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8 *Attorney for the Respondent*

REC'D & FILED

2015 OCT 29 PM 3: 32

SUSAN MERRIWETHER

Electronically Filed
BY Tracie K. Lindeman Nov 04 2015 09:25 a.m.
DEPUTY
Clerk of Supreme Court

6 **IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR CARSON CITY**

8 IRA HANSEN, in his official capacity as Nevada
9 State Assemblyman for Assembly District No. 32;
10 And JIM WHEELER, in his official capacity as
11 Nevada State Assemblyman for Assembly District
12 No. 39,

Petitioners,

vs.

13 THE COMMISSION ON ETHICS OF THE
14 STATE OF NEVADA,

Respondent.

Case No. 150C000761B

Dept. No. II

15 **NOTICE OF APPEAL**

16 Notice is hereby given that The Commission on Ethics of the State of Nevada,
17 Respondent above named, hereby appeals to the Supreme Court of State of Nevada from the
18 Court's Order Denying Motion to Dismiss and Granting Respondent's Petition for Judicial
19 Review, entered in this action on the 1st day of October, 2015.

20 Submitted this 29th day of October, 2015.

21 Respectfully,

22 NEVADA COMMISSION ON ETHICS

23 Tracy L. Chase

24 Tracy L. Chase, Esq.
25 Commission Counsel
26 Nevada Bar No. 2752
27 Nevada Commission on Ethics
28 704 W. Nye Lane, Suite 204
Carson City, Nevada 89703
Telephone: (775) 687-5469
Fax: (775) 687-1279
E-mail: tchase@ethics.nv.gov
Attorney for Respondent

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Nevada
3 Commission on Ethics and that on this day I served a true and correct copy of the attached
4 **NOTICE OF APPEAL** via email, addressed as follows:

5 Brenda J. Erdoes, Esq.
Legislative Counsel

Email: erdoes@lcb.state.nv.us

6 Kevin C. Powers, Esq.
Chief Litigation Counsel

Email: kpowers@lcb.state.nv.us

7 Eileen G. O'Grady, Esq.
Chief Deputy Legislative Counsel
8 Nevada Legislative Counsel Bureau,
Legal Division
9 401 S. Carson Street
10 Carson City, Nevada 89701

Email: ogrady@lcb.state.nv.us

11 *Attorneys for Petitioners*
Ira Hansen and Jim Wheeler

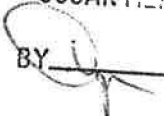
12 Yvonne Nevarez-Goodson, Esq.
13 Executive Director
Nevada Commission on Ethics
14 704 W. Nye Lane, Suite 204
Carson City, Nevada 89703

Email: ynevarez@ethics.nv.gov

15
16 Dated: 10/29/15

17 Valerie Carter
Employee, Nevada Commission on Ethics

Tracy L. Chase, Esq.
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Attorney for the Respondent

REC'D & FILED
2015 OCT 29 PM 3:32
SUSAN MORRISWETHER
CLERK
BY  DEPUTY

**IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY**

IRA HANSEN, in his official capacity as Nevada
State Assemblyman for Assembly District No. 32;
And JIM WHEELER, in his official capacity as
Nevada State Assemblyman for Assembly District
No. 39,

Petitioners,

vs.

THE COMMISSION ON ETHICS OF THE
STATE OF NEVADA,

Respondent.

Case No. 150C000761B

Dept. No. II

CASE APPEAL STATEMENT

1. Name of Appellant filing this case appeal statement:

The Commission on Ethics of the State of Nevada.

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Honorable James E. Wilson Jr., First Judicial District Court of the State of Nevada.

Order entered on October 1, 2015, in Case No. 150C000761B.

3. Identify each appellant and the name and address of counsel for each appellant:

The Nevada Commission on Ethics.

Counsel:

Tracy L. Chase, Esq. (NV Bar # 2752)
Commission Counsel
Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, Nevada 89703
Telephone: 775-687-5469
Fax: 775-687-1279
Email: tchase@ethics.nv.gov

1 **4. Identify each respondent and the name and address of respondent counsel:**

2 Ira Hansen, in his official capacity as Nevada State Assemblyman for Assembly
3 District No. 32.

4 Jim Wheeler, in his official capacity as Nevada State Assemblyman for Assembly
5 District No. 39.

6 Counsel:

7 **Brenda J. Erdoes, Esq.** (NV Bar # 3644)

8 Legislative Counsel

9 **Kevin C. Powers, Esq.** (NV Bar #6781)

10 Chief Litigation Counsel

11 **Eileen G. O'Grady, Esq.** (NV Bar #5443)

12 Chief Deputy Legislative Counsel

13 401 S. Carson Street

14 Carson City, Nevada 89701

15 Telephone No.: 775-684-6830

16 Fax No.: 775-684-6761

17 Email: erdoes@lcb.state.nv.us; kpowers@lcb.state.nv.us;

18 ogradey@lcb.state.nv.us

19 **5. Indicate whether appellant was represented by appointed or retained counsel in**
20 **the district court:**

21 Appellant Nevada Commission on Ethics was represented by its appointed staff,
22 Commission Counsel in the District Court.

23 **6. Indicate whether appellant is represented by appointed or retained counsel on**
24 **appeal:**

25 Appellant Nevada Commission on Ethics is represented by its appointed staff,
26 Commission Counsel in this appeal.

27 **7. Indicate whether appellant was granted leave to proceed in forma pauperis, and**
28 **the date of entry of the district court order granting such leave:**

Not applicable.

8. Indicate the date the proceedings commenced in the district court:

Petitioners Hansen and Wheeler filed a Petition for Judicial Review Pursuant to Nevada
Administrative Procedure Act and Nevada Ethics in Government Law, or in the alternative, a

1 Petition for Writ of Certiorari, Review or Prohibition Pursuant to Article 6, Section 6 of
2 Nevada Constitution and NRS Chapter 34 with the First Judicial District Court on April 2,
3 2015.

4 **9. Provide a brief description of the nature of the action and result in the district**
5 **court, including the type of judgment or order being appealed and the relief**
6 **granted by the district court:**

7 The nature of the action before the district court was a Petition for Judicial Review
8 instituted pursuant to the provisions of NRS Chapter 233B, Nevada's Administrative
9 Procedure Act, which sought review of a preliminary Order on Review of Jurisdictional
10 Determination ("Order") issued the Nevada Ethics Commission ("Commission") denying a
11 Motion to Dismiss filed by Petitioners who were defending a third-party complaint alleging
12 various violations of NRS Chapter 281A, Nevada Ethics in Government Law. Petitioners'
13 Motion to Dismiss sought immediate application of legislative privilege, as defined in NRS
14 41.071 and applicable case law, contending that legislative immunity is absolute and precluded
15 any jurisdictional fact finding by the Commission, which contention was contested. In part,
16 the Commission's denial was premised upon the Commission's fulfillment of its statutory
17 duties to investigate the legitimacy of each Petitioner's conduct claimed to be legislative acts,
18 within the sphere of legitimate legislative activity, for purposes of application of the law
19 associated with legislative privilege and immunity.

20 Complicating the judicial review proceedings was the adoption of amendments to NRS
21 41.071, pursuant to Assembly Bill 496, introduced on the last day of the 2015 Legislative
22 Session as an emergency measure, expanding legislative immunity protections in Nevada. The
23 new law includes provisions of retroactive application to pending administrative matters and
24 was introduced and enacted after entry the Commission's Order and after the filing of the
25 judicial review in District Court.

26 The District Court considered several pleadings filed by the parties and concluded all
27 matters through the issuance of an Order Denying Motion to Dismiss and Granting Petition for
28 Judicial Review. In rendering its decision, the District Court applied the new law to factually

1 establish that the conduct of each of the Petitioners was within the scope of legitimate
2 legislative activity and therefore protected, while contemporaneously indicating that the
3 Commission and its personnel properly performed their statutory duties expressly confirming
4 that there was no prejudice to the substantial rights of Petitioners under any of the grounds
5 stated in NRS 233B.135(3), which statute establishes the required standards to overturn a final
6 decision of an administrative agency.

7 Specifically, the District Court ordered the Commission to terminate its underlying
8 administrative proceedings granting relief as follows: (1) the Commission's Motion to Dismiss
9 was denied; (2) Petitioners Petition for Judicial Review Pursuant to Nevada Administrative
10 Procedure Act and Nevada Ethics in Government Law was granted; (3) Petitioner's Petition
11 and Application for Writ of Certiorari, Review or Prohibition Pursuant to Artic 6, Section 6 of
12 Nevada Constitution and NRS Chapter 34 was denied; and (4) all other requests for relief were
13 determined to be moot.

14 **10. Indicate whether the case has previously been the subject of an appeal to or**
15 **original writ proceeding in the Supreme Court and, if so, the caption and Supreme**
16 **Court docket number of the prior proceeding:**

17 The case has not been the subject of an appeal or an original writ proceeding in the
18 Supreme Court.

19 **11. Indicate whether this appeal involves child custody or visitation:**

20 Not applicable.

21 **12. If this is a civil case, indicate whether this appeal involves the possibility of**
22 **settlement:**

23 The case has the possibility of settlement if such settlement includes compliance with

24 ///

25 ///

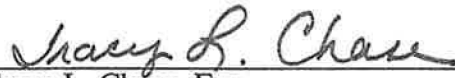
26 ///

1 the provisions of NRS Chapter 233B and confirms the authority of the Ethics Commission to
2 perform jurisdictional fact finding to accomplish its jurisdictional review.

3 Submitted this 29th day of October, 2015.

4 Respectfully,

5 NEVADA COMMISSION ON ETHICS

6 

7 Tracy L. Chase, Esq.
8 Commission Counsel
9 Nevada Bar No. 2752
10 Nevada Commission on Ethics
11 704 W. Nye Lane, Suite 204
12 Carson City, Nevada 89703
13 Telephone: (775) 687-5469
14 E-mail: tchase@ethics.nv.gov
15 *Attorneys for Respondent*

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Nevada Commission on Ethics and that on this day I served a true and correct copy of the attached **CASE APPEAL STATEMENT** via email, addressed as follows:

Brenda J. Erdoes, Esq.
Legislative Counsel
Kevin C. Powers, Esq.
Chief Litigation Counsel
Eileen G. O'Grady, Esq.
Chief Deputy Legislative Counsel
Nevada Legislative Counsel Bureau,
Legal Division
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Email: erdoes@lcb.state.nv.us

Email: kpowers@lcb.state.nv.us

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*Attorneys for Petitioners
Ira Hansen and Jim Wheeler*

Yvonne Nevarez-Goodson, Esq.
Executive Director
Nevada Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, Nevada 89703

Email: ynevarez@ehtics.nv.gov

Dated: 10/29/15

Valerie Carter
Employee, Nevada Commission on Ethics

Case No. 15 OC 00076 1B
Ticket No.
CTN:

By:

-VS-

By: CHASE, TRACY L

704 W NYE LN STE 204
CARSON CITY, NV 89703

Dob: Sex:
Lic: Sid:

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Plate#:
Make:
Year:           Accident:
Type:
Venue:
Location:

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Bond: Set:
Type: Posted:

PLNTPET
PLNTPET

Charges:

Ct. Offense Dt: Cvr:
 Arrest Dt:
 Comments:

Sentencing:

No.	Filed	Action	Operator	Fine/Cost	Due
1	10/29/15	CASE APPEAL STATEMENT	1BCCOOPER	0.00	0.00
2	10/29/15	NOTICE OF APPEAL	1BCCOOPER	24.00	0.00
3	10/26/15	NOTICE OF ENTRY OF ORDER DENYING MOTION TO DISMISS AND GRANTING PETITION FOR JUDICIAL REVIEW	1BCCOOPER	0.00	0.00
4	10/02/15	SUMMARY JUDGMENT	1BJULIEH	0.00	0.00
5	10/02/15	HEARING HELD: The following event: STATUS CHECK scheduled for 09/28/2015 at 3:30 pm has been resulted as follows: Result: HEARING HELD Judge: WILSON JR, JAMES E Location: DEPT II	1BJULIEH	0.00	0.00
6	10/01/15	ORDER DENYING MOTION TO DISMISS AND GRANTING PETITION FOR JUDICIAL REVIEW	1BJULIEH	0.00	0.00
7	10/01/15	TRIAL DATE MEMO	1BJULIEH	0.00	0.00
8	09/28/15	PETITIONERS' REQUEST FOR SUBMISSION COUNTER-MOTION TO STRIKE IMPROPER EXHIBITS	1BCGRIBBLE	0.00	0.00
9	09/28/15	PETITIONERS' REPLY IN SUPPORT OF THEIR COUNTER-MOTION TO STRIKE IMPROPER EXHIBITS AND PETITIONERS' OPPOSITION TO RESPONDENT'S APPLICATION FOR LEAVE TO PRESENT ADDITIONAL EVIDENCE TO THE COMMISSION PURSUANT TO NRS 233B.131	1BCGRIBBLE	0.00	0.00
10	09/23/15	REQUEST FOR SUBMISSION	1BVANESSA	0.00	0.00
11	09/23/15	REPLY IN SUPPORT OF MOTION TO CONITNUE HEARING SCHEDULED FOR SEPTEMBER 29, 2015	1BVANESSA	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
12	09/23/15	OPPOSITION TO PETITIONERS' COUNTER-MOTION TO STRIKE IMPROPER EXHIBITS FROM RESPONDENT'S ANSWERING BRIEF AND REPLY IN SUPPORT OF MOTION TO DISMISS AND APPLICATION FOR LEAVE TO PRESENT ADDITIONAL EVIDENCE TO THE COMMISSION PURSUANT TO NRS 233B.131	1BVANESSA	0.00	0.00
13	09/21/15	PETITIONERS' REPLY IN SUPPORT OF THEIR REQUEST FOR THE COURT TO TAKE ORAL ARGUMENT ON RESPONDENT'S MOTION TO DISMISS AT THE HEARING ALREADY SCHEDULED FOR SEPTEMBER 29, 2015 AND PETITIONERS' OPPOSITION TO RESPONDENT'S MOTION TO CONTINUE THE HEARING SCHEDULED FOR SEPTEMBER 29, 2015	1BCGRIBBLE	0.00	0.00
14	09/15/15	REQUEST FOR SUBMISSION	1BCGRIBBLE	0.00	0.00
15	09/15/15	OBJECTION TO PETITIONERS' REQUEST FOR THE COURT TO TAKE ORAL AGRUMENT ON RESPONDENT'S MOTION TO DISMISS AT THE HEARING ALREADY SCHEDULED FOR SEPTEMBER 29, 2015 AND MOTION TO CONTINUE HEARING SCHEDULED FOR SEPTEMBER 29, 2015 AND EXPARTE REQUEST FOR ORDER SHORTENING TIME TO RESPOND TO MOITION TO CONTINUE	1BCGRIBBLE	0.00	0.00
16	09/11/15	STIPULATION AND ORDER TO EXTEND TIME TO FILE PETITIONERS' REPLY BRIEF ON PETITION FOR JUDICIAL REVIEW	1BJULIEH	0.00	0.00
17	09/08/15	REQUEST TO SUBMIT STIPULATION AND ORDER TO EXTEND TIME	1BJHIGGINS	0.00	0.00
18	09/08/15	PETITIONERS' COUNTER-MOTION TO STRIKE IMPROPER EXHIBITS FROM RESPONDENT'S ANSWERING BRIEF AND REPLY IN SUPPORT OF MOTION TO DISMISS	1BJHIGGINS	0.00	0.00
19	09/08/15	PETITIONERS' REPLY BRIEF ON PETITION FOR JUDICIAL REVIEW	1BJHIGGINS	0.00	0.00
20	08/31/15	PETITIONERS' REQUEST FOR THE COURT TO TAKE ORAL ARGUMENT ON RESPONDENT'S MOTION TO DISMISS AT THE HEARING ALREADY SCHEDULED IN THIS CASE FOR SEPTEMBER 29, 2015 BY STIPULATION AND ORDER	1BJHIGGINS	0.00	0.00
21	08/27/15	REQUEST FOR SUBMISSION	1BJULIEH	0.00	0.00
22	08/27/15	REPLY IN SUPPORT OF MOTION TO DISMISS	1BJULIEH	0.00	0.00
23	08/27/15	RESPONDENT'S ANSWER BRIEF	1BJULIEH	0.00	0.00
24	08/17/15	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BVANESSA	0.00	0.00
25	08/17/15	STIPULATION AND ORDER TO EXTEND TIME TO FILE RESPONDENT'S ANSWERING BRIEF AND REPLY IN SUPPORT OF MOTION TO DISMISS	1BVANESSA	0.00	0.00


No.	Filed	Action	Operator	Fine/Cost	Due
26	07/20/15	PETITIONERS OPPOSITION TO MOTION TO DISMISS	1BCCOOPER	0.00	0.00
27	07/13/15	PETITIONERS OPENING BRIEF ON PETITION FOR JUDICIAL REVIEW	1BCGRIBBLE	0.00	0.00
28	06/30/15	MOTION TO DISMISS	1BJULIEH	0.00	0.00
29	05/14/15	RECORD OF PROCEEDINGS UNDER REVIEW AND NOTICE OF TRANSMITTAL OF CERTIFIED RECORD	1BVANESSA	0.00	0.00
30	05/14/15	CERTIFIED RECORD OF PROCEEDINGS	1BVANESSA	0.00	0.00
31	04/30/15	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BJULIEH	0.00	0.00
32	04/30/15	STIPULATION AND ORDER	1BJULIEH	0.00	0.00
33	04/22/15	REQUEST TO SUBMIT STIPULATON AND ORDER	1BJULIEH	0.00	0.00
34	04/22/15	AFFIDAVIT OF PROOF OF SERVICE OF PETITION FOR JUDICIAL REIVEW AND PETITION AND APPLICATION FOR WRIT OF CERTIORARI, REVIEW OR PROHIBITION	1BJULIEH	0.00	0.00
35	04/22/15	DEFENDANT'S/RESPONDENT'S INITIAL APPEARANCE AFFIRMATION PURSUANT TO NRS 239.030	1BJULIEH	0.00	0.00
36	04/22/15	STATEMENT OF INTENT TO PARTICIPATE IN JUDICIAL REVIEW	1BJULIEH	0.00	0.00
37	04/06/15	HEARING HELD: The following event: PETITION HEARING scheduled for 04/03/2015 at 3:30 pm has been resulted as follows: Result: HEARING HELD Judge: WILSON JR, JAMES E Location: DEPT II	1BJULIEH	0.00	0.00
38	04/03/15	TRIAL DATE MEMO	1BJULIEH	0.00	0.00
39	04/02/15	ISSUING SUMMONS	1BCGRIBBLE	0.00	0.00
40	04/02/15	PETITIONERS' EMERGENCY MOTION FOR A PRELIMINARY INJUNCTION AND A STAY ENJOINING THE COMMISSION ON ETHICS FROM CONDUCTING ANY FURTHER INVESTIGATIONS AND PROCEEDINGS IN REQUEST FOR OPINION NO. 14-21C AND REQUEST FOR OPINION NO. 14-22C PENDING JUDICIAL REVIEW	1BCGRIBBLE	0.00	0.00
41	04/02/15	PETITION FOR JUDICIAL REVIEW PURSUANT TO NEVADA ADMINISTRATIVE PROCEDURE ACT AND NEVADA ETHICS IN GOVERNMENT LAW OR IN THE ALTERNATIVE PETITION AND APPLICATION FOR WRIT OF CERTIORARI, REVIEW OR POHIBITION PURSUANT TO ARTICLE 6, SECTION 6 OF NEVADA CONSTITUTION AND NRS CHAPTER 34	1BCGRIBBLE	265.00	0.00
Total:				289.00	0.00
Totals By: COST				289.00	0.00

INFORMATION	0.00	0.00
*** End of Report ***		

REC'D & FILED

2015 OCT -1 PM 3:58

SUSAN MERRIWETHER
CLERK

BY  DEPUTY

**IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY**

IRA HANSEN, in his official capacity as
Nevada State Assemblyman for
Assembly District No. 32; and JIM
WHEELER, in his official capacity as
Nevada State Assemblyman for
Assembly District No. 39,

Petitioners,

vs.

**THE COMMISSION ON ETHICS OF THE
STATE OF NEVADA**

Respondent.

CASE NO. 15 OC 00076 1B

DEPT. 2

**ORDER DENYING MOTION TO
DISMISS AND GRANTING
PETITION FOR JUDICIAL
REVIEW**

PROCEDURAL BACKGROUND

An individual filed two Third-Party Request for Opinion (RFO) forms with the Commission on Ethics of the State of Nevada (the Commission) seeking review of certain actions of Assemblymen Ira Hansen (Hansen) and Jim Wheeler (Wheeler) (collectively, Petitioners). The Commission's executive director and its counsel completed a jurisdictional determination for each RFO and concluded the Commission had jurisdiction to investigate.

The parties entered into a Stipulation and Order Concerning Review of Jurisdictional Determination, which provided Petitioners with an opportunity for the Commission to consider a Pre-Panel Motion to Dismiss along with the related record. The Commission held a hearing on the Pre-Panel Motion to Dismiss and then

1 entered an Order on Review of Jurisdictional Determination. The order denied
2 Petitioners' Motion to Dismiss and ordered the Commission's executive director to
3 undertake an investigation to determine whether Petitioners' conduct properly falls
4 within the scope of legitimate legislative activity and/or conduct related to the
5 representation of the interests of their constituents that is privileged and immune
6 from review under NRS 281A.020(2)(d) and NRS 41.071.

7 Petitioners filed a Petition for judicial review, or in the alternative, a petition
8 for writ relief. Petitioners requested the court set aside the Commission's Order on
9 Review of Jurisdictional Determination. The Commission filed a motion to dismiss
10 the petition for judicial review and the petition for writ relief.

11 The Legislature passed AB496 which, among other things, broadly describes
12 acts that are covered by legislative privilege and immunity. The Commission in its
13 Reply in Support of Motion to Dismiss argued AB496 is unconstitutionally vague and
14 over broad, and violates the separation of powers doctrine.

15 16 **FACTS**

17 The record contains evidence of the following facts which are stated in
18 chronological order.

19 Hansen had a dispute with a Nevada Department of Wildlife officer regarding
20 whether Hansen illegally placed snare traps too near a roadway. Hansen contacted
21 Legislative Counsel and requested a legal opinion regarding the snare trap statute,
22 NRS 503.580. Legislative Counsel told Hansen it could look like a potential conflict
23 of interest if he requested the opinion so he should ask a colleague to request the
24 opinion.

25 Hansen asked Wheeler to request the opinion. Wheeler requested Legislative
26 Counsel for an opinion as to whether the prohibition against placing or setting a steel
27 trap within 200 feet of a public road or highway applies to box traps and snare traps.

1 Hansen was charged under NRS 503.580 with four misdemeanor counts for
2 unlawfully setting traps. Legislative Counsel issued an opinion in response to
3 Wheeler's request. The Legislative Counsel's opinion contains a statutory
4 construction analysis of NRS 503.580 and concluded NRS 503.580 does not apply to
5 snare traps. Hansen told a reporter, among other things, "I will be found not guilty
6 because when you see what the LCB says and when you read the law, you will see that
7 I was in compliance."

8 Petitioners requested BDRs regarding trapping. Wheeler requested BDR31
9 which was introduced as AB335. AB335 proposed an amendment to NRS 503.580.
10 The Legislature did not pass AB335.

11 12 ISSUES

13 Does this court have jurisdiction to conduct a judicial review under the
14 Administrative Procedures Act (APA)?

15 If the court has jurisdiction under the APA, did the Commission commit
16 prejudicial error as a matter of law by denying Petitioners' motion to dismiss for lack
17 of subject matter jurisdiction?

18 If the court does not have jurisdiction under the APA, is writ relief
19 appropriate?

20 21 ANALYSIS

22 The Commission argued the petition for judicial review should be dismissed
23 because: 1) judicial review is not available to Petitioners under NRS Chapter 233B
24 because a) the Commission's Order on Review of Jurisdictional Determination is not
25 a final order and Petitioners have not exhausted their administrative remedies; and
26 2) Petitioners have an adequate remedy at law.

27 Petitioners argued they are entitled to immediate judicial review. Petitioners'
28 argument is, first, they are entitled to legislative privilege and immunity because

1 their acts at issue were within the sphere of legitimate legislative activity. Legislative
2 privilege and immunity protect legislators from the burden of defending themselves
3 as well as from the consequences of litigation results.¹ Second, if judicial review is not
4 granted now, Petitioners will lose the legislative privilege and immunity protection
5 from having to defend themselves in the Commission's administrative investigation
6 and proceedings. Third, review of a final Commission decision, one made after
7 further investigation, will not provide an adequate remedy because Petitioners will
8 have to defend themselves in the Commission's investigation and will therefore be
9 deprived of the protection of not having to defend themselves. Fourth, Petitioners
10 cite NRS 233B.130(1) which states: "Any preliminary, procedural or intermediate act
11 or ruling by an agency in a contested case is reviewable if review of the final decision
12 of the agency would not provide an adequate remedy." And fifth, because review of a
13 final decision of the Commission would not provide an adequate remedy at law they
14 are entitled to judicial review now.

15 To resolve the issue of whether Petitioners are entitled to judicial review, the
16 court must resolve the issue of whether Petitioners' acts are protected by legislative
17 privilege and immunity. Petitioners are protected by legislative privilege and
18 immunity if their questioned acts fall "within the sphere of legitimate legislative
19 activity." On the issue of whether Petitioners' questioned acts fall within the sphere
20 of legitimate legislative activity, the court also considered the parties' briefs filed in
21 support of and opposing the Petition for Judicial Review.

22 The Commission took the position that Petitioners' request to Legislative
23 Counsel for the opinion was to serve Petitioners' private, personal interests.
24 Specifically, the Commission argued Petitioners requested the opinion so Hansen
25 could use it as a defense in his criminal case. The Commission argued Petitioners'
26 acts did not fall within the sphere of legitimate legislative activity.

27
28
¹*Dombrowski v. Eastland*, 387 U.S. 82, 85, 87 S. Ct. 1425, 18 L. Ed. 2d 577
(1967) (Internal citation and quotation marks omitted.)

1 Petitioners countered with several arguments, including an argument based
2 upon NRS 41.071 as amended by AB496 during the 2015 Legislature. The NRS 41.071
3 argument is dispositive on the “sphere of legitimate legislative activity” issue.

4 AB496, section 3, paragraph 5 provides legislative privilege and immunity to
5 legislators for (a) “Any actions, in any form, taken or performed with regard to any
6 legislative measure or other matter within the jurisdiction of the Legislature ...;” ©
7 Any actions, in any form, taken or performed with regard to requesting, seeking or
8 obtaining any form of aid, assistance, counsel or services from any officer or
9 employee of the Legislature concerning any legislative matter or other matter within
10 the jurisdiction of the Legislature” Both subsections include a non-exhaustive list
11 of examples of acts that fall “within the sphere of legitimate legislative activity.” The
12 Legislature declared in AB496 that the amendments to NRS 41.071 were a legislative
13 pronouncement of already existing law intended to clarify rather than change
14 existing law and apply to pending administrative or judicial proceedings. The
15 Legislature also made the amendment effective upon passage and approval.

16 The Commission argued AB496 is unconstitutionally vague and over broad,
17 and violates the separation of powers doctrine. The Commission cited no persuasive
18 authority to support these arguments. The Commission did not show that AB496 is
19 unconstitutionally vague or over broad as applied to Petitioners’ case. Neither did the
20 Commission show that AB496 impedes the authority of the judiciary to interpret and
21 apply legal precedent.

22 23 **CONCLUSIONS OF LAW**

24 Hansen through Wheeler requested Legislative Counsel provide an opinion
25 interpreting a state trapping law. The Legislature has jurisdiction over trapping laws.
26 Therefore, under AB496, as a matter of law, Petitioners’ actions are within the sphere
27 of legitimate legislative activity and protected by legislative privilege and immunity.

28 The Commission failed to show that AB496 is unconstitutionally vague or
over broad, or violates the separation of powers doctrine.

1 Because Petitioners acts fall within the sphere of legitimate legislative activity
2 as defined in AB496, they are entitled to legislative privilege and immunity. If
3 judicial review is not granted now, Petitioners will lose the legislative privilege and
4 immunity protection from having to defend themselves in the Commission's
5 administrative investigation and proceedings. Review of a final Commission
6 decision, one made after further investigation, will not provide an adequate remedy
7 because Petitioners will have to defend themselves in the Commission's investigation
8 and will therefore be deprived of the protection of not having to defend themselves.
9 Therefore, under NRS 233B.130(1) this court has jurisdiction to conduct a judicial
10 review and the Commission's Motion to Dismiss must be denied. For the same
11 reasons, Petitioners' petition for judicial review must be granted.

12 The court does not conclude that substantial rights of Petitioners were
13 prejudiced by the Commission under any of the grounds stated in NRS 233B.135(3).
14 The Commission's personnel performed their duties under NRS 281A.240(1)©, NRS
15 281A.280(1), NRS 281A.440(3) and (4), and NAC 281A.405(1). They investigated the
16 facts and circumstances related to the RFOs to determine whether there was just and
17 sufficient cause for the Commission to render an opinion in the matter, and made a
18 recommendation that the Commission did have jurisdiction to investigate and take
19 appropriate action. The Commission held a pre-panel hearing under NAC
20 281A.405(4). The Commission did not render a final decision. The issue of whether
21 Petitioners' acts were within the sphere of legitimate legislative activity was unclear
22 during the time the matter was before the Commission. After Petitioners filed their
23 petition for judicial review, the Legislature made clear, through AB496, that
24 Petitioners' acts were within the sphere of legitimate
25 legislative activity. At that point, the matter was before this court and out of the
26 Commission's hands. The Commission discharged its duties responsibly and
27 reasonably.

28 Because Petitioners' acts were within the sphere of legitimate legislative
activity, the Nevada Assembly has sole jurisdiction to question and sanction

1 Petitioners regarding those acts. Therefore, the Commission must terminate its
2 proceedings in this matter.

3 Because Petitioners' petition for judicial review is granted, the other issues
4 raised by the parties in their pleadings and papers are moot and therefore denied.

5
6 **ORDER**

7 IT IS ORDERED:

8 The Commission's Motion to Dismiss is denied.

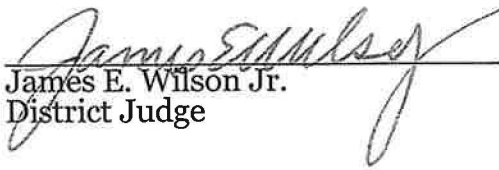
9 Petitioners' Petition for Judicial Review Pursuant to Nevada Administrative
10 Procedure Act and Nevada Ethics in Government Law is granted.

11 Petitioners' Petition and Application for Writ of Certiorari, Review or
12 Prohibition Pursuant to Article 6, Section 6 of Nevada Constitution and NRS Chapter
13 34 is denied.

14 The Commission terminate its proceedings in this matter.

15 Other requests for relief are moot and therefore denied.

16
17 October 1, 2015

18 
19 James E. Wilson Jr.
20 District Judge
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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the First Judicial
3 District Court, and I certify that on this 1 day of October, 2015, I deposited for
4 mailing at Carson City, Nevada, or caused to be delivered by messenger service, a
5 true and correct copy of the foregoing Order and addressed to the following:

6 Kevin Powers, Esq.
7 401 S. Carson Street
8 Carson City, NV 89701

Tracy Chase, Esq.
704 West Nye Lane, Suite 204
Carson City, NV 89706

9 

10 Gina Winder
11 Judicial Assistant
12
13
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REC'D & FILED
2015 OCT 26 AM 9:17

SUSAN MERRIWETHER
CLERK
BY  DEPUTY

BRENDA J. ERDOES, Legislative Counsel
Nevada Bar No. 3644
KEVIN C. POWERS, Chief Litigation Counsel
Nevada Bar No. 6781
EILEEN G. O'GRADY, Chief Deputy Legislative Counsel
Nevada Bar No. 5443
LEGISLATIVE COUNSEL BUREAU, LEGAL DIVISION
401 S. Carson Street
Carson City, Nevada 89701
Tel: (775) 684-6830; Fax: (775) 684-6761
E-mail: kpowers@lcb.state.nv.us; ogrady@lcb.state.nv.us
Attorneys for Petitioners

**IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY**

IRA HANSEN, in his official capacity as Nevada
State Assemblyman for Assembly
District No. 32; and JIM WHEELER, in his
official capacity as Nevada State Assemblyman
for Assembly District No. 39,

**Case No. 15 OC 00076 1B
Dept. No. II**

Petitioners,

vs.

THE COMMISSION ON ETHICS OF THE
STATE OF NEVADA,

Respondent.

ORIGINAL

**NOTICE OF ENTRY OF ORDER DENYING MOTION TO DISMISS
AND GRANTING PETITION FOR JUDICIAL REVIEW**

PLEASE TAKE NOTICE that on the 1st day of October, 2015, the Court in the above-
titled action entered an Order Denying Motion to Dismiss and Granting Petition for Judicial Review. A
copy of the Order is attached hereto as Exhibit 1.

\\

\\

1 DATED: This 26th day of October, 2015.

2 Respectfully submitted,

3 **BRENDA J. ERDOES**
4 Legislative Counsel

5 By:



6 **KEVIN C. POWERS**, Chief Litigation Counsel

Nevada Bar No. 6781

7 **EILEEN G. O'GRADY**, Chief Deputy Legislative Counsel

Nevada Bar No. 5443

8 LEGISLATIVE COUNSEL BUREAU, LEGAL DIVISION

401 S. Carson Street

Carson City, Nevada 89701

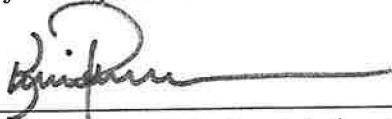
9 Tel: (775) 684-6830; Fax: (775) 684-6761

10 *Attorneys for the Petitioners*

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that I am an employee of the Nevada Legislative Counsel Bureau, Legal Division,
13 and that on the 26th day of October, 2015, pursuant to NRCP 5(b) and the parties' stipulation and
14 consent to service by electronic mail, I served a true and correct copy of Notice of Entry of Order
15 Denying Motion to Dismiss and Granting Petition for Judicial Review, by electronic mail, addressed to
16 the following:

17 Tracy L. Chase, Esq.
18 Commission Counsel
19 NEVADA COMMISSION ON ETHICS
704 W. Nye Lane, Suite 204
Carson City, NV 89703
E-mail: tchase@ethics.nv.gov
20 *Attorney for Respondent*



22 An Employee of the Legislative Counsel Bureau

Exhibit 1

Exhibit 1

REC'D & FILED

2015 OCT -1 PM 3:58

SUSAN MERRIWETHER
CLERK

G. WINDER
DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY

IRA HANSEN, in his official capacity as
Nevada State Assemblyman for
Assembly District No. 32; and JIM
WHEELER, in his official capacity as
Nevada State Assemblyman for
Assembly District No. 39,

Petitioners,

vs.

THE COMMISSION ON ETHICS OF THE
STATE OF NEVADA

Respondent.

CASE NO. 15 OC 00076 1B

DEPT. 2

ORDER DENYING MOTION TO
DISMISS AND GRANTING
PETITION FOR JUDICIAL
REVIEW

PROCEDURAL BACKGROUND

An individual filed two Third-Party Request for Opinion (RFO) forms with the Commission on Ethics of the State of Nevada (the Commission) seeking review of certain actions of Assemblymen Ira Hansen (Hansen) and Jim Wheeler (Wheeler) (collectively, Petitioners). The Commission's executive director and its counsel completed a jurisdictional determination for each RFO and concluded the Commission had jurisdiction to investigate.

The parties entered into a Stipulation and Order Concerning Review of Jurisdictional Determination, which provided Petitioners with an opportunity for the Commission to consider a Pre-Panel Motion to Dismiss along with the related record. The Commission held a hearing on the Pre-Panel Motion to Dismiss and then

1 entered an Order on Review of Jurisdictional Determination. The order denied
2 Petitioners' Motion to Dismiss and ordered the Commission's executive director to
3 undertake an investigation to determine whether Petitioners' conduct properly falls
4 within the scope of legitimate legislative activity and/or conduct related to the
5 representation of the interests of their constituents that is privileged and immune
6 from review under NRS 281A.020(2)(d) and NRS 41.071.

7 Petitioners filed a Petition for judicial review, or in the alternative, a petition
8 for writ relief. Petitioners requested the court set aside the Commission's Order on
9 Review of Jurisdictional Determination. The Commission filed a motion to dismiss
10 the petition for judicial review and the petition for writ relief.

11 The Legislature passed AB496 which, among other things, broadly describes
12 acts that are covered by legislative privilege and immunity. The Commission in its
13 Reply in Support of Motion to Dismiss argued AB496 is unconstitutionally vague and
14 over broad, and violates the separation of powers doctrine.

15 16 **FACTS**

17 The record contains evidence of the following facts which are stated in
18 chronological order.

19 Hansen had a dispute with a Nevada Department of Wildlife officer regarding
20 whether Hansen illegally placed snare traps too near a roadway. Hansen contacted
21 Legislative Counsel and requested a legal opinion regarding the snare trap statute,
22 NRS 503.580. Legislative Counsel told Hansen it could look like a potential conflict
23 of interest if he requested the opinion so he should ask a colleague to request the
24 opinion.

25 Hansen asked Wheeler to request the opinion. Wheeler requested Legislative
26 Counsel for an opinion as to whether the prohibition against placing or setting a steel
27 trap within 200 feet of a public road or highway applies to box traps and snare traps.

1 Hansen was charged under NRS 503.580 with four misdemeanor counts for
2 unlawfully setting traps. Legislative Counsel issued an opinion in response to
3 Wheeler's request. The Legislative Counsel's opinion contains a statutory
4 construction analysis of NRS 503.580 and concluded NRS 503.580 does not apply to
5 snare traps. Hansen told a reporter, among other things, "I will be found not guilty
6 because when you see what the LCB says and when you read the law, you will see that
7 I was in compliance."

8 Petitioners requested BDRs regarding trapping. Wheeler requested BDR31
9 which was introduced as AB335. AB335 proposed an amendment to NRS 503.580.
10 The Legislature did not pass AB335.

11 12 ISSUES

13 Does this court have jurisdiction to conduct a judicial review under the
14 Administrative Procedures Act (APA)?

15 If the court has jurisdiction under the APA, did the Commission commit
16 prejudicial error as a matter of law by denying Petitioners' motion to dismiss for lack
17 of subject matter jurisdiction?

18 If the court does not have jurisdiction under the APA, is writ relief
19 appropriate?

20 21 ANALYSIS

22 The Commission argued the petition for judicial review should be dismissed
23 because: 1) judicial review is not available to Petitioners under NRS Chapter 233B
24 because a) the Commission's Order on Review of Jurisdictional Determination is not
25 a final order and Petitioners have not exhausted their administrative remedies; and
26 2) Petitioners have an adequate remedy at law.

27 Petitioners argued they are entitled to immediate judicial review. Petitioners'
28 argument is, first, they are entitled to legislative privilege and immunity because

1 their acts at issue were within the sphere of legitimate legislative activity. Legislative
2 privilege and immunity protect legislators from the burden of defending themselves
3 as well as from the consequences of litigation results.¹ Second, if judicial review is not
4 granted now, Petitioners will lose the legislative privilege and immunity protection
5 from having to defend themselves in the Commission's administrative investigation
6 and proceedings. Third, review of a final Commission decision, one made after
7 further investigation, will not provide an adequate remedy because Petitioners will
8 have to defend themselves in the Commission's investigation and will therefore be
9 deprived of the protection of not having to defend themselves. Fourth, Petitioners
10 cite NRS 233B.130(1) which states: "Any preliminary, procedural or intermediate act
11 or ruling by an agency in a contested case is reviewable if review of the final decision
12 of the agency would not provide an adequate remedy." And fifth, because review of a
13 final decision of the Commission would not provide an adequate remedy at law they
14 are entitled to judicial review now.

15 To resolve the issue of whether Petitioners are entitled to judicial review, the
16 court must resolve the issue of whether Petitioners' acts are protected by legislative
17 privilege and immunity. Petitioners are protected by legislative privilege and
18 immunity if their questioned acts fall "within the sphere of legitimate legislative
19 activity." On the issue of whether Petitioners' questioned acts fall within the sphere
20 of legitimate legislative activity, the court also considered the parties' briefs filed in
21 support of and opposing the Petition for Judicial Review.

22 The Commission took the position that Petitioners' request to Legislative
23 Counsel for the opinion was to serve Petitioners' private, personal interests.
24 Specifically, the Commission argued Petitioners requested the opinion so Hansen
25 could use it as a defense in his criminal case. The Commission argued Petitioners'
26 acts did not fall within the sphere of legitimate legislative activity.

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¹*Dombrowski v. Eastland*, 387 U.S. 82, 85, 87 S. Ct. 1425, 18 L. Ed. 2d 577
(1967) (Internal citation and quotation marks omitted.)

Petitioners countered with several arguments, including an argument based upon NRS 41.071 as amended by AB496 during the 2015 Legislature. The NRS 41.071 argument is dispositive on the “sphere of legitimate legislative activity” issue.

AB496, section 3, paragraph 5 provides legislative privilege and immunity to legislators for (a) “Any actions, in any form, taken or performed with regard to any legislative measure or other matter within the jurisdiction of the Legislature ...;” © Any actions, in any form, taken or performed with regard to requesting, seeking or obtaining any form of aid, assistance, counsel or services from any officer or employee of the Legislature concerning any legislative matter or other matter within the jurisdiction of the Legislature” Both subsections include a non-exhaustive list of examples of acts that fall “within the sphere of legitimate legislative activity.” The Legislature declared in AB496 that the amendments to NRS 41.071 were a legislative pronouncement of already existing law intended to clarify rather than change existing law and apply to pending administrative or judicial proceedings. The Legislature also made the amendment effective upon passage and approval.

The Commission argued AB496 is unconstitutionally vague and over broad, and violates the separation of powers doctrine. The Commission cited no persuasive authority to support these arguments. The Commission did not show that AB496 is unconstitutionally vague or over broad as applied to Petitioners' case. Neither did the Commission show that AB496 impedes the authority of the judiciary to interpret and apply legal precedent.

CONCLUSIONS OF LAW

Hansen through Wheeler requested Legislative Counsel provide an opinion interpreting a state trapping law. The Legislature has jurisdiction over trapping laws. Therefore, under AB496, as a matter of law, Petitioners' actions are within the sphere of legitimate legislative activity and protected by legislative privilege and immunity.

The Commission failed to show that AB496 is unconstitutionally vague or over broad, or violates the separation of powers doctrine.

1 Because Petitioners acts fall within the sphere of legitimate legislative activity
2 as defined in AB496, they are entitled to legislative privilege and immunity. If
3 judicial review is not granted now, Petitioners will lose the legislative privilege and
4 immunity protection from having to defend themselves in the Commission's
5 administrative investigation and proceedings. Review of a final Commission
6 decision, one made after further investigation, will not provide an adequate remedy
7 because Petitioners will have to defend themselves in the Commission's investigation
8 and will therefore be deprived of the protection of not having to defend themselves.
9 Therefore, under NRS 233B.130(1) this court has jurisdiction to conduct a judicial
10 review and the Commission's Motion to Dismiss must be denied. For the same
11 reasons, Petitioners' petition for judicial review must be granted.

12 The court does not conclude that substantial rights of Petitioners were
13 prejudiced by the Commission under any of the grounds stated in NRS 233B.135(3).
14 The Commission's personnel performed their duties under NRS 281A.240(1)©, NRS
15 281A.280(1), NRS 281A.440(3) and (4), and NAC 281A.405(1). They investigated the
16 facts and circumstances related to the RFOs to determine whether there was just and
17 sufficient cause for the Commission to render an opinion in the matter, and made a
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3 Because Petitioners' petition for judicial review is granted, the other issues
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6 **ORDER**

7 IT IS ORDERED:

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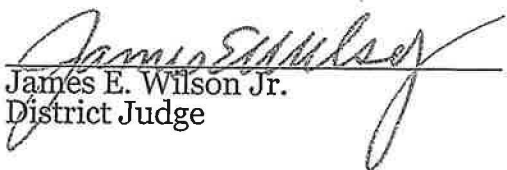
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15 Other requests for relief are moot and therefore denied.

16
17 October 1, 2015

18 
19 James E. Wilson Jr.
20 District Judge
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FIRST JUDICIAL DISTRICT COURT MINUTES

CASE NO. 15 OC 00076 1B

TITLE: IRA HANSON AND JIM WHEELER VS
COMMISSION ON ETHICS OF THE
STATE OF NEVADA

09/28/15 – DEPT. II – HONORABLE JAMES E. WILSON, JR.
J. Harkleroad, Clerk – Not Reported

TELEPHONIC HEARING

Present: Kevin Powers, counsel for Pltf., appearing telephonically; Tracy Chase, counsel for Def., appearing telephonically

Statements were made by Court.

COURT ORDERED: Oral Argument hearing set for September 29, 2015 is vacated.

The Court minutes as stated above are a summary of the proceeding and are not a verbatim record. The hearing held on the above date was recorded on the Court's recording system.

FIRST JUDICIAL DISTRICT COURT MINUTES

CASE NO. 15 OC 00076 1B

TITLE: IRA HANSEN, IN HIS OFFICIAL
CAPACITY AS NEVADA STATE
ASSEMBLYMAN FOR ASSEMBLY
DISTRICT NO. 32; AND JIM WHEELER,
IN HIS OFFICIAL CAPACITY AS
NEVADA STATE ASSEMBLYMAN FOR
ASSEMBLY DISTRICT NO. 39 VS THE
COMMISSION ON ETHICS OF THE
STATE OF NEVADA

04/06/15 – DEPT. II – HONORABLE JAMES E. WILSON, JR.
J. Harkleroad, Clerk – Not Reported

TELEPHONE CONFERENCE: PETITIONERS EMERGENCY MOTION FOR STAY

Present: KevinC. Powers and Brenda J. Erdoes counsel for petitioners; Tracy Chase, counsel for Ethics Commission.

Statements were made by Court and counsel.

COURT ORDERED: Counsel to contact the Court's Judicial Assistant to set the matter. Upon inquiry by Chase,

Powers indicated they are waiving the rights to confidentiality.

COURT ORDERED: Powers to prepare a brief order that indicates that a telephone conference was held that was recorded. That the Legislative Counsel does not have an objection to the Commission having time to filing a response and understands that Ms. Chase will be out of the office next week. That Mr. Hanson and Mr. Wheeler waive their confidentiality under 281A. Further statements were made by Powers and Court.

The Court minutes as stated above are a summary of the proceeding and are not a verbatim record. The hearing held on the above date was recorded on the Court's recording system.

DISTRICT COURT CIVIL COVER SHEET

Carson City County, Nevada
Case No. 1500000761B
(Assigned by Clerk's Office) Dept. II

REC'D & FILED

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): Ira Hansen, Nevada State Assemblyman, District 32 401 S. Carson Street, Carson City, NV 89701 Jim Wheeler, Nevada State Assemblyman, District 39 401 S. Carson Street, Carson City, NV 89701 Attorney (name/address/phone): Kevin C. Powers, Esq. Legislative Counsel Bureau, Legal Division 401 S. Carson Street, Carson City, NV 89701 775-684-6830	Defendant(s) (name/address/phone): 2015 APR -2 PM 4:14 Commission on Ethics of the State of Nevada 704 W. Nye Lane, Suite 204, Carson City, NV 89703 SUSAN HERRIWEATHER CLERK DEPUTY Attorney (name/address/phone): Yvonne M. Nevarez-Goodson, Esq. Executive Director, Commission on Ethics 704 W. Nye Lane, Suite 204, Carson City, NV 89703
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II. Nature of Controversy (please select the one most applicable filing type below)

Civil Case Filing Types

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input checked="" type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input checked="" type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input checked="" type="checkbox"/> Writ of Prohibition <input checked="" type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

04/02/2015

Date

Signature of initiating party or representative

See other side for family-related case filings.