

KENTUCKY COURT OF JUSTICE
CALLOWAY CIRCUIT COURT
CIVIL ACTION NUMBER 2023 CI 00052

WPSD-TV, LLC

PLAINTIFF,

VS.

SUMMARY JUDGMENT FOR PLAINTIFF

MURRAY STATE UNIVERSITY,

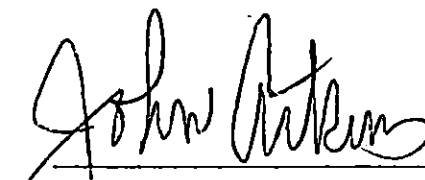
DEFENDANT.

This matter is before the Court on WPSD-TV's motion for summary judgment. I have reviewed the motion, Murray State University's response, and WPSD-TV's reply. I have considered all the exhibits provided by the parties in performing an *in camera* examination of the records and redactions of them that comprise the subject matter of this litigation. Having considered the arguments of counsel, the evidence presented, the pleadings, exhibits and relevant precedents cited in our Commonwealth's lengthy Open Records Act jurisprudence, the Court GRANTS WPSD-TV'S motion for summary judgment.

The Court adopts plaintiff's arguments in finding the defendant misused or misapplied the attorney client privilege, the personal privacy privilege, the preliminary records exemption and a near categorical redaction scheme "at odds with existing law": *Plaintiff's Summary Judgment Memorandum, at 20*. Murray State University shall forthwith comply with the pending Open Records Request without unreasonable delay with the only redactions tolerated by this Order being ones that concern purely personal or private information such as phone numbers and other personal descriptors which have nothing to do with this litigation.

As for the issue of attorneys' fees and statutory penalties, plaintiff's request for 10 days from the entry of this order to submit its motion for attorneys' fees, costs and statutory penalties is GRANTED. It is the Court's hope that counsel and clients for both sides will use their best efforts to resolve all remaining issues amicably through negotiation and compromise or perhaps mediation.

IT IS SO ORDERED THIS 16 DAY OF FEBRUARY, 2024.



JUDGE JOHN ATKINS
SPECIAL JUDGE
CALLOWAY CIRCUIT COURT