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IN THE FIFTH DISTRICT COURT IN AND FOR WASHINGTON COUNTY

STATE OF UTAH

STATE OF UTAH,

Plaintiff,

VS.

WARREN STEED JEFFS,

Defendant.

ASSOCIATED PRESS, CNN, DESERET NEWS PUBLISHING COMPANY, publisher of the DESERET MORNING NEWS, THE SALT LAKE TRIBUNE, THE SPECTRUM, THE DAILY HERALD, BONNEVILLE INTERNATIONAL CORPORATION d/b/a KSL-TV, FOUR POINTS MEDIA GROUP OF SALT LAKE CITY, INC. d/b/a KUTV 2 NEWS, THE UTAH MEDIA COALITION, and THE UTAH HEADLINERS CHAPTER OF THE SOCIETY OF PROFESSIONAL JOURNALISTS,

Intervenors.

MEDIA INTERVENORS'
MOTION TO AMEND
DECORUM ORDER

(Oral Argument Requested)

Criminal No. 061500526

Judge James L. Shumate

Media Intervenors the Associated Press, CNN, Desert Morning News, The Salt Lake Tribune, The Spectrum, The Daily Herald, KSL-TV, KUTV 2 News, the Utah Media Coalition, and the Utah Headliners Chapter of the Society of Professional Journalists (collectively the "Media Intervenors"), through their undersigned counsel, respectfully move the Court to amend paragraph 8 of the Amended Decorum Order.

The basis for this Motion is that the Amended Decorum Order, as currently written, constitutes an unconstitutional prior restraint because it directly regulates what the media may publish, rather than regulating the conduct of the media in the courtroom. The Media Intervenors believe this is an unintended oversight that can be easily corrected in a way that accomplishes the same purpose without violating the First Amendment, and they respectfully request that the Court do so.

This Motion is supporting by a Memorandum of Points and Authorities, submitted concurrently herewith, together with the other pleadings and documents on file herein. Pursuant to Rule 7(e) of the *Utah Rules of Civil Procedure*, the Media Intervenors request a hearing on this Motion, and would be willing to have the Motion heard during the already-scheduled closure hearing on July 17, 2007 at 9:00 a.m.

RESPECTFULLY SUBMITTED this **ZZ** day of June 2007.

PARR WADDOUPS BROWN GEE & LOVELESS

Jeffrey . Hun

Qavid C. Reymann

Attorneys for Media Intervenors Associated Press, CNN, Deseret Morning News, The Salt Lake Tribune, The Spectrum, The Daily Herald, KSL-TV, KUTV 2 News, the Utah Media Coalition, and the Utah Headliners Chapter of the Society of Professional Journalists

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the <u>77</u> day of June 2007, a true and correct copy of the foregoing **MEDIA INTERVENORS' MOTION TO AMEND DECORUM ORDER** was sent via United States mail, postage prepaid, to:

Brock R. Belnap Ryan Shaum WASHINGTON COUNTY ATTORNEY'S OFFICE 178 North 200 East St. George, UT 84770

Richard A. Wright
WRIGHT, JUDD & WINCKLER
Bank of America Plaza
300 South Fourth Street, Suite 701
Las Vegas, Nevada 89101

and served via hand-delivery to:

Walter F. Bugden Tara L. Isaacson BUGDEN & ISAACSON, LLC 445 East 200 South, #150 Salt Lake City, UT 84111

Jeffrey