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Attorneys for Plaintiffs
Fair Maps Nevada PAC, Sondra Cosgrove,
Douglas Goodman, and Robert MacDonald

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

FAIR MAPS NEVADA, a Nevada political
 action committee, SONDRA COSGROVE,
 DOUGLAS GOODMAN, and ROBERT
 MACDONALD,

Plaintiffs,

v.

BARBARA CEGAVSKE, in her official
 capacity as Nevada Secretary of State,
 JOSEPH P. GLORIA, in his official capacity
 as Clark County Registrar of Voters, DEANNE
 SPIKULA, in her official capacity as Washoe
 County Registrar of Voters, KRISTINA
 JAKEMAN, in her official capacity as Elko
 County Clerk, SADIE SULLIVAN, in her
 official capacity as Lander County Clerk,
 LACEY DONALDSON, in her official
 capacity as Pershing County Clerk-Treasurer,
 VANESSA STEVENS, in her official capacity
 as Storey County Clerk-Treasurer, NICHOLE
 BALDWIN, in her official capacity as White
 Pine County Clerk, SANDRA MERLINO, in
 her official capacity as Nye County Clerk,
 TAMMI RAE SPERO, in her official capacity
 as Humboldt County Clerk, KATHY LEWIS,
 in her official capacity as Douglas County
 Clerk-Treasurer, LINDA ROTHERY, in her
 official capacity as Churchill County Clerk-
 Treasurer, LACINDA ELGAN, in her official
 capacity as Esmeralda County Clerk-Treasurer,
 LISA C. LLOYD, in her official capacity as
 Lincoln County Clerk, LISA HOEHNE, in her
 official capacity as Eureka County Clerk,
 CHRISTOPHER NEPPER, in his official

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CONSENT DECREE

capacity as Mineral County Clerk-Treasurer, NIKKI BRYAN, in her official capacity as Lyon County Clerk-Treasurer, and AUBREY ROWLATT, in her official capacity as Carson City Clerk-Recorder,

Defendants.

CONSENT DECREE

Whereas, this action was initiated by Plaintiffs Fair Maps Nevada, a Nevada political action committee, Sondra Cosgrove, Douglas Goodman, and Robert Macdonald on May 6, 2020;

Whereas, Plaintiffs sued to enjoin Defendants Nevada's Secretary of State, Barbara Cegavske, and the election officials of each of Nevada's seventeen counties, from, among other things, applying NRS 295.056(3) to require the submission of Nevada Initiative Petition C-02-2019 (the "Initiative") for verification no later than June 24, 2020, (ECF 1, Complaint at Prayer for Relief, Paragraph C);

Whereas, Plaintiffs contended that to do so would result in an impermissible burden on their rights under the First and Fourteenth Amendments, (*id.* at Paragraphs 76 through 83);

Whereas, on May 20, 2020, the Court granted in part and denied in part Plaintiffs' Motion for Preliminary Injunction (ECF 2), concluding that "NRS § 295.056(3) is unconstitutional as applied to Plaintiffs under the unique factual circumstances of this case." (ECF 44, Order at 32-33);

Whereas, Article 19, Sec. 2(4) of the Nevada Constitution provides that an initiative petition to amend the Nevada Constitution such as the Initiative must be filed not less than 90 days before any general election where the petition might be presented to the voters, and in 2020 the 90-day deadline falls on August 5, 2020; and

Whereas, pursuant to the Court's instruction to Plaintiffs and Defendants to work together to identify a reasonable accommodation to preserve Plaintiffs' constitutional rights, Plaintiffs and Defendants have since agreed that an expeditious resolution of this matter, pursuant to the terms of this Consent Decree, is in the public interest;

Now therefore, Plaintiffs and Defendants hereby agree, and the Court orders, as follows:

1 1. Defendants, their officers, agents, and employees are enjoined from disqualifying the
2 Initiative for inclusion on the November 2020 ballot for Plaintiffs' failure to submit the Initiative
3 for verification no later than June 24, 2020.

4 2. Notwithstanding the June 24, 2020 verification submission deadline established in the
5 law, the Initiative may be submitted up to 9:30 a.m. on Monday, August 3, 2020.

6 3. Any deadlines or governmental actions that flow from NRS 295.056(3) or related
7 statutes, regulations or rules shall flow from Monday, August 3, 2020 instead of June 24, 2020.

8 4. Defendants agree that under this consent decree they will have adequate time to perform
9 all of their legal duties with respect to the Initiative, including the verification of signatures and
10 the printing of ballots, regardless of whether the November 2020 general election is held as a
11 traditional election or held as a primarily all-mail election as was the June 2020 primary election.

12 5. If the Initiative is submitted in accordance with applicable Nevada law, subject to the
13 terms of this consent decree, no later than 9:30 a.m. on Monday, August 3, 2020, Defendants shall
14 undertake the signature verification process as required by law. If the Initiative is verified and
15 therefore deemed sufficient for inclusion on the November 2020 ballot and the Initiative satisfies
16 all other requirements of Nevada law for inclusion on the November 2020 ballot, it shall be so
17 included on the ballot.

18 6. Effective as of the date of the Court's order below, Plaintiffs' Complaint (ECF 1) shall
19 be dismissed without prejudice, with each party to bear its own costs and fees.

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FOR DEFENDANTS:

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Counsel for Aubrey Rowlett

SO ORDERED, ADJUDGED, AND DECREED

Signed this 9th day of June, 2020



Miranda Du, Chief Judge United States
District Court for the District of Nevada

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CONSENT DECREE