Court of Appeals, State of Michigan

ORDER

NOSSONAL KLEINFELDT V NICOLE STERN

Docket No. 379759

LC No. 2022-511266-DC

James Robert Redford
Presiding Judge

Michael J. Kelly

Michelle M. Rick
Judges

The motion "to seal court file in part" is GRANTED in part, as to appellee's brief and most of his proposed confidential exhibits, but DENIED in part, as to all court orders or opinions contained in appellee's proposed confidential appendix. This Court finds good cause to seal the briefs and exhibits in question because they include extensive discussion of information deemed "confidential" under two stipulated protective orders entered by the trial court. Under the circumstances, there are no less restrictive means to adequately and *effectively* protect the interests involved. See MCR 7.211(C)(9)(e). Even assuming that appellant's counsel is correct that requiring appellee to bifurcate the disputed brief into two versions would be a "less restrictive," feasible approach, doing so would needlessly compound the difficulty of appellate review, leading to an unnecessary waste of public resources. See MCR 8.119(I)(2)(b) (providing that "the interest of the public" must be considered as part of this inquiry). On the other hand, given that appellee's proposed confidential appendix includes court orders, his request to seal that appendix *in its entirety* must be denied. See MCR 8.119(I)(6).

On the Court's own motion pursuant to MCR 7.216(A)(7) and (A)(9), the proposed confidential appendix filed by appellee on July 30, 2026, is STRICKEN. Appellee's counsel is DIRECTED to file a revised version of that appendix in this Court—a version containing no court orders or opinions but otherwise containing the same exhibits as the previously filed version—within 7 days of this order's entry. If filed in conformity with this order, the revised appendix will be docketed in this Court under seal; otherwise, it may be rejected by the Clerk of this Court or, if docketed, later stricken on this Court's own motion.

The Clerk shall disclose or provide copies of any order or opinion entered in this appeal, MCR 8.119(I)(5), MCR 7.211(C)(9)(c), but sealed pleadings or other contents of the file shall not be disclosed or made available for public viewing.

The Clerk is directed to forward a copy of this order to the Clerk of the Supreme Court and to the State Court Administrative Office. MCR 8.119(I)(7); MCR 7.211(C)(9)(c).

Presiding Judge

A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

August 14, 2026
Date

Chief Clerk