

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE TWENTIETH
JUDICIAL DISTRICT, PART III
AT NASHVILLE

CLATA RENEE BREWER; JAMES)
HAMMOND; THE TENNESSEE)
FIREARMS ASSOCIATION, INC.;)
MICHAEL P. LEAHY; STAR NEWS)
DIGITAL MEDIA, INC.; THE)
TENNESSEAN; RACHEL WEGNER;)
and TODD GARDENHIRE in his)
individual capacity;)

Petitioners,)

vs.)

Case No. 23-0538-III
CONSOLIDATED

****controlling case****

METROPOLITAN GOVERNMENT)
OF NASHVILLE AND DAVIDSON)
COUNTY;)

Respondent,)

PARENTS OF MINOR COVENANT)
STUDENTS JANE DOE AND JOHN)
DOE; THE COVENANT SCHOOL;)
and COVENANT PRESBYTERIAN)
CHURCH)

Intervenors.)

CHANCELLOR'S ORDER DENYING PETITIONERS MICHAEL P. LEAHY AND STAR
NEWS DIGITAL MEDIA, INC.'S, MOTION TO SET ASIDE THE COURT'S JUNE 10, 2024
ORDER AND ADDITIONAL ORDER REGARDING JUNE 17, 2024

On Monday, June 10, 2024, this Court set a Show Cause hearing which required the attendance of all counsel and specifically the attendance of Petitioners Michael P. Leahy and a corporate representative from Petitioner Star News Digital Media, Inc. to discuss an alleged leak and publication of certain documents which the Court has in its possession for *in camera review*

and to determine, if the allegations are true, if there is a violation of this Court's Orders which would subject any party to this case to contempt or sanctions.

On June 12, 2024, limited counsel for Petitioner Michael P. Leahy and counsel for Petitioner Star News Media, Inc. filed two Motions to Set Aside the June 10, 2024 Order asserting, amongst other things, that a contempt hearing would violate Petitioners Leahy and Star News Media, Inc.'s First Amendment rights, and thus be improper. However, a careful reading of this Court's order should indicate to Petitioners Star Media and Michael Leahy that this Court neither set a hearing for civil nor criminal proceedings pursuant to Tennessee Rules of Criminal Procedure 42. Therefore, this Court finds the Motions to Set Aside to be premature.

Trial Courts possess inherent, common-law authority to control their dockets and the proceedings in their courts, and their authority is quite broad. *Hodges v. Att'y Gen.*, 43 S.W.3d 918, 921 (Tenn. Ct. App. 2000). In reliance upon its inherent authority to control these particular proceedings, this Court reiterates its June 10, 2024 Order which requires the presence of these particular Petitioners, their counsel, counsel for the remaining Petitioners, the Respondent, and the Intervenors so that this Court may ascertain the veracity of any alleged leak which may have occurred in this matter and if true, any effect on the status of these proceedings.

Based on the foregoing, the Motions to Set Aside the June 10, 2024 Order filed by Petitioners Michael P. Leahy and Star Digital Media, Inc. are both hereby **DENIED** as premature.

This Court further **ORDERS** that Counsel for all Parties to this matter as well as Petitioner Michael Leahy, in his individual capacity, a corporate representative of Petitioner Star News Digital Media, Inc., and a representative of Respondent, Metropolitan Government of Nashville to be present and in person at the Show Cause hearing on **June 17, 2024 at 11:00 A.M.**, so this Court may ascertain the status and veracity of any alleged leak of the *in camera documents* in the possession of this Court and the Respondent in case.

Should this Court determine that an alleged leak did in fact occur by any party to this case and that such action was in violation of the Orders of this Court, or that there has been any abuse of, or unlawful interference with, the process or proceedings of the Court, or any violation as set forth in *Tennessee Code Annotated* § 29-9-102, this Court may then enter an order and notice appointing an attorney as *amicus curiae* to the court for investigative purposes, and to initiate and prosecute a contempt citation. *See Tenn. Code Ann.* § 29-9-102; *See Black v. Blount*, 938 S.W.2d 394 (Tenn. 1996); *Tennessee Criminal Rule of Procedure* 42.

IT IS SO ORDERED.

s/I'Ashea L. Myles
**HON. CHANCELLOR I'ASHEA L. MYLES,
CHANCERY COURT PART III**

cc via U.S. Mail, e-filing or fax as applicable to:

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