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WASHINGTON COUNTY

BY _____

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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.

MOTION FOR LIMITED INTERVENTION OF CNN AND THE DAILY HERALD AND REQUEST FOR NOTICE OF MOTIONS TO CLOSE OR SEAL JUDICIAL PROCEEDINGS OR RECORDS

Criminal No. 061500526

Judge James L. Shumate

Pursuant to Rule 12 of the *Utah Rules of Criminal Procedure*, Rule 4-202.04(2)(D) of the *Utah Code of Judicial Administration*, and the Utah Supreme Court's decision in *Society of*

Professional Journalists v. Bullock, 743 P.2d 1165, 1174-75 & n.9 (Utah 1987), Cable News Network, Inc. ("CNN") and *The Daily Herald*, through their undersigned counsel, hereby move the Court for leave to intervene in the above-captioned case for the limited purpose of opposing any motion or request to prohibit or otherwise restrict public or news media access to any proceeding, record, or information in this case, and to seek the release of any materials in the court file that have already been sealed. The grounds for this Motion are as follows:

1. CNN, a division of Turner Broadcasting System, Inc., a Time Warner Company, is one of the world's most respected and trusted sources for news and information. Its reach extends to nine cable and satellite television networks; one private place-based network; two radio networks; wireless devices around the world; four Web sites, including CNN.com, the first major news and information Web site; CNN Pipeline, an on-demand broadband video service; CNN Newsource, the world's most extensively syndicated news service; and partnerships for four television networks and one Web site. CNN employs more than 3,000 news professionals, who gather news throughout the world. CNN has reported and continues to report on the above-captioned matter.


2. *The Daily Herald* is a daily newspaper based in Provo, Utah, and is engaged in the business of gathering and disseminating news and information of interest to the general public. *The Daily Herald* regularly reports on proceedings before the Courts of this District, including the proceedings in the above-captioned case.

3. The grounds for this Motion are the same as those set forth in the Motion for Limited Intervention filed by the other Media Intervenor on or about April 18, 2007, which is incorporated herein by this reference. A proposed Order is submitted concurrently herewith.

4. By this filing, CNN and *The Daily Herald* further request notice of any petitions, motions or requests to seal, close, or limit public or press access to any court record, filing, or proceeding in the above-captioned case, and that counsel be afforded an opportunity to be heard and make argument to the Court prior to the closure of any record or proceeding in the above-captioned case. *See Bullock*, 743 P.2d at 1178 n.15; Utah Code Jud. Admin. Rule 4-202.04(2)(D).

RESPECTFULLY SUBMITTED this 7th day of June 2007.

PARR WADDUPS BROWN GEE & LOVELESS



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of June 2007, a true and correct copy of the foregoing **MOTION FOR LIMITED INTERVENTION OF CNN AND THE DAILY HERALD AND REQUEST FOR NOTICE OF MOTIONS TO CLOSE OR SEAL JUDICIAL PROCEEDINGS OR RECORDS** was sent via United States mail, postage prepaid, to:

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