

REC'D
24 SEP 26 PM 1:53
CLERK

1 AARON D. FORD
Attorney General
2 LAENA ST-JULES (Bar No. 15156)
Senior Deputy Attorney General
3 DEVIN A. OLIVER (Bar No. 16773C)
Deputy Attorney General
4 State of Nevada
Office of the Attorney General
5 100 North Carson Street
Carson City, Nevada 89701-4717
6 T: (775) 684-1265
(775) 684-1234
7 E: lstjules@ag.nv.gov
doliver@ag.nv.gov

8 *Attorneys for Proposed Intervenor-Respondent*
9 *Secretary of State*

10
11 **FIRST JUDICIAL DISTRICT COURT OF NEVADA**
12 **CARSON CITY**

13 CITIZEN OUTREACH FOUNDATION,
14 CHARLES MUTH, individually,

Petitioners,

15 vs.

16 SCOTT HOEN, in his official capacity as
17 the Carson City Clerk, and JIM HINDLE,
18 in his official capacity as the Storey
County Clerk,

19 Respondents.

Case No. 24 EW 00020 1B

Dept. No. I

20
21 **SECRETARY OF STATE'S MOTION FOR ORDER SHORTENING TIME**

22 Pursuant to FJDCR 3.18, Proposed Intervenor-Respondent Francisco V. Aguilar, in
23 his official capacity as Nevada Secretary of State ("Secretary"), by and through counsel,
24 submits this Motion for Order Shortening Time to respond to the Secretary's Motion to
25 Intervene as Respondent. This Motion is made and based upon the declaration of
26 Laena St-Jules, Esq., attached hereto as Exhibit 1.

27 On Friday, September 20, 2024, Petitioners Citizen Outreach Foundation and
28 Charles Muth filed their Petition for Writ of Mandamus Pursuant to NRS 293.535 and


1 NRS 293.530 for Respondents to Notify the Registrant of the Challenge and Follow the
2 Requirements of NRS 293.530 ("Petition"). Two business days later, on Tuesday,
3 September 24, 2024, counsel for the Secretary emailed counsel for Petitioners asking
4 whether Petitioners would agree to the Secretary's intervention in this case. *See* Ex. 1,
5 St-Jules Decl. ¶ 3; Ex. 2. Counsel for Petitioners did not respond. *See* Ex. 1, St-Jules Decl.
6 ¶ 4. Instead, on September 25, 2024, counsel for Petitioners emailed counsel for
7 Respondents to inquire about accelerating the briefing schedule for an anticipated motion
8 for preliminary injunction. *Id.* ¶ 5; Ex. 3. Counsel for Petitioners did not include counsel
9 for the Secretary on the email. *Id.*

10 Given Petitioners' intention to seek a shortened briefing schedule for an anticipated
11 preliminary injunction motion, and given the Secretary's significantly protectable interests
12 in this litigation and intention to oppose the anticipated preliminary injunction motion,
13 there is an urgent need for a decision on the Secretary's Motion to Intervene as Respondent.
14 *See* Ex. 1, St-Jules Decl. ¶¶ 6-7. The Secretary proposes that Petitioners' response to the
15 Motion to Intervene as Respondent be due on September 30, 2024 so the Court has enough
16 time to rule on the Motion to Intervene as Respondent before Petitioners' proposed response
17 date of October 4, 2024 for their anticipated motion for preliminary injunction.

18 DATED this 26th day of September, 2024.

19 AARON D. FORD
20 Attorney General

21 By:


22 LAENA ST-JULES (Bar No. 15156)
23 Senior Deputy Attorney General
24 DEVIN A. OLIVER (Bar No. 16773C)
25 Deputy Attorney General

26 *Attorneys for Proposed*
27 *Intervenor-Respondent Secretary of State*
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on this 26th day of September, 2024, I served a true and correct copy of the foregoing **SECRETARY OF STATE'S MOTION FOR ORDER SHORTENING TIME**, by email and by placing said document in the U.S. Mail, postage prepaid, addressed to:

David C. O'Mara
THE O'MARA LAW FIRM, P.C.
311 E. Liberty Street
Reno, NV 89501
david@omaralaw.net

Attorneys for Petitioners

Benjamin Johnson
CARSON CITY DISTRICT ATTORNEY'S OFFICE
885 E. Musser Street, Suite 2030
Carson City, NV 89701
BJohnson@carson.org

Attorneys for Carson City Clerk-Recorder

Katherine F. Parks
THORNDAL ARMSTRONG, PC
6590 S. McCarran Blvd., Suite B
Reno, NV 89509
KFP@thorndal.com

Attorneys for Storey County Clerk


AG Legal Secretary

RETRIEVED FROM DEMOCRACYDOCKET.COM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

INDEX OF EXHIBITS

EXHIBIT No.	EXHIBIT DESCRIPTION	NUMBER OF PAGES
1	Declaration of Laena St-Jules, Esq.	2
2	September 24, 2024 email from Laena St-Jules to David O'Mara	1
3	September 25, 2024 email from David O'Mara to counsel for Respondents	2

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit 1

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit 1

Exhibit 2

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit 2

From: [Laena St Jules](#)
To: [David O'Mara Esq.](#)
Cc: [Devin A. Oliver](#)
Subject: Citizen Outreach Foundation v. Hoen, 1st JD, Case No. 24 EW 00020 1B
Date: Tuesday, September 24, 2024 10:20:00 AM

Good morning Mr. O'Mara,

I represent the Nevada Secretary of State and write regarding the *Citizen Outreach Foundation v. Hoen* case filed in the First Judicial District Court (Case No. 24 EW 00020 1B). The Secretary intends to move to intervene in that case, but before he does so, pursuant to FJDCR 3.7(b), I write to confer on whether we can resolve the issue of the Secretary's intervention by agreement. Please let me know your position on the Secretary's proposed intervention or if you would like to discuss. If we cannot reach an agreement on intervention, the Secretary will be filing a motion to intervene this week.

Best regards,

Laena

Laena St-Jules
Senior Deputy Attorney General – Government and Natural Resources Division
Office of the Attorney General
100 N. Carson Street
Carson City, NV 89701
Cell (preferred): (408) 832-5149
Office: (775) 684-1265
Fax: (775) 684-1108



****CONFIDENTIALITY NOTICE****

The preceding e-mail message (including attachments) contains information that may be confidential, be protected by the attorney-client or other applicable privileges, or constitute non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not the intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution or reproduction of this message by unintended recipients is not authorized and may be unlawful.

Exhibit 3

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit 3

Laena St Jules

From: Laena St Jules
Sent: Thursday, September 26, 2024 9:14 AM
To: Laena St Jules
Subject: FW: Citizens Outreach v. Carson City/Storey County
Attachments: Writ Petition #6 (final).docx

From: "David O'Mara, Esq." <david@omara.com>
Date: September 25, 2024 at 12:01:35 PM PDT
To: "Jason Woodbury (jwoodbury@carson.org)" <jwoodbury@carson.org>, Anne Langer <alanger@storeycounty.org>
Cc: Bryan Snyder <bsnyder@omara.com>, "Val W." <val@omara.com>
Subject: Citizens Outreach v. Carson City/Storey County

Jason/Anne,

As you know the Court issued an order to respond to the Petition for Writ of Mandamus and has provided 30 days for the response.

I have now completed my motion for injunctive relief, and request to advance the matter on its merits. I will be asking the Court to expedite the hearing on this motion and hope to have a hearing during the week of October 14-18.

Thus, I am preparing a motion for order shortening time and would like to reach out to both of you and see if we can agree to a briefing schedule. I would like to propose the answer and opposition be filed on Friday, October 4, 2024. I will then file my reply by October 11, 2024. We could then have a hearing the week of October 14-18.

Please let me know if you would be agreeable to this proposal, or if you have any comments.

Thank you for your cooperation on this matter. If you have any questions, please do not hesitate to contact me.

Attached is the most recent draft of the Motion for Preliminary Injunction for your review. I might have additional changes, but I believe this is close to the final draft.

If your clients' position changes regarding the willingness to send the notices pursuant to NRS 293.535 and NRS 293.530 changes, please let me know. I am available to discuss this matter at 775.323.1321.

David

David C. O'Mara, Esq.
The O'Mara Law Firm, P.C.
311 E. Liberty Street
Reno, Nevada 89501
775.323.1321

RETRIEVED FROM DEMOCRACYDOCKET.COM