

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: NEWPORT CORPORATION
SHAREHOLDER LITIGATION.

No. 80636

HUBERT C. PINCON;
INTERNATIONAL UNION OF
OPERATING ENGINEERS-
EMPLOYERS CONSTRUCTION
INDUSTRY RETIREMENT TRUST,
LOCAL 302; AND INTERNATIONAL
UNION OF OPERATING ENGINEERS-
EMPLOYERS CONSTRUCTION
INDUSTRY RETIREMENT TRUST,
LOCAL 612,


Appellants,

vs.

ROBERT J. PHILLIPPY; KENNETH F.
POTASHNER; CHRISTOPHER COX;
SIDDHARTHA C. KADIA; OLEG
KHAYKIN; AND PETER J. SIMONE,
Respondents.

FILED

NOV 09 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER PARTIALLY GRANTING MOTION TO SEAL

Appellants have filed an unopposed motion to file the opening brief and portions of the appendix under seal. The motion to file portions of the appendix under seal is granted. SRCR 3(4). The clerk shall file the volumes of the appendix received on October 23, 2020, under seal. However, appellants do not explain why redacting the opening brief will not adequately protect the confidential information. SRCR 3(5)(b) (redaction is preferred). Accordingly, the motion to file the opening brief under seal is denied without prejudice. Within 7 days of the date of this order, appellants may renew the motion to file the opening brief under seal provided that the motion demonstrates why sealing rather than redaction is warranted.

Alternatively, within the same time period, appellants may move to file a redacted opening brief. Any such motion must be accompanied by a redacted copy of the brief. If no motion to seal or redact the opening brief is timely filed, the opening brief received on October 23, 2020, will be filed on this court's public docket.

It is so ORDERED.

Pickering, C.J.

cc: Robbins Geller Rudman & Dowd, LLP
O'Mara Law Firm, P.C.
Brownstein Hyatt Farber Schreck, LLP/Las Vegas
Gibson, Dunn & Crutcher, LLP/San Francisco
Gibson, Dunn & Crutcher LLP/Irvine