

In the Supreme Court of the State of Nevada

FRED KRAUS, and individual
registered to vote in Clark County,
Nevada; DONALD J. TRUMP FOR
PRESIDENT, INC.; and NEVADA
REPUBLICAN PARTY,

Appellants,

vs.

BARBARA CEGAVSKE, in her
official capacity as Nevada
Secretary of State; JOSEPH
GLORIA, in his official capacity as
Registrar of Voters for Clark
County, Nevada; DEMOCRATIC
NATIONAL COMMITTEE; and
NEVADA STATE DEMOCRATIC
PARTY

Respondents,

Electronically Filed
Nov 03 2020 04:49 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No.: 82018

First Judicial District Court Case
No.: 20 OC 00142 1B

RESPONDENTS' MOTION TO EXCEED PAGE LIMIT

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**Admitted pro hac vice*

*Attorneys for Respondents Nevada Democratic Party and Democratic
National Committee*

RESPONDENTS' MOTION TO EXCEED PAGE LIMIT

Respondents, Nevada Democratic Party and Democratic National Committee by and through their counsel of record, respectfully submit this motion, pursuant to Nevada Rules of Appellant Procedures 32(a)(7)(D) (hereinafter NRAP 32(a)(7)(D)), for permission to exceed the 10-page limit for their memorandum of points and authorities in support of their Response to Appellants' Emergency Motion Under NRAP 27(e) for Stay and to expedite Appeal ("Emergency Motion"). In support, Respondents show diligence and good cause as follows:

1. On November 3, 2020, Appellants' filed an Emergency Motion for Stay with this Court.

2. Appellants' Emergency Motion contains approximately 9 pages of text, plus exhibits, and has requested immediate relief by November 3, 2020.

3. NRAP 27(d)(2) limits a response to a motion to 10 pages "unless the court permits or directs otherwise."

4. Respondents' memorandum of points and authorities is concise, not repetitive, and does not contain burdensome, irrelevant, immaterial, or scandalous matters, pursuant to NRAP 28.2(a)(2).

5. However, because of the technical nature of the subject matter and the complexity and length of the arguments and issues, Respondents are not able to condense their points and authorities to 10 pages without omitting relevant information necessary for the Court's consideration.

6. Respondents' proposed memorandum of points and authorities submission is Twenty-Four (24) pages, not including the prefatory material, certificate of service, and signature block.

7. This Motion is further supported by the accompanying declaration of Bradley Schragger, Esq., of Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP, attached here as **Exhibit A**.

8. This motion is filed before the deadline to file the memorandum of points and authorities, as required by NRAP 32(a)(7)(D), and the subject points and authorities in response to Appellants' Emergency Motion is submitted contemporaneously.

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WHEREFORE, Plaintiffs respectfully request that the Court allow Respondents to file the accompanying memorandum of points and authorities, attached hereto as **Exhibit B**.

DATED this 3rd day of November, 2020

**WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP**

By: /s/ Bradley S. Schrager

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*Attorneys for Respondents the Nevada Democratic
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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of November, 2020, a true and correct copy of the **RESPONDENTS' MOTION TO EXCEED PAGE LIMIT** was served upon all counsel of record by electronically filing the document using the Nevada Supreme Court's electronic filing system.

By /s/ Dannielle Fresquez
Dannielle Fresquez, an Employee of
WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP

EXHIBIT A

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Respondents,

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Declaration of Bradley Schragger In Support of Respondents' Motion To Exceed Page Limit

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*Attorneys for Respondents Nevada Democratic Party and Democratic
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I, BRADLEY SCHRAGER, declare as follows:

1. I am a member in good standing of the Bar of the State of Nevada, and am a partner of Wolf, Rifkin, Shapiro, Schulman & Rabkin LLP, counsel of record for Respondents, Nevada Democratic Party and Democratic National Committee, in this action. I make this declaration of personal, firsthand knowledge and, if called and sworn as a witness, I could and would testify competently thereto. I have personal knowledge of the facts stated herein and submit this Declaration in support of Respondents' Motion to Exceed Page Limit filed simultaneously herewith.

2. On November 3, 2020, Appellants' filed an Emergency Motion for Stay with this Court.

3. Appellants' Emergency Motion contains approximately 9 pages of text, plus exhibits, and has requested immediate relief by November 3, 2020.

4. NRAP 27(d)(2) limits memoranda of points and authorities to 10 pages "unless the court permits or directs otherwise."

5. Respondents' memorandum of points and authorities is concise, not repetitive, and does not contain burdensome, irrelevant, immaterial, or scandalous matters, pursuant to NRAP 28.2(a)(2).

6. However, because of the technical nature of the subject matter and the complexity and length of the arguments and issues, Respondents are not able to condense their points and authorities to 10 pages without omitting relevant information necessary for the Court's consideration.

7. Respondents' proposed memorandum of points and authorities submission is twenty-four (24) pages, not including the

prefatory material, certificate of service, and signature block.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Executed November 3, 2020, at Las Vegas, Nevada.

/s/ Bradley S. Schrager
BRADLEY SCHRAGER, ESQ.