

IN THE SUPREME COURT OF THE STATE OF NEVADA

NATHANIEL HELTON, AN
INDIVIDUAL,

Appellant,

vs.

NEVADA VOTERS FIRST PAC, A
NEVADA COMMITTEE FOR
POLITICAL ACTION; TODD L. BICE, IN
HIS CAPACITY AS THE PRESIDENT
OF NEVADA VOTERS FIRST PAC;
AND BARBARA K. CEGAVSKE, IN
HER CAPACITY AS NEVADA
SECRETARY OF STATE,

Respondents,

Case No. 84110

Electronically Filed
May 25 2022 05:29 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**MOTION TO CLARIFY
APPELLANT'S NRAP 26.1
DISCLOSURE**

NRAP 26.1 requires litigants to make certain disclosures so that judges and justices of this Court may know the identity of who is actually litigating the matter and to evaluate possible disqualification or recusal. Appellant Nathaniel Helton's ("Helton") NRAP 26.1 disclosure filed on March 1, 2022, asserts that there are no persons or entities that he needs to disclose. It is Helton, and Helton alone. Similarly, on April 15, 2022, Helton filed a reply brief without any changes to his disclosures.

However, Respondents Nevada Voters First PAC and its president, Todd L. Bice (collectively "Voters First") have reason to question the accuracy of Helton's

representations to this Court and the legality of his participation in campaign-related activities against the Initiative under Nevada law, including recent campaign efforts seeking to oppose the signature-gathering process. It seems highly unlikely to be a coincidence that just three days after Helton's Rule 26.1 disclosure, on March 4, 2022, a committee for political action was formed called Protect Your Vote Nevada, with Helton's counsel of record designated as its registered agent. (Ex. A hereto.) This newly-registered PAC – one conveniently formed right after the timing of disclosure requirements – has been actively campaigning against the Initiative, including with recent mailers, and yet has made no financial disclosures under Nevada law. (Ex. B hereto.)¹

There is substantial cause to question Helton's disclosure to this Court. After all, this litigation has been ongoing long before the formation of any PAC as Nevada law requires. Is Helton seriously representing to this Court that he is the one funding this litigation and paying for his counsel, including his Washington, D.C. attorneys? Or, is Helton serving as a front for others who are really the sponsors funding this litigation, but who want to conceal their involvement from this Court and the public?

Courts have required disclosure in similar circumstances. *See, e.g., Nunes v. Lizza*, No. 20-CV-4003-CJW, 2021 WL 7186264 (N.D. Iowa Oct. 26, 2021)

¹ Screenshot of financial disclosures with Secretary of State as of today, May 25, 2022.

(allowing discovery and requiring party to make Fed. R. Civ. P. 7.1 disclosures about the identity of the real party in interest and who was funding litigation to determine role of "wealthy private donors" who may have been a "mere surrogate" for Congressman Devin Nunes).

Therefore, Respondents respectfully request that the Court command Appellant to make a more complete NRAP 26.1 disclosure.

DATED this 25th day of May, 2022.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
Todd L. Bice, Esq., #4534
Jordan T. Smith, Esq., #12097
Dustun H. Holmes, Esq., #12776
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

*Attorneys for Respondents Nevada Voters
First PAC and Todd L. Bice*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Pisanelli Bice PLLC, and that on the 25th day of May, 2022, I electronically filed and served by electronic mail a true and correct copy of the above and foregoing **MOTION TO CLARIFY APPELLANT'S NRAP 26.1 DISCLOSURE** to:

First Judicial District of Nevada
Hon. James E. Wilson, Jr.
Carson City District Court Clerk
885 East Musser Street, Room 3057
Carson City, NV 89701
bshadron@carson.org

Craig A. Newby, Esq.
Deputy Solicitor General
Nevada Office of the Attorney General
555 E. Washington Avenue, Suite 3900
Las Vegas, NV 89101
CNewby@ag.nv.gov

*Attorneys for Respondent State of
Nevada ex rel. Barbara K. Cegavske, in
her capacity as Secretary of State of
Nevada*

Bradley S. Schrager, Esq.
John Samberg, Esq.
Eric Levinrad, Esq.
Daniel Bravo, Esq.
Wolf, Rifkin, Shapiro, Schulman &
Rabkin, LLP
3773 Howard Hughes Pkwy #590 South
Las Vegas, NV 89169
bschrager@wrslawyers.com
jsamberg@wrslawyers.com
elevinrad@wrslawyers.com
dbravo@wrslawyers.com

Attorneys for Appellant

Marc E. Elias, Esq.
Spencer McCandless, Esq.
Elias Law Group LLP
10 G Street NE, Suite 600
Washington, DC 20002
melias@elias.law
smccandless@elias.law

Lindsay McAleer, Esq.
Elias Law Group LLP
1700 Seventh Avenue, Suite 2100
Seattle, WA 98101
lmcaleer@elias.law

Attorneys for Appellant

/s/ Kimberly Peets
An employee of Pisanelli Bice PLLC

EXHIBIT A



BARBARA K. CEGAVSKE
Secretary of State
101 North Carson Street, Suite 3
Carson City, Nevada 89701
(775) 684-5705
Facsimile: (775) 684-5718
Email: nvelect@sos.nv.gov
Website: www.nvsos.gov

State of Nevada Committee Registration Form

Use this form to register or make changes to a:

- Committee for Political Action (PAC)
- Committee for Political Action (PAC) Advocating Passage or Defeat of a Ballot Question
- Committee Sponsored by a Political Party
- Recall Committee

☒ Committee for Political Action (PAC) ☐ Committee Sponsored by a Political Party ☐ Recall Committee

☐ Committee for Political Action (PAC) Advocating Passage

Action Request

(select all that apply)

☒ New Registration ☐ PAC Annual Registration (Due on or before January 15th of each year – NRS 294A.230(4)(b))

☐ Amended Registration (check all that apply):

☐ Change Officers ☐ Change Registered Agent ☐ Change Address ☐ Reactivation

☐ Change Name (previous name of Committee)

☐ Other

Name of Committee

Protect Your Vote Nevada

Mailing Address

7320 S. Rainbow #102-142 Las Vegas

City

State

NV

ZIP Code

89139

Email Address

Telephone Number

PURPOSE: Briefly state the purpose for which the Committee was organized.

to support voting rights & democracy in Nevada

Name of Public Officer to be Recalled (Include title of office held) *This section only applies to a Recall Committee*

REGISTERED AGENT: Pursuant to NRS 294A.240, each PAC must appoint and keep in the State a registered agent, as provided in NRS 14.020, who must be a natural person who resides in the State of Nevada.

Recall Committees only need a Registered Agent if it is an organization located outside the State.

Name of Registered Agent

Daniel Bravo, Esq.

Email Address

dbravo@wrslawyers.com

Telephone Number

702-341-5200

Physical Address

3773 Howard Hughes Pkwy., Ste. 590 S.

City

Las Vegas

State

NV

ZIP Code

89169

REGISTERED AGENT ACCEPTANCE: I hereby accept appointment as Registered Agent for the above-named Committee.

Signature of Registered Agent

March 4, 2022

Date

For Office Use Only

Office of the
Secretary of State

Barbara Cegavske

Barbara Cegavske
Elections Division

KRhynes

3/4/22 #9089

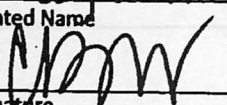
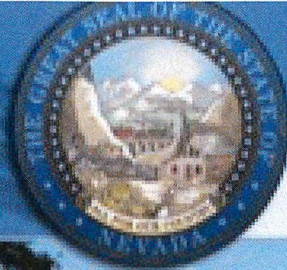
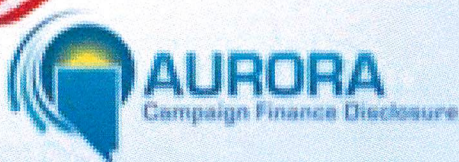
OFFICERS: Use the name, title, address and telephone number of each officer (attach additional pages if necessary)			
Officer Name and Title Chelsey Wininger		Telephone Number 317-403-8351	
Mailing Address 7320 S. Rainbow #102-142	City Las Vegas	State NV	ZIP Code 89134
Officer Name and Title		Telephone Number	
Mailing Address	City	State	ZIP Code
Officer Name and Title		Telephone Number	
Mailing Address	City	State	ZIP Code
Officer Name and Title		Telephone Number	
Mailing Address	City	State	ZIP Code
<small>APPLICANTS: If the PAC is affiliated with any other organizations, list the name, address and telephone number of each organization (attach additional pages if necessary)</small> <small>Political Party Committees and Recall Committees may skip this section</small>			
Name of Organization		Telephone Number	
Mailing Address	City	State	ZIP Code
Name of Organization		Telephone Number	
Mailing Address	City	State	ZIP Code
SUBMITTED BY:			
Chelsey Wininger Printed Name		317-403-8351 Telephone Number	
 Signature		3/3/22 Date	

EXHIBIT B



NEVADA SECRETARY OF STATE

Barbara K. Cegavske

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Protect Your Vote Nevada

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Group Type Political Action Committee
Contact Name Daniel Bravo
Address 7320 S. Rainbow #102-142 Las Vegas, NV 89139
Phone 702-341-5200
Email dbravo@wrslawyers.com
Website
Registration View Registration Form
Status Active

Report Name	Year	File Date	Report Link
There are no submitted reports on file for this group.			