

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GRETТА MARSHALL,
Plaintiff,

v.

THE CBE GROUP, INC.
Defendants.

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Civil Action No. 2:16-cv-02406-GMN-NJK

DEFENDANT THE CBE GROUP, INC.’S UNOPPOSED MOTION FOR LEAVE TO REFILE MOTION FOR SUMMARY JUDGMENT WITH REDACTED EXHIBITS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant the CBE Group, Inc., and files this Unopposed Motion for Leave to Refile Motion for Summary Judgment with Redacted Exhibits, and will show onto this Court as follows:

I.

1. Defendant timely filed its Motion for Summary Judgment on August 18, 2017. Doc. 31. Attached as Exhibit 1 to Defendant’s MSJ are the account notes relevant to this case. Plaintiff’s counsel has complained of information contained within these account notes.

2. The District of Nevada Local Rules require the following information be redacted or partially redacted: (1) Social Security Numbers; (2) Names of Minor Children; (3) Dates of Birth; (4) Financial Accounts; (5) Home Addresses; and (6) Tax Identification Numbers. District of Nevada Local Rule IC 6-1. These are substantially the same as the Federal Rules, though the Federal Rules do not require the redaction of addresses. Fed. R. Civ. P. 5.2. There is no requirement in either the local rules or the Federal Rules that internal account numbers or telephone numbers be redacted.

3. The only information required by the Local Rules to be redacted that is found in the account notes are five addresses, of which only one is believed to be the Plaintiff's address and one which Plaintiff has denied as hers. The affidavit includes the last four digits of a social security number, which the local rules allow. District of Nevada Local Rule IC 6-1 ("If an individual's Social Security number must be included, only the last four digits of that number should be used."). Though not required to do, if this Motion for Leave is granted, Defendant intends to redact the Social Security number as a courtesy.

4. Defendant now files this Unopposed Motion for Leave to Refile Motion for Summary Judgment with Redacted Exhibits with the aforementioned redactions in order to comply with the local rules. Should the Court find it necessary to grant this Motion, Defendant will unfile its Motion for Summary Judgment and refile its Motion for Summary Judgment with the redacted exhibits. In the event this Motion is granted, CBE has no objections to Plaintiff refiling their motion if requested.

WHEREFORE, PREMISES CONSIDERED, Defendant the CBE Group, Inc., respectfully requests this Court grant its Unopposed Motion for Leave to Refile Motion for Summary Judgment with Redacted Exhibits.

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Respectfully submitted,

MALONE AKERLY MARTIN PLLC

/s/ Robbie Malone

ROBBIE MALONE

State Bar No. 12876450

Email: rmalone@mamlaw.com

EUGENE XERXES MARTIN, IV

State Bar No. 24078928

Email: xmartin@mamlaw.com

MALONE AKERLY MARTIN PLLC

Northpark Central, Suite 1850

8750 North Central Expressway

Dallas, Texas 75231

T: 214-346-2630 | F: 214-346-2631

COUNSEL FOR DEFENDANT

THE CBE GROUP, INC.

CERTIFICATE OF CONFERENCE

On the 21st of August, 2017, counsel for Defendant spoke to counsel for Plaintiff regarding this motion. Plaintiff is unopposed.

/s/ XERXES MARTIN

XERXES MARTIN

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record **via CM/ECF** on this 21st day of August, 2017.

David H. Krieger, Esq.
Haines & Krieger, LLC
8985 S. Eastern Ave., Suite 350
Henderson, NV 89123
dkrieger@hainesandkrieger.com

Matthew I. Knepper
Miles N. Clark
Knepper & Clark, LLC
10040 W. Cheyenne Ave. Suite 170-109
Las Vegas, NV 89129
matthew.knepper@knepperclark.com
miles.clark@knepperclark.com

/s/ Robbie Malone

ROBBIE MALONE

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**ORDER ON DEFENDANT THE CBE GROUP, INC.'S MOTION FOR LEAVE TO
REFILE MOTION FOR SUMMARY JUDGMENT WITH REDACTED EXHIBITS**

On this day came to be considered Defendant The CBE Group, Inc.'s Motion for Leave to Refile Motion for Summary Judgment with Redacted Exhibits. After considering the pleadings, it is the opinion of this Court that the Motion be **GRANTED**.

Therefore, **IT IS HEREBY ORDERED** that Defendant The CBE Group, Inc.'s Motion for Leave to Refile Motion for Summary Judgment (ECF No. ~~31~~³⁷) with Redacted Exhibits is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk of Court shall strike the current Motion for Summary Judgment (ECF No. 31).

IT IS FURTHER ORDERED that Defendant shall have until August 31, 2017, to refile the Motion for Summary Judgment with the redacted exhibits.

Signed this 25 day of August, 2017.



GLORIA M. NAVARRO, CHIEF JUDGE
UNITED STATES DISTRICT COURT