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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:

Case No. PR23-00813

DOE 1 TRUST

Dept. PR

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RECOMMENDATION FOR ORDER

On January 8, 2026, District Judge David A. Hardy entered an *Order on Writ of Mandamus* in this case following the entry of a writ of mandamus by the Nevada Supreme Court on December 23, 2025, in Case No. 89437. That writ of mandamus was supported by an opinion of the Nevada Supreme Court published as *New York Times Company, et al. v. Second Judicial District Court in and for County of Washoe (DOE 1 Trust)*, 141 Nev. Adv. Op. 71 (2025). The District Judge's January 8 order vacated an *Order for Enforcement of Probate Commissioner's Recommendation Pending Review* entered September 12, 2024, and remanded the matter to the undersigned probate commissioner "to conduct a prompt proper analysis and make recommendations for order in accordance with the writ of mandamus". Having

1 reviewed the opinion filed in connection with the above-mentioned writ of
2 mandamus, together with the pertinent papers on file herein, the undersigned is
3 compelled to, and hereby does, vacate the September 12, 2024 *Recommendation for*
4 *Order Granting in Part and Denying in Part Motion to Intervene, Motion for Access,*
5 *and Motion to Unseal* in its entirety. Instead, to consider the propriety of continued
6 sealing or redaction of information in this case, the court looks to the clear guidance
7 of the Nevada Supreme Court set forth in its writ opinion:

8 With the enactment of NRS 164.041 and NRS 669A.256, the legislature
9 designated certain categories of information confidential and created a
10 statutory right to provisionally seal that information. However, the party
11 seeking to keep those documents sealed must subsequently make a
12 showing to support maintaining the records under seal, and the district
13 court must promptly exercise its discretion to determine whether
14 provisionally sealed records should remain sealed, be unsealed, or
15 redacted.

13 To discharge this obligation and properly weigh the interests of the parties and the
14 public in the privacy of the information sealed in this case, the undersigned
15 recommends the court make the following orders:

16 1. The court's January 26, 2024 *Order Sealing Proceedings and Closing Court*
17 *Hearings*, which had been supplanted by the now-vacated *Order for Enforcement of*
18 *Probate Commissioner's Recommendation Pending Review* shall also be vacated, as
19 it is plainly inconsistent with the Supreme Court's opinion filed in connection with
20 the writ of mandamus in this case. All papers on file in this case shall remain
21 provisionally sealed however, unless and until unsealed consistent with paragraph
22 5 below.

23 2. The *Motion to Intervene, Motion for Access, and Motion to Unseal on Order*

1 *Shortening Time* filed on September 4, 2024 by The New York Times Company, CNN,
2 The Associated Press, National Public Radio, Inc., The Washington Post, and
3 Reuters shall be immediately granted, in part, as follows: these parties are granted
4 the right to intervene for the purpose of advocating for their respective rights in this
5 case, including the right to public access to court records. The remainder of the
6 relief sought by the *Motion to Intervene*, *Motion for Access*, and *Motion to Unseal on*
7 *Order Shortening Time* shall be granted to the extent set forth hereinbelow.

8 3. The Clerk of the Court shall immediately remove the designation of this
9 case as a “sealed” matter in court records and shall ensure that the case and docket
10 information, including but not limited to “Case Parties”, “Event Information”, and
11 “Docket Entry Information”, are made available to the public according to the
12 practices and procedures of the Clerk applied in all other non-sealed matters,
13 provided that the case caption shall not be amended, and that the parties Doe 1
14 through Doe 9 shall continue to be identified by their pseudonyms unless and until
15 the use of these pseudonyms is disallowed consistent with paragraph 5 below.

16 4. This recommendation and its confirming order shall be immediately
17 unsealed.

18 5. Twenty-one (21) days from an order confirming this recommendation, each
19 and every other pleading, paper, or other record filed in this case shall be unsealed,
20 the case caption shall be amended to conform to the true name of the trust at issue
21 in this case, and the use of pseudonyms for the parties shall be discontinued, *unless*
22 *and only to the extent that* a party moves this Court to maintain the confidentiality
23 of (or redact) a document, caption, or pseudonym, in which case the documents,

1 caption, or pseudonyms subject to such a motion shall remain confidential or under
2 provisional seal until adjudication of the motion.

3 6. To facilitate and expedite the court's unsealing of records not subject to a
4 party's motion to seal or redact, any motion to maintain a record under seal or to
5 redact a record subject to unsealing shall include a summary or index of any records
6 subject to the motion. Such a motion shall also specify, by page number and line,
7 requested redactions.

8 7. To maintain the provisional confidentiality of information subject to a
9 motion to seal or redact, a party may file such a motion under seal, provided the
10 motion expressly seeks the continued sealing of the same. Any opposition to a
11 provisionally sealed motion to seal or redact filed in connection with this
12 recommendation *shall* be filed under seal, subject to unsealing consistent with the
13 court's adjudication of the motion to seal or redact. A reply filed in support of a
14 motion filed under provisional seal may also be filed under seal.

15 8. Any moving papers filed in connection with a motion to seal or redact
16 records in this case (or a motion to allow the use of pseudonyms) shall be served by
17 mail on all intervenors in this case.

18 9. In responding to a motion to seal or redact records, intervening parties who
19 do not otherwise have access to the court's records in this case may submit an ex
20 parte request to permit their counsel to inspect the records subject to the motion at
21 the Second Judicial District Court, under the supervision of court staff, and under
22 such other limitations as the court may prescribe to protect the provisional
23 confidentiality of the information.

10. Any party making or opposing a motion to seal or redact may request an evidentiary hearing, which the court may grant in its discretion, either concurrent with or apart from a hearing to take argument on the motion.

11. Any other paper filed in this case following confirmation of this recommendation as an order of the court may only be redacted or filed under seal if it is filed concurrently with a motion to maintain the paper under redaction or seal.

DATED this 14th day of January, 2026.

IT IS SO RECOMMENDED.


PROBATE COMMISSIONER