



CLERK OF THE COURT

1 **OGM**
2 Colleen E. McCarty
3 Nevada Bar No. 13186
4 Robert S. Teuton
5 Nevada Bar No. 16761
6 BALLARD SPAHR LLP
7 1980 Festival Plaza Drive, Suite 900
8 Las Vegas, NV 89135
9 Tel: (702) 471-7000
10 Fax: (702) 471-7070
11 mccartyc@ballardspahr.com
12 teutonr@ballardspahr.com

13 *Attorneys for Petitioner*
14 *Las Vegas Review-Journal, Inc.*

15 **DISTRICT COURT**
16 **CLARK COUNTY, NEVADA**

17 **LAS VEGAS REVIEW-JOURNAL,**
18 **INC.,**

19 **Petitioner,**

20 **vs.**

21 **CLARK COUNTY,**

22 **Respondent.**

23 Case No.: A-26-942018-W
24 Dept. No.: 1

25 **~~PROPOSED~~ ORDER GRANTING**
26 **MOTION FOR ORDER TO ENFORCE,**
27 **OR, IN THE ALTERNATIVE, ORDER**
28 **TO SHOW CAUSE WHY**
RESPONDENT SHOULD NOT BE
HELD IN CONTEMPT

1 The Court hereby grants Petitioner Las Vegas Review-Journal, Inc.'s
2 ("Petitioner's" or "LVRJ's") Motion for Order to Enforce, Or, In the Alternative, Order
3 to Show Cause Why Respondent Should Not Be Held in Contempt ("Motion"). The
4 Motion seeks to enforce to the Court's May 22, 2026 Order ("Prior Order"), which
5 granted Petitioner's Public Records Act Application Pursuant to NRS 239.001 *et seq.*
6 / Petition for Writ of Mandamus ("Petition").

7 The Prior Order directed Respondent Clark County, Nevada ("Respondent" or
8 the "County") to produce, among other things, documents regarding the County's
9 investigations into potential conflicts of interest involving former Construction
10 Management Division head Jimmy Floyd. The County failed to produce documents

BALLARD SPAHR LLP
1980 FESTIVAL PLAZA DRIVE, SUITE 900
LAS VEGAS, NEVADA 89135
(702)471-7000 FAX (702)471-7070

1 embraced by the Prior Order, which led Petitioner to file the Motion to enforce the
2 order.

3 In its Opposition to Petitioner’s Motion, the County has asserted there were two
4 investigations into Mr. Floyd and has taken the position that this litigation and the
5 Prior Order concerned only one of those two investigations. This contention lacks
6 merit for the reasons stated in Petitioner’s Reply in Support of its Motion. The
7 Petition, LVRJ’s Reply brief in Support of the Petition (“Petition Reply”), and the Prior
8 Order make clear that this litigation concerns any investigations regarding the
9 conflict of interest involving Mr. Floyd, and any subsequent investigations stemming
10 from those inquiries.

11 The County argued at the hearing on the Motion that it considers what it is now
12 referring to as the second investigation, which it conceded arose from the initial
13 conflict of interest investigation, to be an inquiry regarding alleged “misuse of County
14 resources.” The Court finds this distinction immaterial. The second investigation
15 stems from the initial investigation and relates to the alleged conflict of interest. As
16 such, the second investigation falls within the ambit of Petitioner’s May 6, 2025, June
17 9, 2025, and June 26, 2025, requests under the Nevada Public Records Act (“NRPA”),
18 and records related to the second investigation were encompassed by the Court’s Prior
19 Order.

20 The County further argued at the Motion hearing that it was only obligated to
21 produce documents that already existed as of the time the initial NPRA requests were
22 made, on May 6, 2025, June 9, 2025, and June 26, 2025, and that if LVRJ wanted
23 documents created afterward, it should have issued a new request. This contention
24 also lacks merit. The County has delayed producing these documents for more than a
25 year. Arguing that the time LVRJ spent meeting and conferring with the County to
26 obtain proper responses to the first set of document requests should have been spent
27 issuing additional requests for the same types of documents regarding the same
28 investigations, when LVRJ could not even obtain the County’s compliance with respect

1 to the first set, is not a good faith position. Further, it bears emphasis that in response
2 to the May 6, June 9, and June 26, 2025, requests, the County was not forthcoming
3 regarding how many investigations were underway, when those investigations began
4 and when they would be completed, and what investigatory documents the County
5 generated or expected would be generated after the requests. The County was
6 obligated to “[m]ake a reasonable effort to assist the requester to focus the request in
7 such a manner as to maximize the likelihood the requester will be able to inspect, copy
8 or receive a copy of the public book or record as expeditiously as possible.” NRS
9 239.0107(1)(c). Having made no effort to do so, it cannot penalize LVRJ by withholding
10 the documents it reasonably should have disclosed.

11 In addition, LVRJ counsel Ben Lipman’s September 2025 follow-up
12 correspondence with County Counsel Lisa Logsdon regarding the records requests
13 made clear that LVRJ was seeking all documents regarding the investigations into
14 Mr. Floyd.¹ Regardless of whether this follow-up correspondence is characterized as a
15 “new” request for documents, LVRJ, having not received responsive documents to its
16 May 6, June 9, and June 26, 2025, requests, demanded production of all relevant
17 documents regarding the investigations, regardless of when they had been created.
18 The Prior Order obligated the County to produce these documents.

19 **ORDER**

20 Accordingly, based on and in accordance with the above findings, the Court
21 GRANTS Petitioner’s Motion and ORDERS as follows:
22
23

24 ¹ Petition, Ex. 1-M (Sept. 25, 2025, email from Lipman to Logsdon) (“It was our
25 understanding one or more investigations were performed regarding the Floyd matter.
26 We believe we are entitled to correspondence regarding the investigations, records
27 showing the methods and steps taken as part of the investigations and any records
28 showing the findings of the investigations. We ask that you confirm whether such
records exist, and, if so, what records there are. And of course, if there are such records,
we ask that they be provided.”).

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IT IS ORDERED that the County shall immediately inform the Court and LVRJ of how many investigations there have been regarding Mr. Floyd and regarding the conflict of interest allegations involving Mr. Floyd.

IT IS FURTHER ORDERED that the County shall produce any and all records regarding the investigations into Mr. Floyd and any subsequent investigations related thereto, which records were created at any time through the date of final production. If the County contends that any portions of such records not heretofore produced are confidential and subject to redaction for reasons other than those this Court has already ruled do not provide a basis for withholding information, the County must produce redacted copies of the same to LVRJ, with an accompanying privilege log, and must immediately submit the privilege log and redacted and unredacted copies of such records to the Court for *in camera* examination, so the Court may rule on the propriety of the redactions.

(Continued on the Next Page)

1 IT IS FURTHER ORDERED that Petitioner and Respondent submit letters to
2 the Court no later than June 19, 2026, providing each party's procedural
3 recommendations regarding an evidentiary hearing on civil penalties pursuant to
4 NRS 239.340, and/or an Order to Show Cause Re: Contempt hearing; and providing
5 each party's position regarding the appointment of a special master, at Respondent's
6 expense, to examine Respondent's redactions of records.

7
8 IT IS SO ORDERED. **

Dated this 23rd day of June, 2026

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10 Dated: _____ Bitra Yeager

11
12 **529 EBB 0495 CC41**
13 **Bitra Yeager**
14 **District Court Judge**

15 Respectfully Submitted By:
16 BALLARD SPAHR LLP

Approved as to form and content:
17 STEVEN B. WOLFSON
18 DISTRICT ATTORNEY

19 By: /s/ Colleen E. McCarty
20 Colleen E. McCarty, Esq.
21 Nevada Bar No. 13186
22 Robert S. Teuton, Esq.
23 Nevada Bar No. 16761
24 Tel: (702) 471-7000
25 mcartyc@ballardspahr.com
26 teutonr@ballardspahr.com

By: /s/
27 Scott Davis, Esq.
28 Nevada Bar No. 10019
Lisa Logsdon, Esq.
Nevada Bar No. 11409
Tel: (702) 455-4761
Scott.Davis@clarkcountyDANV.gov
Lisa.Logsdon@clarkcountyDANV.gov

29 *Attorneys for Petitioner*
30 *Las Vegas Review-Journal, Inc.*

Attorneys for Respondent Clark County

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32 **The Court has adopted the Petitioner's proposed order. Since competing proposed
33 orders were submitted to the Court, if a party wishes to make a record of their proposed
34 competing order, they may do so by filing it as a court exhibit, consistent with Nevada
35 Pol'y Rsch. Inst., Inc. v. Eighth Jud. Dist. Ct. in & for Cnty. of Clark, 530 P.3d 18 (Nev.
36 2023).

1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

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6 Las Vegas Review Journal, Inc., CASE NO: A-26-942018-W
Plaintiff(s)
7 vs. DEPT. NO. Department 1
8
9 Clark County, Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 6/23/2026

15 Las Vegas Docket LVDocket@ballardspahr.com
16 Andrea Rosehill rosehill@gtlaw.com
17 Mark Ferrario ferrariom@gtlaw.com
18 LVGT docketing lvtldock@gtlaw.com
19 Andrea Flintz flintza@gtlaw.com
20 Docket Clerk DocketClerk_LasVegas@ballardspahr.com
21 Colleen McCarty mccartyc@ballardspahr.com
22 Robert Teuton teutonr@ballardspahr.com
23 Scott Davis Scott.Davis@clarkcountydav.gov
24 Renee Albert Renee.Albert@Clarkcountydav.gov
25 Elliot Anderson andersonel@gtlaw.com
26
27
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Steve Shevorsi

Steven.Shevorsi@gtlaw.com