

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

CITIZENS OUTREACH  
FOUNDATION, CHARLES MUTH,  
individually,

Case No.: CV24-02182

Dept. No.: 3

Petitioners,

vs.

CARRE-ANN BURGESS, in her  
official capacity as the acting  
Registrar of Voters, for Washoe  
County,

Respondent,

and

FRANCISCO V. AGUILAR, in his  
official capacity as Nevada Secretary  
of State; RISE; INSTITUTE FOR A  
PROGRESSIVE NEVADA; NEVADA  
ALLIANCE FOR RETIRED  
AMERICANS; AMERICAN CIVIL  
LIBERTIES UNION OF NEVADA,

Intervenor-Respondents.

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Also before the Court is a Motion to Intervene as Respondents (“Motion to Intervene”), filed by Proposed Intervenor-Respondents RISE, the Institute for a Progressive Nevada (“IPN”), and the Nevada Alliance for Retired Americans (the “Alliance”) on September 27, 2024.

On October 2, 2024, this Court entered its *Order Re: Motions for Order Shortening Time; Order to Set In-Person Hearing* (“*Order*”). The Court granted the Proposed Intervenor-Respondents’ Motions for Order Shortening Time and set a briefing schedule for the outstanding Motions to Intervene. *See Order*, at 2:11-22. Specifically, the Court stated that “(1) all opposing points and authorities shall be filed by 9:00 A.M. on Thursday, October 3, 2024; (2) all reply points and authorities shall be filed by 5:00 P.M. on Thursday, October 3, 2024.” *Id.* at 2:20-22. Petitioners Citizens Outreach Foundation and Charles Muth (“Petitioners”) declined to file opposing points and authorities by the stated deadline.

Pursuant to DCR 13(3), “[f]ailure of the opposing party to serve and file a written opposition may be construed as an admission that the motion is meritorious and a consent to granting the same.” Accordingly, the Court construes the lack of opposition by Petitioners as an admission that the Motions to Intervene are meritorious and as consent to granting the same.

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DAVID O'MARA, ESQ.  
DEVIN OLIVER, ESQ.  
LAENA ST-JULES, ESQ.  
BRADLEY SCHRAGER, ESQ.

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## Judicial Assistant