1	IN THE SUPREME COURT OF THE STATE OF NEVADA		
2 3	STATE BAR OF NEVADA,) Complement) Electronically Filed Aug 23 2021 03:35 p.m.		
4	vs. Complainant,) Elizabeth A. Brown CASE NO. 8333 Clerk of Supreme Court		
5	AARON A. AQUINO, ESQ.,) Nevada Bar No. 11772,)		
6 7) Respondent.		
8	MOTION TO SEAL PARTS OF RECORD (FIRST REQUEST)		
9	COMES NOW Respondent, AARON A. AQUINO, ESQ., ("Respondent") by and		
10	through his attorneys, EMILY K. STRAND, ESQ. and THOMAS F. PITARO, ESQ., of		
11	PITARO & FUMO, CHTD., and hereby moves this Court based on the stipulation below		
12	for an Order immediately sealing the following financial records in the State Bar's ROA:		
13	SBN Exhibits 14, 15, 16, and 17. This Motion is made and based upon the facts as set forth		
14	herein and the attached Stipulation between the respective parties.		
15	POINTS AND AUTHORITIES		
16	"Any person may request that the court seal or redact court records for a case by		
17	filing a written motion" SRCR 3(1). "The court may order the court files and records,		
18	or any part thereof, in a civil action to be sealed or redacted, provided the court makes and		
19	enters written findings that the specific sealing or redaction is justified by identified		
20	compelling privacy or safety interests that outweigh the public interest in access to the		

court record." SRCR 3(4). "The ... privacy ... interests that outweigh the public interest 1 in open court records include findings that": "[t]he sealing or redaction includes medical, 2 mental health, or tax records"; "[t]he redaction includes only restricted personal 3 information contained in the court record"; "[t]he sealing or redaction is justified by 4 5 another compelling circumstance." SRCR 3(4)(d), (f) and (h).

Once a motion to seal or redact is pending, "the information to be sealed or redacted remains confidential for reasonable period of time until the court rules on the motion." SRCR 3(2).

9 Prior to the Formal Hearing in this matter, the Hearing Chair admitted the abovelisted exhibits as evidence, based on the parties' stipulation thereto. Also prior to the 10 11 Formal Hearing, the parties submitted a Stipulation of Fact which included two tables evidencing client funds that Respondent misappropriated. The Stipulation of Facts 12 rendered the above-listed exhibits as secondary to showing Respondent's misappropriation 13 and violation of RPC 1.15 (Safekeeping Property). 14

15 The record on appeal for this matter was submitted to this Court on August 6, 2021 and officially file-stamped on August 9, 2021. The undersigned counsel for Respondent 16 and the State Bar, hereby respectfully requests that the following voluminous and sensitive 17 financial records which contain personal identifying information be sealed for confidentiality purposes: SBN Exhibit 14, 15, 16, and 17.

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The parties' request to seal the above exhibits is necessary to protect the compelling privacy interests in bank account and financial information which outweigh the public's access to these records. The referenced bank accounts continue to be used by Respondent and publication of the records would unnecessarily expose Respondent and his clients to the risk that the information would be used for fraudulent purposes. Further, Exhibits 18-20 are summary documents that contain the substantive information from the bank records, which supports the Panel's recommendation to this Court. The presence of these summary exhibits ensures that the public has access to any relevant information without undue exposure to Respondent and his clients.

Therefore, the undersigned Counsel for the State Bar of Nevada, and Counsel for Petitioner by virtue of their respective signatures below, hereby stipulate and agree to the immediate sealing of the exhibits listed above. .

DATED this <u>12th</u> day of August 2021.

/s/ Emily Strand

PITARO & FUMO, CHTD. THOMAS F. PITARO, ESQ. Nevada Bar No. 1332 EMILY K. STRAND, ESQ. Nevada Bar No. 15339 Attorneys for Respondent

1	STIPULATION	N TO SEAL RECORDS
2	THE UNDERSIGNED COUNSEL	, for the respective parties, do hereby stipulate and
3	agree that the following Exhibits in this case be immediately sealed: SBN Exhibit 14, 15,	
4	16 and 17.	
5	DATED this <u>12th</u> day of August 2021.	DATED this <u>12th</u> day of August 2021.
	/s/ Emily Strand PITARO & FUMO, CHTD. THOMAS F. PITARO, ESQ. Nevada Bar No. 1332 EMILY K. STRAND, ESQ. Nevada Bar No. 15339 601 Las Vegas Blvd. Las Vegas, Nevada 89101 (702) 474-7554 Attorneys for Respondent	STATE BAR OF NEVADA Kit Hult. R. KAIT FLOCCHINI, ASST. BAR COUNSEL Nevada Bar No. 9861 3100 W. Charleston Blvd., Suite 100 Las Vegas, Nevada 89102 (702) 382-2200 Attorney for State Bar of Nevada
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1	CERTIFICATE OF SERVICE
2	I certify that on this <u>23rd</u> day of August 2021, I served a copy of the foregoing
3	MOTION TO SEAL PARTS OF RECORD upon State Bar Counsel by via this Court's
4	eservice system to the following addressee:
5	STATE BAR OF NEVADA R. KAIT FLOCCHINI, ASST. BAR COUNSEL
6	3100 W. Charleston Blvd., Suite 100 Las Vegas, Nevada 89102 Emily R. Strand
7	An employee of the Law Office of
8	PITARO & FUMO, CHTD.
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