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Case No. CV24-02182

Dept. No. 3

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Attorneys for Proposed Intervenor-Respondent Secretary of State

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

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CITIZEN OUTREACH FOUNDATION, CHARLES MUTH,

Petitioners,

VS.

CARI-ANN BURGESS, in her official capacity as Washoe County Interim Registrar of Voters,

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Respondent.

NEVADA SECRETARY OF STATE'S MOTION FOR ORDER SHORTENING TIME

Pursuant to WDCR 11, Proposed Intervenor-Respondent Francisco V. Aguilar, in his official capacity as Nevada Secretary of State ("Secretary"), by and through counsel, submits this Motion for Order Shortening Time to respond to the Secretary's Motion to Intervene as Respondent. This Motion is made and based upon the declaration of Laena St-Jules, Esq., attached hereto as Exhibit 1, and the papers and pleadings on file in this matter.

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On Friday, September 23, 2024, Petitioners Citizen Outreach Foundation and Charles Muth filed their Petition for Writ of Mandamus Pursuant to NRS 293.535 and NRS 293.530 for Respondents to Notify the Registrant of the Challenge and Follow the Requirements of NRS 293.530 ("Petition"). Three days later, on September 26, 2024, counsel for the Secretary emailed counsel for Petitioners and Respondent advising them that the Secretary would be filing a motion to intervene as respondent as well as a motion for an order shortening time to respond to the intervention motion. Ex. 1, St-Jules Decl. ¶ 3. The Secretary is filing his Motion to Intervene as Respondent and the instant motion only four days after the filing of the Petition.

On September 26, 2024, Petitioners filed a Motion for Preliminary Injunction and to Advance the Trial on the Merits ("Preliminary Injunction Motion"). The Preliminary Injunction Motion explains that Petitioners will (1) file an *ex parte* motion for order shortening time, and (2) seek to advance the matter on its merits when a hearing is schedule on the preliminary injunction. Prelim. Inj. Mot. at 1. Based on the Secretary's significantly protectable interests in this litigation, as detailed in his Motion to Intervene as Respondent, there is an urgent need for a decision on the Secretary's proposed intervention. Ex. 1, St-Jules Decl. ¶¶ 5, 7. The Secretary seeks to participate fully in all stages of this litigation, and timely intervention is necessary to allow the Secretary to participate in resolution of the Preliminary Injunction Motion and protect the Secretary's interests. *Id*.

Accordingly, good cause exists to shorten the time for resolving the Secretary's Motion to Intervene as Respondent.

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1	AFFIRMATION
2	The undersigned affirms that the preceding document does not contain any person's
3	personal information as defined in NRS 239B.030(4).
4	DATED this 27th day of September 2024.
5	AARON D. FORD Attorney General
6	
7	By: <u>/s/ Laena St-Jules</u> LAENA ST-JULES (Bar No. 15156)
8	Senior Deputy Attorney General DEVIN A. OLIVER (Bar No. 16773C)
9	Deputy Attorney General State of Nevada Office of the Attorney General
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14	Attorneys for Proposed Intervenor-Respondent Secretary of State
15	Intervenor-Respondent Secretary of State
16	Intervenor-Respondent Secretary of State
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1	CERTIFICATE OF SERVICE			
2	I certify that I am an employee of the State of Nevada, Office of the Attorney General			
3	and that on this 27th day of September 2024, I served a true and correct copy of the			
4	foregoing NEVADA SECRETARY OF STATE'S MOTION FOR ORDER			
5	SHORTENING TIME, by electronic service to the participants in this case who are			
6	registered with the Second Judicial District Court's Eflex system to this matter:			
7 8 9	David C. O'Mara THE O'MARA LAW FIRM, P.C. 311 E. Liberty Street Reno, NV 89501 david@omaralaw.net			
10				
11	Attorneys for Petitioners And by email, pursuant to agreement, to: Elizabeth Hickman Washoo County District Attorney's Office			
12	Elizabeth Hickman			
13	Washoe County District Attorney's Office ehickman@da.washoecounty.gov			
14	Attorneys for Cari-Ann Burgess			
15	DENIC .			
16	/s/ Aaron D. Van Sickle AG Legal Secretary			
17				
18	Elizabeth Hickman Washoe County District Attorney's Office ehickman@da.washoecounty.gov Attorneys for Cari-Ann Burgess /s/ Aaron D. Van Sickle AG Legal Secretary			
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INDEX OF EXHIBITS

EXHIBIT No.	EXHIBIT DESCRIPTION	Number Of Pages
1.	Declaration of Laena St-Jules, Esq.	2

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