

1                                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2           DAPHNE WILLIAMS,  
3                       Appellant,

4           vs.

5           CHARLES “RANDY” LAZER,  
6                       Respondent.

No. 80350

Electronically Filed  
Feb 01 2021 03:44 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

7  
8                                   **MOTION TO ASSOCIATE COUNSEL**

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10           Amicus, American Civil Liberties Union of Nevada, hereby moves the Court for an order  
11           permitting Arianna Marie Demas, Esq., to practice in Nevada pursuant to Nevada Supreme Court  
12           Rule 42 (SCR 42). This motion is supported by the attached “Verified Application for  
13           Association of Counsel” (Exhibit A), “Certificate of Good Standing” from New York (Exhibit B)  
14           and the State Bar of Nevada Statement (Exhibit C).

15           Dated this 1<sup>st</sup> day of February, 2021.

16                                   Submitted by:

17                                   /s/ Nicole C. Levy  
18                                   Nicole C. Levy, Esq.  
19                                   ACLU Foundation of Nevada  
20                                   NV Bar # 15061  
21                                   601 S. Rancho Dr. #B-11  
22                                   Las Vegas, NV, 89106  
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1 **NOTICE OF MOTION**

2 TO: All Interested Parties; and

3 TO: All Counsel of Record

4 PLEASE TAKE NOTICE that Amicus, American Civil Liberties Union of Nevada, will  
5 bring the foregoing MOTION TO ASSOCIATE COUNSEL on for decision on the \_\_\_\_\_  
6 \_\_\_\_\_ day of \_\_\_\_\_, 2021, in the above-entitled Court.

7 Dated this 1<sup>st</sup> day of February, 2021.

8 /s/ Nicole C. Levy  
9 Nicole C. Levy, Esq.  
10 ACLU Foundation of Nevada  
11 NV Bar # 15061  
12 601 S. Rancho Dr. #B-11  
13 Las Vegas, NV, 89106  
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**EXHIBIT A**

IN THE SUPREME COURT OF THE STATE OF NEVADA

) No. 80350  
)  
Daphne Williams )  
)  
v. ) VERIFIED APPLICATION FOR  
) ASSOCIATION OF COUNSEL UNDER  
Charles "Randy" Lazer ) NEVADA SUPREME COURT RULE 42  
)  
)  
\_\_\_\_\_ )

Arianna Marie Demas, Petitioner, respectfully represents:  
First Middle Name Last

1. Petitioner resides at 35-40 29th Street, Apt 1R  
Street Address

Long Island City, Queens, New York  
City County State

11106, ( 347 ) 439-3426  
Zip Code Telephone

2. Petitioner is an attorney at law and a member of the law firm of  
American Civil Liberties Union Foundation

with offices at 125 Broad Street, 18th Floor  
Street Address

New York, New York, NY  
City County State

10004, ( 212 ) 549-2500, ademas@aclu.org  
Zip Telephone Email

3. Petitioner has been retained personally or as a member of the above named law firm by Petitioner wishes to join as amicus counsel on behalf of the American Civil Liberties Union to file an amicus brief in support of Appellant to provide legal representation in connection with the above-entitled matter now pending before the above referenced court.

4. Since February 5 of 2020, petitioner has been, and presently is, a member of good standing of the bar of the highest court of the State of New York where petitioner regularly practices law.

5. Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the bars of said Courts:

DATE ADMITTED

U.S. District Court for the Southern District of New York 3/31/20

U.S. District Court for the Eastern District of New York 7/7/20

U.S. Court of Appeals for the Second Circuit 12/2/20

6. Is Petitioner currently suspended or disbarred in any court? You must answer yes or no. If yes, give particulars; e.g., court, jurisdiction, date: No.

7. Is Petitioner currently subject to any disciplinary proceedings by any organization with authority at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status: No.

8. Has Petitioner ever received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law? You must answer yes or no. If yes, give particulars, e.g. court, discipline authority, date, status: No.

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9. Has Petitioner ever had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked? You must answer yes or no. If yes, give particulars, e.g. date, administrative body, date of suspension or reinstatement: No.

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10. Has Petitioner, either by resignation, withdrawal, or otherwise, ever terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings? You must answer yes or no. If yes, give particulars: No.

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11. Petitioner, or any member of petitioner's firm, has/have filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matter(s), if none, indicate so: *(do not include Federal Pro Hacs)*

<u>Date of</u> <u>Application</u>	<u>Cause</u>	<u>Title of Court</u> <u>Administrative Body</u> <u>or Arbitrator</u>	<u>Was Application</u> <u>Granted or</u> <u>Denied?</u>
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N/A

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(If more space is needed, you may list previous applications on a separate attachment.)

12. Nevada Counsel of Record for Petition in this matter is:

(must be the same as the signature on the Nevada Counsel consent page)

Nicole C. Levy Nevada State Bar No. 15061  
First Name Middle Name Last Name NV Bar #

who has offices at American Civil Liberties Union of Nevada  
Firm Name/Company

601 South Rancho Drive, Suite B-11 Las Vegas Clark  
Street Address City County

89106 (702) 830-9205  
Zip Code Phone Number

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties: (You may attach as an Exhibit if necessary.)

NAME

MAILING ADDRESS

(1) Daphne Williams (Appellant) c/o her attorney Marc J. Randazza

(2) Marc. J. Randazza (Attorney for Appellant) - Randazza Legal Group 2764 Lake Sahara Dr., Suite 109, Las Vegas, NV 89117

(3) Alex J. Shepard (Attorney for Appellant) - Randazza Legal Group 2764 Lake Sahara Dr., Suite 109, Las Vegas, NV 89117

See exhibit for additional parties and counsel.

14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

## Exhibit

### Question 13

Additional parties and counsel names and addresses:

(4) Charles "Randy" Lazer (Respondent) c/o his attorney Michael F. Bohn

(5) Michael F. Bohn (Attorney for Respondent) – Bohn Law Firm 2260 Corporate Circle, Suite 480,  
Henderson, NV 89074

(6) Adam R. Trippiedi (Attorney for Respondent) – Bohn Law Firm 2260 Corporate Circle, Suite  
480, Henderson, NV 89074



I, Arianna Demas, do hereby swear/affirm under penalty of perjury that the assertions of this application and the following statements are true:

1) That I am the Petitioner in the above entitled matter.

2) That I have read Supreme Court Rule (SCR) 42 and meet all requirements contained therein, including, without limitation, the requirements set forth in SCR 42(2), as follows:

- (A) I am not a member of the State Bar of Nevada;
- (B) I am not a resident of the State of Nevada;
- (C) I am not regularly employed as a lawyer in the State of Nevada;
- (D) I am not engaged in substantial business, professional, or other activities in the State of Nevada;
- (E) I am a member in good standing and eligible to practice before the bar of any jurisdiction of the United States; and
- (F) I have associated a lawyer who is an active member in good standing of the State Bar of Nevada as counsel of record in this action or proceeding.

2) That I have read the foregoing application and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; that I understand and shall comply with the standards of professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction to the State Bar of Nevada with respect to any of my actions occurring in the course of such appearance.

DATED this 31 day of December, 2020

*Arianna Deves*

Petitioner/Affiant (blue ink)

STATE OF New York )  
COUNTY OF KINGS ) ss

Subscribed and sworn to before me

this 31st day of December, 20 20

*Donna Tucci*

Notary Public

DONNA TUCCI  
Notary Public, State of New York  
No. 24-4631382  
Qualified in Kings County  
Commission Expires October 31, 2022

## DESIGNATION, CERTIFICATION AND CONSENT OF NEVADA COUNSEL

SCR 42(14) Responsibilities of Nevada attorney of record.

(a) The Nevada attorney of record shall be responsible for and actively participate in the representation of a client in any proceeding that is subject to this rule.

(b) The Nevada attorney of record shall be present at all motions, pre-trials, or any matters in open court unless otherwise ordered by the court.

(c) The Nevada attorney of record shall be responsible to the court, arbitrator, mediator, or administrative agency or governmental body for the administration of any proceeding that is subject to this rule and for compliance with all state and local rules of practice. It is the responsibility of Nevada counsel to ensure that the proceeding is tried and managed in accordance with all applicable Nevada procedural and ethical rules.

I Nicole Corine Levy hereby agree to associate with Petitioner referenced hereinabove  
Print Nevada Counsel Name

and further agree to perform all of the duties and responsibilities as required by Nevada Supreme Court Rule 42.

DATED this 14<sup>th</sup> day of January, 20 21

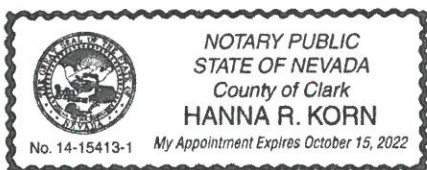
Nicole Corine Levy  
Nevada Counsel of Record (blue ink)

STATE OF Nevada )  
COUNTY OF Clark ) ss

Subscribed and sworn to before me

this 14<sup>th</sup> day of January, 20 21 BY NICOLE CORINE LEVY.

Hanna R. Korn  
Notary Public



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**EXHIBIT B**



**Appellate Division of the Supreme Court  
of the State of New York  
Second Judicial Department**

I, Aprilanne Agostino, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that **Arianna Marie Demas** was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the **5<sup>th</sup>** day of **February 2020**, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Appellate Division on December 31, 2020.



*Aprilanne Agostino*

Clerk of the Court

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**EXHIBIT C**



# STATE BAR OF NEVADA



Dear Attorney:

Re: Association of out-of-state counsel  
Regarding Rule SCR 42(3)(c)(4)

Please be advised that pursuant to SCR 42(3)(c)(4), Nevada counsel of record associated with the applicant shall serve a copy of any order **granting or denying a motion to associate on the State Bar of Nevada** at its Las Vegas, Nevada, office. Accordingly, please provide a copy of the court's order within (30) days from the filing of the motion to associate. You may email it to [suzym@nvbar.org](mailto:suzym@nvbar.org).

Nevada counsel of record **must** contact the State Bar of Nevada if the case has been settled, dismissed or assigned to another court.

**THE OUT-OF-STATE COUNSEL, WHO CONTINUES TO ACT AS COUNSEL IN THE CAUSE, SHALL REMIT TO THE STATE BAR OF NEVADA, AN ANNUAL RENEWAL FEE OF \$500.00 DOLLARS WITHIN (30) DAYS OF THE ANNIVERSARY DATE OF APPLICATION. PLEASE CALENDAR THIS DATE TO AVOID DELINQUENT NOTICES AND LATE FEES.**

Do not hesitate to contact the undersigned if you have any questions regarding the above.

Respectfully,

*Mary Jorgensen*

Mary Jorgensen  
Member Services Manager  
Pro Hac Vice Processor

3100 W. Charleston Blvd.  
Suite 100  
Las Vegas, NV 89102  
phone 702.382.2200  
toll free 800.254.2797  
fax 702.385.2878

9456 Double R Blvd., Ste. B  
Reno, NV 89521-5977  
phone 775.329.4100  
fax 775.329.0522

[www.nvbar.org](http://www.nvbar.org)

1 STAT

2  
3 IN THE SUPREME COURT OF THE STATE OF NEVADA

4 Case No. 80350

5  
6 Daphne Williams

7 vs.

8 Charles "Randy" Lazer

9 \_\_\_\_\_/  
10 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE  
11 42 (3) (b)

12 THE STATE BAR OF NEVADA, in response to the application of  
13 Petitioner, submits the following statement pursuant to SCR42(3):

14 SCR42(6)**Discretion.** The granting or denial of a motion to associate  
15 counsel pursuant to this rule by the court is discretionary. The  
16 court, arbitrator, mediator, or administrative or governmental  
17 hearing officer may revoke the authority of the person permitted to  
18 appear under this rule. Absent special circumstances, repeated  
19 appearances by any person or firm of attorneys pursuant to this rule  
20 shall be cause for denial of the motion to associate such person.

18 (a) **Limitation.** It shall be presumed, absent special  
19 circumstances, and only upon showing of good cause, that  
20 more than 5 appearances by any attorney granted under  
21 this rule in a 3-year period is excessive use of this  
22 rule.

21 (b) **Burden on applicant.** The applicant shall have the  
22 burden to establish special circumstances and good cause  
23 for an appearance in excess of the limitation set forth  
24 in subsection 6(a) of this rule. The applicant shall set  
25 forth the special circumstances and good cause in an  
26 affidavit attached to the original verified application.

25 1. DATE OF APPLICATION: 1/15/2021

26 2. APPLYING ATTORNEY: Arianna Marie Demas, Esq.

27 3. FIRM NAME AND ADDRESS: American Civil Liberties Union  
28 Foundation, 125 Broad Street, 18th Floor, New York, NY 10004

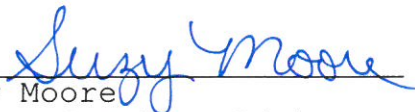
///  
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1 4. NEVADA COUNSEL OF RECORD: Nicole Corine Levy, Esq., ACLU, 601 S  
2 Rancho Dr., #B-11, Las Vegas, NV 89106

3 5. There is no record of previous applications for appearance by  
4 petitioner within the past three (3) years.

5 DATED this January 22, 2021  
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7   
8 Suzy Moore  
9 Member Services Admin.  
10 Pro Hac Vice Processor  
11 STATE BAR OF NEVADA  
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**EXHIBIT D**

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

DAPHNE WILLIAMS,  
Appellant,

*vs.*

CHARLES “RANDY” LAZER,  
Respondent.

No. 80350

## ORDER ADMITTING TO PRACTICE

ARIANNA MARIE DEMAS, ESQ. having filed her Motion to Associate Counsel under Nevada Supreme Court Rule 42, together with a Verified Application for Association of Counsel, a Certificate of Good Standing for the state of New York, and the State Bar of Nevada Statement; said application having been noticed, no objections having been made, and the Court being fully apprised in the premises, and good cause appearing, it is hereby

**ORDERED**, that said application is hereby granted, and ARIANNA MARIE DEMAS, ESQ. is hereby admitted to practice in the above entitled Court for the purposes of the above entitled matter only.

Dated this 1<sup>st</sup> day of February, 2021

Submitted by:

/s/ Nicole C. Levy  
Nicole C. Levy, Esq.  
ACLU Foundation of Nevada  
NV Bar # 15061  
601 S. Rancho Dr. #B-11  
Las Vegas, NV, 89106