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13 Attorneys for Attorneys for Defendant PFP Dorsey Investments, LLC

14 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

15 IN AND FOR THE COUNTY OF MARICOPA

16 JIE CAO and HAINING “FRAZER” XIA,  
17 a married couple; STONE XIA, an  
18 individual,

19 Plaintiffs,

20 v.

21 PFP DORSEY INVESTMENTS, LLC, a  
22 Delaware limited liability company;  
23 DORSEY PLACE CONDOMINIUM  
24 ASSOCIATION, an Arizona nonprofit  
25 corporation;

26 Defendants.

No. CV2019-055353

**MOTION FOR AUTHORIZATION TO  
FILE DOCUMENTS RELATED TO PFP  
DORSEY INVESTMENTS, LLC’S  
APPLICATION FOR ATTORNEYS’  
FEES AND TAXABLE COSTS UNDER  
SEAL**

**EXPEDITED RULING REQUESTED**

(Assigned to the Honorable Daniel Martin)

27 Pursuant to Ariz. R. Civ. P. 5.4(e), (c) and (d), Defendant PFP Dorsey Investments,  
28 LLC (“PFP”), by and through undersigned counsel, hereby respectfully requests the Court  
enter an Order authorizing PFP to file under seal the itemized billing records of Garrey,

1 Woner, Hoffmaster & Peshek in support of PFP's Application for Attorneys' Fees and Costs.  
2 There is good cause for an Order for the exhibits to be filed under seal pursuant to Ariz. R.  
3 Civ. P. Rule 5.4(c) as the aforementioned document will contain proprietary information  
4 regarding Garrey, Woner, Hoffmaster & Peshek's hourly fee rate under a confidential  
5 contract with the PFP's insurance carrier, which is confidential. Moreover, the billing  
6 records of Garrey, Woner, Hoffmaster & Peshek contain information protected under the  
7 attorney-client privilege; while efforts will be made to redact privileged information, the  
8 case strategy, evaluation and nature of client communications are referenced throughout the  
9 billing record.  
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12           The insurance-defense market is highly competitive, but as this Court will see Garrey,  
13 Woner, Hoffmaster & Peshek's hourly fee rate is actually well below established market  
14 rates. There is a substantial probability that both the liability insurance carrier and Garrey,  
15 Woner, Hoffmaster & Peshek would be prejudiced if the confidential hourly rate was not  
16 filed under seal. Garrey, Woner, Hoffmaster & Peshek's overriding interest in protecting its  
17 hourly rate overcomes the right of public access to it. Moreover, there are no reasonable less  
18 restrictive alternatives to preserve the confidentiality of the information subject to the  
19 overriding interest. Accordingly, PFP is requesting that this Court enter an Order permitting  
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1 Garrey, Woner, Hoffmaster & Peshek's itemized billing records be filed under seal in order  
2 to protect the interests of the carrier and Garrey, Woner, Hoffmaster & Peshek in the  
3 proprietary and confidential documents.  
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8 RESPECTFULLY submitted this 7<sup>th</sup> day of January, 2021.  
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10  
11 GARREY, WONER, HOFFMASTER & PESHEK, P.C.  
12

13  
14 By /s/ Stephanie K. Gintert  
15 Shawna M. Woner  
16 Stephanie K. Gintert  
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19 Scottsdale, Arizona 85250  
20 Attorneys for Defendant PFP Investments, LLC  
21

22 ORIGINAL of the foregoing  
23 e-filed this 7<sup>th</sup> day of  
24 January, 2021, with the  
25 Clerk of Maricopa County  
26 Superior Court.  
27

28 COPY of the foregoing  
e-mailed this 7<sup>th</sup> day of  
January, 2021, to:

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By /s/ Izabelle Gutierrez