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4 *Local Counsel for Petitioners*

5 Joseph M. Nixon**
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8 jnixon@publicinterestlegal.org
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9 *Counsel for Petitioners*
**Pro Hac Vice motion granted*
10 ***Pro Hac Vice motions forthcoming*

11
12 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN**
13 **AND FOR THE COUNTY OF CLARK**

14 FREDERICK H. KRAUS, JOEY
15 PAULOS, PUBLIC INTEREST LEGAL
16 FOUNDATION,

17 *Petitioners,*

18
19
20 v.

21
22 LORENA S. PORTILLO, in her official
capacity as Clark County Registrar of
23 Voters,

24 *Respondent.*

Case No.: A-24-896151-W

Dept. No.: 16

**STIPULATION AND ORDER FOR
DISMISSAL**

1 WHEREAS, Petitioners in the above-captioned action filed a Petition for Writ of
2 Mandamus on June 25, 2024 (“Action”).

3 WHEREAS, Petitioners sought to a writ of mandamus compelling the Clark County
4 Registrar to investigate ninety (90) known commercial addresses listed as residences on the voter
5 roll.

6 WHEREAS, on August 15, 2024, the Clark County Registrar filed a motion to dismiss
7 which included a Declaration from the Respondent that, for the first time, informed the Petitioners
8 that her office did conduct an investigation of the 90 addresses and made determinations.

9 WHEREAS, Petitioners have now received the relief they have requested as an
10 investigation of the ninety (90) known commercial addresses listed as residences was undertaken
11 by the Clark County Registrar.

12 WHEREAS, in light of the investigation by the Clark County Registrar, the Petitioners
13 have received all the relief sought by this Action.

14 IT IS HEREBY STIPULATED by the parties hereto, that pursuant to Nevada Rules of
15 Civil Procedure 41, the Petition for Writ of Mandamus is dismissed without prejudice.

16 All hearings currently scheduled, including the August 27 hearing on the Motion to
17 Intervene as well as the hearings scheduled for August 29, 2024 shall be vacated.

18 Both Petitioner and Respondent shall each bear their own costs and expenses in connection
19 with this dismissal and thereby waive their rights, if any, to seek costs or expenses directly from
20 each other in connection with this Action.

21 IT IS SO STIPULATED.

22 Dated: August 21, 2024

Dated: August 21, 2024

23 CLARK COUNTY DISTRICT
24 ATTORNEY

THE O’MARA LAW FIRM, P.C.

25 /s/ Lisa Logsdon

/s/ David C. O’Mara

26 LISA LOGSDON, ESQ.
27 STEVEN B. WOLFSON, ESQ.
28 500 South Grand Central Pkwy,
5th Floor
Las Vegas, Nevada 89155

DAVID C. O’MARA, ESQ.
311 E. Liberty Street
Reno, Nevada 89501
Telephone: 775.323.1321
775/323-4082 (fax)

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ORDER

Based upon the Stipulation of the Parties, and good cause appearing, the Court finds as follows:

The above-referenced matter is dismissed without prejudice.

All hearings currently scheduled, including the August 27th hearing on the Motion to Intervene as well as the hearings scheduled for August 29, 2024 shall be vacated.

The parties are to bear their own costs and attorneys' fees.

IT IS SO ORDERED this _____ day of _____, 2024.

DISTRICT COURT JUDGE

RETRIEVED FROM DEMOCRACYDOCKET.COM

From: [Lisa Logsdon](#)
To: [Bryan Snyder](#); [David O'Mara, Esq.](#); [Renee Albert](#)
Cc: [Val W.](#)
Subject: RE: Kraus v. Portillo (A-24-896151-W)
Date: Wednesday, August 21, 2024 11:24:42 AM

You have my permission to use my e-signature. Thank you.

Lisa Logsdon
County Counsel
Clark County District Attorney – Civil Division
Telephone: (702) 455-4761
Email: Lisa.Logsdon@clarkcountydav.gov

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From: Bryan Snyder <bsnyder@omaralaw.net>
Sent: Wednesday, August 21, 2024 10:45 AM
To: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>; David O'Mara, Esq. <david@omaralaw.net>; Renee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>
Subject: RE: Kraus v. Portillo (A-24-896151-W)

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That has been updated, and more added to the order. Please review one more time and confirm I can attach signatures.

Bryan Snyder
Paralegal
The O'Mara Law Firm, P.C.
311 E. Liberty Street
Reno, NV 89501
775.323.1321
Fax: 775.323.4082
bsnyder@omaralaw.net

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From: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>

Sent: Wednesday, August 21, 2024 10:44 AM

To: Bryan Snyder <bsnyder@omaralaw.net>; David O'Mara, Esq. <david@omaralaw.net>; Renee Albert <Renee.Albert@clarkcountydany.gov>

Cc: Val W. <val@omaralaw.net>

Subject: RE: Kraus v. Portillo (A-24-896151-W)

Hi Bryan,

Everything looks good and you can use my e-signature. You just need to update the date on the second page to 2024 not 2020. Thank you.

Lisa Logsdon

County Counsel

Clark County District Attorney – Civil Division

Telephone: (702) 455-4761

Email: Lisa.Logsdon@clarkcountydany.gov

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From: Bryan Snyder <bsnyder@omaralaw.net>

Sent: Wednesday, August 21, 2024 9:49 AM

To: Lisa Logsdon <Lisa.Logsdon@clarkcountydany.gov>; David O'Mara, Esq. <david@omaralaw.net>; Renee Albert <Renee.Albert@clarkcountydany.gov>

Cc: Val W. <val@omaralaw.net>

Subject: RE: Kraus v. Portillo (A-24-896151-W)

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Attached is the next draft with signature lines and a request to vacate the hearings.

Bryan Snyder

Paralegal

The O'Mara Law Firm, P.C.

311 E. Liberty Street

Reno, NV 89501

775.323.1321

Fax: 775.323.4082

bsnyder@omaralaw.net

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From: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>
Sent: Wednesday, August 21, 2024 9:45 AM
To: David O'Mara, Esq. <david@omaralaw.net>; Renee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>; Bryan Snyder <bsnyder@omaralaw.net>
Subject: RE: Kraus v. Portillo (A-24-896151-W)

I checked the docket, there is a hearing on 8/27 for the Motion to Intervene and then there are 4 hearings on the 8/29 for various things (Intervenor/MTD) so maybe you just put the parties request any hearing dates be vacated that should cover everything.

Thanks.

Lisa Logsdon
County Counsel
Clark County District Attorney – Civil Division
Telephone: (702) 455-4761
Email: Lisa.Logsdon@clarkcountydav.gov

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From: David O'Mara, Esq. <david@omaralaw.net>
Sent: Wednesday, August 21, 2024 9:32 AM
To: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>; Renee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>; Bryan Snyder <bsnyder@omaralaw.net>
Subject: RE: Kraus v. Portillo (A-24-896151-W)

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Ok. We will get that added and then resend for your signature. I think there was another hearing date as well for the motion to dismiss that we include as well?

Thanks.

David

From: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>
Sent: Wednesday, August 21, 2024 9:20 AM
To: David O'Mara, Esq. <david@omaralaw.net>; Renee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>; Bryan Snyder <bsnyder@omaralaw.net>
Subject: RE: Kraus v. Portillo (A-24-896151-W)

Hi David,

The stipulation looks fine it me, but you might want to add that the scheduled hearing dates on August 27th and August 29th are vacated. You can just add a its so ordered line and a signature line for the judge.

Thank you.

Lisa Logsdon
County Counsel
Clark County District Attorney – Civil Division
Telephone: (702) 455-4761
Email: Lisa.Logsdon@clarkcountydav.gov

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From: David O'Mara, Esq. <david@omaralaw.net>
Sent: Wednesday, August 21, 2024 8:57 AM
To: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>; Fenee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>; Bryan Snyder <bsnyder@omaralaw.net>
Subject: RE: Kraus v. Portillo (A-24-896151-W)

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Lisa,

Here is a draft stipulation and order. Unfortunately, I have not run this by my paralegal so I don't know if the stipulation and order need to be separate documents, or if we can just add and "Order" and signature line for the judge. We will obviously have to add a signature line for you.

Please review the language in this document. If it meets your approval, please let me know and we will provide a final draft for your signature.

Thanks.

David

From: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>
Sent: Monday, August 19, 2024 5:37 PM

To: David O'Mara, Esq. <david@omaralaw.net>; Renee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>; Bryan Snyder <bsnyder@omaralaw.net>
Subject: RE: Kraus v. Portillo (A-24-896151-W)

I will follow up with the Department, but what type of additional information would you be seeking?

Lisa Logsdon
County Counsel
Clark County District Attorney – Civil Division
Telephone: (702) 455-4761
Email: Lisa.Logsdon@clarkcountydav.gov

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From: David O'Mara, Esq. <david@omaralaw.net>
Sent: Monday, August 19, 2024 3:06 PM
To: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>; Renee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>; Bryan Snyder <bsnyder@omaralaw.net>
Subject: RE: Kraus v. Portillo (A-24-896151-W)

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Lisa/Renee

I have reviewed the motion to dismiss, and especially subsection E stating that the ROV has investigated the addresses provided, therefore the petition should be moot.

I believe that with an investigation complete, the petition is moot. However, before we would agree to the Petition being Moot, and thus, stipulate to a dismissal, would the ROV be willing to share additional information related to the ROV's findings. Please let me know if my lead counsel could schedule a time to discuss these issues.

Thanks.

David

From: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>
Sent: Tuesday, August 6, 2024 8:29 AM
To: David O'Mara, Esq. <david@omaralaw.net>; Renee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>; Bryan Snyder <bsnyder@omaralaw.net>

Subject: RE: Kraus v. Portillo (A-24-896151-W)

Hello Mr. O'Mara,

I don't have any opposition to a briefing schedule or moving the Intervenor motions to August 29, 2024. Clark County is planning to file a motion to dismiss by August 15, 2024, but it would be difficult to get everything submitted to the court before the August 29, 2024 hearing date. I would propose having the Court hear the motions to intervenor on August 29, 2024 and then we could set a briefing schedule for the various motions to dismiss to be heard by the court at a later date.

Also, my direct line is 702-455-3059. I am in a Board of County Commissioner meeting today, but I will be available most of the day tomorrow.

Thank you,

Lisa Logsdon
County Counsel
Clark County District Attorney – Civil Division
Telephone: (702) 455-4761
Email: Lisa.Logsdon@clarkcountydav.gov

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From: David O'Mara, Esq. <david@omaralaw.net>
Sent: Monday, August 5, 2024 2:59 PM
To: Lisa Logsdon <Lisa.Logsdon@clarkcountydav.gov>; Renee Albert <Renee.Albert@clarkcountydav.gov>
Cc: Val W. <val@omaralaw.net>; Bryan Snyder <bsnyder@omaralaw.net>
Subject: Kraus v. Portillo (A-24-896151-W)

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Counsel,

I apologize for the delay in this email, I have been dealing with a family medical issue, and am just getting back into the office. I just tried contacting you by phone but both of you were busy, so I am reaching out by email.

The Court has scheduled various hearings in the above-referenced matter. I would like to see if you would be agreeable to getting a briefing schedule in place so we can hear all the pending issues before the Court on one day. It appears that there are two motions to intervene set for August 27th and August 29th. Before I reach out to the Intervenor, I would like to see if we can

agree to move both of these issues to August 29 , which would allow the Court to deal with the motions to intervene, and to address the Petition. If you agree, I will reach out to the intervenors and see if they will agree as well. Please let me know.

Additionally, the Court has set the hearing on the Petition for Mandamus on August 29th. We would like to see if we can agree on a briefing schedule based upon your client's action so that the Court will have all the issues before it on August 29th. Do you anticipate filing a motion to dismiss, and if so, would you agree to file this motion with enough time to allow for an opposition and reply before August 29, 2024?

Further, we anticipate bringing in various witnesses to the hearing on August 29, 2024. If you would prefer, we could file affidavits and allow the Court to work on the affidavits and then shorten the time of the Court hearing.

Please review my email and give me a call to discuss. If possible, could you provide you direct line so I don't have to go through the DA's switch board. Also, I will be out of the office most of August traveling for medical appointments for my wife. If you are unable to contact me at my office, please use my cell phone at 775.762.9368.

I look forward to talking with you about this case.

David

David C. O'Mara, Esq.
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775.323.1321
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