



SECOND JUDICIAL DISTRICT COURT
STATE OF NEVADA
WASHOE COUNTY

CHARLES M. MCGEE
DISTRICT JUDGE
DEPARTMENT TWO

ONE SOUTH SIERRA STREET
RENO, NEVADA 89501
1775) 328-3179
FAX: 1775) 328-3565

September 8, 1999

Amy Harvey
Washoe County Clerk

Dear Amy:

You seem to have made it your elected mission to achieve complete oversight over the functioning of the Filing Office, at least if our recent experience over a host of relatively trivial but nonetheless precedential actions unilaterally taken by your office proves it so.

As I told you last week, I want to meet this issue head on in a dispositive and global way and therefore I am going to countermand what I am told is another encroachment -- at least until we can work something else out.

It is my understanding that yesterday an employee of the County Clerk's Office, Doug Jones, was seen to be replacing a case file (CV99-01606) in the stacks of the Filing Office. It so happens, I am told, that Mario Lopez, Filing Office Supervisor, had been searching for this case file since mid-morning to assist with an inquiry from the Office of the Attorney General. Under these circumstances, the action of the County Clerk staff is inappropriate. As I see it, no staff member of the County Clerk's Office has any official reason or function to be retrieving or replacing District Court case files from the stacks unless the physical case is scheduled for microfilming.

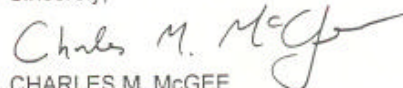
Until such time that the administration of the Filing Office is resolved the Filing Office and its spectrum of operations is under the domain of the District Court and the Court Administrator. Therefore, no operational aspect of the District Court Filing Office should be carried out by you or your staff unless we have reached some other arrangements. You have indicated your willingness to work with the District Court. It would be greatly appreciated if you or your staff would refrain from retrieving case files from the stacks without following the long-standing practice instituted by the District Court as it is associated with the viewing of a case file. In other words, if you or one of your staff want to look at a file, contact Mario and then leave an outcard and view the file at the desk made available for that purpose unless we've agreed on some other procedure.

Exhibit 3 (2pgs)

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Amy, as you know, the Courts are an independent branch of government. While you are an elected official, you were elected in part to work with us, not against us. I want all this petty infighting to cease; I want a final solution as soon as possible so we can return to being friends and servants instead of adversaries.

Sincerely,


CHARLES M. MCGEE
Chief Judge

cc: Cathy Krolak, Court Administrator
All Judges