

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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In the MATTER OF THE TRUST  
AGREEMENT, 23 PARTNERS TRUST I,  
MICHAEL T. NEDDER, Independent  
Trustee, and DOUGLAS DELUCA, Family  
Trustee,

Appellant / Cross-  
Respondents,

v.

JOANNE S. BRIGGS, as Parent and Legal  
Guardian of ALEXANDER IAN DELUCA,  
Primary Beneficiary; JULIA ANN DELUCA,  
Primary Beneficiary,

Respondents / Cross-  
Appellants.

Electronically Filed  
Case No. 82991 Apr 18 2022 04:12 p.m.  
Elizabeth A. Brown  
District Court Case No.  
Clerk of Supreme Court  
P-20-104279-1

**MOTION FOR LEAVE TO: (A) FILE UNDER SEAL RESPONDENTS /  
CROSS-APPELLANTS' REPLY BRIEF; AND (B) PUBLICLY FILE  
REDACTED REPLY BRIEF**

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“Respondents/Cross-Appellants’ Reply Brief” (“Reply Brief”) in the above captioned matter redacts references to contents of the Trust, the disclosure of which to Respondents/Cross-Appellants Julia Ann DeLuca and Joanne S. Briggs (as legal guardian of minor Alexander Ian DeLuca) (collectively, “Respondents”) is at issue on appeal.

Indeed, on December 30, 2020, the District Court ordered that the Independent Trustee Michael T. Nedder (“Trustee”) “produce a complete copy of the Trust, including all amendments if any, on an attorneys’-eyes only basis at this time, i.e., to Petitioner’s counsel.” APP 107. Trustee’s counsel transmitted said copy of the Trust shortly thereafter to Respondents’ counsel, and to the District Court *in camera*. APP 239-240. Respondent’s Counsel has since then maintained its copy of the Trust on attorneys’-eyes only basis and redacted any and all content within, and attached to, pleadings referencing Trust contents (and not already publicly disclosed by Trustee). *See, e.g.*, (Redacted) Respondents’ Suppl., also attaching fully redacted copy of Trust, APP 120-198 (submitted without redaction to the District Court *in camera*).

On March 4, 2022, Respondents/Cross-Appellants filed a similar motion with this Court with regard to their Opening Brief. *See* Docket No. 22-07090. The same was granted by the Court on March 11, 2022. *See* Docket No. 22-07818.

Accordingly, pursuant to SRCR 3(4), and subsections (a), (g) and (h)

thereunder, and SRCR 7, Respondents/Cross-Appellants hereby request leave to publicly file its Opening Brief with redactions for Trust content (and references thereto), and to submit *in camera* to this Court an unredacted version of the Reply Brief. Such redaction is appropriate because the withholding or disclosure of the redacted content is a central issue on appeal, and disclosure might defeat the object of such appeal.

Finally, copies of the unredacted version of the Reply Brief are being mailed in an envelope to the Court (and e-served to Trustee's counsel and anyone else entitled to e-service) on April 18, 2022.

SOLOMON DWIGGINS FREER & STEADMAN, LTD.

/s/ Alexander G. LeVeque

By:

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## CERTIFICATE OF SERVICE

I certify that I am an employee of SOLOMON DWIGGINS FREER & STEADMAN, LTD. and that on the 18<sup>th</sup> day of April, 2022, the **MOTION FOR LEAVE TO: (A) FILE UNDER SEAL RESPONDENTS / CROSS-APPELLANTS' REPLY BRIEF; AND (B) PUBLICLY FILE REDACTED REPLY BRIEF** was 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:

HUTCHISON & STEFFEN, PLLC  
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*Attorneys for Appellant*

The Honorable Gloria Sturman  
Eighth Judicial District Court, Dept. 26  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89155

I further certify that on the 18<sup>th</sup> day of April, 2022, I caused an unredacted copy of **RESPONDENTS / CROSS-APPELLANTS' REPLY BRIEF** to be deposited into the USPS First Class mail addressed to Nevada Supreme Court and to the recipients and addresses noted above.

*/s/ Alexandra Carnival*

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An Employee of Solomon Dwiggin Freer  
& Steadman, Ltd.