

No. \_\_\_\_

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IN THE

# Supreme Court of the United States

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Stepup Funny, L.L.C., doing business as Stepup Funny, doing business  
as AA7 Days,

Applicant,

v.

Newsweek Digital, L.L.C.,

Respondent.

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**APPLICATION FOR AN EXTENSION OF TIME TO FILE  
A PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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## **CORPORATE DISCLOSURE STATEMENT**

Applicant Stepup Funny, L.L.C., doing business as Stepup Funny, doing business as AA7 Days certifies that its parent corporation is Grator LLC, a Delaware Limited Liability Company.

To the Honorable Samuel A. Alito, Jr., Associate Justice of the Supreme Court of the United States and Circuit Justice for the Fifth Circuit:

Pursuant to Rule 13.5 of the Rules of this Court and 28 U.S.C. § 2101(c), Applicant Stepup Funny, L.L.C. respectfully requests a 60-day extension of time, to and including September 15, 2025, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Fifth Circuit in this case.

1. The Fifth Circuit entered judgment on April 18, 2024. *See* Ex. A. Applicant did not petition the Fifth Circuit for rehearing. Unless extended, the time to file a petition for a writ of certiorari will expire on July 17, 2025. The jurisdiction of this Court would be invoked under 28 U.S.C. § 1254(1).

2. Dealing with fake news and misinformation spewed by the media is one of the biggest challenges of our generation.

3. The seminal case of *Nixon v. Warner Communications*, 435 U.S. 589 (1978), provides a critical framework for evaluating the media’s access to judicial records, particularly when such access is sought for improper purposes. The Supreme Court in *Nixon* acknowledged that while there is a presumption in favor of public access to judicial records, this presumption is not absolute and must be weighed against potential improper uses of such access. Specifically, the Court noted that access should be denied where records might be used to “gratify private spite or promote public scandal.”

4. This principle is directly applicable to the current case, where Newsweek's CEO, Dev Pragad, has demonstrated a clear intent to use court records to further personal vendettas against the defendants.

5. Pragad infamously vowed to launch a fake news attack on his opponents in the form of a media "nuclear bomb," and then proceeded to write a series of 20 defamatory articles full of hundreds of defamatory statements, for which several of Newsweek's key executives, editors, and reporters are currently being sued in federal court.

6. The record is replete with evidence of Newsweek's spiteful and improper actions, led by Pragad, which have caused and continue to cause harm to the defendants. The media's role in this case is not one of genuine newsgathering but rather a personal vendetta of a major news company's CEO.

7. Pragad's private interest in the case stems from his establishment of a covert and unethical inner team formed at his behest for the purpose of criticizing perceived opponents in his attempted consolidation of shareholder power for his own private gain.

8. Newsweek's directive was to open up the sealed case with the hopes of finding a "reservoir" of "libelous statements" for press consumption.

9. Pragad's actions, including his threats to launch a "nuclear bomb" of defamatory articles against his opponents, underscore the improper purposes that *Nixon* warns against.

10. *Nixon* calls for factors like the media’s “private spite” and “improper purposes” to be “weighed” on the “scales” to determine whether a court should unseal a case.

11. The Supreme Court of the United States should reverse the lower court’s decision that allowed media company Newsweek to intervene and unseal filings because of the well-documented “improper purposes” of Newsweek’s Publisher, Dev Pragad, which should have been put on the scales as weighing heavily against press access per *Nixon*.

12. The lower court’s failure to properly consider these improper motives in its decision to unseal the records constitutes a misapplication of the *Nixon* precedent, warranting a reversal of its decision.

13. The case also presents significant privacy and confidentiality issues, given the private nature of the business dealings involved. The agreements between the parties included arbitration clauses, reflecting a mutual expectation of privacy and confidentiality. The lower court’s decision to unseal the records disregards these interests, which are protected under *Nixon*. The disclosure of sensitive business information not only harms the defendants’ competitive standing but also violates the confidentiality terms that were material to the business agreements involved.

14. Privacy, confidentiality, and freedom to contract are frequent considerations by courts that lend support to the sealing of cases involving civil litigants and civil settlements. Here, privacy interests should prevail since the

business arrangements were private, and private dispute resolution was chosen that covers the claims involved.

15. Furthermore, the lower court's failure to properly address subject matter jurisdiction, given the arbitration clauses in the agreements, further complicates the case.

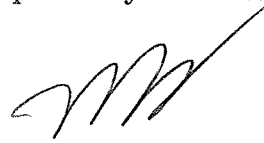
16. The district court, despite acknowledging the potential confidential information involved in the case; the potential harm caused to the defendants; and, euphemistically, the "allegedly fraught relationship between Newsweek and some of the Defendants" – stated outright that it did not factor the latter into its analysis.

17. In conclusion, the legal issues in this case, particularly the improper purposes of the media as highlighted in *Nixon*, the privacy interests of the defendants, and the jurisdictional and procedural defects, strongly support the reversal of the lower court's decision to unseal the records. The Court should uphold the principles of fairness and justice by protecting the defendants from the media's abusive practices and ensuring that judicial records are not misused for personal vendettas.

18. The requested extension will ensure that counsel have time to fully brief the important issues in this case. For all these reasons, Applicant Stepup Funny, L.L.C. respectfully requests a 60-day extension of time, to and including September 15, 2025, within which to file a petition for a writ of certiorari.

Dated: July 17, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Yen-Yi Anderson', written in a cursive style.

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