

Ballard Spahr LLP
100 North City Parkway, Suite 1750
Las Vegas, Nevada 89106-4617

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Joel E. Tasca
Nevada Bar No. 14124
Justin A. Shiroff
Nevada Bar No. 12869
BALLARD SPAHR LLP
100 North City Parkway, Suite 1750
Las Vegas, Nevada 89106-4617
Telephone: (702) 471-7000
Facsimile: (702) 471-7070
E-Mail: tasca@ballardspahr.com
E-Mail: shiroffj@ballardspahr.com

Attorneys for American Broadcasting Cos., Inc., Cable
News Network, Inc., Chesapeake Media I, LLC, d/b/a
KSNV-TV, Los Angeles Times Communications,
LLC, The New York Times Company, and WP
Company LLC d/b/a The Washington Post

Margaret A. McLetchie
Nevada State Bar No. 10931
Alina M. Shell
Nevada State Bar No. 11711
McLetchie Shell, LLC
701 E. Bridger Ave., Suite 520
Las Vegas, NV 89101
Telephone: (702) 728-5300
Fax: (702) 425-8220
Email: maggie@nvlitigation.com
Email: alina@nvlitigation.com

Attorneys for Las Vegas Review-Journal and
Associated Press

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE: SEALED WARRANT
AFFIDAVITS FOR THE SEARCH OF
1372 BABBLING BROOK COURT,
MESQUITE, NEVADA AND ANY
OTHER SEARCH WARRANTS
CONNECTED TO STEPHEN A.
PADDOCK OR THE CRIMES
COMMITTED OCTOBER 1, 2017 AT
THE ROUTE 91 HARVEST COUNTRY
MUSIC FESTIVAL

Case No. _____

PETITION TO UNSEAL SEARCH
WARRANT APPLICATIONS AND
ASSOCIATED JUDICIAL RECORDS

1 Pursuant to LR IA-10-5(b), American Broadcasting Companies, Inc. (“ABC”), Cable
2 News Network, Inc. (“CNN”), Chesapeake Media I, LLC, d/b/a KSNV-TV (“KSNV-TV”), Los
3 Angeles Times Communications, LLC (“*Los Angeles Times*”), The New York Times Company
4 (“*New York Times*”), and the WP Company LLC d/b/a The Washington Post (“*The Washington*
5 *Post*”), by and through their counsel BALLARD SPAHR LLP, and the Las Vegas Review-Journal
6 (“Review-Journal”) and the Associated Press (“AP”), by and through their counsel McLetchie
7 Shell, LLC, (collectively “Petitioners”), respectfully petition this Honorable Court to unseal the
8 affidavit(s) of probable cause in support of one or more warrants issued by the Court and
9 authorizing agents of the Federal Bureau of Investigation (FBI) to search the premises located at
10 1372 Babbling Brook Court, Mesquite, Nevada and any other locations connected with the
11 investigation of Stephen Paddock and/or the crimes committed on October 1, 2017 against
12 people attending the Route 91 Harvest Country Music Festival in Las Vegas (“the Records”).

13 Introduction

14 On October 1, 2017, the worst mass shooting in this nation’s history occurred in this City.
15 Those tragic events are well-known to this Court and need not be recounted in any detail here.

16 As has previously been reported,¹ FBI agents conducted a search of the above-referenced
17 premises, pursuant to one or more warrants issued by this Court, as part of the joint state-federal
18 investigation into the multiple homicides committed by Stephen Paddock, who also died that
19 night. On information and belief, the warrant(s), along with an inventory or inventories, have
20 been returned to the Magistrate Judge who issued them, pursuant to Fed. R. Crim. P. 41(f)(1)(D),
21 who then forwarded those papers to the Clerk of the Court pursuant to Fed. R. Crim. P. 41(i).

22 On November 1, 2017, undersigned counsel sought to confirm that the Records are under
23 seal. The Clerk of the Court would neither confirm nor deny that any warrants have been issued
24 by this Court. The Petitioners, on behalf of themselves and their readers, viewers, and listeners,
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26
27 ¹ See, e.g., Kenneth Moton & James Hill, *FBI Searching Nevada house of Las Vegas Gunman*,
28 ABC News (Oct. 8, 2017), <http://abcnews.go.com/US/fbi-searching-nevada-house-las-vegas-gunman/story?id=50358660>.

1 therefore respectfully petition this Court to enter an Order directing the Clerk to unseal the
2 Records.

3 The grounds for the relief sought in this Petition are set forth in the Memorandum of
4 Points and Authorities below, as well as any exhibits attached hereto, the papers on file in this
5 Court, and any evidence to be further developed in these proceedings.

6 **MEMORANDUM OF POINTS AND AUTHORITIES**

7 **Introduction**

8 Under both the First Amendment and federal common law, the public (including
9 Petitioners) enjoys a qualified right to inspect and copy judicial records on file with this Court.
10 That right of public access may be overcome only upon an evidentiary showing that continued
11 sealing is necessary to protect a compelling state interest “of the highest order” *and* that no
12 alternative means – short of blanket sealing – is available that will adequately protect that
13 interest.

14 Where, as here, the investigating law enforcement authorities have publicly announced
15 that the only suspect in the crimes under investigation is deceased, and, therefore, no criminal
16 charges will be filed,² no such showing can be made. Accordingly, under settled precedent, the
17 affidavits of probable cause and search warrant returns on file in this Court should immediately
18 be unsealed, in their entirety.

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23 ² See, e.g., Press Release of Oct. 2, 2017, Las Vegas Metro. Police Dep’t (“The Las Vegas
24 Metropolitan Police Department identified *the lone suspect* involved in the late night mass
25 shooting on the Las Vegas Strip”) (emphasis added), [https://www.lvmpd.com/en-
26 us/Press%20Releases/PO%20235%2010-02-17.pdf](https://www.lvmpd.com/en-us/Press%20Releases/PO%20235%2010-02-17.pdf); Richard Winton, *From the 32nd Floor, Las
27 Vegas Gunman Caused Mass Carnage Despite Security Measures at Concert*, L.A. Times (Oct.
28 2, 2017) (“Authorities said they believe Stephen Paddock, 64, acted alone”),
[http://www.latimes.com/local/lanow/la-na-shooting-las-vegas-sniper-tactics-20171002-
story.html](http://www.latimes.com/local/lanow/la-na-shooting-las-vegas-sniper-tactics-20171002-story.html); Associated Press, *Laptop in Las Vegas Shooter’s Suite Was Missing Hard Drive*,
N.Y. Times (Oct. 25, 2017) (“Police and the FBI have said they believe he acted alone.”),
<https://www.nytimes.com/aponline/2017/10/25/us/ap-us-las-vegas-shooting-costs.html>.

Ballard Spahr LLP
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Argument

I. The Petitioners Have the Right to Seek Unsealing of the Records

Each of the Petitioners³ is engaged in gathering news and other information on matters of public concern, including the decisions of this Court, and the actions of federal, state, and local law enforcement agents, and disseminating that information on various platforms—print, broadcast, cable, internet and mobile devices—to the general public.

Petitioners appear before this Court on their own behalf, as members of the public, entitled to the rights afforded them by the Constitution of the United States, the Nevada State Constitution, all applicable statutes, and the common law. *See Globe Newspaper Co. v. Super. Ct.*, 457 U.S. 596, 609 n.25 (1982) (recognizing press’ right to be heard prior to closure of criminal trial); *Phoenix Newspapers, Inc. v. U.S. Dist. Ct.*, 156 F.3d 940, 949 (9th Cir. 1998) (holding that the press must be afforded an opportunity to object to closure of court proceedings); *Associated Press v. Dist. Ct.*, 705 F.2d 1143, 1145 (9th Cir. 1983) (recognizing press’ standing to assert the public’s First Amendment right to inspect documents on file in a criminal case before trial).

In addition, Petitioners appear on behalf of the broader public that receives the news and information that they gather and disseminate. *See, e.g., Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 573-74 (1980) (in providing coverage of court proceedings, the print and electronic media function “as surrogates for the public”). As the court observed in *California ex rel. Lockyer v. Safeway, Inc.*, 355 F. Supp. 2d 1111, 1124 (C.D. Cal. 2005), in unsealing documents at the request of a newspaper, “the press has historically served as a monitor of . . . the courts, and it plays a vital role in informing the citizenry on the actions of its government institutions”); *see also Courthouse News Serv. v. Planet*, 750 F.3d 776, 786 (9th Cir. 2014) (the press “bring[s] to bear the beneficial effects of public scrutiny upon the administration of justice.”) (quoting *Cox Broad. Corp. v. Cohn*, 420 U.S. 469, 491-92 (1975)); *see also Oregonian Publ’g Co. v. Dist. Ct.*, 920 F.2d 1462, 1465 (9th Cir. 1990) (recognizing that “[u]nder the first amendment, the press and the public have a presumed right of access to court proceedings and

³ A full description of the each of the Media Petitioners is set forth in **Appendix A**.

1 documents”); *Mendez v. City of Gardena*, 222 F. Supp. 3d 782, 791-92 (C.D. Cal. 2015)
 2 (granting media intervenor’s motion to unseal court records in civil lawsuit), *appeal dismissed*,
 3 677 F. App’x 342 (9th Cir. Feb. 13, 2017).

4 **II. The First Amendment Right of Public Access Attaches to the Records**

5 Several federal courts have recognized that the public right of access to court records
 6 fully extends to search warrant applications. For example, the U.S. Court of Appeals for the
 7 Eighth Circuit has held:

8 *[T]he first amendment right of public access does extend to the documents*
 9 *filed in support of search warrant applications.* First, although the process of
 10 issuing search warrants has traditionally not been conducted in an open
 11 fashion, search warrant applications and receipts are routinely filed with the
 12 clerk of court without seal. Under the common law[,] judicial records and
 13 documents have been historically considered to be open to inspection by the
 public. Second, public access to documents filed in support of search
 warrants is important to the public’s understanding of the function and
 operation of the judicial process and the criminal justice system and may
 operate as a curb on prosecutorial or judicial misconduct.

14 *In re Search Warrant for Secretarial Area Outside Office of Gunn*, 855 F.2d 569, 573 (8th Cir.
 15 1988) (emphasis added) (citations omitted); *see also In re Application of N.Y. Times Co. for*
 16 *Access to Certain Sealed Court Records*, 585 F. Supp. 2d 83, 90-94 (D.D.C. 2008) (unsealing
 17 search warrants relating to the 2001 anthrax attacks in and around Washington, D.C. after an
 18 investigation into those crimes had identified a sole suspect, who, as here, had committed
 19 suicide); *In re Search Warrants Issued on June 11, 1988, For the Premises of Three Buildings at*
 20 *Unisys, Inc.*, 710 F. Supp. 701, 704 (D. Minn. 1989) (“*Unisys*”) (“The first amendment right of
 21 public access extends to the [search warrant applications] sealed in this matter.”).

22 Similarly, in the Ninth Circuit, warrant affidavits on file with the Court in connection
 23 with a fully executed search warrant, are subject to a strong presumption of public access as soon
 24 as either (a) the criminal investigation has been completed (*i.e.*, authorities have announced that
 25 no [further] charges will be filed), or (b) an indictment has been returned. *See Times Mirror Co.*
 26 *v. United States*, 873 F.2d 1210, 1221 (9th Cir. 1989); *United States v. Bus. of Custer Battlefield*
 27 *Museum & Store*, 658 F.3d 1188, 1196 (9th Cir. 2011) (“*Custer Battlefield Museum*”) (without
 28 reaching whether the First Amendment applies, holding that a “common law right of access

1 [applies] to warrant materials after an investigation has been terminated.”); *see also In re*
2 *Documents 1, 2, and 3 The Search Warrant and Supporting Affidavits Relating to Theodore John*
3 *Kaczynski*, No. MCR-96-6-H-CCL, 1996 WL 343429, at *3-4 (D. Mont. Apr. 10, 1996) (upon
4 reconsideration after “the return of the search warrant [had] been filed and the investigation
5 apparently [had] been completed,” but before the indictment, ordering the unsealing of partially
6 redacted warrant affidavits for the cabin of the suspected Unabomber).

7 Applying this precedent, United States District Court for the District of Arizona unsealed
8 probable cause affidavits in another high profile shooting case under circumstances similar to
9 those presented here. In *United States v. Loughner*, the court found that the First Amendment
10 required the unsealing of the warrant affidavits issued in the wake of the shooting of a United
11 States Congresswoman and the killing of a federal judge and five others, by Jared Lee Loughner,
12 even though the investigation had not concluded. 769 F. Supp. 2d 1188 (D. Ariz. 2011). The
13 court recognized that once the investigation into the identity of the only responsible party was
14 effectively completed (authorities had announced that no further charges were to be filed),
15 “[t]here [was] no real danger at [that] point that disclosure of the warrant materials [would]
16 jeopardize the investigation.” *Id.* at 1191. The court also observed that there was both a
17 tradition of providing public access to such records in such circumstances, and a strong public
18 function performed by providing access: “Public scrutiny of the search warrant process . . . can
19 shed light on how and *why a warrant was obtained*, and thereby further the public’s interest in
20 understanding the justice system.” *Id.* at 1194 (emphasis added). “Permitting inspection of the
21 search warrants [and] the accompanying affidavits . . . will further public understanding of the
22 response of government officials,” the court observed, “and allow the public to judge whether
23 law enforcement functioned properly and effectively[.]” *Id.*

24 The *Loughner* court quoted extensively from Chief Justice Burger’s opinion for the Court
25 in *Richmond Newspapers*, which explains in more detail why the public needs to understand
26 what law enforcement is doing in the *immediate* aftermath of an enormous tragedy:

27 When a shocking crime occurs, a community reaction of outrage and public
28 protest often follows. Thereafter the open processes of justice serve an important

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 100 North City Parkway, Suite 1750
 Las Vegas, Nevada 89106-4617

1 prophylactic purpose, providing an outlet for community concern, hostility, and
 2 emotion. . . .

3 The crucial prophylactic aspects of the administration of justice cannot function
 4 in the dark; no community catharsis can occur if justice is done in a corner or in
 5 any covert manner. . . . [I]t is important that society’s criminal process satisfy
 the appearance of justice, and the appearance of justice can best be provided by
 allowing people to observe it.

6 *Richmond Newspapers*, 448 U.S. at 571-72 (emphasis added) (internal marks and citations
 7 omitted).

8 Under the above precedents, the First Amendment right of public access attaches to the
 9 Records in this case. Just as in the New York Times anthrax investigation above, here both state
 10 and federal law enforcement agencies have publicly announced that *the only suspect* in crimes of
 11 October 1, 2017 is deceased.⁴ And, just as in *Loughner* (and *Kaczynski*), authorities have
 12 declared that the ongoing investigation is not directed toward identifying any accomplice or
 13 other criminal suspect.

14 **III. No Showing Can Be Made That Continued Sealing of the Records Is Justified Under**
 15 **the Applicable First Amendment Standard**

16 **A. The Standard for Sealing Judicial Records Under the First Amendment is**
 17 **Daunting**

18 While the First Amendment right of access is a qualified right, not an absolute one, any
 19 party seeking to abridge the access right must meet a heavy constitutional burden. The
 20 proponent of continued sealing must establish, and the Court must expressly find, that ““(1)
 21 [sealing] serves a compelling interest; (2) there is a substantial probability that, in the absence of
 22 [sealing], this compelling interest would be harmed; and (3) there are no alternatives to [sealing]
 23 that would adequately protect the compelling interest.”” *Phoenix Newspapers*, 156 F.3d at 949
 (citation omitted).

24 Before granting a motion to limit public access, the Court must “make specific factual
 25 findings” that “satisfy all three substantive requirements for [sealing].” *Id.* at 950; *see also*
 26 *Oregonian Publ’g Co.*, 920 F.2d at 1466 (“An order of closure should include a discussion of the
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28 ⁴ *See supra* at 3 n.2.

1 interests at stake, the applicable constitutional principles and the reasons for rejecting
 2 alternatives, if any, to closure.” (citation omitted)). Where such findings are made, moreover,
 3 any denial of public access must be narrowly tailored in time and scope, and must be effective in
 4 protecting the compelling interest at stake. *See Press-Enterprise Co. v. Super. Ct.*, 478 U.S. 1,
 5 13-14 (1986) (“*Press-Enterprise I*”) (requiring “on the record findings . . . *demonstrating* that
 6 ‘closure is . . . narrowly tailored to serve [the compelling] interest,” and “that closure *would*
 7 *prevent*” the harm asserted (emphasis added)); *Associated Press*, 705 F.2d at 1146 (“there must
 8 be ‘a substantial probability *that closure will be effective* in protecting against the perceived
 9 harm” (emphasis added) (citation omitted)).

10 **B. No Showing Can Be Made That Satisfies The First Amendment Standard**

11 Here, no party has demonstrated that sealing of the Records is necessary to protect any
 12 compelling state interest. The law enforcement authorities in charge of the criminal investigation
 13 into the October 1 massacre have publicly declared that the deceased shooter, Stephen Paddock,
 14 acted alone.⁵ Although the criminal investigation that prompted the FBI to seek and obtain the
 15 warrants from this Court is still ongoing, it cannot credibly be claimed to be directed toward the
 16 future filing criminal charges against any other suspect. *See supra* at 3 n.2.

17 Under these circumstances, there is no “compelling” state interest that overrides the
 18 public’s constitutionally guaranteed right of access to the Records.

19 **C. Less Restrictive Means – Other Than Blanket Sealing – Are Readily Available**

20 Even if the Court were to find (in record findings, as the First Amendment requires) that
 21 the criminal investigation remains “ongoing” *and* that disclosure of the Records presents a
 22 substantial likelihood of interference with that investigation, the Court must then further find that
 23 no alternative means, less restrictive than blanket sealing of the Records, would adequately
 24 protect that interest. *See Richmond Newspapers*, 448 U.S. at 580-81 (holding that order closing a
 25 courtroom violated the First Amendment where “no inquiry was made as to whether alternative
 26 solutions would have met the need to ensure fairness”); *Press-Enterprise II*, 478 U.S. at 14
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28 ⁵ *See supra* at 3 n.2.

1 (holding that trial court had committed constitutional error because it “failed to consider whether
 2 *alternatives short of complete closure* would have protected the interests of the accused”
 3 (emphasis added)); *Phoenix Newspapers, Inc.*, 156 F.3d at 949 (proponent of sealing must
 4 demonstrate that “there are no alternatives to closure that would adequately protect the
 5 compelling interest” (citation omitted)).

6 Accordingly, courts must treat the blanket sealing of judicial records as a last resort – one
 7 they can employ only *after* engaging in a thorough analysis of reasonable alternatives, including
 8 redaction, and concluding that none of those alternatives would be sufficient to protect the
 9 compelling interest at stake. *See, e.g., United States v. Aref*, 533 F.3d 72, 82 (2d Cir. 2008) (“it
 10 is the responsibility of the district court to ensure that sealing documents to which the public has
 11 a First Amendment right is no broader than necessary”); *Kasza v. Whitman*, 325 F.3d 1178, 1181
 12 (9th Cir. 2003) (where release of court records poses risk to national security, “[p]ublic release of
 13 redacted material is an appropriate response”); *In re NBC*, 828 F.2d 340, 346-47 (6th Cir. 1987)
 14 (vacating order sealing pleadings and exhibits, and remanding for consideration of less restrictive
 15 alternatives); *Publicker Indus., Inc. v. Cohen*, 733 F.2d 1059, 1074 (3d Cir. 1984) (district court
 16 abused discretion where it “failed to consider less restrictive means to keep this information from
 17 the public”); *see also Unysis*, 710 F. Supp. at 705 (“Where redaction [of warrant applications] is
 18 required . . . it must be narrowly tailored to allow as much disclosure as is feasible.”).

19 In sum, no showing can be made that unsealing the Records poses a substantial
 20 probability of harm to a state interest of the highest order. And, even if the Court were to
 21 conclude that such a showing has been made by the Government, the Court must also find that
 22 disclosure of a redacted version of the Records will not adequately protect that compelling state
 23 interest.

24 **D. The Public’s Right of Access to Judicial Records Requires Contemporaneous**
 25 **Access**

26 It is firmly established that once a First Amendment right of access attaches to a judicial
 27 proceeding or judicial records, the public enjoys a right of contemporaneous access. *See, e.g.,*
 28 *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 126-27 (2d Cir. 2006) (“Our public access

1 cases and those in other circuits emphasize the importance of *immediate* access where a right of
 2 access is found.” (emphasis added) (citations omitted)); *Grove Fresh Distribs., Inc. v. Everfresh*
 3 *Juice Co.*, 24 F.3d 893, 897 (7th Cir. 1994) (public access to documents in court’s file “should be
 4 immediate and contemporaneous”).

5 Because the public’s right of access is triggered the moment a document is filed with the
 6 Court, any delays in providing such access are, in effect, denials, even though they may be
 7 limited in time. *See, e.g., Associated Press*, 705 F.2d at 1147 (holding that a 48-hour delay in
 8 access constituted “a total restraint on the public’s first amendment right of access even though
 9 the restraint is limited in time”); *Globe Newspaper Co. v. Pokaski*, 868 F.2d 497, 507 (1st Cir.
 10 1989) (“even a one to two day delay impermissibly burdens the First Amendment”); *Courthouse*
 11 *News Serv. v. Jackson*, No. H-09-1844, 2009 WL 2163609, at *3-4 (S.D. Tex. July 20, 2009) (24
 12 to 72 hour delay in access to civil case-initiating documents was “effectively an access denial
 13 and is, therefore, unconstitutional”).

14 As the Supreme Court has observed, “[d]elays imposed by governmental authority” are
 15 inconsistent with the press’ “traditional function of bringing news to the public promptly.” *Neb.*
 16 *Press Ass’n v. Stuart*, 427 U.S. 539, 560-61 (1976).

17 Accordingly, any unnecessary delay in unsealing the Records at issue would violate the
 18 Petitioners’ rights under the First Amendment.

19 **IV. In the Alternative, The Records Should Be Unsealed Under the Common Law**

20 Even apart from the First Amendment, the federal common law provides an independent
 21 grounds for the public’s right to access judicial records. *See Nixon v. Warner Commc’ns, Inc.*,
 22 435 U.S. 589, 597 (1978) (“the courts of this country recognize a general right to inspect and
 23 copy . . . judicial records and documents”); *In re NBC*, 653 F.2d 609, 612 (D.C. Cir. 1981)
 24 (“existence of the common law right to inspect and copy judicial records is indisputable”);
 25 *Phoenix Newspapers*, 156 F.3d at 946 (holding that the common law creates “a strong
 26 presumption” in favor of general public access to records).

27 The common law access right “is not some arcane relic of ancient English law,” but
 28 rather “is fundamental to a democratic state.” *United States v. Mitchell*, 551 F.2d 1252, 1258

1 (D.C. Cir. 1976), *rev'd on other grounds sub nom. Nixon v. Warner Commc'ns, Inc.*, 435 U.S.
 2 589. The common law right of access to judicial records exists to ensure that courts “have a
 3 measure of accountability” and to promote “confidence in the administration of justice.” *United*
 4 *States v. Amodeo*, 71 F.3d 1044, 1048 (2d Cir. 1995).

5 Courts applying the common law right of public access to judicial records have required a
 6 party seeking to deny that right to meet a rigorous standard, not unlike that applied under the
 7 First Amendment. *See, e.g., Balt. Sun Co. v. Goetz*, 886 F.2d 60, 65-66 (4th Cir. 1989)
 8 (requiring party seeking to keep warrant affidavits under seal to demonstrate that “sealing is
 9 ‘essential to preserve higher values and is narrowly tailored to serve that interest’ [and] the
 10 judicial officer must consider alternatives to sealing the documents. This ordinarily involves
 11 disclosing some of the documents or giving access to a redacted version.” (citations omitted)).⁶
 12 Thus, in applying the common law standard to the sealing of warrant materials, the Ninth Circuit
 13 has held that “[a] party seeking to seal a judicial record . . . bears the burden of overcoming this
 14 *strong presumption* [in favor of disclosure] by ... articulat[ing] *compelling* reasons ... that
 15 outweigh the general history of access and the public policies favoring disclosure.” *Custer*
 16 *Battlefield Museum*, 658 F.3d at 1194-95 (internal marks and citations omitted) (emphasis
 17 added). No such showing can be made here.

18 Conclusion

19 For the reasons set forth above, Petitioners respectfully request that the Court forthwith
 20 enter an Order directing the Clerk of the Court to unseal the Records at issue.
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27 ⁶ However, the two sources of the right of public access are distinguishable. *See, e.g., Custer*
 28 *Battlefield Museum*, 658 F.3d at 1197 n.7 (recognizing that The First Amendment provides “a
 stronger right of access than the common law”).

1 Respectfully submitted this 2nd day of November, 2017.

2
3 By: /s/ Joel E. Tasca

4 Joel Tasca, Esq.
5 Justin A. Shiroff, Esq.
6 BALLARD & SPAHR, LLP
7 100 North City Parkway, Suite 1750
8 Las Vegas, Nevada 89106-4617

9 Attorneys for American Broadcasting Cos.,
10 Inc., Cable News Network, Inc., Chesapeake
11 Media I, LLC, d/b/a KSNV-TV, Los
12 Angeles Times Communications, LLC, The
13 New York Times Company, and WP
14 Company LLC d/b/a The Washington Post

15 By: /s/ Margaret A. McLetchie

16 Margaret A. McCletchie
17 Alina M. Shell
18 McLetchie Shell, LLC
19 701 E. Bridger Ave., Suite 520
20 Las Vegas, NV 89101

21 Attorneys for Las Vegas Review-Journal
22 and Associated Press
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Ballard Spahr LLP
100 North City Parkway, Suite 1750
Las Vegas, Nevada 89106-4617

APPENDIX A

1
2 1. Petitioner American Broadcasting Companies, Inc., alone or through its
3 subsidiaries, owns and operates, *inter alia*, ABC News, abcnews.com, and local broadcast
4 television stations which regularly gather and report news to the public. Programs produced and
5 disseminated by ABC News include *World News with Diane Sawyer*, *20/20*, *Nightline*, *Good*
6 *Morning America*, and *This Week*. It is based at 47 W. 66th St., New York, NY 10023.

7 2. Petitioner the Associated Press (“AP”) is a news cooperative organized under the
8 Not-for-Profit Corporation Law of New York, and is owned by its 1,500 U.S. newspaper
9 members. The AP’s members and subscribers include the nation’s newspapers, magazines,
10 broadcasters, cable news services and Internet content providers. The AP operates from 300
11 locations in more than 100 countries. On any given day, AP’s content can reach more than half
12 of the world’s population. The AP’s corporate headquarters are located at 200 Liberty St., New
13 York, NY 10281. The AP also maintains a local Las Vegas office at 300 S. 4th St. #810, Las
14 Vegas, NV 89101.

15 3. Petitioner Cable News Network, Inc. (“CNN”) is a subsidiary of Turner
16 Broadcasting System, Inc., a Time Warner Inc. company. CNN is a portfolio of two dozen news
17 and information services across cable, satellite, radio, wireless devices and the Internet in more
18 than 200 countries and territories worldwide. CNN is based at One CNN Center, Atlanta, GA
19 30303.

20 4. Petitioner Chesapeake Media I, LLC, d/b/a KSNV-TV owns and operates the
21 KSNV-TV television station, which is the Las Vegas affiliate of The National Broadcasting
22 Company. It is headquartered at 10706 Beaver Dam Road, Hunt Valley, MD 21030. The
23 KSNV-TV station address is 1500 Foremaster Lane, Las Vegas, NV 89101.

24 5. Petitioner Las Vegas Review-Journal (“Review-Journal”) is a daily newspaper,
25 published in Las Vegas, Nevada, and is the largest circulation newspaper in Nevada. The
26 Review-Journal carries on the constitutionally-protected business of reporting the news. It is
27 based at 1111 W. Bonanza Rd, Las Vegas, NV 89106.

28 6. Petitioner Los Angeles Times Communications LLC, a subsidiary of tronc, inc.,

1 publishes the Los Angeles Times, California’s largest newspaper, and a number of smaller
2 community papers. The Times’ website, www.latimes.com, is a leading source of California,
3 national and international news. Los Angeles Times Communications LLC is based at 202 W.
4 1st St., Los Angeles, CA 90012.

5 7. Petitioner The New York Times Company is the owner of *The New York Times*
6 and the *International New York Times*, formerly the *International Herald Tribune*, and operates
7 the news website www.nytimes.com. The New York Times Company is based at 620 Eighth
8 Avenue, New York, NY 10018.

9 8. Petitioner WP Company LLC d/b/a *The Washington Post* publishes one of the
10 nation’s most prominent daily newspapers, as well as a website, www.washingtonpost.com, that
11 is read by an average of more than 20 million unique visitors per month. WP Company LLC is
12 based at 1150 15th Street NW, Floor 11, Washington, DC 20017.

Ballard Spahr LLP
100 North City Parkway, Suite 1750
Las Vegas, Nevada 89106-4617

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