

2013 SEP 30 PM 2:27

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BY: Heather Diaz

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11 Attorneys for Plaintiffs
12 Phoenix Newspapers, Inc.
13 and KPNX Broadcasting Co.

ARIZONA SUPERIOR COURT

YAVAPAI COUNTY

11 PHOENIX NEWSPAPERS, INC., an
12 Arizona corporation, and KPNX
13 BROADCASTING COMPANY, an
14 Arizona corporation,

Plaintiffs,

vs.

16 YAVAPAI COUNTY SHERIFF'S
17 OFFICE, YAVAPAI COUNTY
18 SHERIFF SCOTT MASCHER, in his
19 official capacity, the YAVAPAI
20 COUNTY MEDICAL EXAMINER'S
OFFICE and MARK FISCHIONE,
M.D., in his official capacity,

Defendants.

No. P1300CV201300872

**NOTICE OF VOLUNTARY
DISMISSAL OF YAVAPAI
COUNTY MEDICAL
EXAMINER'S OFFICE AND
MARK FISCHIONE, M.D.**

(Non-Classified Civil)

[Assigned to Hon. Michael R. Bluff]

21 Pursuant to Ariz. R. Civ. P. 41(a)(1)(A), Plaintiffs Phoenix Newspapers,
22 Inc. ("PNI") and KPNX Broadcasting Co. ("KPNX") hereby file this Notice of
23 Voluntary Dismissal of the Complaint for Statutory Special Action against Defendants
24 Yavapai County Medical Examiner's Office and Mark Fischione, M.D.

25 This voluntary dismissal of the Medical Examiner Defendants is
26 occasioned by the release of public records by the Yarnell Hill Fire Serious Accident
27 Investigation Team on Saturday, September 28, 2013. The public records released on
28

1 September 28 included the same essential information that PNI and KPNX requested
2 from the Yavapai County Medical Examiner's Office. To be clear, this lawsuit never
3 sought inspection of autopsy photographs or other such images of human remains.
4 Accordingly, Plaintiffs PNI and KPNX file this Notice of Voluntary Dismissal to reduce
5 the cost of litigation by streamlining this action as much, and as promptly, as possible.

6 RESPECTFULLY SUBMITTED this 30th day of September, 2013.

7 STEPTOE & JOHNSON LLP

8
9 By 

10 David J. Bodney
11 Chris Moeser
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Attorneys for Plaintiffs
Phoenix Newspapers, Inc.
and KPNX Broadcasting Co.

1 ORIGINAL of the following filed this
2 30th day of September, 2013, with:

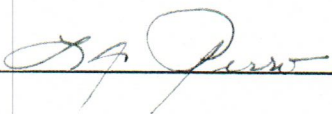
3 Yavapai County Superior Court
4 2840 N. Commonwealth Drive
5 Camp Verde, AZ 86322

6 COPY hand-delivered this
7 30th day of September, 2013, to:

8 Hon. Michael R. Bluff
9 Yavapai County Superior Court
10 Div. 7, Courtroom #140
11 2840 N. Commonwealth Drive
12 Camp Verde, AZ 86322

13 COPY of the following faxed and mailed
14 this 30th day of September, 2013, to:

15 Sheila Polk
16 Jack H. Fields
17 Yavapai County Attorney's Office
18 Yavapai County Criminal Justice
19 and Detention Center
20 255 East Gurley Street
21 Prescott, AZ 86301
22 Facsimile (928) 771-3110

23 
24 _____

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