

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAN SCHWARTZ, in his official capacity as
Treasurer of the State of Nevada,

Electronically Filed
Supreme Court No. 69611
Apr 07 2016 02:03 p.m.
District Court No. 15-QC
Tracie K. Lindeman
0020701-B Clerk of Supreme Court

Appellant,

v.

HELLEN QUAN LOPEZ, individually and on
behalf of her minor child, C.Q.; MICHELLE
GORELOW, individually and on behalf of her
minor children A.G. and H.G.; ELECTRA
SKRYZDLEWSKI, individually and on behalf of
her minor child, L.M.; JENNIFER CARR,
individually and on behalf of her minor children,
W.C., A.C., and E.C.; LINDA JOHNSON,
individually and on behalf of her minor child,
K.J., and SARAH SOLOMON AND BRIAN
SOLOMON, individually and on behalf of their
minor children, D.S. and K.S.,

Appellees

**Motion By Wisconsin Aliance For Excellent Schools, Wisconsin Association
Of School District Administrators, Association Of Wisconsin School
Administrators, Horace Mann League, And Network For Public Education
For Leave To File Amicus Curiae Brief In Support Of Appellees**

Leon Greenberg (NSB 8094)
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Julie Underwood, Of Counsel
Attorney for Amici

Pursuant to NRAP 29(a) and 21(b)(3), Prospective amicus curiae The Wisconsin Alliance for Excellent Schools (WAES), Wisconsin Association of School District Administrators (WASDA), the Association of Wisconsin School Administrators, (AWSA), Horace Mann League and Network for Public Education (Collectively “Amici”) hereby file a motion for leave to file their brief in support of Appellees’ answering brief, and in support of upholding the District Court’s order granting a preliminary injunction.

I. THE COURT SHOULD GRANT LEAVE TO FILE AN AMICUS BRIEF

This Court has the discretion to permit a non-party to file an amicus brief. *See Nev. R. App. P. 29(a), 21(b)(3)*. Courts “welcome amicus briefs from nonparties concerning legal issues that have potential ramifications beyond the parties directly involved or if the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.” *NVG Gaming, Ltd. v. Upstream Point Molate, LLC*, 355 F. Supp. 2d 1061, 1067 (N.D. Cal. 2005).

Amici are all committed to providing equal educational opportunities to all children. All Amici believe the privatization of public education through vouchers will denigrate the education children are afforded. All Amici believe the public education system provides opportunities for *all* children to learn to be active participants in our nation’s economy and democracy.

B. An Amicus Brief In Support of Appellees Is Desirable For the Court To Consider All Relevant Points and Authorities Concerning the Issues In Preliminary Injunction.

Enacted in 2015, Nevada's Education Savings Account, Senate Bill 302 (SB 302) is the one of the newest voucher programs in the country. It will permit parents to use tax dollars in the form of state public education aid, that would have funded public education, to be used instead for private education expenses, including private school tuition (Senate Bill 302).

We urge this court to be aware of the Wisconsin experience of allowing voucher programs to publicly fund private education to the detriment of public education in the entire state. The history of Wisconsin's programs, particularly the Milwaukee Parental Choice Program, shows that vouchers deepen inequities and provide no improvements in educational outcomes for all children. The minimal results obtained unfortunately come at the expense of the public education system. Subsidies for private education have expanded despite vouchers' poor performance and they have been funded by large cuts to public education.

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In conclusion, the issues raised by Appellees should be resolved with all possible arguments presented to the Court. Amici therefore respectfully request that the Court grant them leave to file a brief.

Dated: April 6, 2016

Respectfully submitted,

/s/ Leon Greenberg

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed with the Clerk of the Court for the Nevada Supreme Court on April 7, 2016 and served upon all counsel of record in this matter by electronically filing the document using the Nevada electronic filing system.

By: /s/ *Leon Greenberg*

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