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and BJ Holdings LLC*

17 **UNITED STATES DISTRICT COURT**  
18 **DISTRICT OF NEVADA**

19 SECURITIES AND EXCHANGE  
20 COMMISSION,

21 Plaintiff,

22 vs.

23 MATTHEW WADE BEASLEY et al.

24 Defendants;

25 THE JUDD IRREVOCABLE TRUST et al.

26 Relief Defendants.  
27  
28

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Case No. 2:22-CV-00612-CDS-EJY

**RECEIVER GEOFF WINKLER'S  
MOTION FOR LEAVE TO SEAL  
APPENDIX OF EXHIBITS TO  
MOTION FOR ORDER TO  
SHOW CAUSE WHY PAULA  
BEASLEY AND AARON  
GRIGSBY SHOULD NOT BE  
HELD IN CONTEMPT FOR  
FAILURE TO COMPLY WITH  
THIS COURT'S ORDERS AND  
ALTERNATIVE MOTION FOR  
TURNOVER**

1 Comes now, Geoff Winkler, the Court-appointed Receiver (the "Receiver"), by and  
2 through his counsel of record the law firm of Greenberg Traurig, LLP, and hereby submits the  
3 following Motion for Leave to Seal Appendix of Exhibits to Motion for Order to Show Cause  
4 Why Paula Beasley and Aaron Grigsby should not be Held in Contempt for Failure to Comply  
5 with this Court's Orders and Alternative Motion for Turnover (the "Motion"), Volumes 1-3.

6 This Motion is based upon the attached Memorandum of Points and Authorities, the  
7 pleadings and papers on file herein, and such other and further arguments and evidence as may  
8 be presented to the Court in connection with the Motion.

9 DATED this 13<sup>th</sup> day of April 2023.

10 **GREENBERG TRAUIG, LLP**

11 By: /s/ Kara B. Hendricks

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**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION**

The matter presently before the Court centers on the financial dealings of Paula Beasley, the now ex-wife of Matthew Beasley, following Mr. Beasley’s arrest stemming from an alleged ponzi-scheme. Following Mr. Beasley’s arrest, the Receiver became aware that Mrs. Beasley, with the aid of counsel, had liquidated and/or disposed of substantial Receivership assets despite being aware of the asset freeze implemented in this case. Following an unsuccessful attempt to resolve this matter, the Receiver moved this Court to compel Mrs. Beasley and Mr. Grigsby’s compliance with the Court’s orders. On December 16, 2022, the Court provided Mrs. Beasley and Mr. Grigsby an opportunity to turnover necessary information and documentation pertaining to the assets in question, with the caveat that, in the event Mr. Grigsby and Mrs. Beasley failed to fully comply with the Court’s directive, the Receiver was to re-file its Motion for Order to Show Cause.

Despite the fact that the Receiver granted Mr. Grigsby additional time to comply, Mr. Grigsby and Mrs. Beasley failed to produce documents and information sufficient to satisfy the Court’s order. As such, the Receiver is filing concurrently herewith a Motion for Order to Show Cause Why Paula Beasley and Aaron Grigsby should not be Held in Contempt for Failure to Comply with this Court’s Orders and Alternative Motion for Turnover (the “Motion for Order to Show Cause”).

In order to demonstrate the deficiencies in Mr. Grigsby and Mrs. Beasley’s production, the Receiver submitted the documents produced by Mr. Grigsby as exhibits to the Motion for Order to Show Cause. The Receiver believes it is imperative for this Court to evaluate the documents as produced, without redactions by the Receiver’s counsel. However, because the exhibits contain personal identifying information, including addresses, telephone numbers, account numbers and balances, sealing the same is appropriate.

**II. LEGAL ARGUMENT**

Pursuant to Federal Rule of Civil Procedure 5.2(d), a court “may order that a filing be made under seal without redaction,” and the Supreme Court has acknowledged that the decision

1 to seal documents is “one best left to the sound discretion of the trial court, a discretion to be  
2 exercised in light of the relevant facts and circumstances of the particular case.” *Nixon v. Warner*  
3 *Communications, Inc.*, 435 U.S. 589, 599 (1978). In deciding the degree of protection required,  
4 courts should consider “the interests [of] the parties in light of the public interest and the duty of  
5 the courts.” *Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th Cir. 1995), quoting *Nixon*, 435 U.S.  
6 at 602; *see also Seattle Times Co. v. Rhinehart*, 467 U.S. 20, 36 (1984) (interpreting FRCP 26(a)  
7 as conferring “broad discretion” upon trial courts in deciding “when a protective order is  
8 appropriate and what degree of protection is required”).

9 “A party seeking to seal judicial records can overcome the strong presumption of access  
10 by providing ‘sufficiently compelling reasons’ that override the public policies favoring  
11 disclosure.” *Aerodynamics Inc. v. Caesars Entm’t Operating Co., Inc.*, 2:15-CV-01344-JAD,  
12 2015 WL 5679843, at \*13 (D. Nev. Sept. 24, 2015), quoting *In re Midland Nat. Life Ins. Co.*  
13 *Annuity Sales Practices Litig.*, 686 F.3d 1115, 1119 (9th Cir. 2012). Here, the documents at issue  
14 are exhibits to a motion for order to show cause and represent the basis for the Receiver’s request  
15 for court intervention. As such, the “compelling reasons” standard applies. Compelling reasons  
16 may exist “when such ‘court files might have become a vehicle for improper purposes,’ such as  
17 the use of records to gratify private spite, promote public scandal, circulate libelous statements,  
18 or release trade secrets.” *Kamanakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1179 (9th  
19 Cir. 2006) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978)).

20 The exhibits attached to the Motion for Order to Show Cause consist of a variety of  
21 financial documents, most of which are unredacted. Within these documents are addresses,  
22 telephone numbers, and account numbers for Mrs. Beasley. Said information is highly relevant  
23 to the evaluation of the matter before the Court but should not be disclosed in public records. As  
24 such, the Receiver respectfully requests this Court grant the Receiver leave to file the exhibits to  
25 the Motion for Order to Show Cause under seal. If the Court declines the Receiver’s request to  
26 file the exhibits under seal, the Receiver respectfully request that this Court provide the  
27 opportunity to redact sensitive information before making the records publicly available.

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1 **III. CONCLUSION**

2 For the foregoing reasons, the Receiver respectfully requests leave to file the appendix  
3 exhibits to the Motion for Order to Show Cause under seal.

4 DATED this 13<sup>th</sup> day of April, 2023.

5 **GREENBERG TRAUERIG, LLP**

6 By: */s/ Kara B. Hendricks*

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**CERTIFICATE OF SERVICE**

I hereby certify that, on the 13<sup>th</sup> day of April, 2023, a true and correct copy of the foregoing **RECEIVER GEOFF WINKLER’S MOTION FOR LEAVE TO SEAL APPENDIX OF EXHIBITS TO MOTION FOR ORDER TO SHOW CAUSE WHY PAULA BEASLEY AND AARON GRIGSBY SHOULD NOT BE HELD IN CONTEMPT FOR FAILURE TO COMPLY WITH THIS COURT’S ORDERS AND ALTERNATIVE MOTION FOR TURNOVER** was filed electronically via the Court’s CM/ECF system. Notice of filing will be served on all parties by operation of the Court’s CM/ECF system, and parties may access this filing through the Court’s CM./ECF system and by serving via email by United States first class mail, postage pre-paid on the parties listed below:

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