

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROWEN SEIBEL, an individual, and GR
BURGR LLC, a Delaware limited
liability company,

Appellants,

v.

PHWLTV, LLC, a Nevada limited liability
company, and GORDON RAMSAY, an
individual,

Respondents.

Case No. 84934

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**MOTION TO REDACT RESPONDENT PHWLTV, LLC'S ANSWERING
BRIEF AND SEAL CONFIDENTIAL VOLUMES 4 - 11 OF
RESPONDENT'S APPENDIX**

Pursuant to Part VII of the Supreme Court Rules Governing Sealing and Redacting Court Records, Respondent PHWLTV, LLC ("Planet Hollywood" or "Caesars"), hereby moves this Court for an order to redact portions of their Answering Brief and file Appendix Volumes 4-11 of Respondent's Appendix under seal. Portions of the Answering Brief and volumes of the Respondent's Appendix referenced above contain information that was filed under seal in the district court pursuant to Appellant's Rowen Seibel's ("Seibel") and Planet Hollywood's (collectively, the "Parties") respective motions to seal and redact. The Court should allow the Parties to protect this same information by filing the Answering Brief with redactions and filing Appendix Volumes 4-11 under seal.

II. ANALYSIS

Rule 7 of Part VII of the Supreme Court Rules provides that sealed district court records shall be made available to this Court on appeal, but that those records "shall be sealed from public access" subject to further order of this Court. This Court will keep the documents under seal if there is an appropriate basis to do so under SRCR 3(4). SRCR 3(4) permits the sealing or redaction of the record when justified by compelling privacy or safety interests that outweigh the public interest in access to the court record. The public interest in privacy outweighs the public interest in open court records when the sealing or redaction furthers a protective order entered under NRCP 26(c). SRCR 3(4)(b).

The district court entered a Stipulated Confidentiality Agreement and Protective Order on March 12, 2019 (the "Protective Order"). The Protective Order allowed the parties to designate certain information as Confidential or Highly Confidential to further limit the disclosure of information. The district court has granted the Parties' motions to redact certain briefing and file certain exhibits thereto under seal. Specifically, Appendix Volumes 4-11 consist of the Confidential and Highly Confidential documents included in the appendix filed in support of Caesars' Motion to Compel Documents Withheld on the Basis of the Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, filed on January 6, 2021, Seibel, Craig Green, and The Development Entities' Opposition to

Caesars' Motion to Compel Documents Withheld on the Basis of the Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, filed on January 22, 2021, and the Reply In Support of Caesars' Motion to Compel Documents Withheld on the Basis of the Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, filed on February 3, 2021. The Court should allow Planet Hollywood to maintain the confidentiality of the documents in Appendix Volumes 4-11 by allowing them to be filed under seal.

Further, Planet Hollywood's Answering Brief discusses information included in Appendix Volumes 4-11, as well as information that was filed under seal in support of Appellants Seibel and GR Burgr, LLC's Opening Brief. (*See Appellants' Mot to Redact Opening Br. & Seal Confidential Volumes of the Appellants' App. Thereto*, filed Mar. 10, 2023, on file.) Accordingly, Planet Hollywood asks this Court to allow it to file its Answering Brief with redactions. Planet Hollywood will provide the Court with unredacted versions of its Answering Brief and Appendix Volumes 4-11.

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III. CONCLUSION

Based upon the foregoing, Planet Hollywood respectfully requests that the Court permit it to file its Answering with redactions and Appendix Volumes 4-11 under seal.

DATED this 14th day of June 2023.

PISANELLI BICE PLLC

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, pursuant to NRAP 25(b) and NEFCR 9, on this 26th day of July 2022, I electronically filed the foregoing **MOTION TO REDACT RESPONDENT PHWLTV, LLC'S ANSWERING BRIEF AND SEAL CONFIDENTIAL VOLUMES 4 - 11 OF RESPONDENT'S APPENDIX** with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Courts E-Filing system (Eflex), Participants in the case who are registered with Eflex as users will be served by the Eflex system as follows:

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