

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

NEVADANS FOR REPRODUCTIVE
FREEDOM, a political action committee,

Appellant,

vs.

DONNA WASHINGTON, an individual;
COALITION FOR PARENTS AND
CHILDREN, a political action committee;
and FRANCISCO V. AGUILAR, in his
official capacity as Secretary of State of
Nevada,

Respondents.

Case No. 87681
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Elizabeth A. Brown
First Judicial District Court
Clerk of Supreme Court
Case No.: 23 OC 0115 1B

MOTION FOR LEAVE TO FILE AMICUS BRIEF

Pursuant to Nevada R. App. P. 29, the Ballot Initiative Strategy Center Foundation respectfully moves for leave to file the accompanying amicus brief in support of Appellant Nevadans for Reproductive Freedom. Counsel for Amici informed counsel for all parties of their intention to file this motion; counsel for Appellants indicated that they consented; counsel for the Secretary of State consented; counsel for Respondents refused to consent, necessitating the filing of this motion.

Proposed Amicus is a District of Columbia nonprofit organization that has been well steeped in the role ballot measures play in civic engagement for over

twenty years. The Foundation acts as a clearinghouse for information to understand better public attitudes towards critical issues and the role ballot measures play in our democracy. Amicus is concerned that the district court's decision in this case, if it stands, would set a dangerous precedent barring ballot measures.

Accordingly, proposed Amicus is familiar with the parties' arguments. Amicus believes the attached brief will aid the Court in its consideration of the issues presented in the case. Specifically, the brief explains why the Petition does not make an appropriation or require the expenditure of money. It also explains how other tools—like the Rules of Evidence—alleviate the need for any purported Panel or Board—which was the lynchpin in the district court's ruling. Finally, it explains how the district court's interpretation would have an enormous chilling effect on the fundamental right of Nevadans to propose initiatives.

Amicus does note that this brief is filed more than seven days after the brief filed by the Appellant in this matter. However, good cause exists for the Court to grant leave to Amicus for filing its brief in this matter under NRAP 29(e), which provides "The court may grant leave for later filing, specifying the time within which an opposing party may answer." Later filing was necessary here because this case is being heard on an expedited briefing schedule. The Amicus brief will only be filed 14 days after the opening brief of appellant, which is only seven days beyond the time set forth in the rule for filing. In addition, the Respondents' Brief

is not yet due until December 29, 2023. Based on these facts, Amicus requests leave to file its brief in this matter.

Dated: December 22, 2023

Respectfully submitted,

/s/Nathan R. Ring

Nathan R. Ring (NSB 12078)
STRANCH, JENNINGS & GARVEY
PLLC
3100 W. Charleston Blvd., Suite 208
Las Vegas, NV 89102
Tel: (725) 235 9750
nring@stranchlaw.com

Joseph E. Sandler (Motion to Associate
Pending)
Sandler Reiff Lamb Rosenstein &
Birkenstock PC
1090 Vermont Ave., N.W. Suite 750
Washington, D.C. 20005
Tel: (202) 479-1111
sandler@sandlerreiff.com

*Attorneys for Amicus Curiae
Ballot Initiative Strategy Foundation*

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December 2023, a true and correct copy of this Motion for Leave to File Amicus Brief was served on all counsel of record by electronically filing the document using the Nevada Supreme Court's electronic filing system.

By: /s/ Suzanne Levenson