

1 CATHERINE CORTEZ MASTO  
 Attorney General  
 2 MERCEDES S. MENENDEZ  
 Deputy Attorney General  
 3 Nevada Bar No. 9443  
 Public Safety Division  
 4 555 E. Washington Ave., Ste. 3900  
 Las Vegas, Nevada 89101  
 5 T: (702) 486-2625  
 F: (702) 486-3773  
 6 [mmenendez@ag.nv.gov](mailto:mmenendez@ag.nv.gov)  
 Attorneys for Defendants Amy Calderwood, James  
 7 G. Cox, Roland Daniels, Cary Leavitt, Jennifer  
 Nash, Chad Smith, and James Larry Wuest  
 8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 MATHEW J. KING,	)	CASE NO.: 2:13-cv-02080-GMN-PAL
	)	
12 Plaintiff,	)	
	)	
13 vs.	)	
	)	
14 JAMES G. COX, JENNIFER NASH,	)	<b><u>DEFENDANTS' MOTION FOR LEAVE TO</u></b>
QUENTIN BYRNE, CCSIII LEAVITT,	)	<b><u>FILE MEDICAL RECORDS UNDER SEAL</u></b>
15 CCSIII GRAHAM, CCSIII WUEST,	)	
ROLAND DANIELS, CCS SMITH, AMY	)	
16 CALDERWOOD, et al.,	)	<b><u>AND ORDER</u></b>
	)	
17 Defendants.	)	

18

19 Defendants, Amy Calderwood, James G. Cox, Roland Daniels, Cary Leavitt, Jennifer  
 20 Nash, Chad Smith, and James Larry Wuest, by and through their counsel, Attorney General  
 21 Catherine Cortez Masto, and Deputy Attorney General Mercedes S. Menendez, of the State of  
 22 Nevada, Office of the Attorney General, hereby move for leave to file *under seal* Exhibit G to  
 23 Defendant's Motion for Summary Judgment, which contain Plaintiff's medical records. This  
 24 Motion is made and based on the following Memorandum of Points and Authorities as well as  
 25 all pleadings and papers on file in this case.

26 **MEMORANDUM OF POINTS AND AUTHORITIES**

27 Defendant seeks leave to file Exhibit G to Defendant's Motion for Summary Judgment,  
 28 consisting of Plaintiff's relevant Medical Records, under seal. Plaintiff's medical records are

1 confidential in nature pursuant to Administrative Regulation 569.02(12) ("Department records,  
2 filed and information pertaining to individual inmates who are not specifically approved for  
3 release in the regulation are confidential"). See NRS 449.720(2); NRS 629.061(5).  
4 Accordingly, Defendant seeks to file Plaintiff's medical records under seal to prevent their  
5 entry into the public record.

6 Based on the foregoing, Defendants respectfully request that this Court grant  
7 Defendants' Motion for Leave to File Under Seal Exhibit G, medical records, in Support of  
8 Defendant's Motion for Summary Judgment.

9 DATED this 15th day of December, 2014.

10 Respectfully submitted,

11 CATHERINE CORTEZ MASTO  
12 Attorney General

13 By: /s/ Mercedes S. Menendez  
14 MERCEDES S. MENENDEZ  
15 Deputy Attorney General  
16 *Attorneys for Defendants*

17  
18  
19  
20 **IT IS SO ORDERED.**

21   
22 \_\_\_\_\_  
23 Gloria M. Navarro, Chief Judge  
24 United States District Court

25 **DATED: 01/09/2015**  
26  
27  
28