

Mark A. Hutchison (4639)  
Michael K. Wall (2098)  
Piers R. Tueller (14633)  
HUTCHISON & STEFFEN, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
Telephone: (702) 385-2500  
Facsimile: (702) 385-2086  
[mhutchison@hutchlegal.com](mailto:mhutchison@hutchlegal.com)  
[mwall@hutchlegal.com](mailto:mwall@hutchlegal.com)  
[ptueller@hutchlegal.com](mailto:ptueller@hutchlegal.com)

*Attorneys for Appellant*

Electronically Filed  
Jan 25 2021 03:29 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

## IN THE SUPREME COURT OF THE STATE OF NEVADA

STAVROS ANTHONY, an individual,  
Appellant,

v.

CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government  
entity; ROSS MILLER, an individual,  
Respondent.

Supreme Court No: 82269  
District Court Case No: A824971

### DOCKETING STATEMENT CIVIL APPEALS

## GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

## WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the

statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. *See KDI Sylvan Pools v. Workman*, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District: Eighth Judicial District Court, State of Nevada

Department: II County: Clark

Judge: Elizabeth Gonazles District Ct. Docket No. A-20-824971-W

2. **Attorney filing this docketing statement:**

Attorney: Mark A. Hutchison Telephone: (702) 385-2500  
Michael K. Wall  
Piers R. Tueller

Firm: Hutchison & Steffen, PLLC

Address: 10080 W. Alta Dr., Suite 200,  
Las Vegas, Nevada 89145

Client(s): Attorney for Appellant

If this is a joint statement by multiple applicants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement

3. **Attorney(s) representing respondent(s):**

Attorney: Dominic P. Gentile Telephone: (702) 862-8300  
John A. Hunt

Firm: Clark Hill PLLC

Address: 3800 Howard Hughes Parkway, #500  
Las Vegas, NV 89169

Client(s): Attorney for Respondent Ross Miller

---

Attorney: Bradley S. Schrager Telephone: (702) 341-5200  
Daniel Bravo

Firm: Wolf Rifkin Shapiro Schulman & Rabkin LLP

Address: 3556 E. Russel Road, 2<sup>nd</sup> Floor  
Las Vegas, NV 89120

Client(s): Attorney for Respondent Ross Miller

---

Attorney: Steven B. Wolfson Telephone: (702) 671-2500  
Mary-Anne Miller

Firm: Clark County District Attorney Civil Division

Address: 500 South Grand Central Parkway  
Las Vegas, NV 89155-2215

Client(s): Attorney for Respondent Clark County Board of  
Commissioners

4. **Nature of disposition below (check all that apply):**

Judgment after bench trial	Grant/Denial of NRCP 60(b) relief
Judgment after jury verdict	Grant/Denial of Injunction <b>XXX</b>
Summary Judgment	Grant/Denial of declaratory relief
Default Judgment	Review of agency determination
Dismissal <b>XXX</b>	Divorce Decree
Lack of Jurisdiction	Original Modification
Failure to State a Claim	Other disposition (specify):
Failure to Prosecute	
Other (specify):	

5. **Does this appeal raise issues concerning any of the following:** No.

Child custody (visitation rights only)  
Venue  
Termination of parental rights

6. **Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

None.

7. **Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None.

8. **Nature of the action.** Briefly describe the nature of the action and the result below:

This action was filed initially by Plaintiff Ross Miller to compel the Clark County Commission to recognize him as the winner of the November 2020 General Election for Clark County Commission, District C despite the Registrar of Voters reporting to the Commission that the election results – which included 139 irreconcilable errors and discrepancies and a 10 vote margin of victory – called

into question whether the election results reflected the true will of the voters. Initially the Clark County Board of Commissioners did not certify the District C election result and ordered a new election. The Commission subsequently published a meeting agenda that included an item to reconsider its decision. Intervening Plaintiff Stavros Anthony moved to enjoin the Clark County Commission from reconsidering that decision or otherwise certifying the election results in Miller's favor, which was denied by the district court. Moreover, after the Clark County Commission re-voted and certified the District C election results in Miller's favor, Anthony filed a motion for writ of mandamus seeking the Commission's compliance with NRS 293.465 and other election statutes and requiring the Commission to order a new election as it had previously. The district court denied this motion, holding that the District C election was not "prevented" as prescribed in NRS 293.465.

9. **Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

I. Whether the District Court Erred in Concluding That the Election was Not Prevented For Purposes of NRS 293.465.

II. Whether this Appeal is Moot and is Justiciable by this Court.

III. Other issues under investigation.

10. **Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceeding presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket number and identify the same or similar issues raised:

None

11. **Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

N/A   **X**   Yes   No

If not, explain

12. **Other issues.** Does this appeal involve any of the following: No.

Reversal of well-settled Nevada precedent (on an attachment, identify the case(s))

An issue arising under the United States and/or Nevada Constitutions

A substantial issue of first-impression

An issue of public policy

An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

A ballot question

If so, explain:

13. **Assignment to the Court of appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstances(s) that warrant retaining the case, and include an explanation of their importance or significance:

This case arises involves a ballot or election question. The matter should be retained by the Supreme Court under NRAP 17(a)(2).

14. **Trial.** If this action proceeded to trial, how many days did the trial last?

N/A

Was it a bench or jury trial?

15. **Judicial disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal. If so, which Justice? No.

## TIMELINESS OF NOTICE OF APPEAL

**16. Date of entry of written judgment or order appealed from:**

1. The district court's Order Denying Intervenor Stavros Anthony's Motion for Preliminary Injunction was entered on December 4, 2020;
2. The district court's Order Denying Intervenor Stavros Anthony's Motion for Writ of Mandamus was entered on December 31, 2020; and
3. The district court's Order Dismissing Complaint in Intervention was entered on January 6, 2021.

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

**17. Date written notice of entry of judgment or order served:**

1. Notice of entry of the district court's Order Denying Intervenor Stavros Anthony's Motion for Preliminary Injunction was served on December 29, 2020 via e-service;
2. Notice of entry of the district court's Order Denying Intervenor Stavros Anthony's Motion for Writ of Mandamus was served on December 31, 2020 via e-service; and
3. Notice of entry of the district court's Order Dismissing Complaint in Intervention was served on January 6, 2021 via e-service.

**18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52 (b), or 59)**

(a) Specify the type of motion, and the date and method of service of the motion, and date of filing.

NRCP 50(b)	Date of filing_____
NRCP 52(b)	Date of filing_____
NRCP 59	Date of filing_____

**Note:** Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. *See AA Primo Builders v. Washington*, 126 Nev., 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion:

(c) Date of written notice of entry of order resolving motion served:\_\_\_\_\_

Was service by delivery \_\_\_\_\_ or by mail \_\_\_\_\_.

**19. Date notice of appeal was filed:**

- (1) Notice of Appeal filed December 29, 2020 by Appellant Stavros Anthony;
- (2) Amended Notice of Appeal filed January 1, 2021 by Appellant Stavros Anthony; and
- (3) Second Amended Notice of Appeal filed January 6, 2021 by Appellant Stavros Anthony.

If more than one party has appealed from the judgment or order, list date each notice of appeal was filed and identify by name the party filing the notice of appeal: N/A

**20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other:**

NRAP 4(a)

**SUBSTANTIVE APPEALABILITY**

**21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

NRAP 3A(b)(1) **XXX**

NRS 38.205



NRAP 3A(b)(2)                      NRS 233B.150  
NRAP 3A(b)(3) **XXX**                      NRS 703.376  
Other (specify) \_\_\_\_\_

Explain how each authority provides a basis for appeal from the judgment or order:

Order denying preliminary injunction is independently appealable.

The order is final as to all claims and all parties.

**22. List all parties involved in the action in the district court:**

(a) Parties:

Ross Miller, Plaintiff

Clark County Board of Commissioners, Defendant

Stavros Anthony, Intervening Plaintiff

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal *e.g.*, formally dismissed, not served, or other:

**23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims or third-party claims, and the date of formal disposition of each claim.**

This action was filed initially by Plaintiff Ross Miller to compel the Clark County Commission to recognize him as the winner of the November 2020 General Election for Clark County Commission. The Commission subsequently published a meeting agenda that included an item to reconsider its decision. Intervening Plaintiff Stavros Anthony moved to enjoin the Clark County Commission from reconsidering that decision or otherwise certifying the election results in Miller's favor, which was denied by the district court on December 4, 2020. Moreover, after the Clark County Commission re-voted and certified the District C election results in Miller's favor, Anthony filed a motion for writ of mandamus. The district court denied this motion

on December 31, 2020. The district court subsequently issued and Order Dismissing the Complaint in Intervention on January 6, 2021.

24. **Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below:**

Yes ☒ No ☐

25. **If you answered “No” to question 24, complete the following:**

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b):

Yes ☐ No ☐

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment:

Yes ☐ No ☐

26. **If you answered “No” to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

27. **Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal

- Any other order challenged on appeal
- Notices of entry for each attached order

### VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Name of Appellant: Stavros Anthony

Name of counsel of record: Michael K. Wall

Date: 01/25/2021

/s/ *Michael K. Wall*

Signature of counsel of record

Clark County, Nevada

State and county where signed

### **CERTIFICATE OF SERVICE**

I certify that I am an employee of HUTCHISON & STEFFEN, PLLC and that on this date the **DOCKETING STATEMENT - CIVIL APPEALS** was filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list.

Dominic P. Gentile, Esq.  
John A. Hunt, Esq.  
CLARK HILL PLLC  
3800 Howard Hughes Pkwy., #500  
Las Vegas, NV 89169  
[dgentile@clarkhill.com](mailto:dgentile@clarkhill.com)  
[jhunt@clarkhill.com](mailto:jhunt@clarkhill.com)

Bradley S. Schrager, Esq.  
Daniel Bravo, Esq.  
WOLF RIFKIN SHAPIRO  
SCHULMAN  
& RABKIN LLP  
3556 E. Russell Road, 2nd Floor  
Las Vegas, NV 89120  
[bschrager@wrslawyers.com](mailto:bschrager@wrslawyers.com)  
[dbravo@wrslawyers.com](mailto:dbravo@wrslawyers.com)

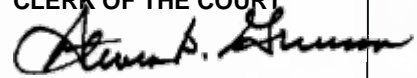
*Attorneys for Respondent Ross  
Miller*

STEVEN B. WOLFSON  
Clark County District Attorney  
CIVIL DIVISION  
By: MARY-ANNE MILLER  
County Counsel  
500 South Grand Central Pkwy.  
Las Vegas, Nevada 89155-2215  
[Mary-Anne.Miller@ClarkCountyDA.com](mailto:Mary-Anne.Miller@ClarkCountyDA.com)

*Attorneys for Respondent Clark County  
Board of Commissioners*

DATED this 25<sup>th</sup> day of January, 2021.

/s/ Kaylee Conradi  
An employee of Hutchison & Steffen, PLLC



CLARK HILL PLLC  
DOMINIC P. GENTILE  
Nevada Bar No. 1923  
Email: [dgentile@clarkhill.com](mailto:dgentile@clarkhill.com)  
3800 Howard Hughes Pkwy., #500  
Las Vegas, Nevada 89169  
Tel: (702) 862-8300  
Fax: (702) 862-8400

CASE NO: A-20-824971-W  
Department 31

Attorneys for Plaintiff/Petitioner Ross Miller

**EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA**

ROSS MILLER, and individual,  
  
Plaintiff/Petitioner,  
  
vs.

CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government  
entity; and DOES I-X, inclusive,  
  
Defendant.

Case No.:

Dept.:

**ELECTION-RELATED ACTION**

**VERIFIED COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF AND PETITION FOR WRIT  
OF MANDAMUS AND PROHIBITION**

(Exempt from Arbitration- Declaratory/  
Injunctive Relief Requested)

For his Complaint and Petition, Plaintiff ROSS MILLER ("Plaintiff/Petitioner") alleges as  
follow:

**INTRODUCTION**

1. This is an action by a candidate for Clark County Commission, District C, who  
undisputedly received the most votes from ballots cast for the seat in District C during the 2020  
General Election yet is being deprived of the office due to the unlawful actions of the Clark County  
Board of Commissioners (hereinafter "Board"). That Board's actions are beyond its constitutional  
limitations and in direct transgression of the textually clear and precise legislatively enacted  
statutory scheme governing elections in Nevada.

2. Upon the final counting of all the ballots for the District C election,  
Plaintiff/Petitioner received seventy-six thousand five hundred eighty-six (76,586) as compared to

2. Upon the final counting of all the ballots for the District C election, Plaintiff/Petitioner received seventy-six thousand five hundred eighty-six (76,586) as compared to seventy-six thousand five hundred seventy-six (76,576) votes for his opponent. In his presentation to the Board on November 16, 2020, Joseph Gloria (“Registrar”), the Clark County Registrar of Voters stated that there were “discrepancies” found with regard to one hundred thirty-nine (139) votes cast in the District C race, representing “discrepancies” in 0.0009% of the total of one hundred fifty-threes thousand one hundred sixty-two (153,162) votes cast.

3. These “discrepancies” were neither unique to the District C race in this election nor to elections in general, according to the Registrar. Six (6) of the one hundred thirty-nine (139) purported “discrepancies” emanate from voters who are believed to have voted twice; the remaining one hundred thirty-three (133) “discrepancies” involve an numerically undifferentiated amalgam of issues with regard to mail-in ballot “cure processes”, “counting board process” and tracking of signatures, or from cancelled voter check-ins or check-in errors. Neither are they identified as to the precincts in which they occurred. The Registrar contends that he has “found discrepancies that we cannot explain that would cast a doubt [in his mind] on whether or not” Plaintiff/Petitioner’s ten vote “margin of victory is solid”.

4. In response to the Registrar's presentation on November 16, 2020, rather than comport its conduct to what the law requires of it, certify the results and allow the legislatively mandated process to go forward, which permits the unsuccessful election opponent to seek a recount and/or judicially challenge the outcome, the Board took the unprecedented and unlawful step of wiping clean all votes from the record in their entirety. Further, it ordered a new election to take place for the District C seat, thus totally ignoring the Constitution of the State of Nevada, Article 4, §26, and usurping to itself and from the judicial branch of Nevada government the procedure that is prescribed by law in NRS 293.387, NRS 293.393, NRS 293.397, NRS 293.403, NRS 293.407, NRS 293.410 and NRS 293.417.

5. It is for these reasons that Plaintiff/Petitioner brings forth this action.

## PARTIES

6. Plaintiff/Petitioner ROSS MILLER is and was at all times relevant hereto a candidate

1 for District C of the Clark County Commission.

2 7. Defendant CLARK COUNTY BOARD OF COMMISSIONERS is and was at all  
3 times relevant hereto a constitutionally created Nevada local government entity, that refused to  
4 certify the votes in the 2020 General Election for the Clark County Commission, District C race,  
5 and unlawfully voted for a new election for Clark County Commission, District C.

## 6 **BACKGROUND**

### 7 **A. Plaintiff/Petitioner Files And Wins The Democratic District C Primary Election**

8 8. Clark County, Nevada, is divided into separate districts with each having its own  
9 elected representative on the Board.

10 9. The term of the Commissioner for District C expired at the end of 2020 and became  
11 open for the November 2020 General Election.

12 10. Plaintiff/Petitioner filed as the Democratic Party candidate, prevailed in the primary  
13 election and then proceeded to the General Election against a Republican opponent.

14 11. Stavros Anthony, not a party herein, was the Republican opponent in the General  
15 Election.

### 16 **B. Plaintiff/Petitioner Wins Most Votes In The General Election**

17 12. The 2020 General Election for Nevada had a variety of federal and state offices that  
18 involved contested races, including President of the United States, three Congressional seats,  
19 multiple state legislative seats, countywide judicial seats and other state and local offices.

20 13. All voters were permitted to cast a ballot for President, while the remaining offices  
21 were restricted to voters from designated geographical districts. A total of nine hundred seventy-  
22 two thousand five hundred ten (972,510) votes were cast in Clark County for the office of President.

23 14. The voting procedure did not vary according to the race. Votes could be cast by in  
24 person early voting at various locations throughout the county, by the use of drop off boxes, through  
25 use of the mail and in person on election day at their designated precinct,

26 15. The Clark County Commission had four contested races on the ballot for the General  
27 Election, including District C. One hundred fifty-threes thousand one hundred sixty-two (153,162)  
28 votes were cast for that district. Plaintiff/Petitioner had ten (10) more votes cast for him than his

1 opponent did.

2 **C. “Discrepancies” Give Registrar “Doubt” as to “Margin Of Victory”**

3 16. The Registrar is responsible for overseeing and managing the integrity of the election  
4 voting process, including, but not limited to, insuring that only those who are eligible to vote will  
5 have their vote counted and that the “one vote” limitation pertains.

6 17. On information and belief, the Registrar and his staff collected and published all the  
7 data from the General Election.

8 18. On information and belief, as part of the process, the Registrar and his staff record  
9 and publish each voter’s participation in the general election using rosters in each precinct.

10 19. On information and belief, the Registrar and his staff have in place systems and  
11 procedures for insuring and auditing the accuracy and validity of mail-in ballots, counting of ballots,  
12 tracking of signatures, cancelled voter check-ins or check-in errors.

13 20. On November 16, 2020, the Registrar announced to the Board that he found  
14 “discrepancies” with regard to some or all of the processes set for in the paragraph above, contending  
15 that he had no explanation as to why he could not resolve them.

16 21. Further, during that same hearing, the Registrar conceded that there were hundreds  
17 of similar discrepancies that were discovered with regard to other races as well, separately and  
18 independently of those related to District C.

19 22. The Registrar could not and did not attempt to address whether or not these  
20 “discrepancies” impacted the outcome of the District C election results. Rather, he said that he had  
21 a personal “doubt” as to whether Plaintiff/Petitioner’s ten vote “margin of victory is solid”.

22 23. Neither the Registrar, the District Attorney nor any Board Member spoke to or even  
23 addressed the alternative probabilities that the “discrepancies” (1) may have had no impact on the  
24 margin (2) may have resulted in Plaintiff/Petitioner’s margin of victory being even greater, or (3)  
25 may have reduced the Plaintiff/Petitioner’s margin of victory but he still would have won.

26 24. Importantly, the Registrar opined that a recount would not turn out any differently  
27 than the numerical results he reported for the District C election.



1       **D. Assistant District Attorney Predicts What A Court Would Do**

2           25.     The Assistant District Attorney in charge of the Civil Division of that office was  
3 present and acting as legal advisor to the Board. Recognizing that the statutory procedure of NRS  
4 293.400 *et seq.* would commence if the Board were to certify the election allowing the losing  
5 opponent to resort to a judicial determination, if he wished to do so. Perhaps feeling clairvoyant or  
6 projecting her personal opinion as to the appropriate judicial decision, she told the Board that a  
7 judge would rule that a new election take place. She did so without further articulation as to how  
8 these “discrepancies” would be characterized in NRS 293.400 *et seq.*

9           26.     Other than the possible double voting, nothing said by the Registrar or the District  
10 Attorney bespoke deliberate misconduct or fraud on anyone’s part.

11          27.     The Assistant District Attorney did not mention that, in the absence of fraud or  
12 deliberate misconduct, before a court could do so, NRS 293.410 (2)(c) would require that the  
13 challenger bear the burden of proving that illegal or improper votes were cast and counted; or, legal  
14 and proper votes were not counted; or a combination of the circumstances occurred in an amount  
15 that is equal to or greater than the margin between the contestant and the defendant, or otherwise in  
16 an amount sufficient to raise reasonable doubt as to the outcome of the election.

17          28.     The Assistant District Attorney did not mention that in the absence of fraud or  
18 deliberate misconduct, as an alternative, before a court could do so, NRS 293.410 (2)(d) would  
19 require that the challenger bear the burden of proving that the election board, in conducting the  
20 election or in canvassing the returns, made errors sufficient to change the result of the election as to  
21 any person who has been declared elected.

22          29.     The Assistant District Attorney did not mention that in the absence of fraud or  
23 deliberate misconduct, as an alternative, before a court could do so, NRS 293.410 (2)(e) would  
24 require that the challenger bear the burden of proving that the Plaintiff/Petitioner or any person  
25 acting, either directly or indirectly, on behalf of the Plaintiff/Petitioner has given, or offered to give,  
26 to any person anything of value for the purpose of manipulating or altering the outcome of the  
27 election.

28          30.     The Assistant District Attorney did not mention that in the absence of fraud or

1 deliberate misconduct, as an alternative, before a court could do so, NRS 293.410 (2)(f) would  
2 require that the challenger bear the burden of proving that there was a malfunction of any voting  
3 device or electronic tabulator, counting device or computer in a manner sufficient to raise reasonable  
4 doubt as to the outcome of the election.

5 31. The Assistant District Attorney did not even mention the possibility that a court  
6 would rule differently than she opined, nor did she advise the Board as to the quality and/or quantum  
7 of evidence that would be needed for the challenger to prevail. Rather, she advised the Board that it  
8 had the power and authority to refuse to certify and to order the new election without needing to  
9 wait for a court to do so.

10 32. The Board then voted not to certify the District C election and called for a new  
11 election to occur, directing the Registrar to report to it at its first meeting in December 2020.

12 **FIRST CLAIM FOR RELIEF**

13 (Declaratory Relief)

14 33. Plaintiff repeats and re-alleges the allegations set forth in the preceding paragraphs  
15 above as though fully set forth herein.

16 34. A justiciable controversy arises as to the Clark County Board of Commissioners' has  
17 a statutorily mandates duty and obligation to canvass the votes in the 2020 General Election for the  
18 Clark County Commission, District C race, and instruct the Clark County Registrar to certify the  
19 results.

20 35. A justiciable controversy has arisen as to the Clark County Board of Commissioners'  
21 right to *sua sponte* conduct a new election. That is, Plaintiff asserts that the Clark County Board of  
22 Commissioners violated well established governing statutory law and, by deliberately refusing to  
23 certify the election results in accordance with that governing statutory scheme, the Clark County  
24 Board of Commissioners exceeded its authority by voting to hold a special election for Clark County  
25 Commission, District C

26 36. This dispute is between parties whose interests are adverse and is ripe for  
27 adjudication.

28 37. A judicial declaration of the parties' rights is necessary to avoid any further dispute

1 between the parties in connection with the election.

2 38. Plaintiff has been forced to hire an attorney to prosecute this action and therefore  
3 seeks recovery of his attorneys' fees and court costs as permitted under Nevada law.

4 **SECOND CLAIM FOR RELIEF**

5 (Injunctive Relief)

6 39. Plaintiff repeats and realleges the allegations set forth in the preceding paragraphs  
7 above as though fully set forth herein.

8 40. Injunctive relief is appropriate to restrain a local governing authority from exceeding  
9 its authority under the law.

10 41. Plaintiff is entitled to an injunction preventing the disenfranchisement of voters and  
11 requiring the Clark County Board of Commissioners to immediately canvass the votes and certify  
12 the results in the 2020 General Election for the Clark County Commission, District C race.

13 42. Unless the Clark County Board of Commissioners' actions are restrained by  
14 temporary and permanent injunctive relief, Plaintiff will be irreparably harmed.

15 43. Plaintiff has been forced to hire an attorney to prosecute this action and therefore  
16 seeks recovery of his attorneys' fees and court costs as permitted under Nevada law.

17 **THIRD CLAIM FOR RELIEF**

18 (Writ of Mandamus)

19 44. Plaintiff repeats and realleges the allegations set forth in the preceding paragraphs  
20 above as though fully set forth herein.

21 45. Pursuant to NRS 293.387, it is the Board's non-discretionary, ministerial duty to  
22 canvass the returns and cause the Registrar to certify the results.

23 46. The Clark County Board of Commissioners exceeded its authority when it refused to  
24 canvass the votes and certify the results in the 2020 General Election for the Clark County  
25 Commission, District C race.

26 47. The Clark County Board of Commissioners also exceeded its authority when it voted  
27 to hold a special election for Clark County Commission, District C.

28 48. Accordingly, the Clark County Board of Commissioners should be compelled by the

1 Court to canvass the votes and order the Clark County Board of Commissioners to certify the results  
2 in the 2020 General Election for the Clark County Commission, District C race.

3 49. Plaintiff has been forced to hire an attorney to prosecute this action and therefore  
4 seeks recovery of his attorneys' fees and court costs as permitted under Nevada law.

5 **FOURTH CLAIM FOR RELIEF**

6 (Writ of Prohibition)

7 50. Plaintiff repeats and realleges the allegations set forth in the preceding paragraphs  
8 above as though fully set forth herein.

9 51. The Clark County Board of Commissioners exceeded its authority when it refused to  
10 canvass the votes and certify the results in the 2020 General Election for the Clark County  
11 Commission, District C race.

12 52. The Clark County Board of Commissioners also exceeded its authority when it voted  
13 to hold a special election for Clark County Commission, District C.

14 53. Accordingly, the Court should restrain the Clark County Board of Commissioners  
15 from going forward with the planned special election for Clark County Commission, District C.

16 54. Plaintiff has been forced to hire an attorney to prosecute this action and therefore  
17 seeks recovery of his attorneys' fees and court costs as permitted under Nevada law.

18 **WHEREFORE**, Plaintiff prays for judgment as follows:

19 1. For an order declaring that:

20 a. The Clark County Board of Commissioners exceeded its authority when it  
21 refused to canvass the votes and certify the results in the 2020 General  
22 Election for the Clark County Commission, District C race;

23 b. The Clark County Board of Commissioners also exceeded its authority when  
24 it voted to hold a special election for Clark County Commission, District C;

25 2. For an injunction preventing the special election for Clark County Commission,  
26 District C, from going forward and compelling the Clark County Board of Commissioners to  
27 canvass the votes and certify the results in the 2020 General Election for the Clark County  
28 Commission, District C race;

3. For a writ of mandamus compelling the Clark County Board of Commissioners to canvass the votes and certify the results in the 2020 General Election for the Clark County Commission, District C race;

4. For a writ of prohibition preventing the Clark County Board of Commissioners from going forward with the special election for Clark County Commission, District C;

5. For an award of reasonable costs and attorneys' fees as permitted by Nevada and law; and

6. Any additional relief this Court deems just and proper on the evidence presented at trial.

Dated this 17<sup>th</sup> day of November 2020.

CLARK HILL, PLLC

JOHN A. HUNT

Nevada Bar No. 1888

DOMINIC P. GENTILE

Nevada Bar No. 1923

3800 Howard Hughes Pkwy., #500

Las Vegas, Nevada 89169

Attorneys for Plaintiff/Petitioner Ross Miller

**VERIFICATION**

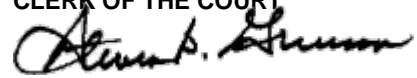
I, ROSS MILLER, hereby declare that I am the Plaintiff/Petitioner in the above-captioned action and that I have read the foregoing VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION FOR WRIT OF MANDAMUS AND PROHIBITION and am competent to testify that the same is true of my own knowledge or I have gained such knowledge from a review of the relevant document and records. As for those matters stated on information and belief, I believe them to be true under the penalty or perjury.

DATE

11/17/20

ROSS MILLER





**ACOM**

Mark A. Hutchison (4639)  
Jacob A. Reynolds (10199)  
Piers R. Tueller (14633)  
HUTCHISON & STEFFEN, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
Telephone: (702) 385-2500  
Facsimile: (702) 385-2086  
Email: [mhutchison@hutchlegal.com](mailto:mhutchison@hutchlegal.com)  
[jreynolds@hutchlegal.com](mailto:jreynolds@hutchlegal.com)  
[ptueller@hutchlegal.com](mailto:ptueller@hutchlegal.com)

*Attorneys for Intervening Plaintiff*  
*Stavros Anthony*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ROSS MILLER, an individual,

Plaintiff/Petitioner,

v.

CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government entity;  
and DOES I – X, inclusive,

Defendant.

Case No. A-20-824971-W

Dept. No. 31

**ELECTION RELATED ACTION**

**ARBITRATION EXEMPTION:  
INJUNCTIVE RELIEF  
REQUESTED**

**FIRST AMENDED COMPLAINT  
IN INTERVENTION**

STAVROS ANTHONY, an individual,

Intervening Plaintiff,

v.

CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government entity;  
ROSS MILLER, an individual; and DOES I – X,  
inclusive,

Defendants.



1  
2 Intervening Plaintiff, Stavros Anthony, (“Anthony” or “Intervening Plaintiff”) alleges as  
3 follows:

#### 4 **INTRODUCTION**

5 1. Intervening Plaintiff has been forced to intervene in this action as a result of  
6 Ross Miller’s (“Miller”) underlying Complaint to this Court regarding the uncertified 2020  
7 General Election for Clark County Commission, District C.

8 2. The Clark County Board of Commissioners voted not to certify the election for  
9 District C and instead to have a new election in District C.

10 3. The canvass of the final count of ballots in the General Election yielded a count  
11 of 76,576 votes for Anthony and 76,586 for Miller, a total difference of 10 votes.<sup>1</sup>

12 4. On November 16, 2020, the Clark County Registrar of Voters, Joe P. Gloria (the  
13 “Registrar”), reported to the Clark County Board of Commissioners (the “Board”) that there  
14 were 139 discrepancies found in ballots for the District C election.<sup>2</sup>

15 5. At the Board meeting, the Registrar reported that the canvass yielded a result  
16 indicating the District C election should not be certified because neither he nor the Clark  
17 County Election Department could explain these discrepancies or ensure that the ballot count  
18 reflected the will of the voters in District C. Therefore, the Registrar recommended a new  
19 election because the number and nature of the discrepancies, which were substantially more  
20 than the difference in vote total between Miller and Anthony.

21 6. As a result the Registrar’s report regarding the voting discrepancies and the  
22 margin of votes between the District C candidates, the Board determined it was unable to certify  
23 the vote and instead voted on November 16, 2020, to hold a new election.

24 7. However, on December 1, 2020, the Board – under considerable political  
25 pressure and public scrutiny – voted to reconsider its previous decision, and voted to certify the  
26 District C election results.

---

27  
28 <sup>1</sup> See Complaint ¶2.

<sup>2</sup> *Id.* at ¶3.

8. The Board's certification of the District C election results, also reversed the Board's previous vote to hold a new election.

## PARTIES

9. Intervening Plaintiff, Stavros Anthony, is and was at all times relevant hereto a candidate for Clark County Commission, District C.

10. Defendant Clark County Board of Commissioners is and was at all times relevant hereto a Nevada local government entity properly identified in statute and endowed with authority under NRS 293.465 to call for a new election in Clark County Commission, District C.

11. Plaintiff/Petitioner Ross Miller is and was at all times relevant hereto a candidate for Clark County Commission, District C.

## **FACTUAL BACKGROUND AND ALLEGATIONS**

12. Anthony agrees with much of Miller's Complaint's background allegations regarding the Clark County Commission, District C election, and reiterates those allegations as follows:

a. “Clark County, Nevada, is divided into separate districts with each having its own elected representative on the Board.”<sup>3</sup>

b. “The term of the Commissioner for District C expired at the end of 2020 and became open for the November 2020 General Election.”<sup>4</sup>

c. “[Miller] filed as the Democratic Party candidate, prevailed in the primary election and then proceeded to the General Election against a Republican opponent.”<sup>5</sup>

13. Anthony was the Republican Party candidate for District C.

14. During the General Election, 153,162 votes were cast in the Clark County Commission, District C race resulting in a 10 vote difference.<sup>6</sup>

<sup>3</sup> *Id.* at ¶8.

<sup>4</sup> *Id.* at ¶9.

<sup>5</sup> *Id.* at ¶10.

<sup>6</sup> *Id.* at ¶2.

1           15.     Furthermore, Anthony largely agrees with the Miller Complaint’s background  
2 allegations regarding the responsibility of the Registrar and his staff, and reiterates those  
3 allegations as follows:

4               a.     “The Registrar is responsible for overseeing and managing the integrity  
5 of the election voting process, including, but not limited to, insuring that only those who  
6 are eligible to vote will have their vote counted and that the ‘one vote’ limitation  
7 pertains.”<sup>7</sup>

8               b.     “On information and belief, the Registrar and his staff collected and  
9 published all the data from the General Election.”<sup>8</sup>

10              c.     “On information and belief, as part of the process, the Registrar and his  
11 staff record and publish each voter's participation in the general election using rosters in  
12 each precinct.”<sup>9</sup>

13              d.     “On information and belief, the Registrar and his staff have in place  
14 systems and procedures for insuring and auditing the accuracy and validity of mail-in  
15 ballots, counting of ballots, tracking of signatures, cancelled voter check-ins or check-in  
16 errors.”<sup>10</sup>

17           16.     Further, the Registrar is the “appropriate election officer” identified in NRS  
18 293.465 to report and recommend new elections to the Board.

19           17.     On November 16, 2020, the Registrar made his presentation to the Board stating  
20 that he and his staff had concluded that there were unexplained discrepancies or irregularities  
21 with the vote for the District C election.

22           18.     The Registrar explained to the Board that it is a routine procedure for the  
23 election boards, after election voting concludes and before the canvass of that election, to  
24 examine the voter sign-ins with the vote tallies of each precinct to ensure that they balance. In  
25  
26

---

27 <sup>7</sup> *Id.* at ¶16.

28 <sup>8</sup> *Id.* at ¶17.

<sup>9</sup> *Id.* at ¶18.

<sup>10</sup> *Id.* at ¶19.

1 the event that they do not balance and/or match, members of the election board examine the  
2 records available in order to ascertain why the numbers do not match.

3 19. The Registrar further explained that there may be a number of reasons that a  
4 voter number would not match the vote tally and it is not unusual for these discrepancies to  
5 occur and for the election boards to be unable to discern the reason for the discrepancy. The  
6 Registrar specifically stated that one reason for these discrepancies could be that voters fail to  
7 sign in when voting so there is an additional vote counted in the race as compared to the number  
8 of people signed in to vote. Meaning someone could have voted twice without the Registrar  
9 being able to verify that is what occurred. The Registrar also reported that six people were  
10 caught voting twice in the election.

11 20. In the District C election, the members of the counting and auditing boards found  
12 that the number of voter discrepancies compared to the margin of purported victory for Miller  
13 called into doubt the true and actual outcome of the election such that the Registrar could not  
14 certify the election results in that election.

15 21. The Registrar stated that there were 139 discrepancies he was unable to  
16 reconcile. As a result, he could not certify that the vote was an accurate representation of the  
17 will of the voters in District C, and it was his opinion as an election official that this raised  
18 reasonable doubt as to the outcome of the election.

19 22. Likewise alleged and confirmed by Miller's Complaint, the Registrar stated that  
20 he had a personal "doubt" as to whether Miller's ten vote "margin of victory is solid."

21 23. In addition to his statements to the Board on November 16, 2020, the Registrar  
22 also provided the Board with an affidavit regarding these subjects pursuant to NRS 293.465.<sup>11</sup>

23 24. As a direct result of the Registrar's findings and recommendations, the Board  
24 voted to certify the remaining elections in Clark County but withheld certification in the District  
25 C election and called for a new election to occur in that District, directing the Registrar to report  
26  
27

---

28 <sup>11</sup> Attached to the underlying Intervenor Complaint and here as Exhibit A.

1 to the Board at its December 1, 2020 meeting with his recommendations for conducting this  
2 new election.

3 25. On November 23, 2020, Anthony immediately responded to the Registrar's NRS  
4 293.465 affidavit by submitting his application for a new election in District C.<sup>12</sup>

5 26. On December 1, 2020, the Board held a meeting wherein it voted to reconsider  
6 its previous decision not to certify the District C election.

7 27. At that same meeting, the Board further voted to certify the District C election,  
8 ignoring the requirements of NRS 293.465 for a new election.

9 28. Despite hearing testimony from the Registrar, no additional information was  
10 proffered to justify the Board's reconsideration of its previous decision.

11 29. Moreover, despite hearing testimony from the Registrar, the 139 discrepancies in  
12 District C remain unexplained, and still raise a reasonable doubt as to the outcome of the  
13 District C election and whether the will of the voters is reflected in the outcome of the election.

14 30. As a result of the Board's vote, the only statutory remedies available to Anthony  
15 are either a recount and/or an election contest.

16 **FIRST CLAIM FOR RELIEF**  
17 **(Declaratory Relief)**

18 31. Anthony repeats and re-alleges the allegations set forth in the preceding  
19 paragraphs above as though fully set forth herein.

20 32. A justiciable controversy has arisen as to the Board's performance of its duties  
21 and obligations to canvass the votes in the 2020 General Election for the Clark County  
22 Commission, District C as well as its decision not to certify the District C election.

23 33. A justiciable controversy has arisen as a result of the Board's proper exercise of  
24 its authority to order a new election, pursuant to NRS 293 *et seq.* including NRS 293.465.

25 34. This dispute is between parties whose interests are adverse and is ripe for  
26 adjudication.

27  
28 

---

<sup>12</sup> Stavros Anthony Application Letter attached to the underlying Intervenor Complaint and here as Exhibit B.

1           35.     A judicial declaration of the parties' rights is necessary to avoid any further  
2 dispute between the parties in connection with the election.

3           36.     Specifically, Anthony seeks a declaration from the Court that the Registrar and  
4 the Board were acting within their statutory and/or legal authority to identify irregularities or  
5 discrepancies in the District C election that called into question the accuracy of the vote count  
6 and the will of the voters who cast ballots in the District C election and thus deciding not to  
7 certify the District C election.

8           37.     Moreover, Anthony seeks a declaration from this Court that the Board was and is  
9 required under Nevada law, including NRS 293 *et. seq.*, and NRS 293.465 in particular, to call  
10 for a new election in District C.

11          38.     Anthony has been forced to hire an attorney to prosecute this action and  
12 therefore seeks recovery of his attorneys' fees and court costs as permitted under Nevada law.

13                                   **SECOND CLAIM FOR RELIEF**  
14                                   **(Injunctive Relief)**

15          39.     Anthony repeats and realleges the allegations set forth in the preceding  
16 paragraphs above as though fully set forth herein.

17          40.     Injunctive relief is appropriate to compel the Board to exercise its's statutorily-  
18 mandated duty to direct that a new election be conducted in District C.

19          41.     As the Registrar does not have confidence in the election results and has  
20 submitted to the Board an affidavit under NRS 293.465 – due to documented and unexplainable  
21 139 voting discrepancies or irregularities which number far exceeds the margin of victory – and  
22 Anthony has submitted to the Board an application for a new election pursuant to NRS 293.465  
23 and the Board has changed its vote and certified the election results, Anthony is entitled to an  
24 injunction compelling the Board to conduct a new election as mandated by NRS 293.465, as the  
25 Board initially directed on November 16, 2020, and to rescind its certification of the election.

26          42.     The Board reconsidered its non-certification of the election and its vote to hold a  
27 new election – thereby disregarding the requirements of NRS 293.465 – and certified the  
28 election for Miller, thereby causing Anthony to suffer irreparable harm.

1           43.     After an election is canvassed and certified, Anthony’s only recourse is to object  
2 to and combat the election result by pursuing a recount and/or an election contest pursuant to  
3 NRS 293.403, 407-417.

4           44.     However, neither a recount nor an election contest results in a new election.  
5 Under the Nevada recount statute, Anthony would be entitled to “receive a recount of the vote  
6 for the office for which he or she is a candidate to determine the number of votes received for  
7 the candidate and the number of votes received for the person who won the election . . . .” NRS  
8 293.403(1). Moreover, pursuant to the Nevada election contest statute, even if Anthony  
9 prevails in the election contest, his remedies do not include a new election. The Court has one  
10 of two statutory remedies in an election contest in evaluating the Registrar’s already-identified  
11 voting discrepancies or irregularities: (1) find from the evidence that Anthony actually  
12 “received the greater number of legal votes” than Miller received or (2) determine that the  
13 election should be “annulled or set aside” and thereby “the office is vacant.” NRS 293.417(1),  
14 (4).

15           45.     At this point, the vacant seat would not be awarded to Anthony, but would be  
16 filled by a person selected by the Governor – who is under no obligation or inclination to  
17 appoint Anthony as Anthony is a member of the opposing political party.

18           46.     The election remedy of a new election for District C must be directed by the  
19 Board. The Registrar has transmitted to the Board “an affidavit setting forth” the fact of the  
20 causes that prevents the election in District C from being certified. Anthony has submitted to  
21 the Board “an application” for a new election in District C. Thus, the Board “shall order a new  
22 election in that . . . district.” NRS 293.465.

23           47.     Consequently, Anthony has a reasonable probability of succeeding on the merits  
24 of his underlying claim and unless the Board is compelled by temporary and/or permanent  
25 injunctive relief, Anthony will be irreparably harmed.

26           48.     Anthony has been forced to hire an attorney to prosecute this action and  
27 therefore seeks recovery of his attorneys' fees and court costs as permitted under Nevada law.  
28

49. Alternatively, and in abundance of caution, Anthony reserves his right to request a recount and/or file an election contest as proscribed by statute should this Court reject the arguments contained herein and the Board certifies the District C election.

### **THIRD CLAIM FOR RELIEF** **(Writ of Mandamus)**

50. Anthony repeats and realleges the allegations set forth in the preceding paragraphs above as though fully set forth herein.

51. Pursuant to NRS 293.465, it is the Board's mandatory duty to order a new election when an election is prevented by reason of loss or destruction of ballots, or any other cause—as occurred in Clark County Commission, District C election—and the appropriate election officer submits an affidavit to the Board setting forth that fact and a candidate in that election applies for a new election.

52. The Clark County Board of Commissioners exceeded its authority when it reconsidered its legally proper decision to not certify the results in the 2020 General Election for the Clark County Commission, District C race and did in fact certify the election results, thereby rejecting a new election.

53. The Clark County Board of Commissioners has now exceeded its authority by failing to order a new election for Clark County Commission, District C.

54. Accordingly, the Clark County Board of Commissioners should be compelled by the Court to order a new election for District C only.

55. Anthony has been forced to hire an attorney to prosecute this action and therefore seeks recovery of his attorneys' fees and court costs as permitted under Nevada law.

WHEREFORE, Plaintiff prays for judgment as follows:

1. For an order declaring that:
  - a. the Clark County Board of Commissioners acted within its authority when it identified discrepancies or irregularities in the District C election and voted not to certify the results in the 2020 General Election for the Clark County Commission, District C election;



b. the Clark County Board of Commissioners acted within its authority when it directed the Clark County Registrar of Voters to prepare and hold a special election for Clark County Commission, District C; and

c. the Clark County Board of Commissioners is required under Nevada law to call a new election in District C.

2. For a temporary and/or permanent injunction:

a. preventing the Clark County Commission from certifying the Clark County Commission, District C election; and

b. requiring the Clark County Commission to direct that a new election be held in Clark County Commission, District C.

3. For a writ of mandamus compelling the Board to order and hold a new election for Clark County Commission, District C, pursuant to NRS 293 et seq. and NRS 293.465 in particular.

4. For an award of reasonable costs and attorneys' fees as permitted by Nevada and law; and

5. Any additional relief this Court deems just and proper on the evidence presented at trial.

DATED this 1<sup>st</sup> day of December, 2020.

HUTCHISON & STEFFEN, PLLC

/s/ Mark A. Hutchison

Mark A. Hutchison (4639)  
Jacob A. Reynolds (10199)  
Piers R. Tueller (14633)  
Peccole Professional Park  
10080 W. Alta Drive, Suite 200  
Las Vegas, Nevada 89145

*Attorneys for Intervening Plaintiff  
Stavros Anthony*

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

**TO ALL THE PARTIES ON THE E-SERVICE LIST**

/s/ Suzanne Morehead  
An Employee of Hutchison & Steffen, PLLC

INTENTIONALLY LEFT BLANK  
EXHIBIT PAGE ONLY

## EXHIBIT A

HUTCHISON & STEFFEN  
A PROFESSIONAL LLC

## AFFIDAVIT OF JOSEPH GLORIA

State of Nevada                )  
  ) ss:  
County of Clark                )

1. I am the Registrar of Voters for Clark County, and this declaration formalizes the statements I made to the Commissioners on November 16, 2020 during the canvass of the 2020 General Election.

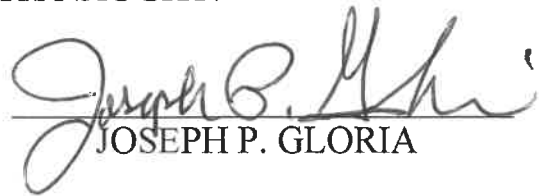
2. It is a routine procedure for the election boards after each election and before the canvass of that election to examine the voter sign ins with the vote tallies of each precinct to ensure that they balance. In the event that they do not balance (match), members of the board examine the records available in order to ascertain why the numbers do not match. There are a number of reasons that a voter number will not match with the vote tally and it is not unusual for these discrepancies to occur and for the election boards to be unable to discern the reason for the discrepancy.

3. In the case of the Commission, District C race, the members of counting and auditing boards found discrepancies such that the margin of victory in that race is called into doubt. There are 218 precincts in District C. There were 139 discrepancies which the election boards were unable to reconcile. As a result, I cannot certify that the vote is an accurate representation of the will of the voters in

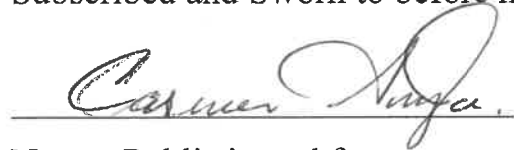
that district, and in my professional opinion as an election official, it raises a reasonable doubt as to the outcome of the election.

4. The discrepancies found in other races in the General Election were not of sufficient magnitude to call into question the results of that race.

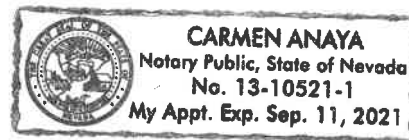
FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
JOSEPH P. GLORIA

Subscribed and Sworn to before me



Notary Public in and for  
said County and State



INTENTIONALLY LEFT BLANK  
EXHIBIT PAGE ONLY

## EXHIBIT B

November 23, 2020

***Via Email***

Clark County Commission  
c/o Lynn Marie Goya  
Clark County Clerk  
[Lynn.Goya@clarkcountynv.gov](mailto:Lynn.Goya@clarkcountynv.gov)

Registrar of Voters  
[jpg@clarkcountynv.gov](mailto:jpg@clarkcountynv.gov)

Clark County Commission  
c/o Mary-Anne Miller  
District Attorney, Clark County Commission  
[Mary-Anne.Miller@clarkcountyda.com](mailto:Mary-Anne.Miller@clarkcountyda.com)

**Re: Stavros Anthony's application for a new election in the Clark County Commission District C race pursuant to NRS 293.465.**

To the Clark County Commission,

By this letter I formalize my request for a new election in the Clark County Commission District C race pursuant to NRS 293.465 based on *at a minimum* the irregularities identified by the Registrar of Voters. I have additional evidence supported by affidavits if the Commission is willing to receive it. I submit this application now because my understanding is that the Registrar of Voters submitted a written affidavit this morning pursuant to NRS 293.465, to formalize his affirmative statements before the Commission on November 16, 2020. I did not previously submit this letter as my understanding was that the Commission did in fact agree with the Registrar's recommendation and did in fact vote at its meeting on November 16, 2020, to have a new election in Clark County Commission District C race.

However, following the lead of the Registrar of Voters, by this document, I also want to confirm my desire and make my formal application for a new election in the Clark County Commission District C race pursuant to NRS 293.465. My understanding is that the new election is not discretionary but based on NRS 293.465 is mandatory.

Sincerely,

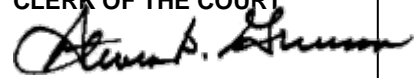
A handwritten signature in black ink, appearing to read 'Stavros Anthony', written in a cursive style.

Stavros Anthony  
Candidate, Clark County Commission District C

Cc: Hutchison & Steffen Attorneys







1 **NEOJ**  
DOMINIC P. GENTILE  
2 Nevada Bar No. 1923  
JOHN A. HUNT  
3 Nevada Bar No. 1888  
4 **CLARK HILL PLLC**  
3800 Howard Hughes Pkwy., #500  
5 Las Vegas, Nevada 89169  
Tel: (702) 862-8300/Fax: (702) 862-8400  
6 dgentile@clarkhill.com  
jhunt@clarkhill.com  
7

8 BRADLEY S. SCHRAGER, ESQ.  
Nevada Bar No. 10217  
9 DANIEL BRAVO, ESQ.  
Nevada Bar No. 13078  
10 **WOLF, RIFKIN, SHAPIRO,**  
**SCHULMAN & RABKIN, LLP**  
11 3556 E. Russell Road, Second Floor  
Las Vegas, Nevada 89120  
12 (702) 341-5200/Fax: (702) 341-5300  
13 bschrager@wrslawyers.com  
dbravo@wrslawyers.com  
14

15 *Attorneys for Plaintiff/Petitioner Ross Miller*

16 **EIGHTH JUDICIAL DISTRICT COURT**  
17 **IN AND FOR CLARK CITY, STATE OF NEVADA**

18 ROSS MILLER, and individual,  
19 Plaintiff/Petitioner,  
20 vs.

21 CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government  
22 entity; and DOES I-X, inclusive,  
23 Defendant.

24 STAVROS ANTHONY, an individual,  
25 Intervenor-Plaintiff,  
26 vs.

27 CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government  
28 entity; ROSS MILLER, an individual; and

Case No.: A-20-824971-W  
Dept. No.: 11

**NOTICE OF ENTRY OF ORDER  
DENYING INTERVENOR MOTION  
FOR PRELIMINARY INJUNCTION**

1 DOES I-X, inclusive,

2 Defendants.

3  
4 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

5 PLEASE TAKE NOTICE that the ORDER DENYING INTERVENOR MOTION FOR  
6 PRELIMINARY INJUNCTION was signed by the Judge on the 3rd day of December, 2020 and  
7 filed with the Eighth Judicial District Court on December 4, 2020, a true and correct copy of  
8 which is attached hereto.

9 DATED this 29th day of December, 2020  
10  
11

12 By: /s/ Bradley S. Schrager

13 DOMINIC P. GENTILE

14 Nevada Bar No. 1923

15 JOHN A. HUNT

16 Nevada Bar No. 1888

17 **CLARK HILL PLLC**

18 3800 Howard Hughes Pkwy., #500

19 Las Vegas, Nevada 89169

20 BRADLEY S. SCHRAGER, ESQ.

21 Nevada Bar No. 10217

22 DANIEL BRAVO, ESQ.

23 Nevada Bar No. 13078

24 **WOLF, RIFKIN, SHAPIRO,**

25 **SCHULMAN & RABKIN, LLP**

26 3556 E. Russell Road, Second Floor

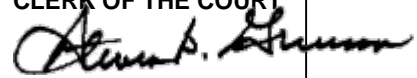
27 Las Vegas, Nevada 89120

28 Attorneys for Plaintiff/Petitioner Ross Miller

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 29th day of December, 2020, a true and correct copy  
3 of NOTICE OF ENTRY OF ORDER DENYING INTERVENOR MOTION FOR  
4 PRELIMINARY INJUNCTION was served by electronically filing with the Clerk of the Court  
5 using the Odyssey eFileNV system and serving all parties with an email-address on record,  
6 pursuant to Administrative Order 14-2 and Rule 9 of the N.E.F.C.R.

7 By /s/ Christie Rehfeld  
8 Christie Rehfeld, an Employee of  
9 WOLF, RIFKIN, SHAPIRO, SCHULMAN &  
10 RABKIN, LLP  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



**ORDR**

MARK A. HUTCHISON, ESQ.  
Nevada Bar No. 4639  
JACOB REYNOLDS, ESQ.  
Nevada Bar No. 10199  
PIERS TUELLER, ESQ.  
Nevada Bar No. 14633  
10080 w. Alta Dr., #200  
Las Vegas, Nevada 89145  
*Attorneys for Intervenor-Plaintiff,  
Stavros Anthony*

**EIGHTH JUDICIAL DISTRICT COURT**

**IN AND FOR CLARK CITY, STATE OF NEVADA**

ROSS MILLER, and individual,  
  
Plaintiff/Petitioner,  
  
vs.

Case No. A-20-824971-W

Dept. ● XI

CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government  
entity; and DOES I-X, inclusive,  
  
Defendant.

**ORDER DENYING INTERVENOR'S  
MOTION FOR PRELIMINARY  
INJUNCTION**

STAVROS ANTHONY, an individual,  
  
Intervenor-Plaintiff.  
  
vs.

CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government  
entity; ROSS MILLER, an individual, and  
DOES I-X, inclusive,  
  
Defendant.

On November 25, 2020, Intervenor-Plaintiff Stavros Anthony ("Intervenor"), by and through counsel of record, filed a Motion for Preliminary Injunction ("Motion for Preliminary Injunction"). Intervenor requested an order enjoining the Clark County

Commission from certifying the election of Clark County Commission, District C, or otherwise reconsidering its vote to hold a new election for District C at its December 1, 2020 meeting or thereafter until this Court has ruled on the merits of this case.

On November 30, 2020, an opposition to Intervenor's Motion for Preliminary Injunction was filed by Plaintiff Ross Miller ("Plaintiff"), and Intervenor filed a reply.

The Court held a hearing on November 30, 2020. The hearing was conducted by teleconference. Mark A. Hutchison, Esq., appeared and argued on behalf of Intervenor. Bradley S. Schrager, Esq. appeared Plaintiff. Mary-Anne Miller, Esq., appeared argued on behalf of Defendant Clark County Board of Commissioners ("Defendant" or the "Board").

Upon review of the papers and pleadings on file herein, the arguments of counsel, and good cause appearing,

Intervenor's Motion for Preliminary Injunction is DENIED.

December 3, 2020

IT IS SO ORDERED.

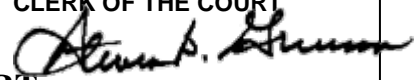
  
DISTRICT COURT JUDGE

Submitted by

**HUTCHISON & STEFFEN**

MARK A. HUTCHISON, ESQ.  
Nevada Bar No. 4639  
JACOB REYNOLDS, ESQ.  
Nevada Bar No. 10199  
PIERS TUELLER, ESQ.  
Nevada Bar No. 14633  
10080 w. Alta Dr., #200  
Las Vegas, Nevada 89145  
*Attorneys for Intervenor-Plaintiff,  
Stavros Anthony*





1 NOE

2 EIGHTH JUDICIAL DISTRICT COURT

3 IN AND FOR CLARK CITY, STATE OF NEVADA

4 ROSS MILLER, an individual,  
5 Plaintiff/Petitioner,

6 vs.

7 CLARK COUNTY BOARD OF  
8 COMMISSIONERS, a local government  
entity; and DOES I-X, inclusive,  
9 Defendant.

10 STAVROS ANTHONY, an individual,  
11 Intervenor-Plaintiff,

12 vs.

13 CLARK COUNTY BOARD OF  
14 COMMISSIONERS, a local government  
entity; ROSS MILLER, an individual; and  
15 DOES I-X, inclusive,  
16 Defendants.

Case No.: A-20-824971-W  
Dept. No.: 11

**NOTICE OF ENTRY OF ORDER  
DENYING INTERVENOR  
PLAINTIFF'S MOTION FOR  
WRIT OF MANDAMUS  
REQUIRING THE CLARK  
COUNTY BOARD OF  
COMMISSIONERS TO ORDER A  
NEW ELECTION FOR CLARK  
COUNTY COMMISSION  
DISTRICT C**

17 TO: THE ABOVE NAMED PARTIES:

18 YOU WILL PLEASE TAKE NOTICE that an Order Denying Intervenor Plaintiff's  
19 Motion For Writ Of Mandamus Requiring The Clark County Board Of Commissioner To  
20 Order A New Election For Clark County Commission District C was filed above-entitled  
21 matter on the 31<sup>st</sup> day of December, 2020, a copy of which is attached hereto.

22 DATED this 31<sup>st</sup> day of December, 2020.

23 STEVEN B. WOLFSON  
24 DISTRICT ATTORNEY

25 By: /s/ Mary-Anne Miller  
26 MARY-ANNE MILLER, County Counsel  
27 State Bar No. 001419  
28 500 South Grand Central Pkwy. 5<sup>th</sup> Flr.  
Las Vegas, Nevada 89155-2215  
Attorneys for Defendant  
Clark County Board of Commissioners

1 **CERTIFICATE OF ELECTRONIC SERVICE**

2 I hereby certify that I am an employee of the Office of the Clark County District  
3 Attorney and that on this 31<sup>ST</sup> day of December, 2020, I served a true and correct copy of the  
4 foregoing NOTICE OF ENTRY OF ORDER DENYING INTERVENOR PLAINTIFF'S  
5 MOTION FOR WRIT OF MANDAMUS REQUIRING THE CLARK COUNTY BOARD  
6 OF COMMISSIONERS TO ORDER A NEW ELECTION FOR CLARK COUNTY  
7 COMMISSION DISTRICT C (United States District Court Pacer System or the Eighth  
8 Judicial District Wiznet), by e-mailing the same to the following recipients. Service of the  
9 foregoing document by e-mail is in place of service via the United States Postal Service.

10 Dominic P. Gentile, Esq.  
11 CLARK HILL PLLC  
12 3800 Howard Hughes Pkwy., #500  
Las Vegas, NV 89169  
[dgentile@clarkhill.com](mailto:dgentile@clarkhill.com)

MARK A. HUTCHISON (SBN 4639)  
JACOB A. REYNOLDS (SBN 10199)  
PIERS R. TUELLER (SBN14633)  
HUTCHISON & STEFFEN, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145

13 Bradley S. Schrager, Esq.  
14 Daniel Bravo, Esq.  
15 WOLF RIFKIN SHAPIRO SCHULMAN  
& RABKIN LLP  
16 3556 E. Russell Road, 2<sup>nd</sup> Floor  
Las Vegas, NV 89120  
[bschrager@wrslawyers.com](mailto:bschrager@wrslawyers.com)  
[dbravo@wrslawyers.com](mailto:dbravo@wrslawyers.com)

*Attorneys for Intervenor-Plaintiff  
Stavros Anthony*

17 *Attorneys for Plaintiff*  
18 *Ross Miller*

21  
22 /s/ Afeni Banks  
23 An Employee of the Clark County District  
24 Attorney's Office – Civil Division  
25  
26  
27  
28



1 **ODM**

2 **EIGHTH JUDICIAL DISTRICT COURT**  
3 **IN AND FOR CLARK CITY, STATE OF NEVADA**

4 ROSS MILLER, an individual,  
5 Plaintiff/Petitioner,

6 vs.

7 CLARK COUNTY BOARD OF  
8 COMMISSIONERS, a local government  
entity; and DOES I-X, inclusive,  
9 Defendant.

10 STAVROS ANTHONY, an individual,  
11 Intervenor-Plaintiff,

12 vs.

13 CLARK COUNTY BOARD OF  
14 COMMISSIONERS, a local government  
entity; ROSS MILLER, an individual; and  
DOES I-X, inclusive,  
15 Defendants.

Case No.: A-20-824971-W  
Dept. No.: 11

**ORDER DENYING INTERVENOR  
PLAINTIFF’S MOTION FOR  
WRIT OF MANDAMUS  
REQUIRING THE CLARK  
COUNTY BOARD OF  
COMMISSIONERS TO ORDER A  
NEW ELECTION FOR CLARK  
COUNTY COMMISSION  
DISTRICT C**

16  
17 On December 10, 2020, Intervenor-Plaintiff Stavros Anthony (“Intervenor”), by and  
18 through counsel of record, filed a Motion for Writ of Mandamus (“Motion for Writ of  
19 Mandamus”). Intervenor requested an order requiring the Clark County Board of  
20 Commissioners (the “Board”) to order a new election for Clark County Commission District  
21 C.

22 On December 14, 2020, an opposition to Intervenor’ Motion for Writ of Mandamus  
23 was filed by Plaintiff Ross Miller (“Plaintiff”) and Defendant Clark County Board of  
24 Commissioners filed a joinder thereto. On December 16, 2020, Intervenor filed a reply in  
25 support of his Motion for Writ of Mandamus.

26 . . .

27 . . .

1       Upon review of the papers and pleadings on file herein, the arguments of the parties,  
2 and good cause appearing, Intervenor’ Motion for Writ of Mandamus is DENIED. The Court  
3 finds the following facts and states the following conclusions of law<sup>1</sup> as follows:

4                               **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

5       Intervenor, in his Motion for Writ of Mandamus, argues that pursuant to NRS 293.465,  
6 the Clark County Board of Commissioners is required to proceed with a new election for Clark  
7 County Commission, District C. Intervenor’s Motion for Writ of Mandamus included an  
8 affidavit by the Clark County Registrar of Voters (the “Registrar”), which states that there  
9 were 139 discrepancies in the District C election.

10       The Court finds that NRS 293.465 does not apply in this case. NRS 293.465 states in  
11 full:

12       If an election is prevented in any precinct or district by reason of the loss or  
13 destruction of the ballots intended for that precinct, or any other cause, the  
14 appropriate election officers in that precinct or district shall make an affidavit  
15 setting forth that fact and transmit it to the appropriate board of county  
16 commissioners. Upon receipt of the affidavit and upon the application of any  
candidate for any office to be voted for by the registered voters of that precinct  
or district, the board of county commissioners shall order a new election in that  
precinct or district.

17 NRS 293.465 applies in instances in which an election, or a portion of one, is prevented from  
18 occurring, for instance due to a natural disaster, or an accident suffered by the vehicle  
19 transmitting the ballots, or some similar incident preventing an election from occurring and  
20 makes provision for a new election in those circumstances. The Court finds that NRS 293.465  
21 cannot apply here because the Clark County Commission, District C election was not  
22 prevented. Clark County had an election on November 3, 2020. The results of every race have  
23 been canvassed and certified. No precinct failed to complete its election.

24       The Court further finds that the Registrar’s affidavit is not an NRS 293.465 affidavit,  
25 either by its own terms—as the Court has already stated when denying Intervenor’s Motion  
26 for Preliminary Injunction—or by the expressed intentions of the Registrar. The affidavit does

---

27  
28       <sup>1</sup> If any finding herein is in truth a conclusion of law, or if any conclusion is stated is in truth a  
finding of fact, it shall be deemed so.

not declare that an election was prevented, either in whole or at the level of any particular precinct. It does not describe or identify any “loss or destruction of the ballots” per NRS 293.465. Therefore, Intervenor cannot establish that NRS 293.465 mandates a new election.

**THEREFORE**, the Court **DENIES** Intervenor’s Motion for Writ of Mandamus.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 202\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

Submitted by:

STEVEN B. WOLFSON (SBN 1565)  
District Attorney

By: /s/ Mary-Anne Miller

MARY-ANNE MILLER (SBN 1419)  
County Counsel  
500 South Grand Central Pkwy.  
Las Vegas, Nevada 89155-2215

*Attorneys for Defendant  
Clark County Board of  
Commissioners*

Approved by:

**CLARK HILL PLLC**

DOMINIC P. GENTILE (SBN 1923)  
JOHN A. HUNT (SBN 1888)  
3800 Howard Hughes Pkwy., #500  
Las Vegas, Nevada 89169

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

By: /s/ Bradley S. Schrager

BRADLEY S. SCHRAGER, ESQ.  
(SBN 10217)  
DANIEL BRAVO, ESQ. (SBN 13078)  
3556 E. Russell Road, Second Floor  
Las Vegas, Nevada 89120

*Attorneys for Plaintiff/Petitioner  
Ross Miller*

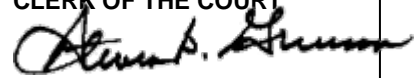
Approved by:

**HUTCHISON & STEFFEN, PLLC**

By: /s/ Jacob A. Reynolds

MARK A. HUTCHISON (SBN 4639)  
JACOB A. REYNOLDS (SBN  
10199)  
PIERS R. TUELLER (SBN14633)  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145

*Attorneys for Intervenor-Plaintiff  
Stavros Anthony*



1 **ORDR**

2  
3 **EIGHTH JUDICIAL DISTRICT COURT**  
4 **IN AND FOR CLARK CITY, STATE OF NEVADA**

5 ROSS MILLER, an individual,  
6 Plaintiff/Petitioner,

7 vs.

8 CLARK COUNTY BOARD OF  
9 COMMISSIONERS, a local government  
10 entity; and DOES I-X, inclusive,  
11 Defendant.

12 STAVROS ANTHONY, an individual,  
13 Intervenor-Plaintiff,

14 vs.

15 CLARK COUNTY BOARD OF  
16 COMMISSIONERS, a local government  
17 entity; ROSS MILLER, an individual; and  
18 DOES I-X, inclusive,  
19 Defendants.

Case No.: A-20-824971-W  
Dept. No.: XI

**ORDER DENYING INTERVENOR  
PLAINTIFF'S MOTION FOR  
WRIT OF MANDAMUS  
REQUIRING THE CLARK  
COUNTY BOARD OF  
COMMISSIONERS TO ORDER A  
NEW ELECTION FOR CLARK  
COUNTY COMMISSION  
DISTRICT C**

20 On December 10, 2020, Intervenor-Plaintiff Stavros Anthony ("Intervenor"), by and  
21 through counsel of record, filed a Motion for Writ of Mandamus ("Motion for Writ of  
22 Mandamus"). Intervenor requested an order requiring the Clark County Board of  
23 Commissioners (the "Board") to order a new election for Clark County Commission District  
24 C.

25 On December 14, 2020, an opposition to Intervenor's Motion for Writ of Mandamus  
26 was filed by Plaintiff Ross Miller ("Plaintiff") and Defendant Clark County Board of  
27 Commissioners filed a joinder thereto. On December 16, 2020, Intervenor filed a reply in  
28 support of his Motion for Writ of Mandamus.

...

1 ...

2 Upon review of the papers and pleadings on file herein, the arguments of the parties,  
3 and good cause appearing, Intervenor’ Motion for Writ of Mandamus is DENIED. The Court  
4 finds the following facts and states the following conclusions of law<sup>1</sup> as follows:

5 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

6 Intervenor, in his Motion for Writ of Mandamus, argues that pursuant to NRS  
7 293.465, the Clark County Board of Commissioners is required to proceed with a new  
8 election for Clark County Commission, District C. Intervenor’s Motion for Writ of  
9 Mandamus included an affidavit by the Clark County Registrar of Voters (the “Registrar”),  
10 which states that there were 139 discrepancies in the District C election.

11 The Court finds that NRS 293.465 does not apply in this case. NRS 293.465 states in  
12 full:

13 If an election is prevented in any precinct or district by reason of the loss or  
14 destruction of the ballots intended for that precinct, or any other cause, the  
15 appropriate election officers in that precinct or district shall make an affidavit  
16 setting forth that fact and transmit it to the appropriate board of county  
17 commissioners. Upon receipt of the affidavit and upon the application of any  
candidate for any office to be voted for by the registered voters of that  
precinct or district, the board of county commissioners shall order a new  
election in that precinct or district.

18 NRS 293.465 applies in instances in which an election, or a portion of one, is prevented from  
19 occurring, for instance due to a natural disaster, or an accident suffered by the vehicle  
20 transmitting the ballots, or some similar incident preventing an election from occurring and  
21 makes provision for a new election in those circumstances. The Court finds that NRS  
22 293.465 cannot apply here because the Clark County Commission, District C election was  
23 not prevented. Clark County had an election on November 3, 2020. The results of every race  
24 have been canvassed and certified. No precinct failed to complete its election.

25 The Court further finds that the Registrar’s affidavit is not an NRS 293.465 affidavit,  
26 either by its own terms—as the Court has already stated when denying Intervenor’s Motion

27 \_\_\_\_\_  
28 <sup>1</sup> If any finding herein is in truth a conclusion of law, or if any conclusion is stated is in truth a  
finding of fact, it shall be deemed so.

1 for Preliminary Injunction—or by the expressed intentions of the Registrar. The affidavit  
2 does not declare that an election was prevented, either in whole or at the level of any  
3 particular precinct. It does not describe or identify any “loss or destruction of the ballots” per  
4 NRS 293.465. Therefore, Intervenor cannot establish that NRS 293.465 mandates a new  
5 election.

6 **THEREFORE**, the Court **DENIES** Intervenor’s Motion for Writ of Mandamus.

7 DATED this 31<sup>st</sup> day of December, 2020.

8  
9   
10 DISTRICT COURT JUDGE

11  
12 Submitted by:

13 STEVEN B. WOLFSON (SBN 1565)  
14 District Attorney

**HUTCHISON & STEFFEN, PLLC**

15 By: /s/ Mary-Anne Miller  
16 MARY-ANNE MILLER (SBN 1419)  
17 County Counsel  
18 500 South Grand Central Pkwy.  
19 Las Vegas, Nevada 89155-2215

*Attorneys for Defendant  
Clark County Board of  
Commissioners*

By: /s/ Jacob A. Reynolds  
MARK A. HUTCHISON (SBN 4639)  
JACOB A. REYNOLDS (SBN  
10199)  
PIERS R. TUELLER (SBN14633)  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145

*Attorneys for Intervenor-Plaintiff  
Stavros Anthony*

20 Approved by:

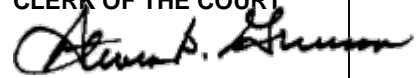
**CLARK HILL PLLC**

21 DOMINIC P. GENTILE (SBN 1923)  
22 JOHN A. HUNT (SBN 1888)  
23 3800 Howard Hughes Pkwy., #500  
24 Las Vegas, Nevada 89169

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

25 By: /s/ Bradley S. Schrager  
26 BRADLEY S. SCHRAGER, ESQ.  
27 (SBN 10217)  
28 DANIEL BRAVO, ESQ. (SBN 13078)  
3556 E. Russell Road, Second Floor  
Las Vegas, Nevada 89120





**NOTC**

Mark A. Hutchison (4639)  
Jacob A. Reynolds (10199)  
Piers R. Tueller (14633)  
HUTCHISON & STEFFEN, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
Telephone: (702) 385-2500  
Facsimile: (702) 385-2086  
Email: [mhutchison@hutchlegal.com](mailto:mhutchison@hutchlegal.com)  
[jreynolds@hutchlegal.com](mailto:jreynolds@hutchlegal.com)  
[ptueller@hutchlegal.com](mailto:ptueller@hutchlegal.com)

*Attorneys for Necessary Party Stavros Anthony*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

ROSS MILLER, an individual,  
  
Plaintiff/Petitioner,  
  
v.  
  
CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government  
entity; and DOES I – X, inclusive,  
  
Defendant

**Case No. A-20-824971-W**

**Dept No. 11**

**NOTICE OF ENTRY OF ORDER  
DISMISSING COMPLAINT IN  
INTERVENTION**

STAVROS ANTHONY, an individual,  
  
Intervenor-Plaintiff,  
  
v.  
  
CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government  
entity; ROSS MILLER, an individual, and  
DOES I-X, inclusive,  
  
Defendants.

**PLEASE TAKE NOTICE** that an Order Dismissing Complaint in Intervention was  
entered in the above matter on January 6, 2021.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

A copy is attached hereto.

DATED this 6<sup>th</sup> day of January, 2021.

HUTCHISON & STEFFEN, PLLC

*/s/ Jacob A. Reynolds*

---

Mark A. Hutchison (4639)  
Jacob A. Reynolds (10199)  
Piers R. Tueller (14633)  
Peccole Professional Park  
10080 W. Alta Drive, Suite 200  
Las Vegas, Nevada 89145

*Attorneys for Stavros Anthony*

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

Tanya Bain	tbain@clarkhill.com
Daniel Bravo	dbravo@wrslawyers.com
Maddy Carnate-Peralta	mcarnate@hutchlegal.com
Kaylee Conradi	kconradi@hutchlegal.com
Dannielle Fresquez	dfresquez@wrslawyers.com
Dominic P. Gentile	dgentile@clarkhill.com
Mark A. Hutchison	mhutchison@hutchlegal.com
Kimberly King	kking@clarkhill.com
Mary-Anne Miller	mary-anne.miller@clarkcountyda.com
Ross Miller	rmiller@clarkhill.com
Suzanne Morehead	smorehead@hutchlegal.com
Craig Mueller	electronicservice@craigmuellerlaw.com
Catherine Ramsey	cathy@craigmuellerlaw.com
Jacob Reynolds	jreynolds@hutchlegal.com
Bradley Schrager	bschrager@wrslawyers.com
Piers Tueller	ptueller@hutchlegal.com
Susie Ward	susie@craigmuellerlaw.com

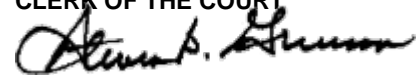
24

25

26

27

28



**ORDR**

Mark A. Hutchison (4639)  
Jacob A. Reynolds (10199)  
Piers R. Tueller (14633)  
HUTCHISON & STEFFEN, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
Telephone: (702) 385-2500  
Facsimile: (702) 385-2086  
Email: [mhutchison@hutchlegal.com](mailto:mhutchison@hutchlegal.com)  
[jreynolds@hutchlegal.com](mailto:jreynolds@hutchlegal.com)  
[ptueller@hutchlegal.com](mailto:ptueller@hutchlegal.com)

*Attorneys for Intervening Plaintiff*  
*Stavros Anthony*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ROSS MILLER, an individual,

Plaintiff/Petitioner,  
v.

CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government entity;  
and DOES I – X, inclusive,

Defendant

Case No. A-20-824971-W

Dept. No. XI

**ORDER**

STAVROS ANTHONY, an individual,

Intervening Plaintiff,  
v.

CLARK COUNTY BOARD OF  
COMMISSIONERS, a local government entity;  
ROSS MILLER, an individual,

Defendants.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

Therefore, all claims asserted in Anthony's amended complaint in intervention are denied. This order constitutes this Court's final judgment in this matter.

Submitted by:

/s/ *Mark A. Hutchison*

*Attorneys for Intervening Plaintiff*  
*Stavros Anthony*

2 of 3

1 DATED this \_\_day of January, 2021

DATED this \_6th\_day of January, 2021

2 **CLARK HILL PLLC**

**OFFICE OF THE DISTRICT  
ATTORNEY, CIVIL DIVISION**

3  
4 */s/ Bradley S. Schrager*

*/s/ Mary-Anne Miller*

5 \_\_\_\_\_  
DOMINIC P. GENTILE (1923)  
JOHN A. HUNT (1888)  
3800 Howard Hughes Pkwy., #500  
6 Las Vegas, Nevada 89169

\_\_\_\_\_ MARY-ANNE MILLER,ESQ. (1565)  
500 South Grand Central Pkwy.  
Las Vegas, Nevada 89155-2215

7  
8 BRADLEY S. SCHRAGER, ESQ.(10217)  
DANIEL BRAVO, ESQ. (13078)  
9 **WOLF, RIFKIN, SHAPIRO,**  
10 **SCHULMAN & RABKIN, LLP**  
3556 E. Russell Road, Second Floor  
11 Las Vegas, Nevada 89120  
12 *Attorneys for Plaintiff/Petitioner Ross  
Miller*

*Attorney for Defendant  
Clark County Board of Commissioners*