
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

SOUTHERN UTAH DRAG STARS and
MITSKI AVALÖX,

Plaintiffs,

v.

CITY OF ST. GEORGE;
CITY COUNCIL OF ST. GEORGE;
COUNCILMEMBER JIMMIE HUGHES,
in his official capacity;
COUNCILMEMBER DANNIELLE LARKIN
in her official capacity;
COUNCILMEMBER NATALIE LARSEN,
in her official capacity;
COUNCILMEMBER GREGG MCARTHUR
in his official capacity;
COUNCILMEMBER MICHELLE TANNER
in her official capacity;
MAYOR MICHELE RANDALL'
in her official capacity;
CITY MANAGER JOHN WILLIS,
in his official capacity,

Defendants.

**THIRD
SUPPLEMENTAL QUESTIONS AND
DOCUMENT REQUESTS**

Case No. 4:23-cv-00044-DN-PK

District Judge David Nuffer

This is the third supplemental set of questions to the Defendants. **These questions pertain to docket no. 60 Defendants' Responses to the Court's Questions in Docket #56.**

Counsel may file supplemental documents and responses to the below list of questions and requests no later than 5:00 p.m., June 15, 2023. Supplemental responses should be concise, reference or attach supporting evidence where requested, and thoroughly respond to the following questions and requests:

1. **The answer to question 1 on page 2** identifies documents as follows:
 - Council agenda packet: July 14, 2022 (Exhibit 1 attached)

- Council agenda packet March 9, 2023 (Exhibit 2 attached)

- a. It appears that the document attached as Exhibit 1 is not a Council agenda packet but a PowerPoint presentation. Is this correct?
- b. Similarly, the document attached as Exhibit 2 is not a Council agenda packet but a City of St. George Sponsorship Form. Is this correct?

2. The answer to Question 2 on page 3 states

A complaint was received by City staff via an email from Councilmember Tanner on March 17, 2023 in which she reported hearing a complaint from a “concerned local mental health therapist” who had seen advertising. *See* Exhibit 1.

- a. If the complaint from a “concerned local mental health therapist” was in writing, please provide it and any response from Councilmember Tanner to the therapist.
- b. Please provide more specific direction to the document referenced by “*See* Exhibit 1.”

3. The Willis Declaration docket no. 60-3 on page 2 states:

5. I received an email from Councilmember Michelle Tanner on March 17, 2023, stating, “I have had a concerned mental health therapist contact me regarding a drag performance in Vernon Worthen Park in April (sounds like Southern Utah Drag Stars may have started advertising before receiving a permit which I believe violates our ordinance).”

That paragraph cites to Defendant’s Response to Court Questions in Docket #56, Exhibit 1 but Exhibit 1 to docket no. 60 Defendants’ Responses to the Court’s Questions in Docket #56 appears to be a powerpoint presentation.

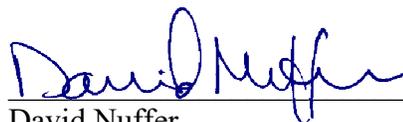
- a. If the reference and attachment are correct, please explain.
- b. If the reference and attachment or our understanding are incorrect, please provide correction.
- c. Please provide the entire quoted email from Councilmember Michelle Tanner on March 17, 2023 and any subsequent replies between Willis and Tanner in that email thread.

4. Please explain Paragraph 5. b. of the Affidavit of Tawnee Greywolf.

That paragraph states that “JC Snow Park is reserved on June 30, 2023 . . . from 11:00 a.m. to noon.” Specify how this brief event is “a significant conflict” for Plaintiffs’ event which has set up starting at noon with public opening at 5:00 p.m.?

Signed June 15, 2023.

BY THE COURT



David Nuffer
United States District Judge