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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

IN THE MATTER OF THE

DOE 1 TRUST

Case No.: PR23-00813

Dept. No.: PR

OBJECTORS' MOTION TO SEAL AND REDACT
PORTIONS OF THE JUDICIAL RECORD

Pursuant to Rule 3 of the Supreme Court Rules, Part VII Rules Governing Sealing and Redacting Court Records (“SCR”) and the Recommendation for Order entered by the Probate Commissioner on January 14, 2026 and adopted by order of this Court on January 30, 2026 (“Recommendation”), Objectors Prudence MacLeod, Elisabeth Murdoch, James Murdoch, Richard Oldfield, Mark Devereux, and Jesse Angelo (collectively, “Objectors”), by and through their undersigned counsel of record, move for an order permanently redacting from the judicial record the contents of legal advice provided to the Parties¹ to the above-captioned action and/or their predecessors in connection with the relocation of the A.E. Harris Trust to the United States in 2004, the subsequent decanting of the A.E. Harris Trust’s assets into the Murdoch Family Trust (the “MFT”) in 2006, and the sale of 21st Century Fox to Disney and corresponding amendment to the MFT in 2019 (collectively, the “Cruden Legal Advice”). Objectors attach hereto as Exhibit 1 an index identifying the specific portions of the record containing the Cruden Legal Advice. (See Rec. ¶ 6.) Pursuant to Paragraph 7 of the Recommendation, Objectors expressly request the continued sealing of Exhibit 1 and the information identified therein. (See *id.* ¶ 7.)

This Motion is based on the pleadings and papers on file with the Court, the Memorandum of Points and Authorities below, and any oral argument requested by the Court.

MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

SCR 3 governs the process for sealing and redacting court records. Rule 3 specifically permits a party to request “the court seal or redact court records for a case” where “[t]he sealing or redaction is justified or required by [an] identified compelling circumstance.” SCR 3(1), (4)(h); *see also* *N.Y. Times Co. v. Second Jud. Dist. Ct.*, 141 Nev. Adv. Op. 71, 581 P.3d 427, 435 (2025) (court records may be kept under seal where a party demonstrates “compelling reasons

¹ “Parties” refers to the Objectors; Petitioners Keith Rupert Murdoch (“KRM”) and Cruden Financial Services, LLC (“Cruden”); Respondent Lachlan K. Murdoch; and interested non-parties William Barr, Michael Roberson, and William O’Donnell.

1 sufficient to outweigh the public's interest in disclosure" (quoting *Kamakana v. City & Cnty. of*
2 *Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006)).

3 Courts routinely recognize that the protection of privileged legal advice and attorney
4 work product presents a compelling reason that justifies sealing. See *Asdale v. Int'l Game Tech.*,
5 2010 WL 2161930, at *5 (D. Nev. May 28, 2010) (maintaining privileged materials under seal in
6 part because "the public interest" in accessing the materials "d[id] not outweigh . . . the
7 compelling need to honor the attorney-client privilege"); *Pacira Pharms., Inc. v. Rsch. Dev. Found.*,
8 2023 WL 3505497, at *1 (D. Nev. May 17, 2023) (sealing documents containing attorney-client
9 privileged information because the parties "agreed to unseal multiple documents and have
10 tailored their redactions to that which is necessary," so "the public's interest in viewing the
11 sealed documents is lessened."); *TriQuint Semiconductor, Inc. v. Avago Techs. Ltd.*, 2011 WL
12 6182346, at *5 (D. Ariz. Dec. 13, 2011) (finding portions of an exhibit "properly redacted" where
13 it contained "attorney-client privileged information"); cf. *Canarelli v. Eighth Jud. Dist. Ct.*, 136
14 Nev. 247, 256 (2020) (finding a district court acted in excess of its jurisdiction by compelling a
15 party to disclose documents that were protected by the attorney-client privilege and work-
16 product doctrine).

17 The judicial record in this action includes documents and testimony discussing the
18 contents of legal advice provided to the Parties and/or their predecessors in connection with
19 three key events in the MFT's history: (i) the relocation of the predecessor trust to the MFT, the
20 A.E. Harris Trust, to the United States, (ii) the subsequent creation of the MFT and decanting of
21 the A.E. Harris Trust assets into the MFT, and (iii) the sale of 21st Century Fox to Disney in 2019
22 and corresponding amendment to the MFT. (See Ex. 1.) This advice was provided to Cruden,
23 its managing directors, and the trust beneficiaries by the law firm Hogan & Hartson LLP (now
24 Hogan Lovells, and referred to herein as "Hogan"). (See, e.g., Armstrong, Trial Tr. Day 5 AM
25 61:15-62:2 (testifying that Hogan served as "[g]eneral counsel, national counsel" to Cruden on
26 various matters throughout its existence); Oldfield, Trial Tr. Day 3 AM 97:19-20 (explaining that
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1 “Hogan & Hartson were Mr. [Keith Rupert] Murdoch’s lawyers and Cruden’s lawyers” in
2 connection with the relocation of the A.E. Harris Trust and creation of the MFT.) Hogan
3 advised the Parties on sensitive and complex matters of governance and tax-related issues at
4 each of these three stages. While KRM and the trust beneficiaries also separately retained
5 counsel to represent their individual interests (namely, Debevoise & Plimpton LLP for Prudence,
6 Elisabeth, Lachlan, and James; Arthur Siskind for KRM; and Stroock & Stroock & Lavan LLP for
7 Grace and Chloe Murdoch), the advice provided by Hogan was obtained by Cruden and its
8 managing directors on the Parties’ collective behalf. All Parties to this action were privy to, and
9 shared a common interest in, the advice that was received.

10 The Parties have not waived the attorney-client privilege with respect to this advice.
11 Nevada law is clear that only the client may waive attorney-client privilege, and the client’s
12 intent determines whether there has been a waiver. *Gibbs v. State*, 140 Nev. Adv. Op. 13, 543
13 P.3d 1185, 1189 (2024) (waiver analysis under Nevada law “focuses entirely on whether the
14 client intended—either explicitly or implicitly—to waive the attorney-client privilege”). While
15 the Parties produced the Cruden Legal Advice in unredacted form in this action, they did so in
16 reliance on the fact that the entirety of the record was sealed pursuant to the Court’s January 26,
17 2024 Order Sealing Proceedings and Court Hearings (the “Sealing Order”). The Sealing Order,
18 while in effect, ensured that the legal advice would not be disclosed in unredacted form beyond
19 the Parties (all of whom were privy to the advice at the time it was provided) and the Court. No
20 Party has ever indicated an intention to waive privilege or to otherwise disclose the advice’s
21 contents beyond the group to which it was originally provided. Thus, the Parties should remain
22 “protect[ed] against” the involuntary public disclosure of their confidential attorney-client
23 communications. *Gibbs*, 543 P.3d at 1388; *see* NRS 49.095.

24 The public interest in the Cruden Legal Advice is *de minimis*, at most. The
25 Commissioner’s December 7, 2024 Recommendation for Order does not cite to or rely on the
26 Cruden Legal Advice as a basis for its decision. *See Kelley v. Smith*, 2016 WL 8737239, at *2
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(D. Nev. Sept. 23, 2016) (noting that “the public has less need for access to records that are merely tangentially related to the underlying cause of action”).

II. CONCLUSION

For the foregoing reasons, Objectors respectfully request that the Court grant this Motion to Seal and Redact Portions of the Judicial Record.

AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain personal information of any person.

Dated: February 19, 2026

Respectfully Submitted,

/s/ Clark C. Knobel

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1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen
3 years, and I am not a party to, nor interested in, this action. On this date, I caused to be served
4 a true and correct copy of the foregoing **OBJECTORS' MOTION TO SEAL AND REDACT**
5 **PORTIONS OF THE JUDICIAL RECORD** by the method indicated:

6 ☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing
7 and service upon the Court's Service List for the above-referenced case.

8 And addressed to the following:

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3 ☒ **BY U.S. MAIL AND EMAIL:** by placing the document(s) listed above in a sealed envelope
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14 Dated: February 19, 2026.

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15 /s/ Roni L. Shaffer

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Exhibit Index

Exhibit No.

Description

No. Pages

1

Index of Records Subject to Motion to Seal and
Redact Portions of the Judicial Record

14