

1 ARMSTRONG TEASDALE LLP
2 JEFFREY F. BARR, ESQ.
3 Nevada Bar No. 7269
4 MICHELLE D. ALARIE, ESQ.
5 Nevada Bar No. 11894
6 3770 Howard Hughes Parkway, Suite 200
7 Las Vegas, Nevada 89169
8 Telephone: 702.678.5070
9 Facsimile: 702.878.9995
10 jbarr@atllp.com
11 malarie@atllp.com

REC'D & FILED

2022 JUN 24 PM 1:24

AUDREY ROWLATT
CLERK
BY: *M. Alarie*
DEPUTY

12 *Attorneys for Proposed Intervenor, R.I.S.E. Nevada – Restoring Integrity in State Elections PAC*

13 **FIRST JUDICIAL DISTRICT COURT OF NEVADA**
14 **CARSON CITY**

15 EMILY PERSAUD-ZAMORA, an individual,
16
17 Plaintiff,
18
19 vs.
20 BARBARA CEGAVSKE, in her official capacity as
21 NEVADA SECRETARY OF STATE,
22
23 Defendant.

Case No.: 22 OC 00071 IB
Dept. No.: II

24 **STIPULATION AND ORDER TO PERMIT INTERVENTION BY DEFENDANT-**
25 **INTERVENOR, R.I.S.E. NEVADA – RESTORING INTEGRITY IN STATE ELECTIONS**
26 **PAC**

27 Plaintiff, Emily Persaud-Zamora (“Plaintiff-Challenger”), by and through her counsel of
28 record, Wolf Rifkin, Shapiro, Schulman & Rabkin, LLP, and Defendant Barbara Cegavske, in her
official capacity as Nevada Secretary of State (“Secretary”), by and through her counsel of record,
Craig Newby, Esq., Deputy Solicitor General, and Proposed Defendant-Intervenor, R.I.S.E. Nevada
– Restoring Integrity in State Election PAC (“R.I.S.E.”), by and through its counsel, Armstrong
Teasdale LLP, hereby agree and stipulate to R.I.S.E. intervening as defendant in this action pursuant
to Nev. R. Civ. P. 24(a)(2).

///
///
///

1 R.I.S.E.¹ submits the following in support of this Court permitting it to intervene as a matter
2 of right pursuant to Nev. R. Civ. P. 24(a)(2):

3 1. NRS 12.130(1) provides, in relevant part, that “[b]efore the trial, any person may
4 intervene in an action of proceeding, who has an interest in the matter in litigation, in the success of
5 either of the parties, or an interest against both.” Intervention occurs “when a third person is
6 permitted to become a party to an action or proceeding between other persons, . . . by uniting with
7 the defendant in resisting the claims of the plaintiff, or by demanding anything adversely to both the
8 plaintiff and the defendant. *Id.* “Intervention is made as provided by the Nevada Rules of Civil
9 Procedure.” *Id.*

10 2. Nev. R. Civ. P. 24(a)(2) provides that “on timely motion, the court must permit
11 anyone to intervene who: . . . claims an interest relating to the property or transaction that is the
12 subject of the action, and is so situated that disposing of the action may as a practical matter impair
13 or impede the movant’s ability to protect its interest, unless existing parties adequately represent that
14 interest.” Put simply, a party seeking intervention under Rule 24(a)(2) must demonstrate that (1) it
15 has a sufficient interest in the litigation’s subject matter, (2) it could suffer an impairment of its
16 ability to protect the interest if it does not intervene, (3) its interest is not adequately represented by
17 existing parties, and (4) its application is timely. *See Hairr v. First Jud. Dist. Ct.*, 132 Nev. 180,
18 184, 368 P. 3d 1198, 1201 (2016).

19 3. On June 6, 2022, Plaintiff-Challenger filed her Complaint for Declaratory and
20 Injunctive Relief pursuant to NRS 295.061(1), which seeks to challenge Initiative Petition S-05-2022
21 filed with the Nevada Secretary of State by Raja Mourey, on behalf of R.I.S.E. Nevada – Restoring
22 Integrity in State Election PAC. The Complaint names defendant Barbara Cegavske, in her capacity
23 as Nevada Secretary of State, as the Chief Officer of Elections responsible for qualifying and/or
24 disqualifying initiatives, like Initiative Petition S-05-2022.

25 ///

26 _____
27 ¹ Although Plaintiff-Challenger and the Secretary have stipulated and agree that R.I.S.E. may be
28 permitted to intervene in this action, R.I.S.E. offers point and authorities in support of granting
intervention. The points and authorities are the argument of R.I.S.E. only and should not be
attributed to the other stipulating parties, Plaintiff-Challenger or the Secretary.

1 4. The Complaint asserts two causes of action: first, Initiative Petition S-05-2022
2 contains an improper unfunded expenditure in violation of Nev. Const. Art. 19, Sec. 6; and second,
3 the Statement of Effect of Initiative Petition S-05-2022 is legally deficient in violation of NRS
4 295.009(1)(b).

5 5. This stipulation for intervention is timely. The Complaint was filed a mere two
6 weeks ago and since that time, this case has not had any significant proceedings, but is awaiting the
7 Nevada Supreme Court to assign a judicial officer to oversee the action. Intervention by R.I.S.E.
8 will not disrupt or delay this action.

9 6. R.I.S.E. has a sufficient interest in the litigation's subject matter and could suffer an
10 impairment of its ability to protect the interest if it does not intervene. Raja Mourey, on behalf of
11 R.I.S.E., filed Initiative Petition S-05-2022 with the Secretary of State in order to have the proposed
12 initiative placed on the 2022 general election ballot. Plaintiff-Challenger filed her Complaint under
13 NRS 295.061(1) seeking to have the Secretary of State invalidate the Initiative Petition S-05-2022 so
14 that it will not appear on the 2022 general election ballot. Accordingly, R.I.S.E. is the real party in
15 interest in this action. R.I.S.E. has a legally protected interest in ensuring that Plaintiff-Challenger's
16 initiative challenge is defeated and Initiative Petition S-05-2022 appears on to the 2022 general
17 election ballot.

18 7. And finally, R.I.S.E.'s interest is not adequately represented by the existing
19 defendant, the Nevada Secretary of State. It is anticipated that the Secretary will not take a position
20 on the legality of Initiative Petition S-05-2022 and that the Secretary will leave it to R.I.S.E., as
21 Defendant-Intervenor, to make any arguments in support of Initiative Petition S-05-2022. As such,
22 because the Secretary will likely neither defend Initiative Petition S-05-2022 nor make the
23 arguments uniquely within the knowledge of the initiative filer, the Secretary is not an adequate
24 substitute for R.I.S.E.

25 8. Based on the forgoing, R.I.S.E. submits that it satisfies the factors for this Court to
26 allow it to intervene in this action as a matter of right.

27 9. Plaintiff-Challenger and the Secretary have no objection to R.I.S.E. intervening as a
28 defendant in this action.


1 Accordingly, the parties jointly request that this Court enter an order permitting R.I.S.E. to
2 intervene as defendant in this action pursuant to Nev. R. Civ. P. 24(a)(2).


3 DATED this 21st day of June, 2022.

DATED this 21st day of June, 2022.

4 **ARMSTRONG TEASDALE LLP**

**WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP**

5
6 By: 
7 JEFFREY F. BARR, ESQ.
8 Nevada Bar No. 7269
9 MICHELLE D. ALARIE, ESQ.
10 Nevada Bar No. 118943770 Howard
Hughes Parkway, Suite 200
Las Vegas, Nevada 89169
jbarr@atllp.com
malarie@atllp.com

By:  *M.A.S. 10626 for*
BRADLEY S. SCHRAGER, ESQ.
Nevada Bar No. 10217
JOHN SAMBERG, ESQ.
Nevada Bar No. 10828
DANIEL BRAVO, ESQ.
Nevada Bar No. 13078
3773 Howard Hughes Pkwy, Ste 590 South
Las Vegas, Nevada 89169
bschrager@wrslawyers.com

11 *Attorneys for proposed Defendant-Intervenor,*
12 *R.I.S.E. Nevada – Restore Integrity in State*
13 *Elections PAC*

Attorneys for Plaintiff Emily Persaud-
Zamora

14 DATED this ___ day of June, 2022.


15 **NEVADA OFFICE OF THE ATTORNEY**
16 **GENERAL**

AFFIRMATION

The undersigned hereby affirms that the preceding document does not contain the social security number of any person.

17
18 By: _____
19 AARON FORD, ATTORNEY GENERAL
20 CRAIG A. NEWBY, ESQ.
21 Deputy Solicitor General
22 Nevada Bar No. 8591
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
cnewby@ag.nv.gov

Dated this 21st day of June, 2022.


Michelle D. Alarie, Esq.
Nevada Bar No. 11894
Armstrong Teasdale LLP

23 *Attorneys for Defendant Barbara Cegavske, in*
24 *her official capacity as Nevada Secretary of*
State

25 **IT IS SO ORDERED** on this ___ day of June, 2022.

26
27 _____
28 **DISTRICT COURT JUDGE**


1 Accordingly, the parties jointly request that this Court enter an order permitting R.I.S.E. to
2 intervene as defendant in this action pursuant to Nev. R. Civ. P. 24(a)(2).


3 DATED this 21st day of June, 2022.

DATED this 21st day of June, 2022.

4 **ARMSTRONG TEASDALE LLP**

**WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP**

5
6 By: 
7 JEFFREY F. BARR, ESQ.
8 Nevada Bar No. 7269
9 MICHELLE D. ALARIE, ESQ.
10 Nevada Bar No. 118943770 Howard
Hughes Parkway, Suite 200
Las Vegas, Nevada 89169
jbarr@atllp.com
malarie@atllp.com

By: 
BRADLEY S. SCHRAGER, ESQ.
Nevada Bar No. 10217
JOHN SAMBERG, ESQ.
Nevada Bar No. 10828
DANIEL BRAVO, ESQ.
Nevada Bar No. 13078
3773 Howard Hughes Pkwy, Ste 590 South
Las Vegas, Nevada 89169
bschrager@wrslawyers.com

11 *Attorneys for proposed Defendant-Intervenor.*
12 *R.I.S.E. Nevada – Restore Integrity in State*
13 *Elections PAC*

Attorneys for Plaintiff Emily Persaud-
Zamora

14 DATED this ___ day of June, 2022.

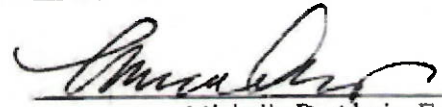
15 **NEVADA OFFICE OF THE ATTORNEY**
16 **GENERAL**

AFFIRMATION

The undersigned hereby affirms that the
preceding document does not contain the social
security number of any person.

17 By: _____
18 AARON FORD, ATTORNEY GENERAL
19 CRAIG A. NEWBY, ESQ.
20 Deputy Solicitor General
21 Nevada Bar No. 8591
22 555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
cnewby@ag.nv.gov

Dated this 21st day of June, 2022.


Michelle D. Alarie, Esq.
Nevada Bar No. 11894
Armstrong Teasdale LLP

23 *Attorneys for Defendant Barbara Cegavske, in*
24 *her official capacity as Nevada Secretary of*
State

25 **IT IS SO ORDERED on this 21st day of June, 2022.**

26
27 
28 **DISTRICT COURT JUDGE**

1 ARMSTRONG TEASDALE LLP
JEFFREY F. BARR, ESQ.
2 Nevada Bar No. 7269
MICHELLE D. ALARIE, ESQ.
3 Nevada Bar No. 11894
3770 Howard Hughes Parkway, Suite 200
4 Las Vegas, Nevada 89169
Telephone: 702.678.5070
5 Facsimile: 702.878.9995
6 jbarr@atllp.com
malarie@atllp.com

7 *Attorneys for Proposed Intervenor, R.I.S.E. Nevada – Restoring Integrity in State Elections PAC*

8
9 **FIRST JUDICIAL DISTRICT COURT OF NEVADA**
10 **CARSON CITY**

11 EMILY PERSAUD-ZAMORA, an individual,

12 Plaintiff,

13 vs.

14 BARBARA CEGAVSKE, in her official capacity as
NEVADA SECRETARY OF STATE,

15 Defendant.

Case No.: 22 OC 00071 IB

Dept. No.: II

16
17 **STIPULATION AND ORDER TO PERMIT INTERVENTION BY DEFENDANT-**
18 **INTERVENOR, R.I.S.E. NEVADA – RESTORING INTEGRITY IN STATE ELECTIONS**
PAC

19 Plaintiff, Emily Persaud-Zamora (“Plaintiff-Challenger”), by and through her counsel of
20 record, Wolf Rifkin, Shapiro, Schulman & Rabkin, LLP, and Defendant Barbara Cegavske, in her
21 official capacity as Nevada Secretary of State (“Secretary”), by and through her counsel of record,
22 Craig Newby, Esq., Deputy Solicitor General, and Proposed Defendant-Intervenor, R.I.S.E. Nevada
23 – Restoring Integrity in State Election PAC (“R.I.S.E.”), by and through its counsel, Armstrong
24 Teasdale LLP, hereby agree and stipulate to R.I.S.E. intervening as defendant in this action pursuant
25 to Nev. R. Civ. P. 24(a)(2).

26 ///

27 ///

1 R.I.S.E.¹ submits the following in support of this Court permitting it to intervene as a matter
2 of right pursuant to Nev. R. Civ. P. 24(a)(2):

3 1. NRS 12.130(1) provides, in relevant part, that “[b]efore the trial, any person may
4 intervene in an action of proceeding, who has an interest in the matter in litigation, in the success of
5 either of the parties, or an interest against both.” Intervention occurs “when a third person is
6 permitted to become a party to an action or proceeding between other persons, . . . by uniting with
7 the defendant in resisting the claims of the plaintiff, or by demanding anything adversely to both the
8 plaintiff and the defendant. *Id.* “Intervention is made as provided by the Nevada Rules of Civil
9 Procedure.” *Id.*

10 2. Nev. R. Civ. P. 24(a)(2) provides that “on timely motion, the court must permit
11 anyone to intervene who: . . . claims an interest relating to the property or transaction that is the
12 subject of the action, and is so situated that disposing of the action may as a practical matter impair
13 or impede the movant’s ability to protect its interest, unless existing parties adequately represent that
14 interest.” Put simply, a party seeking intervention under Rule 24(a)(2) must demonstrate that (1) it
15 has a sufficient interest in the litigation’s subject matter, (2) it could suffer an impairment of its
16 ability to protect the interest if it does not intervene, (3) its interest is not adequately represented by
17 existing parties, and (4) its application is timely. *See Hairr v. First Jud. Dist. Ct.*, 132 Nev. 180,
18 184, 368 P. 3d 1198, 1201 (2016).

19 3. On June 6, 2022, Plaintiff-Challenger filed her Complaint for Declaratory and
20 Injunctive Relief pursuant to NRS 295.061(1), which seeks to challenge Initiative Petition S-05-2022
21 filed with the Nevada Secretary of State by Raja Mourey, on behalf of R.I.S.E. Nevada – Restoring
22 Integrity in State Election PAC. The Complaint names defendant Barbara Cegavske, in her capacity
23 as Nevada Secretary of State, as the Chief Officer of Elections responsible for qualifying and/or
24 disqualifying initiatives, like Initiative Petition S-05-2022.

25 ///

26 _____
27 ¹ Although Plaintiff-Challenger and the Secretary have stipulated and agree that R.I.S.E. may be
28 permitted to intervene in this action, R.I.S.E. offers point and authorities in support of granting
intervention. The points and authorities are the argument of R.I.S.E. only and should not be
attributed to the other stipulating parties, Plaintiff-Challenger or the Secretary.

1 4. The Complaint asserts two causes of action: first, Initiative Petition S-05-2022
2 contains an improper unfunded expenditure in violation of Nev. Const. Art. 19, Sec. 6; and second,
3 the Statement of Effect of Initiative Petition S-05-2022 is legally deficient in violation of NRS
4 295.009(1)(b).

5 5. This stipulation for intervention is timely. The Complaint was filed a mere two
6 weeks ago and since that time, this case has not had any significant proceedings, but is awaiting the
7 Nevada Supreme Court to assign a judicial officer to oversee the action. Intervention by R.I.S.E.
8 will not disrupt or delay this action.

9 6. R.I.S.E. has a sufficient interest in the litigation's subject matter and could suffer an
10 impairment of its ability to protect the interest if it does not intervene. Raja Mourey, on behalf of
11 R.I.S.E., filed Initiative Petition S-05-2022 with the Secretary of State in order to have the proposed
12 initiative placed on the 2022 general election ballot. Plaintiff-Challenger filed her Complaint under
13 NRS 295.061(1) seeking to have the Secretary of State invalidate the Initiative Petition S-05-2022 so
14 that it will not appear on the 2022 general election ballot. Accordingly, R.I.S.E. is the real party in
15 interest in this action. R.I.S.E. has a legally protected interest in ensuring that Plaintiff-Challenger's
16 initiative challenge is defeated and Initiative Petition S-05-2022 appears on to the 2022 general
17 election ballot.

18 7. And finally, R.I.S.E.'s interest is not adequately represented by the existing
19 defendant, the Nevada Secretary of State. It is anticipated that the Secretary will not take a position
20 on the legality of Initiative Petition S-05-2022 and that the Secretary will leave it to R.I.S.E., as
21 Defendant-Intervenor, to make any arguments in support of Initiative Petition S-05-2022. As such,
22 because the Secretary will likely neither defend Initiative Petition S-05-2022 nor make the
23 arguments uniquely within the knowledge of the initiative filer, the Secretary is not an adequate
24 substitute for R.I.S.E.

25 8. Based on the forgoing, R.I.S.E. submits that it satisfies the factors for this Court to
26 allow it to intervene in this action as a matter of right.

27 9. Plaintiff-Challenger and the Secretary have no objection to R.I.S.E. intervening as a
28 defendant in this action.

1 Accordingly, the parties jointly request that this Court enter an order permitting R.I.S.E. to
2 intervene as defendant in this action pursuant to Nev. R. Civ. P. 24(a)(2).

3 DATED this ___ day of June, 2022.

DATED this ___ day of June, 2022.

4 **ARMSTRONG TEASDALE LLP**

**WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP**

6 By: _____

7 JEFFREY F. BARR, ESQ.
Nevada Bar No. 7269
8 MICHELLE D. ALARIE, ESQ.
Nevada Bar No. 118943770 Howard
9 Hughes Parkway, Suite 200
Las Vegas, Nevada 89169
10 jbarr@atllp.com
malarie@atllp.com

By: _____

BRADLEY S. SCHRAGER, ESQ.
Nevada Bar No. 10217
JOHN SAMBERG, ESQ.
Nevada Bar No. 10828
DANIEL BRAVO, ESQ.
Nevada Bar No. 13078
3773 Howard Hughes Pkwy, Ste 590 South
Las Vegas, Nevada 89169
bschrager@wrslawyers.com

11 *Attorneys for proposed Defendant-Intervenor,*
12 *R.I.S.E. Nevada – Restore Integrity in State*
13 *Elections PAC*


Attorneys for Plaintiff Emily Persaud-
Zamora

14 DATED this ___ day of June, 2022.

AFFIRMATION

15 **NEVADA OFFICE OF THE ATTORNEY**
16 **GENERAL**

The undersigned hereby affirms that the
preceding document does not contain the social
security number of any person.

17 By:  _____

18 AARON FORD, ATTORNEY GENERAL
19 CRAIG A. NEWBY, ESQ.
Deputy Solicitor General
20 Nevada Bar No. 8591
21 555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
22 cnewby@ag.nv.gov

Dated this ___ day of June, 2022.

Michelle D. Alarie, Esq.
Nevada Bar No. 11894
Armstrong Teasdale LLP

23 *Attorneys for Defendant Barbara Cegavske, in*
24 *her official capacity as Nevada Secretary of*
State

25 **IT IS SO ORDERED on this ___ day of June, 2022.**

26 _____
27 **DISTRICT COURT JUDGE**
28

1 Accordingly, the parties jointly request that this Court enter an order permitting R.I.S.E. to
2 intervenc as defendant in this action pursuant to Nev. R. Civ. P. 24(a)(2).

3 DATED this ___ day of June, 2022.

DATED this ___ day of June, 2022.

4 **ARMSTRONG TEASDALE LLP**

**WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP**

6 By: _____
7 JEFFREY F. BARR, ESQ.
8 Nevada Bar No. 7269
9 MICHELLE D. ALARIE, ESQ.
10 Nevada Bar No. 118943770 Howard
Hughes Parkway, Suite 200
Las Vegas, Nevada 89169
jbarr@atl1p.com
malarie@atl1p.com

By: _____
BRADLEY S. SCHRAGER, ESQ.
Nevada Bar No. 10217
JOHN SAMBERG, ESQ.
Nevada Bar No. 10828
DANIEL BRAVO, ESQ.
Nevada Bar No. 13078
3773 Howard Hughes Pkwy, Ste 590 South
Las Vegas, Nevada 89169
bschrager@wrslawyers.com

11 *Attorneys for proposed Defendant-Intervenor,*
12 *R.I.S.E. Nevada – Restore Integrity in State*
Elections PAC


Attorneys for Plaintiff Emily Persaud-
Zamora

14 DATED this ___ day of June, 2022.

15 **NEVADA OFFICE OF THE ATTORNEY**
16 **GENERAL**

AFFIRMATION

The undersigned hereby affirms that the
preceding document does not contain the social
security number of any person.

17 By: 
18 AARON FORD, ATTORNEY GENERAL
19 CRAIG A. NEWBY, ESQ.
Deputy Solicitor General
20 Nevada Bar No. 8591
21 555 E. Washington Ave., Ste. 3900
22 Las Vegas, Nevada 89101
cnewby@ag.nv.gov

Dated this ___ day of June, 2022.

Michelle D. Alarie, Esq.
Nevada Bar No. 11894
Armstrong Teasdale LLP

23 *Attorneys for Defendant Barbara Cegavske, in*
24 *her official capacity as Nevada Secretary of*
State

25 **IT IS SO ORDERED** on this 24 day of June, 2022.

26
27 
28 **DISTRICT COURT JUDGE**