

Jeffrey J. Hunt, Esq. (5855)  
 David C. Reymann, Esq. (8495)  
 PARR WADDOUPS BROWN GEE & LOVELESS  
 185 South State Street, Suite 1300  
 Salt Lake City, Utah 84111  
 Telephone: (801) 532-7840  
 Facsimile: (801) 532-7750

Attorneys for the Associated Press, Deseret News  
 Publishing Company, publisher of the *Deseret  
 Morning News*, *The Salt Lake Tribune*, *The Spectrum*,  
 Bonneville International Corporation d/b/a KSL-TV,  
 the Utah Media Coalition, and the Utah Headliners  
 Chapter of the Society of Professional Journalists

**IN THE FIFTH DISTRICT COURT IN AND FOR WASHINGTON COUNTY  
 STATE OF UTAH**

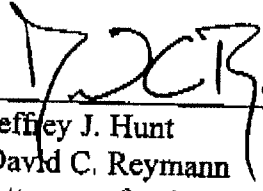
<p>STATE OF UTAH,                              Plaintiff,            vs.            WARREN STEED JEFFS,                              Defendant.</p>	<p><b>NOTICE OF APPEARANCE AND          REQUEST FOR NOTICE OF          MOTIONS TO CLOSE OR SEAL          JUDICIAL PROCEEDINGS OR          RECORDS</b></p> <p>Criminal No. 061500526</p> <p>Judge James L. Shumate</p>
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Jeffrey J. Hunt and David C. Reymann of the law firm PARR WADDOUPS BROWN GEE &  
 LOVELESS hereby enter their appearance as counsel for the Associated Press ("AP"), Deseret  
 News Publishing Company, publisher of the *Deseret Morning News* ("*The Morning News*"), *The*

*Salt Lake Tribune* ("The Tribune"), *The Spectrum*, Bonneville International Corporation d/b/a KSL-TV ("KSL-TV"), the Utah Media Coalition (the "Coalition"), and the Utah Headliners Chapter of the Society of Professional Journalists (the "Society") in the above-captioned action. Pursuant to *Society of Professional Journalists v. Bullock*, 743 P.2d 1166, 1178 n.15 (Utah 1987) and Rule 4-202.04(2)(D) of the *Utah Code of Judicial Administration*, the AP, the *Morning News*, the *Tribune*, *The Spectrum*, KSL-TV, the Coalition, and the Society hereby 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.

RESPECTFULLY SUBMITTED this 18 day of April 2007.

PARR WADDOUPS BROWN GEE & LOVELESS

  
\_\_\_\_\_  
Jeffrey J. Hunt  
David C. Reymann  
Attorneys for the Associated Press, Deseret News Publishing Company, publisher of the *Deseret Morning News*, *The Salt Lake Tribune*, *The Spectrum*, Bonneville International Corporation d/b/a KSL-TV, the Utah Media Coalition, and the Utah Headliners Chapter of the Society of Professional Journalists

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 18 day of April 2007, a true and correct copy of the foregoing **NOTICE OF APPEARANCE AND REQUEST FOR NOTICE OF MOTIONS TO CLOSE OR SEAL JUDICIAL PROCEEDINGS OR RECORDS** 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

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

  
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**IN THE FIFTH DISTRICT COURT IN AND FOR WASHINGTON COUNTY**

**STATE OF UTAH**

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STATE OF UTAH,

Plaintiff,

vs.

WARREN STEED JEFFS,

Defendant.

**ORDER GRANTING MOTION  
 FOR LIMITED INTERVENTION  
 OF THE ASSOCIATED PRESS,  
 DESERET MORNING NEWS, THE  
 SALT LAKE TRIBUNE, THE  
 SPECTRUM, KSL-TV, THE UTAH  
 MEDIA COALITION, AND THE  
 UTAH HEADLINERS CHAPTER  
 OF THE SOCIETY OF  
 PROFESSIONAL JOURNALISTS**

Criminal No. 061500526

Judge James L. Shumate

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Based upon the Motion for Limited Intervention of the Associated Press ("AP"), Deseret News Publishing Company, publisher of the *Deseret Morning News* ("*The Morning News*"), *The Salt Lake Tribune* ("*The Tribune*"), *The Spectrum*, Bonneville International Corporation d/b/a KSL-TV ("KSL-TV"), the Utah Media Coalition (the "Coalition"), and the Utah Headliners Chapter of the Society of Professional Journalists (the "Society") (collectively the "Media Intervenors"), and good cause appearing therefor,

IT IS HEREBY ORDERED that the Motion for Limited Intervention of the Media Intervenors is granted and the Media Intervenors are hereby made parties to the above-captioned case for the limited purpose of opposing any effort to prohibit or otherwise restrict public or news media access to any proceeding, record, or information in this case.

DATED this \_\_\_\_\_ day of April 2007.

BY THE COURT:

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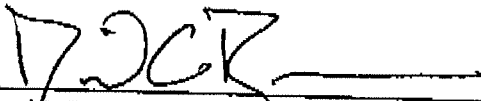
Hon. James L. Shumate  
District Court Judge

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 18 day of April 2007, a true and correct copy of the foregoing **ORDER GRANTING MOTION FOR LIMITED INTERVENTION OF THE ASSOCIATED PRESS, *DESERET MORNING NEWS, THE SALT LAKE TRIBUNE, THE SPECTRUM, KSL-TV, THE UTAH MEDIA COALITION, AND THE UTAH HEADLINERS CHAPTER OF THE SOCIETY OF PROFESSIONAL JOURNALISTS*** was sent via United States mail, postage prepaid, to:

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**IN THE FIFTH DISTRICT COURT IN AND FOR WASHINGTON COUNTY**  
**STATE OF UTAH**

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STATE OF UTAH,  
                     Plaintiff,  
 vs.  
 WARREN STEED JEFFS,  
                     Defendant.

**MOTION FOR LIMITED  
 INTERVENTION OF THE  
 ASSOCIATED PRESS, *DESERET  
 MORNING NEWS, THE SALT  
 LAKE TRIBUNE, THE  
 SPECTRUM, KSL-TV, THE UTAH  
 MEDIA COALITION, AND THE  
 UTAH HEADLINERS CHAPTER  
 OF THE SOCIETY OF  
 PROFESSIONAL JOURNALISTS***

Criminal No. 061500526

Judge James L. Shumate

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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), the Associated Press ("AP"), Deseret News Publishing Company, publisher of the *Deseret Morning News* ("The Morning News"), *The Salt Lake Tribune* ("The Tribune"), *The Spectrum*, Bonneville International Corporation d/b/a KSL-TV ("KSL-TV"), the Utah Media Coalition (the "Coalition"), and the Utah Headliners Chapter of the Society of Professional Journalists (the "Society") (collectively the "Media Intervenors"), 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.

In support of their Motion, the Media Intervenors allege and show as follows:

1. The AP is the oldest and largest news organization in the world, serving as a source of news, photographs, graphics, audio and video for more than one billion people a day. The AP has approximately 242 bureaus worldwide, including one in Salt Lake City, Utah. The AP operates as a not-for-profit news cooperative with its subscribing member organizations. The AP serves 5,000 radio and television stations and 1,700 newspapers in the United States, together with 8,500 newspaper, radio and television subscribers in 121 other countries. The AP regularly



reports on proceedings before the Courts of this District, and has extensively covered the proceedings in this case as well as the events preceding the filing of criminal charges against the defendant.

2. *The Morning News* and *The Salt Lake Tribune* are daily newspapers based in Utah engaged in the business of gathering and disseminating news and information of interest to the general public. *The Morning News* and *The Salt Lake Tribune* regularly report on proceedings before the Courts of this District, including the proceedings in the above-captioned case.

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

4. KSL-TV is a television broadcast station based in Salt Lake City engaged in the business of gathering and disseminating news and information of interest to the general public. KSL-TV regularly reports on proceedings before the Courts of this District and has extensively covered the proceedings in the above-captioned case.

5. The Coalition is an association comprised of Utah's six daily and forty-six weekly newspapers, four television stations, the AP, and Utah's leading journalism organizations, including the Utah Press Association, Utah Broadcasters Association, and the Utah Foundation

for Open Government. The Coalition is committed to openness in government, including judicial proceedings.

6. The Society is a voluntary, not-for-profit professional association of news reporters, editors, photographers, publishers, and owners of various news organizations throughout the State of Utah. The Society works to protect the constitutional rights of freedom of the press and freedom of speech, to preserve the public's right to know, to require that the public's business be conducted in public, and to ensure that judicial proceedings are conducted in public to the fullest extent of the law.

7. The Media Intervenors are informed and believe that, on or about April 3, 2007, a Petition and Order were each filed in this case under seal, that additional materials in the court file may also be under seal, and that the parties in this case may seek additional closure of proceedings or documents in this matter.

8. Given the nature of this proceeding and the charges against the defendant, this case has generated substantial state-wide and national interest and considerable coverage by the news media.

9. Efforts to deny the public and the press access to proceedings and documents in this case are contrary to the goals and purposes of the Media Intervenors, and, if successful, would have an immediate adverse affect of the ability of the Media Intervenors to gather and report news and information to the general public concerning this criminal proceeding.

10. Requests to deny the public and the press access to proceedings and documents in this case raise significant issues of public concern regarding the constitutional and common law rights of the public and the news media to attend and report on judicial proceedings.

11. The Media Intervenors have a direct and substantial interest concerning the entry of any order that restricts access of the public or the news media to the proceedings or records in this case, and no existing party opposes such an order or adequately represents the interests of the Media Intervenors or the public interest in this case.<sup>1</sup>

12. The Media Intervenors seek full and complete access to the documents filed in and proceedings and hearings conducted by the Court in this case.

13. The granting of the Media Intervenors' Motion at this stage of the proceedings, and for the limited purposes set forth above, will not unduly delay these proceedings nor prejudice in any way the rights of the parties.

14. Any restrictions on public access to the proceedings and hearings conducted in this case, without first affording the Media Intervenors the opportunity to appear and oppose such restrictions, is contrary to the constitutional principles recognized by the United States Supreme Court in *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1, 106 S. Ct. 2735 (1986) and

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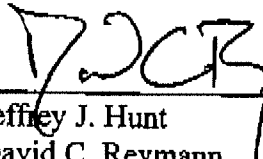
<sup>1</sup> The Media Intervenors, like any other member of the public, have standing to appear before the Court and contest restrictions on access to judicial proceedings and records. See *Society of Professional Journalists v. Bullock*, 743 P.2d 1165, 1174-75 & n.9 (Utah 1987); *Kearns-Tribune Corp. v. Lewis*, 685 P.2d 515, 518 (Utah 1984).

*Richmond Newspapers, Inc. v. Commonwealth of Virginia*, 448 U.S. 555 (1980), and by the Utah Supreme Court in *State v. Archuleta*, 857 P.2d 234 (Utah 1993), *Kearns-Tribune v. Lewis*, 685 P.2d 515 (Utah 1984) and *Society of Professional Journalists v. Bullock*, 743 P.2d 1166 (Utah 1987).

WHEREFORE, the Media Intervenors respectfully request that the Court grant their Motion for Limited Intervention for the limited purposes set forth above. A proposed Order is submitted concurrently herewith.

RESPECTFULLY SUBMITTED this 18 day of April 2007.

PARR WADDOUPS BROWN GEE & LOVELESS

  
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David C. Reymann

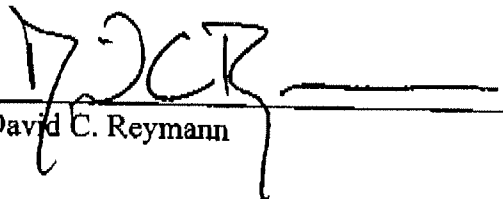
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