

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROWEN SEIBEL, MOTI PARTNERS,
LLC; MOTI PARTNERS 16, LLC;
LLTQ ENTERPRISES, LLC; LLTQ
ENTERPRISES 16, LLC; TPOV
ENTERPRISES, LLC; TPOV
ENTERPRISES 16, LLC; FERG, LLC;
FERG 16, LLC; CRAIG GREEN; R
SQUARED GLOBAL SOLUTIONS,
LLC, Derivatively on Behalf of DNT
ACQUISITION, LLC; and GR BURGR,
LLC,

Appellants,

v.

DESERT PALACE, INC.; PARIS LAS
VEGAS OPERATING COMPANY,
LLC; PHWLTV, LLC; and
BOARDWALK REGENCY
CORPORATION,

Respondents.

Case No. 86462

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Elizabeth A. Brown
Clerk of Supreme Court

MOTION TO REDACT RESPONDENTS' ANSWERING BRIEF

Pursuant to Part VII of the Supreme Court Rules Governing Sealing and Redacting Court Records, Respondents Desert Palace, Inc., Paris Las Vegas Operating Company, LLC, PHWLTV, LLC, and Boardwalk Regency, LLC d/b/a Caesars Atlantic City (collectively "Caesars") hereby move this Court for an order to redact portions of their Answering Brief which quote, summarize, and/or reference information that was filed under seal in the district court pursuant to Appellants' and Respondents' (collectively, the "Parties") respective motions to

seal and redact. The Court should allow the Parties to protect this same information by permitting the filing of the Answering Brief with redactions.

II. ANALYSIS

Rule 7 of Part VII of the Supreme Court Rules provides that "[a] civil court record or any portion of it that was sealed in the trial court shall be made available to the Nevada Supreme Court in the event of an appeal." However, "[c]ourt records sealed in the trial court shall be sealed from public access in the Nevada Supreme Court subject to further order of th[e] court." SRCR 7.

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 NRCR 26(c). SRCR 3(4)(b).

Here, 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 limit the disclosure of such information. The district court previously granted the Parties' motions to redact certain briefing and file certain exhibits thereto under seal. Indeed, this Court previously granted Appellants'

Motion to Redact Opening Brief and Seal Confidential Volumes of Appellants' Appendix, on or October 13, 2023, which similarly sought to redact and seal such information. (*See* Order Granting Mot., Oct. 13, 2023). Respondents' Answering Brief discusses information that was filed under seal in support of Appellants' Opening Brief. Accordingly, Respondents ask this Court to allow them to file their Answering Brief with redactions and Respondents will provide the Court with an unredacted version of their Answering Brief

III. CONCLUSION

Based upon the foregoing, Respondents respectfully requests that the Court permit them to file their Answering Brief with redactions and that such remain redacted until further order from this Court.

DATED this 21st day of December 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 21st day of December 2023, I electronically filed the foregoing **MOTION TO REDACT RESPONDENTS' ANSWERING BRIEF** 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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