

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

DAILYPAY, INC., a Delaware Corporation; NEVADANS FOR FINANCIAL CHOICE, a Nevada Political Action Committee; CHRISTINA BAUER, an individual; ACTIVEHOURS, INC., a Delaware Corporation; and STACY PRESS, an individual,

Appellants,

v.

FRANCISCO V. AGUILAR IN HIS OFFICIAL CAPACITY AS NEVADA SECRETARY OF STATE; KATE FELDMAN, an individual; and STOP PREDATORY LENDING NV, a Nevada Nonprofit Corp.,

Respondents.

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Case No. 88557

**REPLY TO RESPONSE TO  
NOTICES RE MOOTNESS**

Respondents' Response to Notices Re: Mootness concedes that "it is undisputed that Respondents did not submit 102,000-plus valid signatures required by the November 20, 2024 constitutional deadline." Resp. at 6. As this Court previously held, Respondents' failure to submit signatures by the deadline renders this appeal moot. *See Personhood Nev. v. Bristol*, 126 Nev. 599, 602, 245 P.3d 572, 574 (2010) ("In this case, the appeal was rendered moot when appellants failed to submit sufficient signatures on the initiative petition by the June 15 submission

deadline, rendering the proposed initiative ineligible for the vote in the 2010 general election regardless of [this Court's] decision.").

Respondents' contrary argument – that the capable-of-repetition-yet-evading-review exception should be made to apply because they intend to file an identical petition in 2026, Resp. at 6-8 – is squarely foreclosed by this Court's precedent. As this Court previously explained, the short timeframe to challenge an initiative is irrelevant as "the district court must expedite any challenges to an initiative, and this [C]ourt typically resolves ballot-related cases before they become moot." *Personhood Nev.*, 126 Nev. at 603, 245 P.3d at 575 (internal citations omitted). Indeed, this appears to be the only initiative that this Court did not resolve before it became moot this cycle, and it became moot only because Respondents decided against gathering signatures.<sup>1</sup> The fact that Respondents purportedly plan to propose an identical petition in the future is similarly irrelevant as "addressing a potential

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<sup>1</sup> In the only other unresolved ballot-related case, the initiative proponents submitted signatures to the Secretary of State by the deadline despite the fact that this Court had not yet (and still has not) resolved the appeal there. *See Uber Sexual Assault Survivors for Legal Accountability v. Uber Tech., Inc.*, No. 88813.

future initiative at this point would be speculative and lead to an improper advisory opinion." *Id.*

Accordingly, this Court should dismiss this appeal as moot.

DATED this 9th day of December, 2024.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice  
Todd L. Bice, Esq., #4534  
Jordan T. Smith, Esq., #12097  
Daniel R. Brady, Esq., #15508  
400 South 7th Street, Suite 300  
Las Vegas, Nevada 89101

*Attorneys for Appellants Nevadans for  
Financial Choice and Christina Bauer*

