

IN THE SUPREME COURT OF THE STATE OF NEVADA

PARAMETRIC SOUND
CORPORATION; VTB HOLDINGS,
INC.; KENNETH POTASHNER; EL
WOOD NORRIS; SETH PUTTERMAN;
ROBERT KAPLAN; ANDREW WOLFE;
AND JAMES HONORE,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
ELIZABETH GOFF GONZALEZ,
DISTRICT JUDGE,

Respondents,

and

VITIE RAKAUSKAS, INDIVIDUALLY
AND ON BEHALF OF ALL OTHERS
SIMILARY SITUATED; AND
INTERVENING PLAINTIFFS
RAYMOND BOYTIM AND GRANT
OAKES,

Real Parties in Interest.

No. 66689

FILED

NOV 26 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

ORDER DIRECTING ANSWER AND GRANTING MOTION TO SEAL

This original petition for a writ of mandamus or prohibition challenges a district court order in a corporations action.

Having reviewed the petition, it appears that petitioners have set forth issues of arguable merit and that they may have no plain, speedy, and adequate remedy in the ordinary course of the law. Therefore, real parties in interest, on behalf of respondents, shall have 30 days from the date of this order within which to file and serve an answer, including

authorities, against issuance of the requested writ. Petitioners shall have 15 days from service of the answer to file and serve any reply.

Additionally, on October 16, 2014, petitioners moved to seal certain documents. Real parties in interest have not opposed the motion. Petitioners seek to redact certain portions of their district court motion to dismiss and the reply to the opposition to that motion and to seal the unredacted copies of these documents. Petitioners included exhibits to their October 16 motion containing unredacted copies of these documents, but the proposed appendix they submitted, which was provisionally received on October 22, 2014, contains an unredacted copy of only one of these documents—the motion to dismiss—along with various other documents.

We grant petitioners' motion as to the motion to dismiss and the related reply.¹ SRCR 3(4). But in light of the issues with petitioners' proposed appendix noted above, the clerk of this court shall return, unfiled, the appendix volume received on October 22 and petitioners shall have five days from this order's date to resubmit two appendices to replace this volume. The first appendix, which shall be filed under seal, shall contain unredacted copies of petitioners' district court motion to dismiss and their reply to the opposition to that motion. The second appendix, which will not be sealed, shall contain all documents from the proposed

¹Petitioners have not requested that the district court minutes, their district court motions to seal, or the district court sealing order be redacted or sealed.

appendix for which sealing was not requested along with a redacted copy of the reply to the opposition to the motion to dismiss. Finally, the clerk of this court shall seal exhibits five and six to petitioners' October 16 motion.

It is so ORDERED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Holland & Hart LLP/Las Vegas
Sheppard, Mullin, Richter, & Hamilton LLP
Dechert LLP/San Francisco
Snell & Wilmer, LLP/Las Vegas
Dechert LLP/New York
O'Mara Law Firm, P.C.
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