

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
GUARDIANSHIP OF THE ESTATE OF
EDWARD FEIN, A PROTECTED
PERSON.

ALAN S. LEVIN, M.D., J.D.,
Appellant,

vs.

EDWARD FEIN; PEARL FEIN;
RANDAL S. KUCKENMEISTER; AND
JP MORGAN CHASE BANK, N.A.,
Respondents.

No. 82630

FILED

FEB 25 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER GRANTING MOTIONS TO SEAL

Respondent Randal Kuckenmeister has filed a motion to file his answering brief and portions of his appendix under seal. Respondent Edward Fein has filed a motion to file his answering brief, appellant's opening brief, and portions of appellant's appendix under seal.¹ Respondent Pearl Fein has filed a joinder to Edward Fein's motion and a separate motion to file her answering brief under seal.

Kuckenmeister and the Feins each assert that there are grounds to seal their respective answering briefs and portions of Kuckenmeister's appendix because they discuss, at length, the confidential terms of a settlement agreement. *See* SRCR 3(4)(e). They further assert

¹This court previously denied appellant's motion to file his opening brief and the entirety of his appendix under seal on January 7, 2022, on the grounds that appellant's motion did not provide sufficient information to evaluate the request, or why sealing was required over redaction.

that the documents in the appendices that they seek to have filed under seal were previously sealed by the district court and have provided copies of the district court orders sealing those documents. Edward Fein argues that appellant's opening brief and several portions of appellant's appendix should be sealed as well, on the same basis. Kuckenmeister and the Feins further assert that sealing the specific documents identified in their motions is the least restrictive means available to protect the interest of the parties and does not conceal a public hazard. *See* SRCR 3(5), (6).

The motions are granted as follows. *See Howard v. State*, 128 Nev. 736, 746, 291 P.3d 137, 143 (2012); SRCR 7. The clerk of this court shall file under seal the following: (1) respondent Kuckenmeister's answering brief received on February 9, 2022; (2) respondent Edward Fein's answering brief received on February 9, 2022; (3) respondent Kuckenmeister's appendix pages RA Vol 1. at 042-043, 058-059, 098-100, 114-122, Vol. 2 at 123-247, Vol. 3 at 266-272, 275-405, received on February 9, 2022; and (4) respondent Pearl Fein's answering brief received on February 24, 2022. Appellant's opening brief and appellant's appendix pages 1-64, 74-77, and 78-106, were filed on January 10, 2022. Accordingly, the clerk of this court shall seal these documents. SRCR 7.

Respondent JP Morgan Chase Bank's answering brief was due to be filed on or before February 9, 2022. To date, JP Morgan has failed to file an answering brief or otherwise communicate with this court. Accordingly, JP Morgan shall have 7 days from the date of this order to file and serve an answering brief. If JP Morgan does not intend on filing an answering brief, it shall notify this court in writing within the same time period. Failure to comply with this order may result in this appeal being

decided without an answering brief from JP Morgan. Appellant shall have 37 days from the date of this order to file and serve any reply brief.

It is so ORDERED.

 C.J.

cc: Alan S. Levin
McDonald Carano LLP/Reno
Sheppard, Mullin, Richter, & Hampton LLP/Los Angeles
Fennemore Craig P.C./Reno
Maupin, Cox & LeGoy
Allison MacKenzie, Ltd.