

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROWEN SEIBEL AND GR BURGR,
LLC,

Appellants,

vs.

PHWLV, LLC, and GORDON
RAMSAY,

Respondents.

Case No. 84934

District Court Case No. A-17-751759-B
Electronically Filed
Jun 14 2023 07:12 PM
Elizabeth A. Brown
Clerk of Supreme Court

**RESPONDENT GORDON RAMSAY'S
MOTION TO REDACT ANSWERING BRIEF**

John D. Tennert, III (SBN 11728)
Therese M. Shanks (SBN 12890)
Wade Beavers (SBN 13451)
Genneamarie Carucci Vance (SBN 15393)

FENNEMORE CRAIG, P.C.
7800 Rancharrah Parkway
Reno, Nevada 89511
Telephone: (775) 788-2208

Attorneys for Respondent Gordon Ramsay

Pursuant to NRAP 27 and Rule 3(1) of the SRCR, Respondent Gordon Ramsay (“Ramsay”) moves this Court to permit Ramsay to redact portions of his Answering Brief, which is being filed concurrently herewith.

On March 23, 2023, this Court granted Appellants’ request to seal appendices 8 to 19 and 21 to 32, which were maintained under seal in the district court because they contain confidential, proprietary, financial, and/or commercially sensitive information related to the parties that is not publicly known. Ramsay’s Answering Brief quotes from and summarizes portions of those sealed documents. Accordingly, Ramsay respectfully requests that this Court permit him to file the publicly available copy of his Answering Brief with redactions of such quoted or summarized information.

This Motion to Redact is made and based on the record on appeal and the following Memorandum of Points and Authorities.

DATED this 14th day of June, 2023.

FENNEMORE CRAIG, P.C.

By: /s/ Wade Beavers

John D. Tennert, III (SBN # 11728)

Therese M. Shanks (SBN 12890)

Wade Beavers (SBN # 13451)

Geenamarie Carucci Vance (SBN # 15393)

Attorneys for Respondent, Gordon Ramsay

MEMORANDUM OF POINTS AND AUTHORITIES

The Nevada Rules for Sealing and Redacting Court Records (“SRCR”) provide that “[a]ny person may request that the court seal or redact court records for a case that is subject to these rules by filing a written motion.” SRCR 3(1). A court may order redaction of court filings and records “provided the court makes and enters written findings that the specific sealing or redaction is justified by identified compelling privacy or safety interests that outweigh the public interest in access to the court record.” *Id.* at 3(4). As relevant here, the following findings are examples of public interests in privacy or safety that outweigh the public interest in open court records: “a protective order entered under NRCR 26(c)” and as “is justified or required by another identified compelling circumstance.” *Id.* at 3(4)(b), (h).

Once a motion to redact is pending, “the information to be . . . redacted remains confidential for a reasonable period of time until the court rules on the motion.” *Id.* at 7. Ramsay is concurrently filing the public version of his Answering Brief with the proposed redactions, and is submitting an unredacted copy of his Answering Brief for filing under seal.

On March 23, 2023, this Court granted Appellants’ unopposed Motion to Redact Opening Brief and Seal Confidential Volumes of the Appellants’ Appendix Thereto. Therein, the Court approved the filing of Appellants’ Appendix volumes 8 to 19 and 21 to 32 under seal on grounds that those volumes were previously

maintained under seal in the district court proceedings for containing confidential, proprietary, financial, and/or commercially sensitive information related to the parties that are not publicly known. As set forth in Appellants' earlier motion, copies of applicable Orders granting the various motions to seal or redact have been included in Appellants' Appendix. (*See* 32 AA 6726-35; 33 AA 6847-56, 6870-72, 6885, 7003-11. The district court also previously entered a Stipulated Confidentiality Agreement and Protective Order governing the use and disclosure of confidential and highly confidential information which has been included in the Appellants' Appendix at 8 AA 1650-74.

In addition to granting Appellants' request to seal certain appendices, this Court also permitted Appellants to redact portions of their Opening Brief as the Opening Brief cited portions of the sealed documents.

Similarly, Ramsay's Answering Brief quotes from and summarizes information contained in the appendices filed under seal and contains information similarly redacted in Appellants' Opening Brief that is designated confidential or highly confidential by the parties. As a result, Ramsay is publicly filing a copy of his Answering Brief with redactions to the quoted or summarized confidential or highly confidential information. An unredacted copy of the Answering Brief will be manually submitted for filing to this Court.

//

For the foregoing reasons, and subject to further Order of this Court, Ramsay respectfully requests that this Court grant Ramsay's Motion to Redact, accepting the redactions in the publicly filed version of the Answering Brief while maintaining under seal the unredacted version of the Answering Brief.

DATED this 14th day of June, 2023.

FENNEMORE CRAIG, P.C.

By: /s/ Wade Beavers

JOHN D. TENNERT III (SBN # 11728)

THERESE M. SHANKS (SBN 12890)

WADE BEAVERS (SBN # 13451)

GEENAMARIE CARUCCI VANCE
(SBN # 15393)

Attorneys for Respondent, Gordon Ramsay

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(b) and NEFCR 9, I hereby certify that I am an employee of FENNEMORE CRAIG, P.C., and that on this date, I caused to be served, via the Court's e-filing/e-service system, a true and correct copy of the above and foregoing

RESPONDENT GORDON RAMSAY'S MOTION TO REDACT

ANSWERING BRIEF to the following:

John R. Bailey, Esq.
Dennis L. Kennedy, Esq.
Joshua P. Gilmore, Esq.
Paul C. Williams, Esq.

Attorneys for Appellants

James J. Pisanelli, Esq.
Debra L. Spinelli, Esq.
M. Magali Mercera, Esq.

Attorneys for Respondent PHWLTV, LLC

Dated: June 14, 2023

/s/ Debbie Sorensen

Employee of FENNEMORE CRAIG, P.C.