial Officer: Young, Jay)<br/>                     Minute Order - No Hearing Held;<br/>                     Journal Entry Details:</p>  |

**CASE SUMMARY****CASE NO. A-18-772715-C**

*The court has reviewed the Joint Status Report to Discovery Commissioner, together with the attached privilege log and the submitted withheld documents. The court conducted an in camera review of the documents in question as reflected in the Joint Status Report to Discovery Commissioner and finds that the privilege designations were appropriately made by Defendants. All documents in question were properly withheld from disclosure. The Status Hearing set for January 28, 2022 at 10:00 is hereby vacated. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl;*

01/28/2022

**CANCELED Status Check** (10:00 AM) (Judicial Officer: Young, Jay)*Vacated - per Commissioner**Privilege Log/Production of documents*

09/08/2022

**Motion to Dismiss** (3:00 AM) (Judicial Officer: Israel, Ronald J.)*AP Defendants' Anti-SLAPP Motion to Dismiss Under NRS 41.660(3)(a)**Granted;**Journal Entry Details:*

*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 ) Renewed Special Motion to Dismiss Plaintiff Steve Wynn s ( Wynn ) Complaint pursuant to Nev. Rev. Stat. 41.660 (the Renewed Motion ), filed July 1, 2022. On August 9, 2022, Wynn filed his Opposition to the Motion. Defendants filed their Reply in support of their Motion on August 23, 2022. On September 8, 2022, the Court heard the matter in-chambers. Having considered the Motion, Opposition, and Reply, the Court hereby finds and orders as follows: /// FACTS & PROCEDURE This case stems from an article published by the Associated Press and written by Regina Garcia Cano on February 27, 2018. The AP article was based on the police report entered on February 7, 2018, by two (2) individuals alleging prior conduct that occurred in the 1970s by Plaintiff, Steve Wynn. A copy of the article was attached as Exhibit # 3 to the complaint. Plaintiff filed a Complaint against AP, Regina Cano and Halina Kuta alleging various causes of action including, Defamation by all parties. The Article outlines the allegations made to the police by the two complainants, including one made by Defendant Kuta against Plaintiff Wynn. This matter originally came before this 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 5, 2018, Wynn and Defendants entered into a Stipulation and Order Regarding Defendants Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the Stipulation ). The Stipulation included modifications both to this Court s scheduling for the hearing and to the Court s consideration of the grounds argued by Defendants in their Motion. The Stipulation was entered between the parties prior to the Hearing specifically setting forth that Defendants argued in their Motion that N.R.S. 41.660 [the Nevada Anti-SLAPP Statute ] applies and that Wynn cannot demonstrate a likelihood of success, as required under the statute, for two separate reasons: first, that the reporting by the Defendants is privileged; and second, that Wynn cannot demonstrate fault. Stipulation at 2 (citations omitted). Wynn and the Defendants stipulated that discovery is not necessary to resolve the first basis for the motion, i.e., whether the challenged news report is subject to the fair report privilege as a matter of law. Id. Wynn and the Defendants further stipulated and the Court ordered that, at the hearing on the Motion (then set for July 31, 2018, but later moved to August 14, 2018), the Court shall consider the fair report privilege under the Nevada Anti-SLAPP Statute, a question of law. Id. at 3. Wynn and the Defendants further stipulated and the Court ordered that, [i]f the Court finds the reporting in this case not to be covered by the fair report privilege, the Court shall continue to a second hearing to consider the issue of fault[.] Id. (emphasis added). 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 Brown, Esq. and Justin A. Shiroff, Esq. of Ballard Spahr LLP appeared on behalf of Defendants. This court issued an Order on August 23, 2018, granting the Motion and found that the news article fairly reported information that was found in the police reports filed by the two (2) complainants and that the article was a [g]ood faith communication in furtherance of . . . the right to free speech in direct connection with an issue of public interest. See Aug. 23, 2018 Order Granting Defendants Special Mot. to Dismiss at 3. Wynn appealed this Court s ruling regarding the fair report privilege and the Nevada Supreme Court addressed whether the filing of a report documenting allegations to police constitutes an official action under the fair report privilege. The Court held that the complainant s statement did not fall within the fair report privilege because it was a statement of facts about a case*

# CASE SUMMARY

CASE NO. A-18-772715-C

rather than an official action or proceeding, such as an arrest or the bringing of charges. *Wynn v. Associated Press*, 136 Nev. 611, 617, 475 P.3d 44, 50 (2020). Ultimately, the Court found that while the report privilege shields a defendant from liability for publication of defamatory content, the district court erred by extending the fair report privilege to the AP article because law enforcement did not take any official action concerning the allegations and they were not investigated, evaluated, or pursued by law enforcement. *Id.* at 619. Accordingly, the Court reversed and remanded for determination of application of the Anti-SLAPP statute and whether Wynn, as a public figure, could demonstrate a probability of prevailing on his defamation claim. *Id.* at 620. On remand, Wynn was permitted to take written, document, and deposition discovery on the limited issue of actual malice. That discovery period has ended and AP Defendants re-filed the Motion as a Renewed Motion. FINDINGS OF FACTS, CONCLUSIONS OF LAW, AND ANALYSIS This Court finds Mr. Wynn was a public figure and the sexual assault allegations are a matter of public concern given his ownership and title with Wynn Casinos, as well as the prior ongoing investigation and claims concerning female employees and other regarding inappropriate behavior. Wynn argued additional information should have been included in the news article and a thorough investigation by Defendants was needed to verify the police reports. However, Wynn ignores the fact that the reporter used two redacted complaints and there was no way to verify the truthfulness of the complaints. This Court finds the news article clearly states that the information was obtained from copies of recently filed police reports. While the article referred to two complaints, the first complaint has never been addressed while the second complainant was not disclosed in the AP report. Consequently, no additional information could have been obtained through further investigation. It was only after Metro police disclosed the alleged victim's name that contact could be made with Ms. Kuta and it became apparent her allegations were without merit. Defendants could not have known that Ms. Kuta's allegations were false when the article was published and there's nothing in the record to suggest that Defendants knew or should have known that the allegations were false. Further, the case was remanded to allow discovery for Wynn to substantiate actual malice to prevail on his defamation claim. To prevail on the defamation claim, the Plaintiff must show actual malice by clear and convincing evidence. Here, the Plaintiff has not established a likelihood of prevailing on the merits and there is nothing in the record to show Defendants published information knowing of its falsehood or that it was established with reckless disregard of the truth and therefore Wynn cannot prevail. For the above reasons, Defendants Renewed Special Motion to Dismiss is GRANTED. IT IS SO ORDERED. CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve or e-mail. /pc 10/31/22;

09/15/2022



## Motion to Seal/Redact Records (3:00 AM) (Judicial Officer: Israel, Ronald J.)

Plaintiff's Motion to Redact Opposition to the Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-SLAPP Statute) and Seal Exhibits 3, 4, 6, and 9 Thereto

Granted;

Journal Entry Details:

Plaintiff filed this Motion to Redact Opposition to the Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-SLAPP Statute) and Seal Exhibits 3, 4, 6, and 9 on August 9, 2022. Defendant The Associated Press filed a Non-Opposition to Plaintiff's Motion on August 23, 2022. Thus, since there is no opposition and good cause appearing, Plaintiff's Motion is GRANTED. 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. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. Plaintiff's counsel is to prepare the Order and submit to Chambers for consideration in accordance with EDCR 7.21. CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve or e-mail. /pc 9/23/22 ;

DATE

FINANCIAL INFORMATION

### Defendant Associated Press

Total Charges

703.00

Total Payments and Credits

703.00

Balance Due as of 12/2/2022

0.00

### Defendant Kuta, Halina

Total Charges

223.00

Total Payments and Credits

223.00

Balance Due as of 12/2/2022

0.00

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-18-772715-C**

**Plaintiff** Wynn, Steve

Total Charges

768.00

Total Payments and Credits

768.00

**Balance Due as of 12/2/2022**

**0.00**

**Plaintiff** Wynn, Steve

Appeal Bond Balance as of 12/2/2022

**500.00**



## DISTRICT COURT CIVIL COVER SHEET

A-18-772715-C

Clark County, Nevada

Case No. \_\_\_\_\_

Department 14

(Assigned by Clerk's Office)

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

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

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

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <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
<b>Probate</b> <b>Probate</b> (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 <b>Estate Value</b> <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	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <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	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <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		<b>Other Civil Filing</b> <b>Other Civil Filing</b> <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.*

*Heather S. Smith*  
CLERK OF THE COURT

**JUDGE RONALD J. ISRAEL**  
**EIGHTH JUDICIAL DISTRICT COURT**  
**DEPARTMENT 28**  
Regional Justice Center  
200 Lewis Avenue, 15<sup>th</sup> 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  
DEFENDANTS THE  
ASSOCIATED PRESS AND  
REGINA GARCIA CANO'S  
RENEWED SPECIAL MOTION  
TO DISMISS**

**ORDER GRANTING DEFENDANTS THE ASSOCIATED PRESS AND  
REGINA GARCIA CANO'S RENEWED 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") Renewed Special Motion to Dismiss Plaintiff Steve Wynn's ("Wynn") Complaint pursuant to Nev. Rev. Stat. §41.660 (the "Renewed Motion"), filed July 1, 2022. On August 9, 2022, Wynn filed his Opposition to the Motion. Defendants filed their Reply in support of their Motion on August 23, 2022.

On September 8, 2022, the Court heard the matter in-chambers. Having considered the Motion, Opposition, and Reply, the Court hereby finds and orders as follows:

///

**FACTS & PROCEDURE**

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

This matter originally came before this 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 5, 2018, Wynn and Defendants entered into a Stipulation and Order Regarding Defendants’ Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the “Stipulation”). The Stipulation included modifications both to this Court’s scheduling for the hearing and to the Court’s consideration of the grounds argued by Defendants in their Motion.

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

1 2018), “the Court shall consider the fair report privilege under the Nevada Anti-  
2 SLAPP Statute, a question of law.” *Id.* at 3. Wynn and the Defendants further  
3 stipulated and the Court ordered that, “[i]f the Court finds the reporting in this case  
4 not to be covered by the fair report privilege, the Court shall continue to a second  
5 hearing to consider the issue of fault[.]” *Id.* (emphasis added).

6 On July 18, 2018, Wynn filed his Opposition to the Motion. Defendants filed  
7 their Reply in support of their Motion on August 7, 2018. On August 14, 2018, the  
8 Court heard oral argument on the Motion. L. Lin Wood, Esq. of L. Lin Wood, P.C.,  
9 and Tamara Beatty Peterson, Esq., and Nikki L. Baker, Esq. of Peterson Baker, PLLC  
10 appeared on behalf of Wynn; Jay Ward Brown, Esq. and Justin A. Shiroff, Esq. of  
11 Ballard Spahr LLP appeared on behalf of Defendants.

12 This court issued an Order on August 23, 2018, granting the Motion and found  
13 that the news article fairly reported information that was found in the police reports  
14 filed by the two (2) complainants and that the article was a “[g]ood faith  
15 communication in furtherance of . . . the right to free speech in direct connection with  
16 an issue of public interest.” *See* Aug. 23, 2018 Order Granting Defendants’ Special  
17 Mot. to Dismiss at 3.

18 Wynn appealed this Court’s ruling regarding the fair report privilege and the  
19 Nevada Supreme Court addressed whether the filing of a report documenting  
20 allegations to police constitutes an official action under the fair report privilege. The  
21 Court held that the complainant’s statement did not fall within the fair report privilege  
22 because it was a statement of facts about a case rather than an official action or  
23 proceeding, such as an arrest or the bringing of charges. *Wynn v. Associated Press*,  
24 136 Nev. 611, 617, 475 P.3d 44, 50 (2020). Ultimately, the Court found that while the  
25 report privilege shields a defendant from liability for publication of defamatory  
26 content, the district court erred by extending the fair report privilege to the AP article  
27 because law enforcement did not take any official action concerning the allegations  
28 and they were not investigated, evaluated, or pursued by law enforcement. *Id.* at 619.

1 Accordingly, the Court reversed and remanded for determination of application  
2 of the Anti-SLAPP statute and “whether Wynn, as a public figure, could demonstrate  
3 a probability of prevailing on his defamation claim.” *Id.* at 620. On remand, Wynn  
4 was permitted to take written, document, and deposition discovery on the limited  
5 issue of actual malice. That discovery period has ended and AP Defendants re-filed  
6 the Motion as a Renewed Motion.

### 7 FINDINGS OF FACTS, CONCLUSIONS OF LAW, AND ANALYSIS

8 This Court finds Mr. Wynn was a public figure and the sexual assault  
9 allegations are a matter of public concern given his ownership and title with Wynn  
10 Casinos, as well as the prior ongoing investigation and claims concerning female  
11 employees and other regarding inappropriate behavior. Wynn argued additional  
12 information should have been included in the news article and a thorough  
13 investigation by Defendants was needed to verify the police reports. However, Wynn  
14 ignores the fact that the reporter used two redacted complaints and there was no way  
15 to verify the truthfulness of the complaints.

16 This Court finds the news article clearly states that the information was  
17 obtained from copies of recently filed police reports. While the article referred to two  
18 complaints, the first complaint has never been addressed while the second  
19 complainant was not disclosed in the AP report. Consequently, no additional  
20 information could have been obtained through further investigation. It was only after  
21 Metro police disclosed the alleged victim’s name that contact could be made with Ms.  
22 Kuta and it became apparent her allegations were without merit. Defendants could not  
23 have known that Ms. Kuta’s allegations were false when the article was published and  
24 there’s nothing in the record to suggest that Defendants knew or should have known  
25 that the allegations were false.

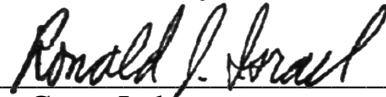
26 Further, the case was remanded to allow discovery for Wynn to substantiate  
27 actual malice to prevail on his defamation claim. To prevail on the defamation claim,  
28 the Plaintiff must show actual malice by clear and convincing evidence. Here, the

1 Plaintiff has not established a likelihood of prevailing on the merits and there is  
2 nothing in the record to show Defendants published information knowing of its  
3 falsehood or that it was established with reckless disregard of the truth and therefore  
4 Wynn cannot prevail.

5 For the above reasons, Defendants' Renewed Special Motion to Dismiss is  
6 GRANTED.

7  
8 **IT IS SO ORDERED.**

9 Dated this 26th day of October, 2022

10 

11 District Court Judge

Ronald J. Israel

Case No. A-18-17279-C

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

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Steve Wynn, Plaintiff(s)

CASE NO: A-18-772715-C

7 vs.

DEPT. NO. Department 28

8 Associated Press, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order Granting Motion was served via the court's electronic eFile  
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/26/2022

15 Todd Bice tlb@pisanellibice.com

16 Debra Spinelli dls@pisanellibice.com

17 Emily Buchwald eab@pisanellibice.com

18 Tamara Peterson tpeterson@petersonbaker.com

19 Nikki Baker nbaker@petersonbaker.com

20 Docket Clerk DocketClerk\_LasVegas@ballardspahr.com

21 Chad Bowman bowmanchad@ballardspahr.com

22 Mara Gassmann gassmannm@ballardspahr.com

23 Erin Parcells eparcells@petersonbaker.com

24 Kimberly Peets kap@pisanellibice.com

25 Las Vegas Intake LVCTIntake@ballardspahr.com

26

27

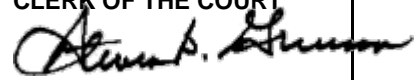
28

Las Vegas Docket	LVDocket@ballardspahr.com
Shannon Dinkel	sd@pisanellibice.com
Docket Clerk	DocketClerk_LasVegas@ballardspahr.com
David Astur	dastur@petersonbaker.com
Jay Brown	brownejay@ballardspahr.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 10/27/2022

Halina Kuta	17 W Pinehurst DR Laguna Vista, TX, 78578
-------------	--





1 **NEOJ**

2 David Chavez, Esq.  
3 Nevada Bar. No. 15192  
4 BALLARD SPAHR LLP  
5 1980 Festival Plaza Drive, Suite 900  
6 Las Vegas, Nevada 89135  
7 Telephone: (702) 471-7000  
8 Facsimile: (702) 471-7070  
9 chavezd@ballardspahr.com

6 Jay Ward Brown, Esq.  
(admitted *pro hac vice*)  
7 Chad R. Bowman, Esq.  
(admitted *pro hac vice*)  
8 BALLARD SPAHR LLP  
9 1909 K Street NW  
10 Washington DC 20006  
11 Telephone: (202) 661-2200  
12 Facsimile: (202) 661-2299  
13 brownjay@ballardspahr.com  
14 bowmanchad@ballardspahr.com

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

14 **EIGHTH JUDICIAL DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 STEVE WYNN,	)	Case No. A-18-772715-C
17	)	
18 Plaintiff,	)	Dept. No. XXVIII
19	)	
20 v.	)	
21	)	
22 THE ASSOCIATED PRESS, and REGINA	)	
23 GARCIA CANO,	)	
24	)	
25 Defendants.	)	
26	)	
27	)	
28	)	

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

26 [continued on following page]

1 Please take notice that an Order Granting Defendants The Associated Press  
2 and Regina Garcia Cano's Renewed Special Motion to Dismiss (the "Order") was  
3 entered on October 26, 2022. A copy of the Order is attached as Exhibit A.

4 Dated: November 2, 2022

5 BALLARD SPAHR LLP

6 By: /s/ David E. Chavez

7 David E. Chavez, Esq.  
8 Nevada Bar No. 15192  
9 1980 Festival Plaza Drive, Suite 900  
10 Las Vegas, Nevada 89135

11 -and-

12 Jay W. Brown, Esq.  
13 (admitted *pro hac vice*)  
14 Chad R. Bowman, Esq.  
15 (admitted *pro hac vice*)  
16 BALLARD SPAHR LLP  
17 1909 K Street NW  
18 Washington DC 20006

19 *Attorneys for Defendants*  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I CERTIFY that on November 2, 2022, I served a true and correct copy of the foregoing Notice of Entry of Order Granting Defendants The Associated Press and Regina Garcia Cano's Renewed Special Motion to Dismiss on the following parties via the Court's electronic service system, pursuant to NRCP 5:

Todd L. Bice, Esq.  
Debra L. Spinelli, Esq.  
Emily A. Buchwald, Esq.  
PISANELLI BICE PLLC  
400 South 7th Street, Suite 300  
Las Vegas, Nevada 89101

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

*Attorneys for Plaintiffs*

/s/ Adam Crawford  
An Employee of Ballard Spahr LLP

**EXHIBIT A**

**EXHIBIT A**

*Heather S. Smith*  
CLERK OF THE COURT

**JUDGE RONALD J. ISRAEL**  
**EIGHTH JUDICIAL DISTRICT COURT**  
**DEPARTMENT 28**  
Regional Justice Center  
200 Lewis Avenue, 15<sup>th</sup> 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  
DEFENDANTS THE  
ASSOCIATED PRESS AND  
REGINA GARCIA CANO'S  
RENEWED SPECIAL MOTION  
TO DISMISS**

**ORDER GRANTING DEFENDANTS THE ASSOCIATED PRESS AND  
REGINA GARCIA CANO'S RENEWED 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") Renewed Special Motion to Dismiss Plaintiff Steve Wynn's ("Wynn") Complaint pursuant to Nev. Rev. Stat. §41.660 (the "Renewed Motion"), filed July 1, 2022. On August 9, 2022, Wynn filed his Opposition to the Motion. Defendants filed their Reply in support of their Motion on August 23, 2022.

On September 8, 2022, the Court heard the matter in-chambers. Having considered the Motion, Opposition, and Reply, the Court hereby finds and orders as follows:

///

**FACTS & PROCEDURE**

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

This matter originally came before this 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 5, 2018, Wynn and Defendants entered into a Stipulation and Order Regarding Defendants’ Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the “Stipulation”). The Stipulation included modifications both to this Court’s scheduling for the hearing and to the Court’s consideration of the grounds argued by Defendants in their Motion.

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

1 2018), “the Court shall consider the fair report privilege under the Nevada Anti-  
2 SLAPP Statute, a question of law.” *Id.* at 3. Wynn and the Defendants further  
3 stipulated and the Court ordered that, “[i]f the Court finds the reporting in this case  
4 not to be covered by the fair report privilege, the Court shall continue to a second  
5 hearing to consider the issue of fault[.]” *Id.* (emphasis added).

6 On July 18, 2018, Wynn filed his Opposition to the Motion. Defendants filed  
7 their Reply in support of their Motion on August 7, 2018. On August 14, 2018, the  
8 Court heard oral argument on the Motion. L. Lin Wood, Esq. of L. Lin Wood, P.C.,  
9 and Tamara Beatty Peterson, Esq., and Nikki L. Baker, Esq. of Peterson Baker, PLLC  
10 appeared on behalf of Wynn; Jay Ward Brown, Esq. and Justin A. Shiroff, Esq. of  
11 Ballard Spahr LLP appeared on behalf of Defendants.

12 This court issued an Order on August 23, 2018, granting the Motion and found  
13 that the news article fairly reported information that was found in the police reports  
14 filed by the two (2) complainants and that the article was a “[g]ood faith  
15 communication in furtherance of . . . the right to free speech in direct connection with  
16 an issue of public interest.” *See* Aug. 23, 2018 Order Granting Defendants’ Special  
17 Mot. to Dismiss at 3.

18 Wynn appealed this Court’s ruling regarding the fair report privilege and the  
19 Nevada Supreme Court addressed whether the filing of a report documenting  
20 allegations to police constitutes an official action under the fair report privilege. The  
21 Court held that the complainant’s statement did not fall within the fair report privilege  
22 because it was a statement of facts about a case rather than an official action or  
23 proceeding, such as an arrest or the bringing of charges. *Wynn v. Associated Press*,  
24 136 Nev. 611, 617, 475 P.3d 44, 50 (2020). Ultimately, the Court found that while the  
25 report privilege shields a defendant from liability for publication of defamatory  
26 content, the district court erred by extending the fair report privilege to the AP article  
27 because law enforcement did not take any official action concerning the allegations  
28 and they were not investigated, evaluated, or pursued by law enforcement. *Id.* at 619.

1 Accordingly, the Court reversed and remanded for determination of application  
2 of the Anti-SLAPP statute and “whether Wynn, as a public figure, could demonstrate  
3 a probability of prevailing on his defamation claim.” *Id.* at 620. On remand, Wynn  
4 was permitted to take written, document, and deposition discovery on the limited  
5 issue of actual malice. That discovery period has ended and AP Defendants re-filed  
6 the Motion as a Renewed Motion.

### 7 FINDINGS OF FACTS, CONCLUSIONS OF LAW, AND ANALYSIS

8 This Court finds Mr. Wynn was a public figure and the sexual assault  
9 allegations are a matter of public concern given his ownership and title with Wynn  
10 Casinos, as well as the prior ongoing investigation and claims concerning female  
11 employees and other regarding inappropriate behavior. Wynn argued additional  
12 information should have been included in the news article and a thorough  
13 investigation by Defendants was needed to verify the police reports. However, Wynn  
14 ignores the fact that the reporter used two redacted complaints and there was no way  
15 to verify the truthfulness of the complaints.

16 This Court finds the news article clearly states that the information was  
17 obtained from copies of recently filed police reports. While the article referred to two  
18 complaints, the first complaint has never been addressed while the second  
19 complainant was not disclosed in the AP report. Consequently, no additional  
20 information could have been obtained through further investigation. It was only after  
21 Metro police disclosed the alleged victim’s name that contact could be made with Ms.  
22 Kuta and it became apparent her allegations were without merit. Defendants could not  
23 have known that Ms. Kuta’s allegations were false when the article was published and  
24 there’s nothing in the record to suggest that Defendants knew or should have known  
25 that the allegations were false.

26 Further, the case was remanded to allow discovery for Wynn to substantiate  
27 actual malice to prevail on his defamation claim. To prevail on the defamation claim,  
28 the Plaintiff must show actual malice by clear and convincing evidence. Here, the

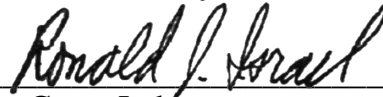


1 Plaintiff has not established a likelihood of prevailing on the merits and there is  
2 nothing in the record to show Defendants published information knowing of its  
3 falsehood or that it was established with reckless disregard of the truth and therefore  
4 Wynn cannot prevail.

5 For the above reasons, Defendants' Renewed Special Motion to Dismiss is  
6 GRANTED.

7  
8 **IT IS SO ORDERED.**

9 Dated this 26th day of October, 2022

10 

11 District Court Judge

Ronald J. Israel

Case No. A-18-112719-C

Order Granting Defendant's The Associated

Press And Regina Garcia Cano's Renewed  
Special Motion To Dismiss

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Steve Wynn, Plaintiff(s)

CASE NO: A-18-772715-C

7 vs.

DEPT. NO. Department 28

8 Associated Press, Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order Granting Motion was served via the court's electronic eFile  
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/26/2022

15 Todd Bice tlb@pisanellibice.com

16 Debra Spinelli dls@pisanellibice.com

17 Emily Buchwald eab@pisanellibice.com

18 Tamara Peterson tpeterson@petersonbaker.com

19 Nikki Baker nbaker@petersonbaker.com

20 Docket Clerk DocketClerk\_LasVegas@ballardspahr.com

21 Chad Bowman bowmanchad@ballardspahr.com

22 Mara Gassmann gassmannm@ballardspahr.com

23 Erin Parcells eparcells@petersonbaker.com

24 Kimberly Peets kap@pisanellibice.com

25 Las Vegas Intake LVCTIntake@ballardspahr.com

26

27

28

Las Vegas Docket	LVDocket@ballardspahr.com
Shannon Dinkel	sd@pisanellibice.com
Docket Clerk	DocketClerk_LasVegas@ballardspahr.com
David Astur	dastur@petersonbaker.com
Jay Brown	brownejay@ballardspahr.com
Brittany Falconi	media@ournevadajudges.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 10/27/2022

Halina Kuta	17 W Pinehurst DR Laguna Vista, TX, 78578
-------------	--

**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)

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

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

<b>PRESENT:</b>	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)

<b>August 30, 2018</b>	<b>3:00 AM</b>	<b>Motion to Associate Counsel</b>	<b>Motion to Associate Counsel (Jonatahan David Grunberg, Esq.)</b>
------------------------	----------------	------------------------------------	---

**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)

<b>September 11, 2018</b>	<b>9:00 AM</b>	<b>Motion</b>	<b>Defendant Kuta's ProPer Motion to Request DNA Testing of Kevyn Wynn</b>
---------------------------	----------------	---------------	--

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

<b>PRESENT:</b>	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)

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

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

<b>PRESENT:</b>	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.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**February 26, 2019**

---

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

---

**February 26, 2019      9:45 AM      Status Check: Trial  
Readiness**

**HEARD BY:** Israel, Ronald J.      **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

**PRESENT:** Peterson, Tamara Beatty      Attorney

**JOURNAL ENTRIES**

- Ms. Peterson represented the Defendant is Pro Per and they received an e-mail from her stating she could not make it next week and stated nothing regarding today. Ms. Peterson noted there was a deposition scheduled next week and maybe Ms. Kuta mixed the dates up. Upon Court's inquiry, Ms. Peterson stated she would not be interested in a settlement conference and estimated the trial to be 5 days. Colloquy regarding overflow eligible. Court directed Ms. Peterson to discuss overflow trial setting with her client and inform the Court at the Pre-Trial Conference date if interested.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

April 02, 2019

A-18-772715-C

Steve Wynn, Plaintiff(s)

vs.

Associated Press, Defendant(s)

April 02, 2019

9:00 AM

Motion to Compel

**Plaintiff Steve  
Wynn's Motion for  
Order Compelling  
Defendant Halina  
Kuta to Submit to an  
Independent Mental  
Examination; Ex Parte  
Application for an  
Order Shortening  
Time**

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. Arguments by Counsel and Ms. Kuta. Ms. Baker agreed in support of her motion and noted Ms. Kuta's actions of malice and further noted the exam would support Wynn's defamation claim; Additionally they could conduct the exam without the video. Ms. Kuta objected stating it was untimely and unlawful. Colloquy regarding if Ms. Kuta raises the issue of being incapable of understanding as a defense and discovery is being still open. Court stated finding and noted the exam is inappropriate in this civil case. COURT ORDERED, Motion DENIED. Court noted it did not hear of a rule 35 mental exam in a civil case where the Defendant is not claiming a mental issue. Colloquy regarding the Defendant's prior accident and memory issues.

Court stated it would not allow an Independent Mental Examination, unless, at trial, the Defendant raises mental issues as a defense. COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. Court directed the Law Clerk to prepare the order. Upon Counsel's inquiry, Court clarified, if at trial the Defendant claims a defense of being psychologically incapable, it will be grounds for a mistrial and the Defendant will submit to a rule 35 exam.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**April 24, 2019**

---

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

---

**April 24, 2019**

**3:00 AM**

**Minute Order**

**Minute Order Re:  
Order Stricken**

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- The Court s Order filed on the 23rd of April, 2019, is incomplete due to a typographical error and therefore ORDERED STRICKEN from the record. A corrected Order will be filed immediately.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**August 13, 2019**

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

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**August 13, 2019      9:30 AM      Pre Trial Conference**

**HEARD BY:** Israel, Ronald J.      **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

**PRESENT:**      Baker, Nikki L.      Attorney  
                  Grunberg, Jonathan D      Attorney  
                  Peterson, Tamara Beatty      Attorney

**JOURNAL ENTRIES**

- Ms. Kuta not present. Mr. Grunberg appearing by CourtCall. Upon Court's inquiry of Ms. Kuta's non-appearance, Ms. Baker stated she had heard Ms. Kuta was not going to appear today, However she would be present for the calendar call date. Court noted Ms. Kuta does not get her opinion when to appear and further noted this Court could strike her Answer. Court stated although Ms. Kuta is Pro Se she must comply with the Civil Procedures. Court noted if Ms. Kuta is not present for the calendar call, this Court may strike her answer. Ms. Baker estimated 5 trial days and this is set as a jury trial. Ms. Baker noted the Supreme Court matter is set for briefing and they did not ask for a stay. Ms. Baker stated she would be open for a settlement conference especially if Ms. Kuta is in town for the calendar call date. Court noted Counsel may try to schedule the settlement conference through Department XXX.

CLERK'S NOTE: A copy of this minute order was mailed to Ms. Kuta, 17 W. Pinehurst Drive, Laguna Vista, TX 78578. kt 08/13/19.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**August 27, 2019**

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

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**August 27, 2019      9:30 AM      Calendar Call**

**HEARD BY:** Israel, Ronald J.      **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

**PRESENT:**      Kuta, Halina      Defendant  
Peterson, Tamara Beatty      Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry of overflow, Ms. Peterson estimated trial to be 4 to 5 days. Ms. Kuta, Pro Se, stated the witnesses she would be calling. Colloquy regarding serving witnesses, protective orders and motions. Ms. Peterson noted they just had the Early Case Conference (ECC) yesterday as the Deft. resides out-of-state. Court explained to Ms. Kuta she would need to serve the witnesses and suggested Ms. Kuta obtain counsel. COURT ORDERED, Trial VACATED and RESET. The Judicial Executive Assistant (JEA) to issue the trial order. Court informed the parties that picking a jury for this trial may take some time and suggested a jury questionnaire.

01/14/20 9:30 AM PRE-TRIAL CONFERENCE

02/04/20 9:30 AM CALENDAR CALL

02/10/20 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**February 04, 2020**

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

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**February 04, 2020      9:30 AM      Pretrial/Calendar Call**

**HEARD BY:** Israel, Ronald J.      **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:** Judy Chappell

**REPORTER:**

**PARTIES**

**PRESENT:**      Baker, Nikki L.      Attorney  
                         Grunberg, Jonathan D      Attorney  
                         Kuta, Halina      Defendant

**JOURNAL ENTRIES**

- Mr. Grunberg appearing by CourtCall. Court noted the parties agreed to a bench trial and withdrew the request for a jury trial. Ms. Baker agreed. Mr. Kuta noted she would send the subpoenas out for the three witnesses she would be calling. Court directed her to send the subpoenas out now. Colloquy regarding trial schedules. COURT ORDERED, Trial SET. Upon Ms. Bakers inquiry of a bench brief, Court noted both sides can provide a bench brief by 03/02/2020. Colloquy regarding the original media request being in effect for trial.

03/09/2020 1:30 PM BENCH TRIAL (3 DAYS)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

March 09, 2020

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

March 09, 2020

1:30 PM

Bench Trial

Bench Trial

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Thomas

RECORDER: Judy Chappell

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Baker, Nikki L.	Attorney
	Kuta, Halina	Defendant
	Peterson, Tamara Beatty	Attorney
	Wynn, Steve	Plaintiff

**JOURNAL ENTRIES**

- Opening Statement by Ms. Peterson and Ms. Kuta. Counsel and Ms. Kuta stipulated to several exhibits to be admitted. (See worksheets). Testimony and exhibits presented. (See worksheets). Ms. Kuta's deposition published. Plaintiff Rested. Further testimony and exhibits offered. (See worksheets). Colloquy regarding Defendant's subpoenas. Court found the subpoenas for Kevyn Wynn and Elaina Wynn were not completed, However Court found Tia Gibson was served and Ms. Gibson was not present. Colloquy regarding NRS 111.150- holding a witness in contempt. Tia Gibson was called by the Court Clerk; the Clerk noted phone message was not set up and was unable to leave a message. Court recessed. During the recess Ms. Gibson's husband returned the Court's call and was able to reach Ms. Gibson. Ms. Gibson appear and testified. Defendant Rested. No rebuttal. Upon Court's inquiry if the parties would agree to allow the Court to google; Picasso and the Le Reve canvas that was inquired of during testimony, Ms. Kuta objected. Closing arguments by Ms. Peterson and Ms. Kuta.

Court stated findings in favor of the Plaintiff. Court referred to the certified birth certificate of Kevyn Wynn being 6 to 7 years prior to the alleged rape. Court found Mr. Wynn s testimony credible and Ms. Kuta's testimony lacked veracity. Court stated further findings regarding the Picasso/Le Reve

canvas and Court's personal knowledge of Picasso living in Spain not in France. Court further noted Ms. Gibson's testimony contradicted Ms. Kuta's testimony. Court noted the requirements to show defamation. Court finds Ms. Kuta's statement is defamatory, rape allege is serious, with the police report and communication to the media. Court additionally stated Ms. Kuta seems rational and she stated she is not delusional and other than the story she seemed rational in other areas and she did adequate questioning today. Court noted the serious allegations thrown at Mr. Wynn. COURT AWARDED Mr. Wynn, \$1.00 and finds Ms., Kuta knowingly made a false report to the Metropolitan Police Department. Court further found the Birth Certificate is conclusive presumption. Court directed Ms. Peterson to prepare the Findings of Fact and Conclusions of Law and pass it by Ms. Kuta and the Court will review the order.

CLERK'S NOTE: Following Court. Court Ordered the Birth Certificate Exhibit, Sealed. kt 03/11/2020.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort****COURT MINUTES****December 15, 2020**

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

<b>December 15, 2020</b>	<b>10:00 AM</b>	<b>Further Proceedings</b>	<b>Further Proceedings: At Request of Court Per The Nevada Supreme Court's Order Of Reversal And Remand With Instructions Filed October 29, 2020</b>
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**HEARD BY:** Israel, Ronald J.**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Kathy Thomas**RECORDER:** Judy Chappell**REPORTER:****PARTIES**

<b>PRESENT:</b>	Bice, Todd L	Attorney
	Bowman, Chad R.	Attorney
	Brown, Jay W.	Attorney
	Buchwald, Emily A.	Attorney
	Gall, Maria A.	Attorney

**JOURNAL ENTRIES**

- All Parties appearing by video. Court noted the matter was returned, remittitur from the Nevada Supreme Court. Upon Court's inquiry of discovery and time needed, Mr. Bice noted the parties met and conferred and agreed; The Plaintiff to serve request for production and conduct two depositions (depositions of the reporter and person from Associated Press). Counsel agreed to 90 days discovery. Mr. Bice requested if any issues they could submit the issues to the Court. Mr. Bowman agreed. Court noted the delays due to covid and would allow 120 days for discovery. Court noted the trial would not be set until decisions of future motions. Mr. Bice requested the Court handle all the discovery

issues. Court noted if all parties agree then the issues may be addressed in the Department or by the Discovery Commissioner. COURT ORDERED, Matter SET in chambers for the status of the case.

05/06/2021 (CHAMBERS) STATUS CHECK: STATUS OF CASE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**May 06, 2021**

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

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**May 06, 2021**

**3:00 AM**

**Status Check: Status of  
Case**

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, Matter CONTINUED 60 days.

07/08/2021 (CHAMBERS) STATUS CHECK: STATUS OF CASE

CLERK'S NOTE: A copy of this minute order was e-served to counsel. kt 5/6/21.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**July 15, 2021**

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

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**July 15, 2021**

**3:00 AM**

**Status Check: Status of  
Case**

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Kathy Thomas

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- The parties stipulated to continue Discovery up and through October 15, 2021. Status Check continued to October 28, 2021 in chambers. The parties are to provide a status report to chambers before this hearing.

CLERK'S NOTE: A copy of this minute order was e-served to counsel. kt 07/15/2021.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

October 28, 2021

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

October 28, 2021      3:00 AM      Status Check: Status of  
Case

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Thomas

RECORDER:

REPORTER:

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff filed this Motion to Redact Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto on September 27, 2021. Defendant The Associated Press joined Plaintiff s Motion on September 30, 3031.

To de decided is whether the redacting and sealing of the exhibits at issue is justified by compelling privacy interests that outweigh the public interest to the court record. SRCR 3(4). The exhibits pertain to confidential internal communications protected under NRS 49.275. Thus, this Court finds that these exhibits have compelling privacy interests and Plaintiff s Motion is GRANTED.

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. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. Plaintiff s counsel is to prepare the Order and submit to Chambers for consideration in accordance with EDCR 7.21.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**October 28, 2021**

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

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**October 28, 2021      3:00 AM      All Pending Motions**

**HEARD BY:** Israel, Ronald J.      **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Shelley Boyle  
Tondalaya Goodwin  
Patia Cunningham

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Minute Order: Status of Case (Chambers)

PLTF'S MOTION TO REDACT REFILED MOTION TO COMPEL AND SEAL EXHIBITS 4, 5, 6 AND 13 THERETO...DEFT. THE ASSOCIATED PRESS'S JOINDER TO PLFT'S. MOTION TO REFILED MOTION TO COMPEL AND SEAL EXHIBITS 4, 5, 6 AND 13 THERETO

Plaintiff filed this Motion to Redact Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto on September 27, 2021. Defendant The Associated Press joined Plaintiff's Motion on September 30, 2021.

To be decided is whether the redacting and sealing of the exhibits at issue is justified by compelling privacy interests that outweigh the public interest to the court record. SRCR 3(4). The exhibits pertain to confidential internal communications protected under NRS 49.275. Thus, this Court finds that these exhibits have compelling privacy interests and Plaintiff's Motion is GRANTED.

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. Such Order should set forth a synopsis of

the supporting reasons proffered to the Court in briefing. Plaintiff's counsel is to prepare the Order and submit to Chambers for consideration in accordance with EDCR 7.21

CLERK'S NOTE: This minute was originally posted 10/28/21 however, Court's staffed noted punctuation errors and the minute order was posted into the incorrect hearing session thereafter, requested these corrections are made and the minute order reposted. The minute order was corrected to reflect an All Pending Motions minute order on the Chambers Calendar, the year Deft. Associated Press joined Pltf's. Motion as 2021 not 3031 as previously listed, and that the matter was "To be decided.." not "To de decided..." as previously listed. Additionally, all punctuation errors were corrected. /sb 10.23.21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**December 16, 2021**

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

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**December 16, 2021      3:00 AM      All Pending Motions**

**HEARD BY:** Israel, Ronald J.      **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Madalyn Kearney

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- PLAINTIFF'S MOTION TO REDACT REFILED MOTION TO COMPEL AND SEAL EXHIBITS 4, 5, 6, AND 13 THERETO...DEFENDANT THE ASSOCIATED PRESS'S JOINDER TO PLAINTIFF'S MOTION TO REDACT REFILED MOTION TO COMPEL AND SEAL EXHIBITS 4, 5, 6 AND 13 THERETO

Plaintiff filed this Motion to Redact Refiled Motion to Compel and Seal Exhibits 4, 5, 6, and 13 Thereto on November 15, 2021. Defendant The Associated Press joined Plaintiff's Motion on November 17, 2021.

To be decided is whether the redacting and sealing of the exhibits at issue is justified by compelling privacy interests that outweigh the public interest to the court record. SRCR 3(4). The exhibits pertain to confidential internal communications protected under NRS 49.275. Thus, this Court finds that these exhibits have compelling privacy interests and Plaintiff's Motion is GRANTED.

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. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. Plaintiff's counsel is to prepare the Order and submit to Chambers for consideration in accordance with EDCR 7.21

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Madalyn Kearney, to all registered parties for Odyssey File & Serve. /mk 12/22/21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**December 17, 2021**

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A-18-772715-C	Steve Wynn, Plaintiff(s) vs. Associated Press, Defendant(s)
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**December 17, 2021      9:30 AM      All Pending Motions**

**HEARD BY:** Young, Jay **COURTROOM:** RJC Level 5 Hearing Room

**COURT CLERK:** Jennifer Lott

**RECORDER:** Francesca Haak

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bice, Todd L	Attorney
	Bowman, Chad R.	Attorney
	Buchwald, Emily A.	Attorney
	Gall, Maria A.	Attorney

**JOURNAL ENTRIES**

- Joint Ex Parte Motion for an Order Shortening Time on the Hearing of Defendants' Motion for a Protective Order

Plaintiff's Refiled Motion to Compel; Ex Parte Application for Order Shortening Time

Arguments by counsel. Commissioner addressed the proportionality factors. Commissioner stated the privilege log, as created, is not in compliance with Nevada Law. Commissioner suggested counsel read Alboum v. Koe, M.D., et al., Discovery Commissioner Opinion #10 (November, 2001) . Commissioner FINDS the privilege log satisfies three and a half of the requirements as addressed by Commissioner on the record. There is no Trial date at this point. Commissioner advised counsel to create a new privilege log, and disclose the documents by 1-7-2022. Then have another meet and confer; if Mr. Bice is not satisfied with what he received, by 1-14-2022, counsel must submit a Joint Status Report regarding items still in dispute with both parties' positions. At that time, submit a new privilege log with the documents in dispute for Commissioner to review in camera (bates stamp

documents). COMMISSIONER RECOMMENDED, Status Check SET. COMMISSIONER RECOMMENDED, Plaintiff's Refiled Motion to Compel; Ex Parte Application for Order Shortening Time is GRANTED; Joint Ex Parte Motion for an Order Shortening Time on the Hearing of Defendants' Motion for a Protective Order is DENIED. Commissioner will make himself available to field issues during the deposition.

Court Directed counsel when submitting a DCRR, all parties/counsel must be given an opportunity to approve the DCRR as to form and content. The court set a status hearing for 1-21-2022 to determine if Mr. Bice submitted a timely proposed Discovery Commissioner's Report and Recommendation ( DCRR ). If the DCRR is timely submitted, the matter will be taken off calendar. If the DCRR is not timely submitted, Mr. Bice was given notice in the hearing, pursuant to EDCR 7.60, that Mr. Bice will be given an opportunity to be heard at that status hearing why sanctions should not issue for failure to comply with the order to submit a timely DCRR.

1-21-2022 10:00 a.m. Status Check: Privilege log / production of documents

1-21-2022 10:00 a.m. Status Check: Compliance / 12-17-2021 DCRR

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**January 28, 2022**

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

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**January 28, 2022      3:00 AM      Minute Order**

**HEARD BY:** Young, Jay      **COURTROOM:** No Location

**COURT CLERK:** Jennifer Lott

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The court has reviewed the Joint Status Report to Discovery Commissioner, together with the attached privilege log and the submitted withheld documents. The court conducted an in camera review of the documents in question as reflected in the Joint Status Report to Discovery Commissioner and finds that the privilege designations were appropriately made by Defendants. All documents in question were properly withheld from disclosure. The Status Hearing set for January 28, 2022 at 10:00 is hereby vacated.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Other Tort

# COURT MINUTES

September 08, 2022

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

**September 08, 2022      3:00 AM      Motion to Dismiss**

**HEARD BY:** Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Patia Cunningham

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

## JOURNAL ENTRIES

- 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 ) Renewed Special Motion to Dismiss Plaintiff Steve Wynn s ( Wynn ) Complaint pursuant to Nev. Rev. Stat. 41.660 (the Renewed Motion ), filed July 1, 2022. On August 9, 2022, Wynn filed his Opposition to the Motion. Defendants filed their Reply in support of their Motion on August 23, 2022.

On September 8, 2022, the Court heard the matter in-chambers. Having considered the Motion, Opposition, and Reply, the Court hereby finds and orders as follows:

///

## FACTS & PROCEDURE

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

This matter originally came before this 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 5, 2018, Wynn and Defendants entered into a Stipulation and Order Regarding Defendants Special Motion to Dismiss Pursuant to N.R.S. 41.660 (the Stipulation ). The Stipulation included modifications both to this Court's scheduling for the hearing and to the Court's consideration of the grounds argued by Defendants in their Motion.

The Stipulation was entered between the parties prior to the Hearing specifically setting forth that Defendants argued in their Motion that N.R.S. 41.660 [the Nevada Anti-SLAPP Statute ] applies and that Wynn cannot demonstrate a likelihood of success, as required under the statute, for two separate reasons: first, that the reporting by the Defendants is privileged; and second, that Wynn cannot demonstrate fault. Stipulation at 2 (citations omitted). Wynn and the Defendants stipulated that discovery is not necessary to resolve the first basis for the motion, i.e., whether the challenged news report is subject to the fair report privilege as a matter of law. Id. Wynn and the Defendants further stipulated and the Court ordered that, at the hearing on the Motion (then set for July 31, 2018, but later moved to August 14, 2018), the Court shall consider the fair report privilege under the Nevada Anti-SLAPP Statute, a question of law. Id. at 3. Wynn and the Defendants further stipulated and the Court ordered that, [i]f the Court finds the reporting in this case not to be covered by the fair report privilege, the Court shall continue to a second hearing to consider the issue of fault[.] Id. (emphasis added).

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 Brown, Esq. and Justin A. Shiroff, Esq. of Ballard Spahr LLP appeared on behalf of Defendants.

This court issued an Order on August 23, 2018, granting the Motion and found that the news article fairly reported information that was found in the police reports filed by the two (2) complainants and that the article was a [g]ood faith communication in furtherance of . . . the right to free speech in direct connection with an issue of public interest. See Aug. 23, 2018 Order Granting Defendants Special Mot. to Dismiss at 3.

Wynn appealed this Court's ruling regarding the fair report privilege and the Nevada Supreme Court addressed whether the filing of a report documenting allegations to police constitutes an official action under the fair report privilege. The Court held that the complainant's statement did not fall within the fair report privilege because it was a statement of facts about a case rather than an official action or proceeding, such as an arrest or the bringing of charges. *Wynn v. Associated Press*, 136 Nev. 611, 617, 475 P.3d 44, 50 (2020). Ultimately, the Court found that while the report privilege shields a defendant from liability for publication of defamatory content, the district court erred by extending the fair report privilege to the AP article because law enforcement did not take any official action concerning the allegations and they were not investigated, evaluated, or pursued by law enforcement. Id. at 619.

Accordingly, the Court reversed and remanded for determination of application of the Anti-SLAPP statute and whether Wynn, as a public figure, could demonstrate a probability of prevailing on his defamation claim. Id. at 620. On remand, Wynn was permitted to take written, document, and deposition discovery on the limited issue of actual malice. That discovery period has ended and AP

Defendants re-filed the Motion as a Renewed Motion.

FINDINGS OF FACTS, CONCLUSIONS OF LAW, AND ANALYSIS

This Court finds Mr. Wynn was a public figure and the sexual assault allegations are a matter of public concern given his ownership and title with Wynn Casinos, as well as the prior ongoing investigation and claims concerning female employees and other regarding inappropriate behavior. Wynn argued additional information should have been included in the news article and a thorough investigation by Defendants was needed to verify the police reports. However, Wynn ignores the fact that the reporter used two redacted complaints and there was no way to verify the truthfulness of the complaints.

This Court finds the news article clearly states that the information was obtained from copies of recently filed police reports. While the article referred to two complaints, the first complaint has never been addressed while the second complainant was not disclosed in the AP report.

Consequently, no additional information could have been obtained through further investigation. It was only after Metro police disclosed the alleged victim's name that contact could be made with Ms. Kuta and it became apparent her allegations were without merit. Defendants could not have known that Ms. Kuta's allegations were false when the article was published and there's nothing in the record to suggest that Defendants knew or should have known that the allegations were false.

Further, the case was remanded to allow discovery for Wynn to substantiate actual malice to prevail on his defamation claim. To prevail on the defamation claim, the Plaintiff must show actual malice by clear and convincing evidence. Here, the Plaintiff has not established a likelihood of prevailing on the merits and there is nothing in the record to show Defendants published information knowing of its falsehood or that it was established with reckless disregard of the truth and therefore Wynn cannot prevail.

For the above reasons, Defendants' Renewed Special Motion to Dismiss is GRANTED.

IT IS SO ORDERED.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve or e-mail. /pc 10/31/22

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**September 15, 2022**

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

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**September 15, 2022      3:00 AM      Motion to Seal/Redact  
Records**

**HEARD BY:** Israel, Ronald J.

**COURTROOM:** RJC Courtroom 15C

**COURT CLERK:** Patia Cunningham

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff filed this Motion to Redact Opposition to the Associated Press Defendants' Renewed Special Motion to Dismiss Pursuant to NRS 41.660 (Anti-SLAPP Statute) and Seal Exhibits 3, 4, 6, and 9 on August 9, 2022. Defendant The Associated Press filed a Non-Opposition to Plaintiff ' Motion on August 23, 2022. Thus, since there is no opposition and good cause appearing, Plaintiff ' Motion is GRANTED.

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. Such Order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. Plaintiff s counsel is to prepare the Order and submit to Chambers for consideration in accordance with EDCR 7.21.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve or e-mail. /pc 9/23/22

## EXHIBIT(S) LIST

Case No.: **A772715**

Trial Date: **03/09/2020**

Dept. No.: **XXVIII**

Judge: **Ronald J. Israel**

PLAINTIFF'S: **STEVE WYNN**

Court Clerk: **Kathy Thomas**

Recorder: **Judy Chappell**

Counsel for Plaintiff: **Nikki Baker, Esq.**

vs.

DEFENDANT'S: **HALINA KUTA**

Counsel for Defendant: **NA**

### TRIAL BEFORE THE COURT

#### JOINT EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	See Attached			

**PLAINTIFF'S TRIAL EXHIBITS**  
**EXPECTED TO BE OFFERED AT TRIAL**

**CASE NO.: A-18-772715-C**

Exhibit #	Title/Description	Date Offered	Objected	Date Admitted	
1.	Kevyn Wynn's Certificate of Live Birth – District of Columbia Department of Public Health [SW000097] <i>Sealed</i>	3/9/2020	obj	3/9/2020	W
2.	<i>In the Matter of the Application of Kevin Q. Wynn</i> , Case No. D191913, Verified Petition for Name Change filed August 29, 1995, [SW000145 – SW000147]	3/9/2020	NO		W
3.	<i>In the Matter of the Application of Kevin Q. Wynn</i> , Case No. D191913, Order regarding name change of Kevin Q. Wynn to Kevyn Q. Wynn filed December 6, 1995 [SW000148 – SW000149]	3/9/2020	NO	3/9/2020	W

**JOINT TRIAL EXHIBITS**  
**EXPECTED TO BE OFFERED AT TRIAL**

Exhibit #	Title/Description	Date Offered	Objected	Date Admitted	
4.	Complaint [ECF No. 1] filed August 28, 2017 in <i>Kuta v. Wynn</i> , United States District Court, District of Nevada Case No. 2:17-cv-02285-RFB-CWH [SW000150 – SW000161]	3/9/2020	STP	3/9/2020	W
5.	Las Vegas Metropolitan Police Department Case Report No. LLV180207001836 dated February 7, 2018 [SW000001 – SW000002]				W
6.	Las Vegas Metropolitan Police Department Voluntary Statement by Halina Anna Kuta, Event #: 180207-1836, dated February 7, 2018 [SW000102 – SW000103]				W
7.	Las Vegas Metropolitan Police Department Case Report No. LLV180207001836 dated February 7, 2018 [LVMPD000012]				W
8.	The Associated Press article entitled APNewsBreak: Woman Tells Police Steve Wynn Raped Her in '70s dated February 28, 2018 by Regina Garcia Cano [SW000003 – SW000006]				W
9.	Report & Recommendation [ECF No. 6] filed March 28, 2018 in <i>Kuta v. Wynn</i> , United States District Court, District of Nevada Case No. 2:17-cv-02285-RFB-CWH [SW000012 – SW000015]	3/9/2020	STP	3/9/2020	W

# DEFENDANT HALINA KUTA EXHIBITS EXPECTED TO BE OFFERED AT TRIAL

CASE NO.: A -18 -772715-C

Exhibit#	Title/ Description	Date Offers	Objected	Date Admitted	
	<b>EXHIBIT. A</b> Defendant Halina Kuta, Case NO: A -18 -772715-C Expected to Be Offered at Trial.				
<b>B</b> 2.	<b>Affidavit. B</b> Affidavit of Halina Kuta dated this 27th day of June 27, 2018	3/9/2020	obj		WA
3.	Do to the Rape pregnancy, given birth to Kevyn Anna in a Las Vegas Gas Station Bathroom by myself Gas station attendant called for ambulance.				
4.	Paramedic in the ambulance asked for my baby name my name and Fathers name it was on sheet of paper little wrinkle Paramedic give that to the Hospital employee then Steve Wynn asked the employee for the hand Written birth Certificate folded put in his coat packet and left the hospital				
<b>C</b> 5.	<b>Affidavit. C</b> Our daughter Kevyn is beautiful but she is going to Elaine and you going to Chicago and remember nothing. I remember screaming NO no no no	3/9/2020	obj		WA
<b>D</b> 6.	<b>Affidavit. D</b> Kevyn Was Kidnapped from her home after she shower two (2) kidnappers Trowed blanket on her then trowed her in a trunk. The kidnappers came to Harlingen TX Holiday Vista Motel rented a room for 3 days, then one of the kidnappers come with Kevyn to the front desk.				WA
<b>E</b> 7.	<b>Affidavit. E</b> Tia Gibson my model came to Cheyenne College of Souther Nevada				WA
<b>F</b> 8.	<b>Affidavit. F</b> Pablo Ruiz Picasso was my family friend. Pablo Ruiz Picasso the Dream stolen from my home in Poland.				WA
<b>G</b> 9.	<b>Exhibit. G</b> Kevyn and her father Steve Wynn lied to Federal Court above the Kidnapping Maria L La Ganga Times Staff Writer.				WA
<b>H</b> 10.	<b>Exhibit. H Rebuttal</b> Report made in Metropolitan Police Department Las Vegas No: 170919-2289 an the 19th day of January 2017. Heart attack and Rectum cancer.				WA
<b>I</b> 11.	<b>Exhibit. I</b> Report made in Metropolitan Police Department Las Vegas Rape by Steve Wynn No: 18027-1836 of the 7th day of February 2018	3/9/2020	obj		WA
<b>J</b> 12.	<b>Exhibit. J</b> Kevyn Anna Wynn born in 1973 changed her name to Kevin Q Dated 28 of August 1995 sign as Kevin Q out - <i>not provided</i>				WA
<b>K</b> 13.	<b>Exhibit. K</b> Kevin Q Wynn Birth Certificate #108-1966-019224 DC 769762 Born September 6 1966 given for adaption. Kevin Q Wynn adapted name Kristina.	3/9/2020	obj		WA
<b>L</b> 14.	<b>Exhibit. L</b> Report to Metropolitan Police Department Las Vegas dated 13th date of January 2020 - changed to 01/27/2020 NO; 200100127619 I was leaving the Court Building when a man inside the Exit aria was sitting on wheel chair with a rifle attached to his leg he was cover in white sheet.				WA
<b>M</b> 15.	<b>Exhibit. M</b> Report to Metropolitan Police Department Las Vegas dated 3rd date of June 2009 No: 090603-2382 I was woken up scared someone was in my home.	3/9/2020	obj	0505	WA







EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

TODD L. BICE, ESQ.  
400 S. 7TH ST., SUITE 300  
LAS VEGAS, NV 89101

DATE: December 2, 2022  
CASE: A-18-772715-C

**RE CASE:** STEVE WYNN vs. THE ASSOCIATED PRESS; REGINA GARCIA CANO; HALINA KUTA

NOTICE OF APPEAL FILED: November 30, 2022

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
  - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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**NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:**

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

***Please refer to Rule 3 for an explanation of any possible deficiencies.***

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*\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

# 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):

STEVE WYNN'S NOTICE OF APPEAL; STEVE WYNN'S CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING DEFENDANTS THE ASSOCIATED PRESS AND REGINA GARCIA CANO'S RENEWED SPECIAL MOTION TO DISMISS; NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS THE ASSOCIATED PRESS AND REGINA GARCIA CANO'S RENEWED MOTION TO DISMISS; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

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 2 day of December 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk