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Attorneys for Plaintiff

IN THE FIRST JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN AND FOR CARSON CITY

JENNIFER FLEISCHMANN, an
individual,

Plaintiff,

vs.

FRANCISCO V. AGUILAR, in his
official capacity as NEVADA
SECRETARY OF STATE,

Defendant,

vs.

REPAIR THE VOTE, a Nevada political
action committee,

Intervenor-Defendant.

Case No.: 23 OC 00136 1B

Dept. No.: II

NOTICE OF APPEAL

2024 MAR 12 PM 2:06

Electronically Filed
Mar 15 2024 11:49 AM
Elizabeth A. Brown
Clerk of Supreme Court

1 **NOTICE OF APPEAL**

2 Plaintiff JENNIFER FLEISCHMANN, by and through her undersigned
3 counsel, and pursuant to NRS 41.670(4), hereby appeals to the Supreme Court of the
4 State of Nevada the district court's Findings of Facts, Conclusions of Law, and Order
5 entered on March 6, 2024. A true and correct copy of the district court's order is
6 attached hereto as Exhibit A.

7 **AFFIRMATION**

8 The undersigned hereby affirm that the foregoing document does not contain
9 the social security number of any person.

10 DATED this 11th day of March, 2024.

11 **BRAVO SCHRAGER LLP**

12
13 By: 
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of March, 2024, I served the foregoing
NOTICE OF APPEAL by depositing a true copy of the same via electronic mail, per
January 31, 2024, Stipulation, as follows:

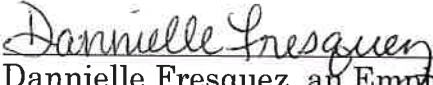
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Capacity as the Nevada Secretary of
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By: 
Dannielle Fresquez, an Employee of
BRAVO SCHRAGER LLP

INDEX OF EXHIBITS

Exhibit No.	Document Title	No. of Pages
A	Findings of Fact, Conclusions of Law, and Order	7

EXHIBIT A

EXHIBIT A

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REC'D & FILED

2024 MAR -6 PM 2:17

WILLIAM SCOTT

CLERK

BY

DEPUTY

7 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR CARSON CITY

9 JENNIFER FLEISCHMANN, an INDIVIDUAL,)

Case No. 23 OC 00136 1B

10 Plaintiff,)

Dept No. 2

11 and)

12 FRANCISCO V. AGUILAR, in his official
13 capacity as NEVADA SECRETARY OF
14 STATE,)

**FINDINGS OF FACTS, CONCLUSIONS
OF LAW, AND ORDER**

15 Defendant.)

16 This matter came before this Court on Plaintiff, Jennifer Fleischman ("Plaintiff")
17 Complaint, filed on December 4, 2023, seeking declaratory and injunctive relief. Plaintiff was
18 represented by her counsel of record, David R. Fox, Esq., with Elias Law Group LLP, and Scott
19 Gilles, Esq., of the Griffin Company. Defendant, Francisco V. Aguilar, in his official capacity
20 as Nevada Secretary of State was represented by counsel Jules St-Laena, with the Nevada
21 Attorney General's Office. Defendant filed an Answer to the Complaint. Intervenor, David G.
22 Gibbs, on behalf of the Repair the Vote PAC was present with his counsel of record, David C.
23 O'Mara, Esq. with the O'Mara Law Firm, P.C. Intervenor-Defendant Repair the Vote filed a
24 Responding Brief on February 9, 2024, and Plaintiff filed her Reply on February 16, 2024.

25 On November 8, 2023, David G. Gibbs, on behalf of the Repair the Vote political action
26 committee, filed Initiative Petition C-02-2023.

27 On December 4, 2023, Plaintiff, Jennifer Fleischmann ("Plaintiff") filed a Complaint
alleging two issues which preclude the Petition (C-02-2023) from being circulated for signature

1 gathering or considered by Nevada. Plaintiff argues that the Petition, if enacted, would violate
2 Article 19, Section 6 of the Nevada Constitution by failing to provide for a funding mechanism
3 for the changes it proposes, including the necessary expenditure of public funds to expand
4 access to free photo identification for eligible voters. Plaintiff also argues that the description
5 of effect does not comply with Nevada law because it omits information about the Petition,
6 including the need for an additional revenue source, a description of what forms of
7 identification would be acceptable, and an explanation of what form the “additional
8 verification” of identity for mail in ballot would take. Plaintiff asks this Court to enjoin the
9 Secretary of State from taking further action on the Petition and prohibiting the Petition from
10 being placed on the general election ballot.

11 Intervenor-Defendant, Repair the Vote filed a Responsive Brief disputing Plaintiff’s
12 allegation, and instead, argued that the Petition could not be challenged, pursuant to NRS
13 295.061, the challenge was precluded under the legal doctrines of Res Judicata/Collateral
14 Estoppel, that the Description of Effect is proper and valid, and that the Petition does not violate
15 Nevada’s Constitutional prohibition of initiative that mandate unfunded expenditures.

16 In Plaintiff’s reply, Plaintiff argues that the challenge is not precluded by NRS 295.061
17 or precluded under the legal doctrines of Res Judicata and Collateral Estoppel because Plaintiff
18 was not a party, or in privity, to the previous parties in the *Persaud-Zamora* litigation.

19 FINDINGS OF FACTS

20 On November 8, 2023, David G. Gibbs, on behalf of the Repair the Vote political action
21 committee, filed Initiative Petition C-02-2023. The Petition seeks to amend the Nevada
22 Constitution to include voter identification requirement on in-person voting. The Initiative also
23 seeks to revise the vote by mail process to require Nevadans who vote by mail to include an
24 identifying number from one of specified government issued documents with their mail-in
25 ballots.

26 The initiative would add to the Nevada Constitution the following text:

27 Article 2 of the Nevada Constitution is hereby amended by adding thereto new sections to

1 be designated as Section 1C, to read as follows:

2 **Sec. 1B. Photo Identification.** Each voter in Nevada shall present photo
3 identification to verify their identity when voting in person at a polling place
4 during early voting or on election day before being provided a ballot. To be
5 considered valid, the photo identification must be current or expired for no more
6 than four years. If the voter is 70 years old or more, the identification can be
7 expired for any length of time, so long as it is otherwise valid. Acceptable forms
8 of identification include:

- 9 1. Nevada driver's license.
- 10 2. Identification card issued by the State of Nevada, any other State, or the US
11 Government
- 12 3. Employee photo identification card issued by the US government, Nevada
13 government, or any county, municipality, board, authority, or other Nevada
14 government entity,
- 15 4. US Passport,
- 16 5. US military identification card
- 17 6. Student photo identification card issued by a Nevada public college, university, or
18 technical school.
- 19 7. Tribal photo identification.
- 20 8. Nevada concealed firearms permit.
- 21 9. Other form of government-issued photo identification that the Legislature may
22 approve.

23 **Sec 1C. Voter Verification.** Each voter in Nevada who votes by mail-in-ballot
24 shall enter one of the following in the block provided next to the voter's
25 signature for election officials to use in verifying the voter's identity.

- 26 10. The last four digits of their Nevada driver's license number.
- 27 11. If the voter does not possess a Nevada driver's license, the last four digits of their
28 Social Security Number.
- 29 12. If the voter is neither a Nevada driver's license or Social Security number, the
30 number provided by the county clerk when the voter registered to vote.

31 The Initiative Petition specifically provides the following Description of Effect:

32 *If passed, this initiative would amend the State Constitution to require that all*
33 *persons voting in person present an approved photo identification before being*
34 *provided a ballot. It also requires that voters submitting a mail-in ballot*
35 *provide additional verification of their identity when completing their mail-*
36 *ballot.*

37 CONCLUSIONS OF LAW

38 **A. The Description of Effect is Proper and Valid.**

39 Nevada law allows Plaintiff to petition to bring suit alleging that the description of the
40 initiative's effect is deficient pursuant to NRS 295.061. Each petition for initiative or

1 referendum must set forth, in 200 words, “a description of the effect of the initiative or
2 referendum if the initiative or referendum is approved by the voters.” NRS 295.009.1(b). “A
3 description of effect serves a limited purpose to facilitate the initiative process, and to that end,
4 it must be straightforward, succinct, and nonargumentative summary of what the initiative is
5 designed to achieve and how it intends to reach those goals.” *Education Init. v. Comm. to*
6 *Protect Nev. Jobs*, 293 P.3d 874, 876 (Nev. 2013). “The description of effect cannot
7 constitutionally be required to delineate every effect that an initiative will have; to conclude
8 otherwise could obstruct, rather than facilitate, the people’s right to the initiative process.” *Id.*
9 Judicial review of a petition’s description of effect does not involve the close textual analysis
10 statutory construction does.” *Prevent Sanctuary Cities v. Haley*, 421 P.3d 281, *3 (Nev. 2018)
11 (unpublished decision).

12 When “the information contained in the description is neither deceptive nor misleading” so
13 as to be “substantively correct and does not misrepresent what the initiative will accomplish or
14 how it will achieve those goals,” it satisfies the description requirement. *Id.* at 884.

15 In this case, Plaintiff complaints regarding the Description of Effect are hyper-technical
16 nitpicking of the description. The Description of Effect is substantively correct, does not
17 misrepresent what the initiative will accomplish, and is straightforward, succinct, and is a
18 nonargumentative summary of what the initiative is designed to achieve. The Court does not,
19 and will not exam the brief, and clearly worded by imposing a hyper-technical examination as
20 to whether the description covers each and every aspect of the initiative. *See e.g. Educ. Init.*,
21 129 Nev. at 49.

22 Accordingly, the Court finds that the Description of Effect adequately summarizes the
23 Initiative and complies with NRS 295.009.

24 **B. The Petition Does Not Violate the Nevada Constitution’s Prohibition of Initiatives**
25 **that Mandate Unfunded Expenditures**

26 Article 19, Section 6 of the Nevada Constitution does not permit an initiative to “make[] an
27 appropriation or otherwise require the expenditure of money, unless such statute or amendment
also imposes a sufficient tax...” An “appropriation is the setting aside of fund” and an

1 “expenditure of money is the payment of funds.” *See Rogers v. Heller*, 117 Nev. 169, 18 P.3d
2 1034, 1036. When an initiative “neither explicitly nor implicitly compels and appropriation or
3 expenditure, but rather, leaves the mechanics of its enforcement with government officials, it
4 does not involve and appropriation or expenditure.” *See Herbst Gaming, Inc. v. Heller*, 122
5 Nev. 877, 141 P.3d 1224, 1233.

6 The Initiative does not mandate an expenditure or appropriation, nor does it require an
7 expenditure of money. Indeed, nothing in the text of the Initiative would require a Nevada
8 official to appropriate funds to, or to expend new funds.

9 The Initiative simply requires voters to present a valid identification when voting and
10 provides a list of approved photo identifications. Nothing in the text of the initiative requires
11 Nevada officials to appropriate funds to or to expend new funds. Additionally, the initiative
12 will only require mail-in ballots to have a block next to the voter’s signature for the voter to add
13 digits form their driver’s license number, social security number, or a number provided by the
14 county clerk. None of these changes mandates an appropriation or expenditure.

15 Additionally, the issue of whether the enactment of the Initiative meets federal
16 constitutional requirements is not relevant to the Court’s analysis of whether the Initiative
17 requires an appropriation or expenditure. First, the Initiative does not require and appropriation
18 or expenditure by a governmental official. Second, “the substantive validity of an initiative
19 should be challenged if and when the initiative becomes law. *See Herbst Gaming, Inc. v.*
20 *Heller*, 117 Nev. 169, 141 P.3d 1224, 1233.

21 In *Herbst*, the Supreme Court specifically found that “pre-election challenges to an
22 initiatives’ substantive constitutionality are not ripe” for judicial review. *Id.* “A primary focus
23 in such cases has been the degree to which the harm alleged by the party seeking review is
24 sufficiently concrete, rather than remote or hypothetical, to yield a justiciable controversy.” *Id.*
25 Alleged harm that is speculative or hypothetical is insufficient: an existing controversy must be
26 present. *Id.* Pre-election challenges lack a concrete factual context in which a provision may be
27 evaluated, and any harm is highly speculative since the measure may not even pass at election

1 time.

2 Accordingly, the Initiative does not seek to have an appropriation or expenditures of
3 funds in violation of the unfunded mandate provision. Additionally, whether there is an issue
4 regarding the Initiative meeting federal constitutional requirements is not ripe for this Court's
5 review because the Initiative should be challenged, if at all, when the initiative becomes law.

6 ***C. NRS 295.061 does not preclude Petitioner from Challenging the Description of Effect.***

7
8 The Court finds that NRS 295.061 is not applicable to the pending initiative. It is public
9 policy for the Court to render a decision on merits of the parties' claims and defenses, and thus
10 the Court makes no findings as to whether NRS 295.061 is applicable.

11 ***D. Res judicata and Collateral Estoppel do not apply.***

12 For Res Judicata and Collateral Estoppel to be applicable, the Court must review and
13 consider four factors. The four factors that are required are (1) the issue decided in the prior
14 litigation must be identical to the issue presented in the current action; (2) the initial ruling must
15 have been on the merits and have become final; ... (3) the party against whom the judgment is
16 asserted must have been a party or in privity with a party to the prior litigation, and (4) the issue
17 was actually and necessarily litigated.

18 The Court does not find that the factors for precluding a claim under Res Judicata and
19 Collateral Estoppel are found in this pending case, and thus, deny Repair the Vote's request to
20 preclude this matter from being heard on the merits. It is public policy for the Court to render a
21 decision on merits of the parties' claims and defenses, and thus the Court concludes that the two
22 initiatives before the Court are not the same, and thus, neither Res Judicata or Collateral
23 Estoppel applies.

24 **ORDER**

25 This Court, having reviewed the pleadings and papers filed herein, accepted arguments
26 from the parties, and good cause appearing, Order as Follows:

- 27 1. The Court does find that NRS 295.061 is not applicable to preclude Plaintiff from

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challenging the Description of Effect.

2. Res Judicata and Collateral Estoppel does not preclude Plaintiff from bringing a challenge to the initiative.

3. The Description of Effect satisfies the requirement of NRS 295.009 as it is substantively correct, does not misrepresent what the initiative will accomplish, and is straightforward, succinct, and is a nonargumentative summary of what the Initiative is designed to achieve.

4. The language of the proposed constitutional amendment does not create an appropriation or unfunded expenditure, and therefore does not violate Article 19, Section 6 of the Nevada Constitution.

5. Plaintiff's request for declaratory and injunctive relief are DENIED. The matter is dismissed with prejudice.
DATED: March 6, 2024.

William A. Maddox
DISTRICT COURT JUDGE

Submitted by
/s/ David C. O'Mara, Esq.

DAVID C. O'Mara, Esq.
Attorney for Repair the Vote

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2024 MAR 12 PM 2:00

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Attorneys for Plaintiff

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JENNIFER FLEISCHMANN, an
individual,

Case No.: 23 OC 00136 1B

Dept. No.: II

Plaintiff,

vs.

CASE APPEAL STATEMENT

FRANCISCO V. AGUILAR, in his
official capacity as NEVADA
SECRETARY OF STATE,

Defendant,

vs.

REPAIR THE VOTE, a Nevada political
action committee,

Intervenor-Defendant.

1 CASE APPEAL STATEMENT

2 Plaintiff JENNIFER FLEISCHMANN, by and through her undersigned
3 counsel, and pursuant to NRS 41.670(4), hereby appeals the Findings of Facts,
4 Conclusions of Law, and Order that the Court entered on March 6, 2024.

5 1. Appellant filing this case appeal statement: Jennifer Fleischmann

6 2. Judge issuing decision, judgment, or order appealed from:
7 Hon. William A. Maddox

8 3. Appellant: Jennifer Fleischmann

9 COUNSEL OF RECORD:

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4. Respondent: Francisco V. Aguilar

COUNSEL OF RECORD:

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Senior Deputy Attorney General

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Respondent: Repair the Vote

COUNSEL OF RECORD:
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5. Appellant's Counsel Daniel J. Cohen, Esq. was granted permission to appear under SCR 42 on January 16, 2024.

6. Appellant was represented by counsel in the district court.

7. Appellant is represented by counsel on appeal.

8. No request has been made to proceed in forma pauperis.

9. The Complaint in this matter was originally filed on December 4, 2023.

10. The Complaint in this matter alleges that Initiative Petition C-02-2023 (the "Petition"): (1) does not comply with Article 19, Section 6 of the Nevada Constitution because it impermissibly creates an unfunded mandate, and is therefore invalid; description of effect does not comply with NRS 295.009(1)(b) because it is deceptive, misleading, and fails to explain the ramifications of the proposed amendment to allow voters to make an informed decision, and is therefore invalid; and (2) the Petition's description of effect does not comply with NRS 295.009(1)(b) because it is deceptive, misleading, and fails to explain the ramifications of the proposed amendment to allow voters to make an informed decision, and is therefore invalid. The Complaint asks the district court to enjoin and prohibit the Secretary of State from placing the Petition on the 2024 general election ballot.

11. The case has not been subject of an appeal to or original writ proceeding in the Supreme Court.

12. This appeal does not involve child custody or visitation.

13. This appeal does not involve the possibility of settlement.

1 **AFFIRMATION**

2 The undersigned hereby affirm that the foregoing document does not contain
3 the social security number of any person.

4 DATED this 11th day of March, 2024.

5 **BRAVO SCHRAGER LLP**

6
7 By: 

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20 *Attorneys for Plaintiff*
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1 CERTIFICATE OF SERVICE

2 I hereby certify that on this 11th day of March, 2024, I served the foregoing
3 **CASE APPEAL STATEMENT** by depositing a true copy of the same via electronic
4 mail, per January 31, 2024, Stipulation, as follows:

5 Laena St Jules
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10 *Attorneys for Defendant,*
11 *Francisco V. Aguilar in his Official*
12 *Capacity as the Nevada Secretary of*
13 *State*

Attorneys for Intervenor-Defendant

14 Billie Shadron
15 Julie Harkleroad
16 Judicial Assistant to
17 Hon. William A. Maddox
18 First Judicial District Court, Dept. II
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20 jharkleroad@carson.org

21 By: Dannielle Fresquez
22 Dannielle Fresquez, an Employee of
23 BRAVO SCHRAGER LLP
24
25
26
27
28

Judge: MADDOX, WILLIAM A

Case No. 23 OC 00136 1B
Ticket No.
CTN:

FLEISCHMANN, JENNIFER

By:

AGUILAR, FRANCISCO V DRSPND

-vs-

By:

Dob: Sex:
Lic: Sid:
NEVADA STATE SECRETARY DRSPND

By:

Dob: Sex:
Lic: Sid:

Plate#:
Make:
Year: Accident:
Type:
Venue:
Location:

FLEISCHMANN, JENNIFER PLNTPET

Bond:
Type:

Set:
Posted:

Charges:

Ct. Offense Dt: Cvr:
Arrest Dt:
Comments:

Ct. Offense Dt: Cvr:
Arrest Dt:
Comments:

Sentencing:

No.	Filed	Action	Operator	Fine/Cost	Due
1	03/12/24	RECEIPT	1BCCOOPER	0.00	0.00
2	03/12/24	APPEAL BOND DEPOSIT Receipt: 83905 Date: 03/12/2024	1BCCOOPER	500.00	0.00
3	03/12/24	CASE APPEAL STATEMENT	1BCCOOPER	0.00	0.00
4	03/12/24	NOTICE OF APPEAL Receipt: 83905 Date: 03/12/2024	1BCCOOPER	24.00	0.00
5	03/11/24	NOTICE OF ENTRY OF ORDER	1BPETERSON	0.00	0.00
6	03/07/24	SUMMARY JUDGMENT	1BPETERSON	0.00	0.00
7	03/06/24	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BPETERSON	0.00	0.00
8	03/06/24	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER	1BPETERSON	0.00	0.00
9	02/21/24	REQUEST FOR SUBMISSION FOR COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION C-02-2023	1BPETERSON	0.00	0.00
10	02/21/24	REPLY IN SUPPORT OF MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION C-02-2023	1BPETERSON	0.00	0.00
11	02/13/24	RESPONDING BRIEF	1BCCOOPER	0.00	0.00
12	02/02/24	NOTICE OF ENTRY OF ORDER OF STIPULATION AND SCHEDULING ORDER OF THE COURT	1BPETERSON	0.00	0.00
13	01/31/24	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
14	01/31/24	STIPULATION AND SCHEDULING ORDER OF THE COURT	1BCCOOPER	0.00	0.00
15	01/30/24	NOTICE OF ENTRY OF ORDER	1BJULIEH	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
16	01/30/24	SECRETARY OF STATE'S ANSWER TO COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITIONER C-02-2023	1BJULIEH	218.00	0.00
17	01/30/24	NOTICE OF ENTRY OF ORDER GRANTING STIPULATION TO EXTEND DEADLINE	1BJULIEH	0.00	0.00
18	01/25/24	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BDORTIZ	0.00	0.00
19	01/25/24	STIPULATION TO EXTEND DEADLINE AND ORDER	1BDORTIZ	0.00	0.00
20	01/16/24	PLAINTIFF'S ORDER ADMITTING TO PRACTICE	1BJULIEH	0.00	0.00
21	01/12/24	REQUEST FOR SUBMISSION	1BJULIEH	0.00	0.00
22	01/09/24	AFFIDAVIT OF MAILING	1BVANESSA	0.00	0.00
23	01/09/24	MEMORANDUM OF TEMPORARY ASSIGNMENT	1BVANESSA	0.00	0.00
24	12/26/23	MOTION TO ASSOCIATE COUNSEL PURSUANT TO NEVADA SUPREME COURT RULE 42	1BCFRANZ	0.00	0.00
25	12/13/23	AFFIDAVIT OF SERVICE	1BPETERSON	0.00	0.00
26	12/13/23	SUMMONS	1BPETERSON	0.00	0.00
27	12/08/23	ORDER TRANSFERRING CASE TO SENIOR JUDGE WILLIAM A. MADDOX	1BPETERSON	0.00	0.00
28	12/07/23	NOTICE OF ASSIGNMENT BY CLERK	1BPETERSON	0.00	0.00
29	12/06/23	PEREMPTORY CHALLENGE OF JUDGE	1BPETERSON	0.00	0.00
30	12/04/23	ISSUING SUMMONS	1BCCOOPER	0.00	0.00
31	12/04/23	PLAINTIFFS MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION C-02-202333	1BCCOOPER	0.00	0.00
32	12/04/23	INITIAL APPEARANCE FEE DISCLOSURE	1BCCOOPER	0.00	0.00
33	12/04/23	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION CO-002-2023 Receipt: 82510 Date: 12/04/2023	1BCCOOPER	265.00	0.00
Total:				1,007.00	0.00
Totals By:				COST	507.00
				HOLDING	500.00
				INFORMATION	0.00
*** End of Report ***					

THE O'MARA LAW FIRM, P.C.
DAVID C. O'MARA (Nevada Bar No. 8599)
311 East Liberty Street
Reno, NV 89501
Telephone: 775/323-1321
Facsimile: 775/323-4082

REC'D & FILED

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WILLIAM SCOTT HOEN
CLERK

BY _____
DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY

JENNIFER FLEISCHMANN, an INDIVIDUAL,)
Plaintiff,)
and)
FRANCISCO V. AGUILAR, in his official)
capacity as NEVADA SECRETARY OF)
STATE,)
Defendant.)

Case No. 23 OC 00136 1B

Dept No. 2

**FINDINGS OF FACTS, CONCLUSIONS
OF LAW, AND ORDER**

This matter came before this Court on Plaintiff, Jennifer Fleischman ("Plaintiff") Complaint, filed on December 4, 2023, seeking declaratory and injunctive relief. Plaintiff was represented by her counsel of record, David R. Fox, Esq., with Elias Law Group LLP, and Scott Gilles, Esq., of the Griffin Company. Defendant, Francisco V. Aguilar, in his official capacity as Nevada Secretary of State was represented by counsel Jules St-Laena, with the Nevada Attorney General's Office. Defendant filed an Answer to the Complaint. Intervenor, David G. Gibbs, on behalf of the Repair the Vote PAC was present with his counsel of record, David C. O'Mara, Esq. with the O'Mara Law Firm, P.C. Intervenor-Defendant Repair the Vote filed a Responding Brief on February 9, 2024, and Plaintiff filed her Reply on February 16, 2024.

On November 8, 2023, David G. Gibbs, on behalf of the Repair the Vote political action committee, filed Initiative Petition C-02-2023.

On December 4, 2023, Plaintiff, Jennifer Fleischmann ("Plaintiff") filed a Complaint alleging two issues which preclude the Petition (C-02-2023) from being circulated for signature

1 gathering or considered by Nevada. Plaintiff argues that the Petition, if enacted, would violate
2 Article 19, Section 6 of the Nevada Constitution by failing to provide for a funding mechanism
3 for the changes it proposes, including the necessary expenditure of public funds to expand
4 access to free photo identification for eligible voters. Plaintiff also argues that the description
5 of effect does not comply with Nevada law because it omits information about the Petition,
6 including the need for an additional revenue source, a description of what forms of
7 identification would be acceptable, and an explanation of what form the “additional
8 verification” of identity for mail in ballot would take. Plaintiff asks this Court to enjoin the
9 Secretary of State from taking further action on the Petition and prohibiting the Petition from
10 being placed on the general election ballot.

11 Intervenor-Defendant, Repair the Vote filed a Responsive Brief disputing Plaintiff’s
12 allegation, and instead, argued that the Petition could not be challenged, pursuant to NRS
13 295.061, the challenge was precluded under the legal doctrines of Res Judicata/Collateral
14 Estoppel, that the Description of Effect is proper and valid, and that the Petition does not violate
15 Nevada’s Constitutional prohibition of initiative that mandate unfunded expenditures.

16 In Plaintiff’s reply, Plaintiff argues that the challenge is not precluded by NRS 295.061
17 or precluded under the legal doctrines of Res Judicata and Collateral Estoppel because Plaintiff
18 was not a party, or in privity, to the previous parties in the *Persaud-Zamora* litigation.

19 FINDINGS OF FACTS

20 On November 8, 2023, David G. Gibbs, on behalf of the Repair the Vote political action
21 committee, filed Initiative Petition C-02-2023. The Petition seeks to amend the Nevada
22 Constitution to include voter identification requirement on in-person voting. The Initiative also
23 seeks to revise the vote by mail process to require Nevadans who vote by mail to include an
24 identifying number from one of specified government issued documents with their mail-in
25 ballots.

26 The initiative would add to the Nevada Constitution the following text:

27 Article 2 of the Nevada Constitution is hereby amended by adding thereto new sections to

1 be designated as Section 1C, to read as follows:

2 **Sec. 1B. Photo Identification.** Each voter in Nevada shall present photo
3 identification to verify their identity when voting in person at a polling place
4 during early voting or on election day before being provided a ballot. To be
5 considered valid, the photo identification must be current or expired for no more
6 than four years. If the voter is 70 years old or more, the identification can be
7 expired for any length of time, so long as it is otherwise valid. Acceptable forms
8 of identification include:

- 9 1. Nevada driver's license.
- 10 2. Identification card issued by the State of Nevada, any other State, or the US
11 Government
- 12 3. Employee photo identification card issued by the US government, Nevada
13 government, or any county, municipality, board, authority, or other Nevada
14 government entity,
- 15 4. US Passport,
- 16 5. US military identification card
- 17 6. Student photo identification card issued by a Nevada public college, university, or
18 technical school.
- 19 7. Tribal photo identification.
- 20 8. Nevada concealed firearms permit.
- 21 9. Other form of government-issued photo identification that the Legislature may
22 approve.

23 **Sec 1C. Voter Verification.** Each voter in Nevada who votes by mail-in-ballot
24 shall enter one of the following in the block provided next to the voter's
25 signature for election officials to use in verifying the voter's identity.

- 26 10. The last four digits of their Nevada driver's license number.
- 27 11. If the voter does not possess a Nevada driver's license, the last four digits of their
Social Security Number.
12. If the voter is neither a Nevada driver's license or Social Security number, the
number provided by the county clerk when the voter registered to vote.

19 The Initiative Petition specifically provides the following Description of Effect:

20 *If passed, this initiative would amend the State Constitution to require that all*
21 *persons voting in person present an approved photo identification before being*
22 *provided a ballot. It also requires that voters submitting a mail-in ballot*
23 *provide additional verification of their identity when completing their mail-*
24 *ballot.*

24 CONCLUSIONS OF LAW

25 A. The Description of Effect is Proper and Valid.

26 Nevada law allows Plaintiff to petition to bring suit alleging that the description of the
27 initiative's effect is deficient pursuant to NRS 295.061. Each petition for initiative or

1 referendum must set forth, in 200 words, “a description of the effect of the initiative or
2 referendum if the initiative or referendum is approved by the voters.” NRS 295.009.1(b). “A
3 description of effect serves a limited purpose to facilitate the initiative process, and to that end,
4 it must be straightforward, succinct, and nonargumentative summary of what the initiative is
5 designed to achieve and how it intends to reach those goals.” *Education Init. v. Comm. to*
6 *Protect Nev. Jobs*, 293 P.3d 874, 876 (Nev. 2013). “The description of effect cannot
7 constitutionally be required to delineate every effect that an initiative will have; to conclude
8 otherwise could obstruct, rather than facilitate, the people’s right to the initiative process.” *Id.*
9 Judicial review of a petition’s description of effect does not involve the close textual analysis
10 statutory construction does.” *Prevent Sanctuary Cities v. Haley*, 421 P.3d 281, *3 (Nev. 2018)
11 (unpublished decision).

12 When “the information contained in the description is neither deceptive nor misleading” so
13 as to be “substantively correct and does not misrepresent what the initiative will accomplish or
14 how it will achieve those goals,” it satisfies the description requirement. *Id.* at 884.

15 In this case, Plaintiff complaints regarding the Description of Effect are hyper-technical
16 nitpicking of the description. The Description of Effect is substantively correct, does not
17 misrepresent what the initiative will accomplish, and is straightforward, succinct, and is a
18 nonargumentative summary of what the initiative is designed to achieve. The Court does not,
19 and will not exam the brief, and clearly worded by imposing a hyper-technical examination as
20 to whether the description covers each and every aspect of the initiative. *See e.g. Educ. Init.*,
21 129 Nev. at 49.

22 Accordingly, the Court finds that the Description of Effect adequately summarizes the
23 Initiative and complies with NRS 295.009.

24 **B. The Petition Does Not Violate the Nevada Constitution’s Prohibition of Initiatives**
25 **that Mandate Unfunded Expenditures**

26 Article 19, Section 6 of the Nevada Constitution does not permit an initiative to “make[] an
27 appropriation or otherwise require the expenditure of money, unless such statute or amendment
also imposes a sufficient tax...” An “appropriation is the setting aside of fund” and an

1 “expenditure of money is the payment of funds.” *See Rogers v. Heller*, 117 Nev. 169, 18 P.3d
2 1034, 1036. When an initiative “neither explicitly nor implicitly compels and appropriation or
3 expenditure, but rather, leaves the mechanics of its enforcement with government officials, it
4 does not involve and appropriation or expenditure.” *See Herbst Gaming, Inc. v. Heller*, 122
5 Nev. 877, 141 P.3d 1224, 1233.

6 The Initiative does not mandate an expenditure or appropriation, nor does it require an
7 expenditure of money. Indeed, nothing in the text of the Initiative would require a Nevada
8 official to appropriate funds to, or to expend new funds.

9 The Initiative simply requires voters to present a valid identification when voting and
10 provides a list of approved photo identifications. Nothing in the text of the initiative requires
11 Nevada officials to appropriate funds to or to expend new funds. Additionally, the initiative
12 will only require mail-in ballots to have a block next to the voter’s signature for the voter to add
13 digits from their driver’s license number, social security number, or a number provided by the
14 county clerk. None of these changes mandates an appropriation or expenditure.

15 Additionally, the issue of whether the enactment of the Initiative meets federal
16 constitutional requirements is not relevant to the Court’s analysis of whether the Initiative
17 requires an appropriation or expenditure. First, the Initiative does not require an appropriation
18 or expenditure by a governmental official. Second, “the substantive validity of an initiative
19 should be challenged if and when the initiative becomes law. *See Herbst Gaming, Inc. v.*
20 *Heller*, 117 Nev. 169, 141 P.3d 1224, 1233.

21 In *Herbst*, the Supreme Court specifically found that “pre-election challenges to an
22 initiatives’ substantive constitutionality are not ripe” for judicial review. *Id.* “A primary focus
23 in such cases has been the degree to which the harm alleged by the party seeking review is
24 sufficiently concrete, rather than remote or hypothetical, to yield a justiciable controversy.” *Id.*
25 Alleged harm that is speculative or hypothetical is insufficient: an existing controversy must be
26 present. *Id.* Pre-election challenges lack a concrete factual context in which a provision may be
27 evaluated, and any harm is highly speculative since the measure may not even pass at election

1 time.

2 Accordingly, the Initiative does not seek to have an appropriation or expenditures of
3 funds in violation of the unfunded mandate provision. Additionally, whether there is an issue
4 regarding the Initiative meeting federal constitutional requirements is not ripe for this Court's
5 review because the Initiative should be challenged, if at all, when the initiative becomes law.

6 ***C. NRS 295.061 does not preclude Petitioner from Challenging the Description of Effect.***
7

8 The Court finds that NRS 295.061 is not applicable to the pending initiative. It is public
9 policy for the Court to render a decision on merits of the parties' claims and defenses, and thus
10 the Court makes no findings as to whether NRS 295.061 is applicable.

11 **D. Res judicata and Collateral Estoppel do not apply.**

12 For Res Judicata and Collateral Estoppel to be applicable, the Court must review and
13 consider four factors. The four factors that are required are (1) the issue decided in the prior
14 litigation must be identical to the issue presented in the current action; (2) the initial ruling must
15 have been on the merits and have become final; ... (3) the party against whom the judgment is
16 asserted must have been a party or in privity with a party to the prior litigation, and (4) the issue
17 was actually and necessarily litigated.

18 The Court does not find that the factors for precluding a claim under Res Judicata and
19 Collateral Estoppel are found in this pending case, and thus, deny Repair the Vote's request to
20 preclude this matter from being heard on the merits. It is public policy for the Court to render a
21 decision on merits of the parties' claims and defenses, and thus the Court concludes that the two
22 initiatives before the Court are not the same, and thus, neither Res Judicata or Collateral
23 Estoppel applies.

24 **ORDER**

25 This Court, having reviewed the pleadings and papers filed herein, accepted arguments
26 from the parties, and good cause appearing, Order as Follows:

- 27 1. The Court does find that NRS 295.061 is not applicable to preclude Plaintiff from

1
2 challenging the Description of Effect.

3 2. Res Judicata and Collateral Estoppel does not preclude Plaintiff from bringing a
4
5 challenge to the initiative.

6 3. The Description of Effect satisfies the requirement of NRS 295.009 as it is
7 substantively correct, does not misrepresent what the initiative will accomplish, and is
8 straightforward, succinct, and is a nonargumentative summary of what the Initiative is designed
9 to achieve.

10 4. The language of the proposed constitutional amendment does not create an
11 appropriation or unfunded expenditure, and therefore does not violate Article 19, Section 6 of
12 the Nevada Constitution.

13 5. Plaintiff's request for declaratory and injunctive relief are DENIED. The matter is
14
15 dismissed with prejudice.
16 DATED: March 6, 2024.

17
18 *William A. Maddox*
DISTRICT COURT JUDGE

19 Submitted by

20 /s/ David C. O'Mara, Esq.

21 _____
22 DAVID C. O'Mara, Esq.
23 Attorney for Repair the Vote
24
25
26
27

ORIGINAL

REC'D
2024 MAR 11 PM 1:45
BY [Signature]
CLERK

BRAVO SCHRAGER LLP

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401 South Curry Street
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DANIEL BRAVO, ESQ. (SBN 13078)
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DANIEL J. COHEN, ESQ. (*Admitted pro hac vice*)
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250 Massachusetts Avenue NW, Suite 400
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Email: dcohen@elias.law

Attorneys for Plaintiff

IN THE FIRST JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN AND FOR CARSON CITY

JENNIFER FLEISCHMANN, an
individual,

Plaintiff,

vs.

FRANCISCO V. AGUILAR, in his
official capacity as NEVADA
SECRETARY OF STATE,

Defendant,

vs.

REPAIR THE VOTE, a Nevada political
action committee,

Intervenor-Defendant.

Case No.: 23 OC 00136 1B

Dept. No.: II

NOTICE OF ENTRY OF ORDER

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2 NOTICE IS HEREBY GIVEN that a FINDINGS OF FACTS, CONCLUSIONS
3 OF LAW, AND ORDER was entered in the above-captioned matter on the 6th day of
4 March, 2024. A true and correct copy of the ORDER is attached hereto as Exhibit 1.

5 AFFIRMATION

6 The undersigned hereby affirm that the foregoing document does not contain
7 the social security number of any person.

8 DATED this 7th day of March, 2024.

9 BRAVO SCHRAGER LLP

1 By:

BRADLEY S. SCHRAGER, ESQ. (SBN 10217)
DANIEL BRAVO, ESQ. (SBN 13078)
6675 South Tenaya Way, Suite 200
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7 GRIFFIN COMPANY
8 401 South Curry Street
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Email: scott@g3nv.com

9 DAVID R. FOX, ESQ. (SBN 16536)
0 DANIEL J. COHEN, ESQ. (*Admitted pro hac vice*)
1 ELIAS LAW GROUP LLP
2 250 Massachusetts Avenue NW, Suite 400
Washington, D.C. 20001
Tele.: (202) 968-4490
Email: dfox@elias.law
Email: dcohen@elias.law

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of March, 2024, I served the foregoing
NOTICE OF ENTRY OF ORDER by depositing a true copy of the same via
electronic mail, per the January 31, 2024, Stipulation,, as follows:

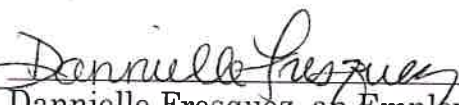
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Senior Deputy Attorney General
100 N. Carson Street
Carson City, Nevada 89701
LStJules@ag.nv.gov

David O'Mara, Esq.
O'MARA LAW FIRM P.C.
311 E. Liberty St.
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david@omaralaw.net

*Attorneys for Defendant,
Francisco V. Aguilar in his Official
Capacity as the Nevada Secretary of
State*

Attorneys for Intervenor-Defendant

Billie Shadron
Julie Harkleroad
Judicial Assistant to
Hon. William A. Maddox
First Judicial District Court, Dept. II
bshadron@carson.org
jharkleroad@carson.org

By: 
Dannielle Fresquez, an Employee of
BRAVO SCHRAGER LLP

INDEX OF EXHIBITS

Exhibit No.	Document Title	No. of Pages
1	Findings of Facts, Conclusions of Law, and Order	7

EXHIBIT 1

EXHIBIT 1

1 THE O'MARA LAW FIRM, P.C.
2 DAVID C. O'MARA (Nevada Bar No. 8599)
3 311 East Liberty Street
4 Reno, NV 89501
5 Telephone: 775/323-1321
6 Facsimile: 775/323-4082

REC'D & FILED

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WILLIAM SCOTT

CLERK

BY

DEPUTY

7 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR CARSON CITY

9 JENNIFER FLEISCHMANN, an INDIVIDUAL,)

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11 and)

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15 Defendant.)

Case No. 23 OC 00136 1B

Dept No. 2

**FINDINGS OF FACTS, CONCLUSIONS
OF LAW, AND ORDER**

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18 represented by her counsel of record, David R. Fox, Esq., with Elias Law Group LLP, and Scott
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7 identification would be acceptable, and an explanation of what form the “additional
8 verification” of identity for mail in ballot would take. Plaintiff asks this Court to enjoin the
9 Secretary of State from taking further action on the Petition and prohibiting the Petition from
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14 Estoppel, that the Description of Effect is proper and valid, and that the Petition does not violate
15 Nevada's Constitutional prohibition of initiative that mandate unfunded expenditures.

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17 or precluded under the legal doctrines of Res Judicata and Collateral Estoppel because Plaintiff
18 was not a party, or in privity, to the previous parties in the *Persaud-Zamora* litigation.

19 FINDINGS OF FACTS

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21 committee, filed Initiative Petition C-02-2023. The Petition seeks to amend the Nevada
22 Constitution to include voter identification requirement on in-person voting. The Initiative also
23 seeks to revise the vote by mail process to require Nevadans who vote by mail to include an
24 identifying number from one of specified government issued documents with their mail-in
25 ballots.

26 The initiative would add to the Nevada Constitution the following text:

27 Article 2 of the Nevada Constitution is hereby amended by adding thereto new sections to

1 be designated as Section 1C, to read as follows:

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3 identification to verify their identity when voting in person at a polling place
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5 considered valid, the photo identification must be current or expired for no more
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33 persons voting in person present an approved photo identification before being
34 provided a ballot. It also requires that voters submitting a mail-in ballot
35 provide additional verification of their identity when completing their mail-
36 ballot.*

37 CONCLUSIONS OF LAW

38 **A. The Description of Effect is Proper and Valid.**

39 Nevada law allows Plaintiff to petition to bring suit alleging that the description of the
40 initiative's effect is deficient pursuant to NRS 295.061. Each petition for initiative or

1 referendum must set forth, in 200 words, “a description of the effect of the initiative or
2 referendum if the initiative or referendum is approved by the voters.” NRS 295.009.1(b). “A
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15 In this case, Plaintiff complaints regarding the Description of Effect are hyper-technical
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22 Accordingly, the Court finds that the Description of Effect adequately summarizes the
23 Initiative and complies with NRS 295.009.

24 **B. The Petition Does Not Violate the Nevada Constitution’s Prohibition of Initiatives**
25 **that Mandate Unfunded Expenditures**

26 Article 19, Section 6 of the Nevada Constitution does not permit an initiative to “make[] an
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14 county clerk. None of these changes mandates an appropriation or expenditure.

15 Additionally, the issue of whether the enactment of the Initiative meets federal
16 constitutional requirements is not relevant to the Court’s analysis of whether the Initiative
17 requires an appropriation or expenditure. First, the Initiative does not require an appropriation
18 or expenditure by a governmental official. Second, “the substantive validity of an initiative
19 should be challenged if and when the initiative becomes law. *See Herbst Gaming, Inc. v.*
20 *Heller*, 117 Nev. 169, 141 P.3d 1224, 1233.

21 In *Herbst*, the Supreme Court specifically found that “pre-election challenges to an
22 initiatives’ substantive constitutionality are not ripe” for judicial review. *Id.* “A primary focus
23 in such cases has been the degree to which the harm alleged by the party seeking review is
24 sufficiently concrete, rather than remote or hypothetical, to yield a justiciable controversy.” *Id.*
25 Alleged harm that is speculative or hypothetical is insufficient: an existing controversy must be
26 present. *Id.* Pre-election challenges lack a concrete factual context in which a provision may be
27 evaluated, and any harm is highly speculative since the measure may not even pass at election

1 time.

2 Accordingly, the Initiative does not seek to have an appropriation or expenditures of
3 funds in violation of the unfunded mandate provision. Additionally, whether there is an issue
4 regarding the Initiative meeting federal constitutional requirements is not ripe for this Court's
5 review because the Initiative should be challenged, if at all, when the initiative becomes law.

6 ***C. NRS 295.061 does not preclude Petitioner from Challenging the Description of Effect.***

7
8 The Court finds that NRS 295.061 is not applicable to the pending initiative. It is public
9 policy for the Court to render a decision on merits of the parties' claims and defenses, and thus
10 the Court makes no findings as to whether NRS 295.061 is applicable.

11 ***D. Res judicata and Collateral Estoppel do not apply.***

12 For Res Judicata and Collateral Estoppel to be applicable, the Court must review and
13 consider four factors. The four factors that are required are (1) the issue decided in the prior
14 litigation must be identical to the issue presented in the current action; (2) the initial ruling must
15 have been on the merits and have become final; ... (3) the party against whom the judgment is
16 asserted must have been a party or in privity with a party to the prior litigation, and (4) the issue
17 was actually and necessarily litigated.

18 The Court does not find that the factors for precluding a claim under Res Judicata and
19 Collateral Estoppel are found in this pending case, and thus, deny Repair the Vote's request to
20 preclude this matter from being heard on the merits. It is public policy for the Court to render a
21 decision on merits of the parties' claims and defenses, and thus the Court concludes that the two
22 initiatives before the Court are not the same, and thus, neither Res Judicata or Collateral
23 Estoppel applies.

24 **ORDER**

25 This Court, having reviewed the pleadings and papers filed herein, accepted arguments
26 from the parties, and good cause appearing, Order as Follows:

- 27 1. The Court does find that NRS 295.061 is not applicable to preclude Plaintiff from

1
2 challenging the Description of Effect.

3 2. Res Judicata and Collateral Estoppel does not preclude Plaintiff from bringing a
4
5 challenge to the initiative.

6 3. The Description of Effect satisfies the requirement of NRS 295.009 as it is
7 substantively correct, does not misrepresent what the initiative will accomplish, and is
8 straightforward, succinct, and is a nonargumentative summary of what the Initiative is designed
9 to achieve.

10 4. The language of the proposed constitutional amendment does not create an
11 appropriation or unfunded expenditure, and therefore does not violate Article 19, Section 6 of
12 the Nevada Constitution.

13 5. Plaintiff's request for declaratory and injunctive relief are DENIED. The matter is
14
15 dismissed with prejudice.
16 DATED: March 6, 2024.

17
18 *William A. Maddox*
DISTRICT COURT JUDGE

19 Submitted by

20 /s/ David C. O'Mara, Esq.

21 DAVID C. O'Mara, Esq.
22 Attorney for Repair the Vote
23
24
25
26
27

DISTRICT COURT CIVIL COVER SHEET

Carson City County, Nevada

Case No.

2023 DEC 4 PM 2:56
(Assigned by Clerk's Office)**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

JENNIFER FLEISCHMANN

2023 DEC 4 PM 2:56

WILLIAM SCOTT HOEN
CLERK

FRANCISCO V. AGUILAR

BY

DEPUTY

Attorney (name/address/phone):

Attorney (name/address/phone):

Scott Gilles, Esq., 401 S. Curry Street, Carson City, NV 89702 (775)882-4002

Bradley S. Schrager, Esq., Daniel Bravo, Esq., 6675 South Tenaya Way, Suite 200

Las Vegas, NV 89113 (702) 996-1724, etc.

II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Negligence	Torts
Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Foreclosure Mediation Assistance <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate	Construction Defect & Contract	Judicial Review/Appeal
Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Surviving Spouse <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Greater than \$300,000 <input type="checkbox"/> \$200,000-\$300,000 <input type="checkbox"/> \$100,001-\$199,999 <input type="checkbox"/> \$25,001-\$100,000 <input type="checkbox"/> \$20,001-\$25,000 <input type="checkbox"/> \$2,501-20,000 <input type="checkbox"/> \$2,500 or less	Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ	Other Civil Filing	
Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input checked="" type="checkbox"/> Other Civil Matters	

Business Court filings should be filed using the Business Court civil coversheet.

12/4/2023

Date

Signature of initiating party or representative

See other side for family-related case filings.