

In the Supreme Court of the United States

M.W.,

Applicant,

v.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES, N.G., AND O.A.,

Respondents.

To the Honorable Elena Kagan,
Associate Justice of the Supreme Court of the United States
and Circuit Justice for the Ninth Circuit

**MOTION FOR LEAVE TO FILE APPENDICES TO EMERGENCY
APPLICATION FOR ADMINISTRATIVE STAY AND STAY PENDING
PETITION FOR CERTIORARI UNDER SEAL**

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Counsel for Applicant M.W.

Pursuant to Supreme Court Rule 34.7, Applicant M.W. respectfully requests leave to file certain appendices to her Emergency Application for Administrative Stay and Stay Pending Filing of Petition for Certiorari under seal and states as follows:

1. This action arises from a surrogacy and parentage action filed by Respondents N.G. and O.A. in California in which the parties dispute parentage and custody of a medically fragile newborn child, born on August 12, 2026. Under California law, all papers and records in gestational carrier parentage proceedings, except the final judgment, are confidential. *See* Cal. Fam. Code §§ 7962, subds. (g)–(h); 7643.5; Cal. R. Ct. 5.78(b), (f).

2. The proceedings, papers, and records in this action were accordingly sealed in the trial court. *See* App.L.30; App.A.109; App.J.123; App.B.225 (ordering that transcripts and briefs be filed under seal). M.W. likewise sought leave to file those materials under seal in both the California Court of Appeal and the California Supreme Court, which those courts granted. *See also* App.O.2, 6–7, 10, 12 (granting applicant’s appellate motions to file material under seal). In addition, M.W.’s application attaches papers filed in related proceedings that were placed under seal by order dated August 25, 2026. *See* Texas District Court, 301st Judicial District, Dallas County, No. DF-26-09446, *In re Interest of an Unborn Child* (Aug. 25, 2026).

3. Although M.W. takes no position on whether these materials should be confidential under this Court’s rules, practices, and precedents, in an abundance of caution and to comply with the sealing orders issued by the lower courts, she seeks leave to file her appendices under seal to maintain the confidentiality of the proceedings in accordance with California law.

4. M.W. therefore respectfully requests leave to file the following appendices to her Emergency Application under seal because they were sealed below:

- Appendix A—Trial Court, 6/12/26 Transcript and Minute Order
- Appendix B—Trial Court, 6/22/26 Transcript, Minute Order, and Judgment

- Appendix C—Trial Court, 7/17/26 Minute Order Denying Motion to Stay Judgment
- Appendix D—Texas District Court, 9/2/26 Order
- Appendix E—Trial Court, Applicant’s Opposition Brief to Ex Parte Relief
- Appendix F—Trial Court, Notice of Special Appearance
- Appendix G—Texas District Court, 8/25/26 Transcript
- Appendix H—Texas District Court, 8/11/26 Emergency Orders
- Appendix I—Surrogacy Contract
- Appendix J—Trial Court, 6/15/26 Transcript and Minute Order
- Appendix K—Trial Court, Proof of Service
- Appendix L—Trial Court, 6/5/26 Transcript and Minute Order
- Appendix M—Trial Court Docket
- Appendix N—Texas District Court, Request for De Novo Hearing

WHEREFORE, M.W. respectfully requests that the Court grant her motion for leave to file Appendices A–N under seal.

Dated: September 9, 2026

Respectfully submitted,

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PROOF OF SERVICE

A copy of this motion was served by U.S. mail to the parties or their attorneys listed below in accordance with Supreme Court Rule 22.2 and 29.3:

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Dated: September 9, 2026

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