

IN THE SUPREME COURT OF THE STATE OF NEVADA

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JENNIFER V. ABRAMS; AND THE
ABRAMS & MAYO LAW FIRM,

Appellants,

vs.

STEVE W. SANSON; VETERANS IN
POLITICS INTERNATIONAL, INC; LOUIS
C. SCHNEIDER; AND LAW OFFICES OF
LOUIS C. SCHNEIDER, LLC

Respondents.

S.C. NO.

D.C. NO:

Electronically Filed
75898/75894
Oct 15 2018 09:39 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MOTION TO FILE APPENDIX IV UNDER SEAL

Appellants, Jennifer V. Abrams and the Abrams & Mayo Law Firm, by and through their attorney of record, the WILICK LAW GROUP, respectfully requests that this Court enter an order granting their *Motion to file Appendix IV Under Seal*.

This *Motion* is based upon the Points and Authorities below, and is made in good faith and not to delay justice.

DATED this 24 day of October, 2018.

WILLICK LAW GROUP



MARSHAL S. WILLICK, ESQ.

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(702) 438-4100

Attorneys for Appellants

POINTS AND AUTHORITIES

Appellants, Jennifer V. Abrams and the Abrams & Mayo Law Firm, moves for permission to file Appendix IV under seal, which contains a written transcript of a hearing held in the trial court in a family court case on September 29, 2016. The hearing was a closed hearing upon trial counsel's request. Appellants were the trial counsel of record. The case name is *Saiter v. Saiter* and the District Court Number is D-15-521372-D.

The transcript is relevant to this appeal because, not only was the transcript filed in this case's lower court records, the entire lower court case stems from the divorce case this transcript was taken from.

The divorce case is governed by NRS Chapter 125. NRS 125.080 states that in any action for divorce, the court shall, upon demand of either party, direct that the

trial and issue or issues of fact joined therein be private, and shall exclude persons from the court room unless they are officers of the court, parties, counsel, witnesses, parents or guardians of the parties, or siblings of the parties.

NRS 125.110 provides that the trial court may enter an order upon the appropriate motion filed by either party to the action to seal portions of the case, including exhibits and transcripts of testimony, and they shall not be open to inspection except to the parties or their attorneys, or when required in evidence in another action or proceeding.

These statutes establish the public policy that hearings, transcripts and exhibits in divorce cases can be sealed to protect private information and the best interests of minor children.

The Rules Governing Sealing and Redacting Court Records (SRCR) provide guidance for appellate cases, with Rule 7 indicating that records sealed in the trial court should also be sealed on appeal. Those rules, however, do not apply to actions for divorce, as they are specifically provided for by NRS Chapter 125. However, they demonstrate the public policy of preserving confidentiality when confidential records in district court cases are reviewed by Nevada appellate courts.

The divorce case involved minor children, and the transcript of the hearing referenced above was a closed hearing, upon counsel's request prior to the start of the hearing pursuant to NRS 125.080.

Additionally, the Court entered an *Order to Seal* on October 6, 2016, which in relevant part prevented the dissemination of the case materials, including the transcripts of the hearing on September 29, 2016. The orders subsequent to that order are the basis of the writ petition.

The record in Appendix IV that Appellants are requesting be sealed contains private discussions of the parties' children and their personal finances, and was subject to both the closed hearing and sealing orders; whether the trial court could lawfully prevent dissemination of case materials is the essence of the writ petition, and at least until the case is concluded the transcript should be sealed from public access during the Court's deliberation. Accordingly, Appellant requests that Appendix IV be filed under seal.

DATED this 12th day of October, 2018.

WILLICK LAW GROUP



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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the WILICK LAW GROUP and that on this 12th day of October, 2018, documents entitled *Motion Appendix IV Under Seal* were filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list as follows, to the attorneys listed below at the address, email address, and/or facsimile number indicated below:

Maggie McLetchie, Esq.
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There is regular communication between the place of mailing and the places so addressed.



Employee of the WILICK LAW GROUP