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UNITED STATES DISTRICT COURT**DISTRICT OF NEVADA**

ANGELA WILLIAMS, et al.,

Plaintiffs

v.

STEVE SISOLAK, et al.,

Defendants

Case No.: 2:21-cv-01676-APG-VCF

**Order Affirming Magistrate Judge Order
and Denying Motion to File Surreply**

[ECF Nos. 231, 243]

Magistrate Judge Couvillier entered an order that, among other things, allows the plaintiffs to proceed under pseudonyms. ECF No. 229. He also entered a Protective Order for Purposes of Discovery. ECF No. 230. The defendants filed an appeal of those orders. ECF No. 231. They also moved for leave to file a surreply in support of their appeal. ECF No. 243.

The defendants claim, among other things, that Judge Couvillier did not address their request that he take judicial notice of Judge Du's decision in *Doe v. Lombardo*, Case No. 3:24-cv-00065. ECF No. 231 at 5 (referencing ECF No. 224). But even if true, that is irrelevant. At best, Judge Couvillier could have taken notice that the decision was entered in that case. But the contents and rationale of that decision are not proper subjects of judicial notice. *Cf. Wyatt v. Terhune*, 315 F.3d 1108, 1114 (9th Cir. 2003), overruled on other grounds by *Albino v. Baca*, 747 F.3d 1162 (9th Cir. 2014) (holding that "taking judicial notice of findings of fact from another case exceeds the limits of Rule 201"). The defendants seem to argue that if Judge Couvillier had taken judicial notice of that decision, he would have had to rule in their favor. But Judge Du's decision is neither precedential nor binding in this case, and Judge Couvillier, like all District and Magistrate Judges, is entitled to decide issues in a particular case as he sees fit. The defendants' objection on this ground lacks merit.

1 Judge Couvillier’s Orders are not “clearly erroneous or contrary to law.” Local Rule IB
2 3-1(a). To the extent the defendants contend that newly discovered evidence—particularly what
3 they subsequently discovered about the plaintiffs—mandates revisions to the Protective Order
4 (ECF No. 231 at 5 n.3; ECF No. 243-1 at 2-5), that issue may be raised in a new motion before
5 Judge Couvillier.

6 I HEREBY ORDER that Magistrate Judge Couvillier’s Orders (**ECF No. 229, 230**) are
7 **affirmed**, and the defendants’ appeal (**ECF No. 231**) is **denied**.

8 I FURTHER ORDER that the defendants’ motion for leave to file a surreply (**ECF No.**
9 **243**) is **denied**.

10 DATED this 3rd day of January, 2025.



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12 ANDREW P. GORDON
13 CHIEF UNITED STATES DISTRICT JUDGE
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