

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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STIRLING MORTIMER GLOBAL  
PROPERTY FUND PCC LIMITED,

Plaintiffs,

vs.

RICHARD NEILL TREVOR ROBERTS,  
JANE SHERIDAN ROBERT, and  
REGAL PROPERTY HOLDINGS, INC.,

Defendants.

2:13-cv-00301-GMN-NJK

**ORDER**

This matter came before the Court on non-party JPMorgan Chase Bank's Sealed Letter [40].

Pursuant to LR 10-5(a), "[u]nless otherwise permitted by statute, rule or prior Court order, papers filed with the Court under seal shall be accompanied by a motion for leave to file those documents under seal, and shall be filed in accordance with the Court's electronic filing procedures." The Sealed Letter is not accompanied by a motion to seal nor has JPMorgan provided any other indication as to why the letter has been filed under seal.

There is a presumption of public access to judicial files and records. *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). Parties seeking to maintain the confidentiality of documents attached to nondispositive motions must show good cause exists to overcome the presumption of public access. *Id.* To demonstrate good cause, "the party seeking protection bears the burden of showing specific prejudice or harm will result if no protective

1 order is granted.” *Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206, 1210-11  
2 (9th Cir.2002).

3 “The Court may direct the unsealing of papers filed under seal, with or without  
4 redactions, within the Court’s discretion, after notice to all parties and an opportunity for them to  
5 be heard.” LR 10-5(c). Accordingly, the Court directs the parties to provide briefing concerning  
6 whether JPMorgan Chase Bank’s Sealed Letter (#40) should remain sealed.

7 Based on the foregoing, and good cause appearing therefore,

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9 IT IS HEREBY ORDERED that the parties file briefs discussing whether the Sealed  
10 Letter (#40) should remain sealed by April 4, 2013.

11 DATED this 21st day of March, 2013

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15 NANCY J. KOPPE  
16 United States Magistrate Judge  
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