

IN THE SUPREME COURT OF THE STATE OF NEVADA

PARDEE HOMES OF NEVADA, INC.,

Appellant,

vs.

JAMES WOLFRAM; ANGELA L.
LIMBOCKER-WILKES, AS TRUSTEE
OF THE WALTER D. WILKES AND
ANGELA L. LIMBOCKER-WILKES
LIVING TRUST, A NEVADA TRUST;
AND WALTER D. WILKES AND
ANGELA L. LIMBOCKER-WILKES
LIVING TRUST, A NEVADA TRUST,

Respondents.

Case No.: 72371

Electronically Filed
Eighth Judicial District Court
Feb 28 2018 11:05 a.m.
Case No.: A-10-632338-C
Elizabeth A. Brown
Clerk of Supreme Court

**APPELLANT PARDEE HOMES
OF NEVADA'S MOTION TO FILE
PORTIONS OF JOINT APPENDIX
UNDER SEAL**

This appeal involves certain written contracts between appellant Pardee Homes of Nevada, Inc. ("Pardee") and non-party Coyote Springs Investment, LLC ("CSI"). Each of these contracts (the "Confidential Agreements") includes a confidentiality and non-disclosure provision prohibiting Pardee or CSI from publicly disclosing their terms and provisions.

During the trial below, the district court entered a protective order permitting Pardee and respondents James Wolfram and Walt Wilkes to file these documents under seal. The protective order also allowed the parties to redact any filing that contained the Confidential Agreements' specific language. Finally, portions of the trial transcripts were designated as confidential if the testimony included the Confidential Agreements' terms and provisions, and the Confidential Agreements themselves were trial exhibits.

1 SRCR 7 states that “[c]ourt records sealed in the trial court shall be sealed
2 from public access in the Nevada Supreme Court subject to further order of that
3 court.” The Confidential Agreements remain central to this appeal, and so they
4 appear throughout the parties’ joint appendix. Additionally, Pardee references
5 certain of their terms and provisions in its Opening Brief. The following pages of
6 the joint appendix include the Confidential Agreements and other documents filed
7 under seal with the district court:

- 8 • 002 JA000212 – 002 JA000321
- 9 • 004 JA000689 – 004 JA000721
- 10 • 005 JA000865 – 005 JA000947
- 11 • 005 JA000951 – 005 JA000984
- 12 • 005 JA000991 – 005 JA001101
- 13 • 006 JA001102 – 006 JA001239
- 14 • 006 JA001246 – 006 JA001249
- 15 • 006 JA001257 – 006 JA001284
- 16 • 023 JA003545 – 023 JA003625
- 17 • 023 JA003632 – 023 JA003634
- 18 • 024 JA003644 – 024 JA003669
- 19 • 025 JA003684 – 025 JA003933
- 20 • 026 JA003934 – 026 JA004083
- 21 • 027 JA004293 – 027 JA004307
- 22 • 027 JA004308 – 027 JA004310
- 23 • 027 JA004311 – 027 JA004312
- 24 • 027 JA004313 – 027 JA004319
- 25 • 027 JA004320 – 027 JA004329
- 26 • 028 JA004330 – 028 JA004340
- 27 • 028 JA004341 – 028 JA004360
- 28 • 028 JA004361 – 028 JA004453

- 032 JA004848 – 032 JA005097
- 033 JA005098 – 033 JA005227
- 035 JA005264 – 035 JA005493
- 040 JA005821 – 040 JA006070
- 041 JA006071 – 041 JA006192
- 044 JA006533 – 044 JA006780
- 045 JA006781 – 045 JA006878
- 048 JA007426 – 048 JA007456
- 054 JA008541 – 054 JA008585
- 055 JA008586 – 055 JA008603
- 055 JA008618 – 055 JA008629

Because the Confidential Agreements are protected by the district court's order, Pardee respectfully requests that the Confidential Agreements be filed under seal. Pardee will mail hard copies of these documents to the Clerk of the Court under a separate cover.

AFFIRMATION

Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 28th day of February, 2018.

McDONALD CARANO LLP

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CERTIFICATE OF SERVICE

Pursuant to NRAP 25(c), I certify that I am an employee of McDonald Carano LLP and that on the 28th day of February, 2018, I electronically filed the foregoing with the Clerk of the Court by using the ECF system which served the following parties electronically:

James J. Jimmerson
Michael Flaxman
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Las Vegas, Nevada 89101

And by U.S. Mail to:

John W. Muije
John W. Muije & Associates
1840 E. Sahara Avenue #106
Las Vegas, Nevada 89104

Attorney for Respondents

I further certify that, through United States Mail, I have mailed hard copies of the Confidential Agreements to be filed under seal to the Clerk of the Court under a separate cover for the Court's review.

/s/ Beau Nelson
An Employee of McDonald Carano LLP

4832-2731-0682, v. 3