

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
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Nov 01 2018 08:24 a.m.
Elizabeth A. Brown
A17-749318-C
Clerk of Supreme Court

REPLY TO OPPOSITION TO MOTION TO FILE APPENDIX

UNDER SEAL

I. PROCEDURAL HISTORY

Yet again, the Sanson parties have filed papers in this Court based on false assertions of fact, and law.

On October 12, the Appellants filed the *Motion to File Appendix IV Under Seal* simultaneously with the *Opening Brief* and remaining *Appendix*. NRAP 25(c) does not require mailing, and counsel for the parties to be served are all registered users on the e-filing system. All of the filings showed that they were accepted by the e-filing system, except for the *Opening Brief*, which was filed “pending approval.”

The next business day, October 15, all of the filings were approved by the clerk and filed except for the *Opening Brief*, which was held pending the Court’s decision on the *Motion*. Once approved by the clerk, all filed papers were distributed to the Respondents through the e-filing system.

On October 24, 2018, Respondents’ filed their Opposition to Appellants’ *Motion to File Appendix IV Under Seal*.

This Reply follows.

II. ARGUMENT

**A. THE “RULES GOVERNING SEALING AND REDACTING
COURT RECORDS” ARE IRRELEVANT**

As explained in the motion, filing papers on appeal that would be publicly visible on the internet in violation of an existing order to keep matters under seal would violate the district court order.

Sanson falsely claims that the transcript was not sealed by the district court. As the Register of Actions show on its face, the *Saiter* case was sealed, and the seal was never removed (also contrary to Sanson’s false claim).¹ This also disposes of Sanson’s argument “C” falsely claiming that the already-sealed transcript was not specifically sealed again when Sanson filed it in this action. The Court can take judicial notice that Exhibit 13 isn’t in the Register of Actions or the public court file, and if the district judge in the latter case *had* wanted to alter the sealing order entered in a separate district court action by another judge, the latter judge would be unable to do so.²

¹ The *Saiter* case was sealed; the transcript is the formal court record. See NRS 125.110. Although the *Order Against Dissemination of Case Materials* was set aside, the order sealing the case was not.

² *Rohlfing v. District Court*, 106 Nev. 902, 803 P.2d 659 (1990).

B. THE MOTION WAS TIMELY

Sanson's argument as to timeliness is just as frivolous as his identical argument in opposition to our motion to exceed the page limit, which was responded to in detail in our *Reply* on October 25. That *Reply* is incorporated here by reference in the interest of judicial economy.

**C. SANSON'S REQUEST TO UNSEAL EXHIBIT 13 WAS NEVER
ACTED UPON**

No one "responded" to the "request" to unseal Exhibit 13 because it was unnecessary given the proceedings and orders – the court below made no orders regarding the sealed transcript/exhibit, either to grant their *Motion to File Underseal* (filed on March 28, 2017) nor their subsequent *Request to Unseal* (filed May 26, 2017). That they made a never-resolved request is a later unrelated action is meaningless in these proceedings.

**D. THE FACT THAT SANSON CONTEMPTUOUSLY
DISREGARDED AN ORDER DOES NOT MAKE IT LESS OF
ONE**

In a particularly brazen bit of illogic, Sanson asserts that because he defied he order sealing the *Saiter* video – and the order prohibiting dissemination – he himself has “overruled” the Court’s sealing order. We presume that we can permit that argument to die of self-inflicted wounds without further addressing it.

E. REDACTION IS IMPOSSIBLE

First, this is a false issue – NRS 125.110 speaks to sealing the official transcript as a matter of right, and the video is the official transcript.

Second, there is no way to “redact” the various things that Judge Elliott stated in writing made the video especially appropriate to be sealed – the mother’s emotional state, the grandparents watching their daughter break down, the children’s father being falsely accused of falsifying his income, etc. Both as a technical and practical matter, there is no way to accomplish “redaction” of such.

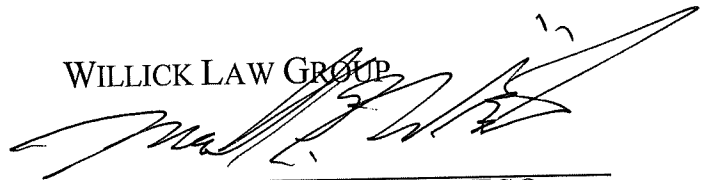
III. CONCLUSION

The Court should grant the *Motion* for all the reasons set out in the original motion. The matter was, is, and remains sealed per a valid district court order. Sanson's contemptuous disregard of orders does not "undo" that order." What is sealed below should not be publicly put on the internet on appeal. That is all the motion sought to accomplish, and the fact of the *Opposition* says a lot more about the nature of the parties than it does to any technical issue, and should be kept in mind in resolution of the merits of the appeal.

The *Motion* should be granted.

DATED this 3rd day of October, 2018.

WILLYCK LAW GROUP



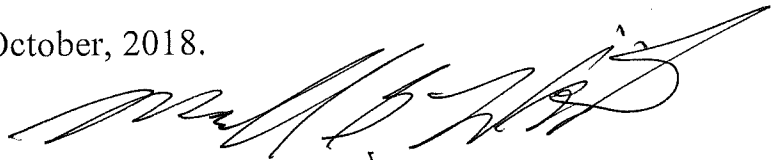
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DECLARATION OF MARSHAL WILLOCK, ESQ.

1. I, Marshal S. Willock, Esq., am one of the Appellants' attorneys in the above-entitled matter.
2. I have read the pleadings and papers filed in this case by the Appellants, including the *Appellants' Opening Brief* and the *Motion to File Appendix IV Under Seal*.
3. The request is made in good faith and not to harass or cause unnecessary delay or to needlessly increase litigation costs.
4. Based on the above, the request is made that this Court grant the *Motion to File Appendix IV Under Seal*.

I declare under penalty of perjury, under the laws of the State of Nevada and the United States (NRS 53.045 and 28 U.S.C. § 1746), that the foregoing is true and correct.

EXECUTED this 9th day of October, 2018.



MARSHAL WILLOCK, ESQ.

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the WILICK LAW GROUP and that on this 31st day of October, 2018, documents entitled *Reply to Opposition to Motion to File 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:

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There is regular communication between the place of mailing and the places so addressed.



Employee of the WILICK LAW GROUP