

IN THE SUPREME COURT OF THE STATE OF NEVADA

WASHOE COUNTY SCHOOL DISTRICT,
a Political Subdivision of the State of
Nevada,

Appellant,

vs.

CAIDYN EDLUND,

Respondent.

Supreme Court No. 83713

MOTION TO SEAL RECORDS ON APPEAL

Appellant, Washoe County School District (the District) by and through its attorney or record, hereby moves this Court, pursuant to Nevada Rules for Sealing and Redacting Court Records (SRCR) Rule 3, to seal the following portions of the Supreme Court record:

1. Exhibits 2, 3, 5, 6, and 7 of Respondent Caidyn Edlund's December 2, 2020 Motion to Vacate, or in the Alternative to Modify, Arbitrator's Opinion and

1 Award attached to the Docketing Statement filed with this Court on March 14,
2 2022;

3 2. The following pages of the Parties' Joint Appendix that will be filed
4 simultaneously with the Opening Brief:

5 a. CONFIDENTIAL police report, JA0033-JA0047;

6 b. CONFIDENTIAL lab report, JA0048-JA0049;

7 c. CONFIDENTIAL Plea Deal, JA0053-JA0058;

8 d. CONFIDENTIAL Order Dismissing Case, JA0059-JA0060;

9 e. CONFIDENTIAL Order Sealing Criminal Case, JA0061-JA0064;

10 and

11 f. Lab report, JA0471.

12 These aforementioned documents were sealed by Order of the Second
13 Judicial District Court upon the request of Mr. Edlund. **Exhibit 1.**

14 SRCR 7 provides that "A civil court record or any portion of it that was sealed
15 in the trial court shall be made available to the Nevada Supreme Court in the event
16 of an appeal. Court records sealed in the trial court shall be sealed from public
17 access in the Nevada Supreme Court subject to further order of that court." These
18 sealed documents are part of the lower court's record and are necessary on appeal.

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SRCR 3(2) protects the confidential nature of this information for a reasonable period of time pending the Supreme Court's order on this motion.

AFFIRMATION PURSUANT TO NRS 239B.030: The undersigned does hereby affirm that the preceding document **DOES NOT** contain the social security number of any person.

DATED this 15th day of March, 2022.

WASHOE COUNTY SCHOOL DISTRICT
OFFICE OF THE GENERAL COUNSEL

By: /s/Christopher B. Reich, Esq.
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Attorneys for Appellant
**WASHOE COUNTY SCHOOL
DISTRICT**

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Luke Busby, Esq.
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316 California Ave. #82
Reno, Nevada 89509
Attorney for Caidyn Edlund

by electronically filing the foregoing document with the Clerk of the Court which
served Mr. Busby electronically.

Breanne Read
Breanne Read

EXHIBIT INDEX

Exhibit No.	Exhibit Name	No. of Pages (including cover sheet)
1.	Order (regarding motions)	4

EXHIBIT 1

EXHIBIT 1

1 the Motion to Vacate, pending a hearing held on the motion.


2 Nevada district courts are subject to the NV Document Handling Policy. NV
3 Document Handling Policy Rule 1. Pursuant to Rule 2(5)(a) of the NV Document Handling
4 Policy, documents that have been sealed by statute or court order are presumptively
5 confidential. All exhibits sought by Edlund to be filed confidentially and under seal are
6 documents that have already been sealed by this Court's July 2, 2020, Order, issued by
7 Judge Hardy of Department 15. Therefore, pursuant to Rule 2(5)(a) of the NV Document
8 Handling Policy, Edlund's exhibits are presumptively confidential, and the Court will grant
9 Edlund's Motion to File Exhibits Under Seal.

10 As for Edlund's Motion to Vacate, the Court finds a hearing would be helpful before
11 deciding on the motion. Although Edlund and WCSD dispute whether the Washoe Education
12 Association ("WEA") is still a party to this matter, the Court has not dismissed WEA from this
13 action, and WEA has not filed a notice of dismissal. Therefore, the Court finds WEA is still
14 a party to this matter. While the parties may dispute whether WEA is a *necessary* party
15 under NRCP 19, WEA is still a party subject to the Court's order.

16 Therefore, IT IS HEREBY ORDERED Edlund's Motion to File Exhibits Under Seal is
17 GRANTED.

18 IT IS FURTHER ORDERED the parties shall, within seven (7) days of the date of this
19 Order, jointly contact Department 10's Judicial Assistant, Michael Decker, at
20 Michael.Decker@washoecourts.us, to set a date and time for a hearing on Edlund's Motion
21 to Vacate. Absent the filing of a voluntary notice of dismissal, WEA is still a party and
22 therefore also subject to this Order.

23 DATED this 10th day of March, 2021.

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DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 CASE NO.: CV19-02058

3 I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT OF
4 THE STATE OF NEVADA, COUNTY OF WASHOE; that on the 10th day of March, 2021, I
5 electronically filed the foregoing **ORDER** with the Clerk of the Court by using the ECF
6 system.

7 I further certify that I transmitted a true and correct copy of the foregoing document
8 by the method(s) noted below:

9
10 **Electronically filed with the Clerk of the Court by using the ECF system which will**
11 **send a notice of electronic filing to the following:**

12 LUKE BUSBY, ESQ. for CAIDYN EDLUND

13 CHRISTOPHER REICH, ESQ. for WASHOE COUNTY SCHOOL DISTRICT
14

15
16 **Deposited in the Washoe County mailing system for postage and mailing with the**
17 **United States Postal Service in Reno, Nevada:**

18 WASHOE EDUCATION ASSOCIATION, 1890 Donald St., Reno, NV 89502
19

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21
22 /s/ Michael Decker
23 JUDICIAL ASSISTANT
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