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11UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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FLEMMING KRISTENSEN,

Plaintiff,

v.

CREDIT PAYMENT SERVICES, INC., et al.,

Defendants.

Case No. 2:12-cv-00528-APG-PAL

ORDER

(Mot Set/Reset Ddl – Dkt. #241)

12 On January 6, 2015, the court heard arguments on LeadPile’s Motion for Terminating  
13 Sanctions (Dkt. #241), and Plaintiff’s Motion for Rule 11 Sanctions (Dkt. #261). The court has  
14 considered the moving and responsive papers (Dkt. ##244, 249, 257, 259, 277, 278, 279, 295,  
15 298, 300, 301, 304), and the arguments of counsel at the hearing.

16 The procedural history and nature of this case has been explained in prior orders and will  
17 not be repeated here. The moving and responsive papers on these motions are voluminous and  
18 consist of hundreds of pages consistent with the extensive motion practice that has occurred  
19 throughout the history of this case. The court lacks the time or the resources to prepare a  
20 publishable quality order outlining the parties’ respective positions, the applicable law pertaining  
21 to their disputes, and the court’s analysis in rendering its decision. Suffice it to say, the court has  
22 carefully reviewed and considered the moving and responsive papers, and the arguments of  
23 counsel at the lengthy hearing conducted June 6, 2015.

24 Having reviewed and considered the matters,


25 **IT IS ORDERED** that:

- 26 1. LeadPile’s Motion for Terminating Sanctions or, alternatively, Evidentiary Sanctions  
27 for Intentional Spoliation of Evidence (Dkt. #241) is **DENIED**.  
28 2. Plaintiff’s Motion for Rule 11 Sanctions (Dkt. #261) is **DENIED**.

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3. Plaintiff's Motion to Seal (Dkt. #291) is **DENIED without prejudice**. Plaintiff filed this motion to seal because Defendant Click Media designated a document attached to Mr. Ochoa's declaration as Exhibit H confidential under the court's protective order governing confidentiality. At the hearing, the court gave Click Media until **January 13, 2015**, in which to file a memorandum of points and authorities supporting any request to maintain the document as confidential following the Ninth Circuit standard articulated in *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006). If Click Media does not timely comply with the court's order to file a memorandum supporting the continued treatment of the document as confidential by January 14, 2015, as ordered, the clerk of the court is directed to file the document in the public record.

DATED this 12th day of January, 2015.

  
PEGGY A. FEEN  
UNITED STATES MAGISTRATE JUDGE