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OPP

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DISTRICT COURT
CLARK COUNTY, NEVADA
FAMILY DIVISION

PATRICK MENDES, Plaintiff, vs. THAIS MENDES; Defendant. _____/	CASE NO: D-26-730232-D DEPT NO: M NO HEARING REQUESTED **OPPOSITION TO MOTION TO UNSEAL CASE FILE**

COMES NOW, Our Nevada Judges, Inc., a Nevada non-profit corporation, by and through the undersigned counsel, and hereby files the following *Opposition to Motion to Seal Case File*. This motion is based upon the following memorandum of points and authorities.

DATED this Nov 5, 2026

By: /s/Lisa Szyc
LISA SZYC, ESQ.
Nevada Bar No. 11726
(702) 205-2791
Our Nevada Judges, Inc.
Staff Attorney

MEMORANDUM OF POINTS AND AUTHORITIES

"The parties' agreement alone does not constitute a sufficient basis for the court to seal or redact court records." SRCR 3(4). See also *Falconi v. Eighth Jud. Dist. Ct.*, 140 Nev., Advance Op. 8 (2024).

The case is monitored by Our Nevada Judges, Inc. (hereinafter 'ONJ'). "It is not unrealistic even in this day to believe that public inclusion affords citizens a form of legal education and hopefully promotes confidence in the fair administration of justice." *State v. Schmit*, 273 Minn. 78, 87-88, 139 N. W. 2d 800, 807 (1966). "Instead of acquiring information about trials by firsthand observation or by word of mouth from those who attended, people now acquire it chiefly through the print and electronic media. In a sense, this validates the media claim of functioning as surrogates for the public." *Richmond Newspapers*, 448 U. S. 525, 573 (1980).

The speculative argument as to the prominence of a family was attempted in the Rupert Murdoch News Corp Trust litigation, the Supreme Court of which rejected the notion that speculation as to sensationalization was sufficient to allow arbitrary sealing. "[T]he district court's generalized concerns about the disruption of the trustee's business, and public embarrassment, among other malicious acts,

without more, do not amount to a significant competing interest that justified the sealing of nearly every record and the closing of all proceedings." *NY Times Co. v. Dist. Ct.(Doe 1 trust)*, 141 Nev. Adv. Op. 71 (Dec. 23, 2025). Indeed, the Supreme Court expressly held "that the right to access also applies in civil proceedings, including family law proceedings." *Falconi, Id*.

As child custody litigation has the potential to continue indefinitely, and consistent with ONJ's serial and clustered case coverage models, access to the case file remains necessary. Lawyer conduct in proceedings are a matter of public interest. *Abrams v. Sanson*, 136 Nev. 83, 87, 458 P.3d 1062, 1067 (2020). Likewise, "[t]he operations of the courts and the judicial conduct of judges are matters of utmost public concern." *Del Papa v. Steffen*, 112 Nev. 369, 374, 915 P.2d 245, 249 (1996). See also *Estate of Hearst*, 67 Cal. App. 3d at 784 ("If public court business is conducted in private, it becomes impossible to expose corruption, incompetence, inefficiency, prejudice, and favoritism…Anglo-American jurisprudence distrusts secrecy and favors a policy of maximum public access.")

NRS 121.110 does not allow the Court to seal an entire case file. Indeed, the NY Times Court denounced the practice, and SRCR 3(5)(c)

provides that "under no circumstances" should the sealing of an entire case file be allowed to occur.

"[S]ecret judicial proceedings pose [a threat] to public confidence in this court and the judiciary" because "secrecy encourages misunderstanding, distrust, and disrespect for the courts." *Del Papa v. Steffen*, 112 Nev. 369, 374, 915 P.2d 245, 249 (1996). ONJ hereby requests the Court deny the motion because NRS 121.110(1)(b) adequately protects certain sensitive filings. Alternatively, ONJ requests the Court order filings sealed as a compelling interest allows; specifically, in such a manner that narrowly tailored such that it serves the compelling interest. NRS 121.110(3). *Falconi, Id.*

NRS 239B.030(4) AFFIRMATION

Pursuant to NRS 239B.030 the undersigned hereby affirms that this document does not contain the social security number of any person.

DATED this Nov 5, 2026

By: /s/Lisa Szyc
LISA SZYC, ESQ.
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DECLARATION OF ALEXANDER FALCONI

I, Alexander M. Falconi, declare that I have read the foregoing *Opposition* and that the contents are true and correct of my own personal knowledge, except for those matters I have stated that are not of my own personal knowledge, but that I only believe them to be true, and as for those matters, I do believe they are true.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this Nov 5, 2026



Alexander M. Falconi
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CERTIFICATE OF SERVICE

I certify that on the date shown below, I caused service to be completed of a true and correct copy of the foregoing document by:

_____ personally delivering;

_____ delivery via Reno/Carson Messenger Service;

_____ sending via Federal Express (or other overnight delivery service);

_____ depositing for mailing in the U.S. mail, with sufficient postage affixed thereto; or,

__x___ delivery via electronic means (fax, eflex, NEF, etc.) to:

Patrick Mendes

Thais Mendes

DATED this Nov 5, 2026

By: __/s/ Alexander Falconi_____