

# **Bond Case Briefs**

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## **PUBLIC RECORDS - SOUTH DAKOTA**

### **Argus Leader Media v. Hogstad**

**Supreme Court of South Dakota - September 20, 2017 - N.W.2d - 2017 WL 4173675 - 2017 S.D. 57**

Newspaper brought action against city, contending that confidential settlement agreement with several contractors was a public record. Parties moved for summary judgment.

The Circuit Court denied newspaper's motion and granted city's. Newspaper appealed.

The Supreme Court of South Dakota held that confidential settlement agreement did not qualify under exception to public inspection under South Dakota Public Records Act.

Confidential settlement agreement entered into between city and several contractors relating to exterior siding of arena did not qualify under exception to public-inspection requirement of South Dakota Public Records Act for certain documents declared closed or confidential, and therefore, city was required to permit newspaper to inspect agreement. Exception only applied to contracts declared closed or confidential by parties to a civil or criminal proceeding, and none of the parties to the agreement at issue commenced litigation.