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21 \* admitted *pro hac vice*

22 **IN THE FIRST JUDICIAL DISTRICT COURT**  
23 **OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

24 UBER SEXUAL ASSAULT SURVIVORS  
25 FOR LEGAL ACCOUNTABILITY and  
26 NEVADA JUSTICE ASSOCIATION,  
27 Plaintiffs,

28 vs.

29 UBER TECHNOLOGIES, INC., a Delaware  
30 corporation; MATT GRIFFIN, JOHN  
31 GRIFFIN, SCOTT GILLES, and TIA WHITE,  
32 individuals; "NEVADANS FOR FAIR  
33 RECOVERY," a registered Nevada political  
34 action committee; and FRANCISCO  
35 AGUILAR, in his official capacity as Nevada  
36 Secretary of State,  
37 Defendants.

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2024 JUN -7 PM 4:21

WILLIAM SCOTT HOEN

BY

Electronically Filed  
Jun 11 2024 03:17 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

Case No. 24-OC-000561B

Dept. No. 1

**NOTICE OF APPEAL**

1 Notice of Appeal

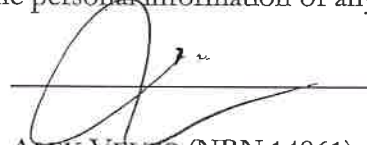
2 Plaintiffs Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association, by  
3 and through their undersigned counsel, hereby appeal to the Supreme Court of the State of Nevada the First  
4 Judicial District Court's Corrected Findings of Fact and Conclusions of Law and Order Denying Plaintiffs'  
5 Legal Challenge to Initiative Petition S-04-2024, which was entered on May 13, 2024.

6 A true and correct copy of the district court's corrected order is attached hereto as Exhibit A. The  
7 Court's initial order, which was subsequently corrected, is attached hereto as Exhibit B.

8 Affirmation

9 Pursuant to NRS 239B.030(1) and NRS 603A.040, undersigned counsel hereby affirm that the  
10 foregoing notice of appeal does not contain the personal information of any person.

11  
12 Dated this 7th day of June 2024



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25 \* admitted *pro hac vice*

26  
27  
28 <sup>1</sup> Admitted in New York; practicing under direct supervision of members of the District of Columbia Bar under Rule 49(c)(8).

1 CERTIFICATE OF SERVICE

2 Pursuant to NRCP 5(b), I certify that I am an employee of the law firm of Reese Ring Velto, PLLC  
3 and that on the 7<sup>th</sup> day of June 2024, I caused service a true and correct copy of the **NOTICE OF APPEAL**  
4 by via US Mail addressed to the following:

5  
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*Attorneys for Defendants* UBER TECHNOLOGIES,  
11 INC.; MATT GRIFFIN, JOHN GRIFFIN,  
12 SCOTT GILLES, TIA WHITE, and NEVADANS  
13 FOR FAIR RECOVERY  
14

15  
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17 An employee of Reese Ring Velto, PLLC  
18  
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EXHIBIT INDEX

EXHIBIT NUMBER	DOCUMENT TITLE	NUMBER OF PAGES
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B	Notice of Entry of Findings of Fact And Conclusions of Law And Order Denying Plaintiffs' Legal Challenge To Initiative Petition S-04-2024	14

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**EXHIBIT A**



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**NOTICE OF ENTRY OF ORDER**


NOTICE IS HEREBY GIVEN that the CORRECTED FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER DENYING PLAINTIFFS' LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024 was entered in the above-captioned matter on the 13th day of May, 2024. A true and correct copy of the Order is attached hereto as Exhibit A.

**AFFIRMATION**

The undersigned hereby affirm that the foregoing document does not contain the social security number of any person.

DATED this 13th day of May, 2024.

**BRAVO SCHRAGER LLP**

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*Attorneys for Defendants Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles, Tia White, and Nevadans for Fair Recovery*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of May, 2024, I served the foregoing  
**NOTICE OF ENTRY OF ORDER** by depositing a true copy of the same via  
electronic mail, per the April 16, 2024, Stipulation, as follows:

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Dannielle Fresquez, an Employee of  
BRAVO SCHRAGER LLP

**INDEX OF EXHIBITS**

Exhibit No.	Document Title	No. of Pages
A	Corrected Findings of Fact and Conclusions of Law and Order Denying Plaintiffs' Legal Challenge to Initiative Petition S-04-2024	10



EXHIBIT A

EXHIBIT A

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2024 MAY 13 AM 8:35

WILLIAM SCOTT HOEH  
CLERK  
BY *[Signature]*  
DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

UBER SEXUAL ASSAULT SURVIVORS  
FOR LEGAL ACCOUNTABILITY AND  
NEVADA JUSTICE ASSOCIATION,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC., A  
DELAWARE CORPORATION; MATT  
GRIFFIN, JOHN GRIFFIN, SCOTT GILLES,  
AND TIA WHITE, INDIVIDUALS;  
NEVADANS FOR FAIR RECOVERY, A  
REGISTERED NEVADA POLITICAL  
ACTION COMMITTEE; AND FRANCISCO  
AGUILAR, IN HIS OFFICIAL CAPACITY  
AS NEVADA SECRETARY OF STATE,

Defendant

Case No.: 24 OC 00056 1B

Dept No. 1

**CORRECTED FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER  
DENYING PLAINTIFFS' LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024**

This matter came before this Court following a complaint filed by Plaintiffs Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association (collectively, "Plaintiffs") challenging the legal sufficiency of Initiative Petition S-04-2024 (the "Petition").

On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition with the Nevada Secretary of State. On April 8, Plaintiffs filed their complaint, pursuant to NRS

1 295.061. After briefing according to a schedule to which the parties stipulated, the Court held a  
2 hearing on May 6, 2024, regarding Plaintiffs' legal challenge to the Petition.

3 As indicated by this Court in all initiative hearings, this Court takes no position as to the  
4 merit of the initiative but seeks to determine if the requirements of NRS 295.009, et al and Article  
5 19 of the Nevada Constitution have been complied with.

6 Initially, the Court would note that Plaintiffs have made strong argument's as to the  
7 initiative having the effect of precluding access to legal counsel, reducing the reimbursement to  
8 the State Medicaid fund, and changing the calculation of contingent fees by removal of medical  
9 expenses from the calculations thereof. All of these arguments against the initiative may or may  
10 not have merit, but are not germane to whether the requirements of NRS 295.009 and Article 19  
11 of the Nevada Constitution have been complied with.

12 The Court, having reviewed the papers and pleadings on file, considered the matter, being  
13 fully advised, and good cause appearing, finds, concludes, and orders as follows:

14 **FINDINGS OF FACT AND CONCLUSIONS OF LAW<sup>1</sup>**

15 **A. FINDINGS OF FACT**

16 **1. Initiative Petition S-04-2024**

17 On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition  
18 with the Nevada Secretary of State. The Petition seeks to amend Title 1, Chapter 7 of the Nevada  
19 Revised Statutes by adding a new section thereto that seeks to limit the fees an attorney can charge  
20 and receive in a civil case in Nevada to 20% of any amount or amounts recovered, beginning in  
21 2027.

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26 <sup>1</sup> Any findings of fact which are more appropriately considered conclusions of law shall be  
27 treated as such, and any conclusions of law which are more appropriately considered findings of fact  
28 shall be treated as such.

1 The Petition includes a description of effect as required by NRS 295.009(1)(b), which reads,  
2 in full:

3  
4 If enacted, this initiative will limit the fees an attorney can  
5 charge and receive as a contingency fee in a civil case in Nevada to 20% of any  
6 amount or amounts recovered, beginning in 2027.

7 In Nevada currently, most civil cases do not limit an attorney's  
8 contingent fee percentages, except that such fees must be reasonable. Current  
9 law does, however, limit attorney fees in medical malpractice cases to 35% of  
10 any recovery, and caps contingency fees for a private attorney contracted to  
11 represent the State of Nevada to 25% of the total amount recovered.

12 **2. Procedural History**

13 On April 8, Plaintiffs filed their complaint, pursuant to NRS 295.061, challenging the legal  
14 sufficiency of the Petition. On April 12, Plaintiffs filed a memorandum in support of their  
15 complaint.

16 On April 16, the parties stipulated to, and the Court ordered, a briefing schedule for this  
17 matter. On April 19, Defendants Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles,  
18 Tia White, and Nevadans for Fair Recovery (collectively, "Defendants") filed a response  
19 memorandum. After briefing, this Court held a hearing on the matter on May 6.

20 As an initial matter, it is important to state that at hearing both parties agreed that in a pre-  
21 election challenge to an initiative petition, the only issues for the Court concern whether the  
22 Petition complies with the requirements of NRS 295.009 and any pertinent procedural provisions  
23 of Article 19 of the Nevada Constitution. The Court does not inquire into, and does not consider,  
24 either the substantive validity of the proposal or the positive or negative qualities, as policy, of its  
25 provisions.

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1 **B. CONCLUSIONS OF LAW**

2 **1. The Petition Does Not Violate Nevada's Single Subject Rule**

3 NRS 295.009(1) provides that "[e]ach petition for initiative or referendum must ...  
4 [e]mbrace but one subject and matters necessarily connected therewith and pertaining thereto."  
5 Subsection 2 of that statute explains that an initiative "embraces but one subject and matters  
6 necessarily connected therewith and pertaining thereto, if the parts of the proposed initiative ... are  
7 functionally related and germane to each other in a way that provides sufficient notice of the  
8 general subject of, and of the interests likely to be affected by, the proposed initiative." NRS  
9 295.009(2).

10 The single-subject requirement "facilitates the initiative process by preventing petition  
11 drafters from circulating confusing petitions that address multiple subjects." *Nevadans for the Prot.*  
12 *of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 902, 141 P.3d 1235, 1240 (2006). Thus, "the single-  
13 subject requirement helps both in promoting informed decisions and in preventing the enactment  
14 of unpopular provisions by attaching them to more attractive proposals or concealing them in  
15 lengthy, complex initiatives (i.e., logrolling)." *Las Vegas Taxpayer Accountability Comte. v. City*  
16 *Council of City of Las Vegas*, 125 Nev. 165, 176-77, 208 P.3d 429, 436-37 (2009).

17 In considering single-subject challenges, courts must first determine the initiative's  
18 purpose or subject. "To determine the initiative's purpose or subject, this court looks to its textual  
19 language and the proponents' arguments." *Las Vegas Taxpayer*, 125 Nev. at 180, 208 P.3d at 439.  
20 Courts also will look at whether the description of effect articulates an overarching purpose and  
21 explains how provisions relate to a single subject. *Id.*

22 Furthermore, and most recently, in *Helton v. Nevada Voters First PAC*, 138 Nev. Adv. Op.  
23 45, 512 P.3d 309 (2022), the Nevada Supreme Court stated that "even if an initiative petition  
24 proposes more than one change, each of which could be brought in separate initiative petitions,  
25 the proper consideration is whether the changes are functionally related and germane to each other  
26 and the petition's subject." *Id.*, 512 P.3d at 314. The Court found that "(b)oth categories of changes  
27 proposed in the ... initiative concern the election process in Nevada and more specifically how  
28

1 candidates for the specifically defined partisan offices are presented to voters and elected.” *Id.*  
2 512 P.3d at 314-15.

3 In this case, the Court finds that the primary purpose of the Petition, clear from both its text  
4 and the description of effect, is *the limitation of contingency fees in civil cases*. Further, the Court  
5 finds that the Petition’s text, its description of effect, and the arguments of the Defendants in  
6 briefing and at hearing confirm the Petition’s primary purpose. And unlike the petition at issue in  
7 *Helton*, for example, the Petition does not appear to present multiple changes that could be  
8 considered to be unrelated in any event. Section 1 sets out the substantive purpose of the proposal;  
9 Section 2 describes the scope of Section 1’s proposal; and Section 3 provides a definition of  
10 “recovered,” for purposes of the proposed new statute. All three sections of the Petition, therefore,  
11 are functionally related and germane both to the primary purpose of the Petition and to one another.

12 The Court is unconvinced by Plaintiffs’ arguments because Plaintiffs have not identified  
13 multiple “subjects” under any reading of Nevada statutory or case law authority.<sup>2</sup> For example, the  
14 fact that the term “civil cases” covers more than one type of civil action does not constitute a  
15 single-subject violation, because the primary purpose of the Petition is the limitation of  
16 contingency fees in civil cases generally. *See, e.g.*, Nev. R. Civ. Proc., 1, 2, and 3.

17 The Court finds the Petition does not violate NRS 295.009(1)(a)’s single-subject  
18 requirement.

19 **2. The Petition Does Not Violate Article 19, Section 3’s “Full-Text” Requirement**

20 Under Article 19, Section 3 of the Nevada Constitution, proponents must “include the full  
21 text of the measure proposed” with a filed initiative petition. Nev. Const. art. 19, § 3. Plaintiffs  
22 contend that some other statutory text beyond that which proponents have proposed should be  
23 included with the Petition, because they speculate that the Petition, should it become law, may  
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25  
26 <sup>2</sup> *See Helton*, 512 P.3d at 315 n.5: “A *subject* is the overall thing being discussed, whereas a change is the  
27 alteration or modification of existing law. *See* ‘Subject,’ *Black’s Law Dictionary* (11th ed. 2019) (defining “subject”  
28 as “[t]he matter of concern over which something is created”).”

1 have some future effect on those other provisions of law. The Court disagrees that this is what  
2 Article 19, Section 3 requires, and finds that every provision that is proposed to be circulated for  
3 signatures and to be considered by the electorate is included with the filed Petition, and that  
4 therefore there is no violation of the full-text requirement. To rule otherwise would not only be  
5 speculative, but would interfere unnecessarily with the people's right to the initiative power, if  
6 each proposed petition had also to contain the text of any and all other laws that might possibly be  
7 affected by the petition's enactment.

8 **3. The Petition's Description Of Effect Is Legally Adequate**

9 Under NRS 295.009(1)(b), every initiative must "[s]et forth, in not more than 200 words,  
10 a description of the effect of the initiative or referendum if the initiative or referendum is approved  
11 by the voters." The purpose of the description is to "prevent voter confusion and promote informed  
12 decisions." *Nevadans for Nev. v. Beers*, 122 Nev. 930, 939, 142 P.3d 339, 345 (2006). Thus, "[t]he  
13 importance of the description of effect cannot be minimized, as it is what the voters see when  
14 deciding whether to even sign a petition." *Coal. For Nev.'s Future v. RIP Com. Tax, Inc.*, No.  
15 69501, 2016 WL 2842925 at \*2 (2016) (unpublished disposition) (citing *Educ. Initiative PAC v.*  
16 *Comm. To Protect Nev. Jobs*, 129 Nev. 35, 37, 293 P.3d 874, 876 (2013)). "[T]he description of  
17 effect may hold even more impact with respect to a referendum, since merely gathering sufficient  
18 signatures to place a referendum on the ballot guarantees a change to the law regardless of the  
19 election's outcome." *Id.* (citing Nev. Const. art. 19, § 1(3) (providing that, if the voters approve  
20 the referendum, the statute "shall stand as the law of the state and shall not be amended, annulled,  
21 repealed, set aside, suspended or in any way made inoperative except by the direct vote of the  
22 people," and if the voters disapprove the statute or resolution, it is rendered void)).

23 The Nevada Supreme Court has repeatedly held that "a description of effect must be  
24 straightforward, succinct, and non-argumentative, and it must not be deceptive or misleading."  
25 *Educ. Initiative PAC*, 129 Nev. at 42, 293 P.3d at 879 (internal quotation marks and citation  
26 omitted). It must also "explain the[] ramifications of the proposed amendment" in order to allow  
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1 voters to make an informed decision. *Nev. Judges Ass'n v. Lau*, 112 Nev. 51, 59, 910 P.2d 898,  
2 903 (1996).

3 This Court finds that the Petition's description of effect meets the requirements of Nevada  
4 law. The description of effect is straightforward, succinct, under 200 words, and there is no basis  
5 for a finding of any argumentative language as written. The Court finds that Plaintiffs fail to meet  
6 their burden of showing that the Petition's description of effect does not comply with NRS 295.009.

7 With their Complaint, Plaintiffs filed numerous declarations regarding the opinions of  
8 multiple persons in various fields regarding what Plaintiffs believe may be the eventual effects of  
9 the Petition should it one day become law, including what they contend are potential effects on  
10 government programs, like Medicaid, that can receive reimbursement funds through subrogation  
11 claims upon settlement or damages awards at the conclusion of civil actions. The Court makes no  
12 findings regarding the truth or falsity of the claims in Plaintiffs' declarations, but believes these  
13 sorts of potential effect to be too speculative and hypothetical to be required to be included in the  
14 Petition's description. Most of the speculative effects Plaintiffs identify "do not concern the  
15 initiative's primary goal," and instead "involve how the initiative may apply in a variety of  
16 hypothetical situations." *Nevadans for Reproductive Freedom v. Washington*, 140 Nev. Adv. Op.  
17 28, 2024 WL 1688083, at \*5 (Nev. Apr. 18, 2024).

18 Furthermore, these and any other perceived effects of the Petition upon which Plaintiffs or  
19 their declarants opine can be the subject of political speech, lobbying efforts, or campaign materials  
20 in opposition to the passage and enactment of the Petition when, and if, it is transmitted to the  
21 Nevada Legislature or qualifies for placement on the ballot at a general election ballot. As the  
22 Supreme Court has noted, "the description of effect ... does not serve as the full, detailed  
23 explanation, including arguments for and against, that voters receive prior to a general election,"  
24 and "once enough signatures have been gathered to place the initiative on the ballot, the Secretary  
25 of State will draft a neutral summary of the initiative, which does not have a word limit, and  
26 committees will draft arguments for and against the passage of the initiative, both of which will be  
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1 placed on the ballot, instead of the description of effect.” *Helton*, 512 P.3d at 317 n.6. (citing *Educ.*  
2 *Initiative PAC*, 129 Nev. at 39–40).

3 Additionally, because the description of effect of an initiative petition is, by law, limited in  
4 length, it cannot constitutionally be required to delineate every downstream effect that an initiative  
5 may have; to conclude otherwise could obstruct, rather than facilitate, the people’s right to the  
6 initiative process. *Educ. Initiative PAC*, 129 Nev. at 38. In the words of the Nevada Supreme Court,  
7 “an opponent of a ballot initiative [can often] identify some perceived effect of an initiative that is  
8 not explained by the description of effect, challenge the initiative in district court, and block the  
9 people’s right to the initiative process.” But the “[s]tatutes enacted to facilitate the initiative  
10 process cannot be interpreted so strictly as to halt the process.” *Educ. Initiative PAC*, 129 Nev. at  
11 47.

12 The Court finds the description of effect of the Petition  
13 satisfies Nevada’s NRS 295.009 requirements, as the plain language of the description is  
14 straightforward, succinct, and non-argumentative.

15 Based on the foregoing findings of fact and conclusions of law:

16 **IT IS HEREBY ORDERED** and declared that Initiative Petition  
17 S-04-2024 does not violate Nevada’s single subject rule.

18 **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
19 S-04-2024’s description of effect meets the requirements of Nevada law.

20 **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
21 S-04-2024 does not violate Article 19, Section 3.

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**IT IS FURTHER ORDERED** that Plaintiffs' challenges to Initiative Petition S-04-2023 are rejected, and Plaintiffs' complaint is dismissed with prejudice.

Dated this 15<sup>th</sup> day of May, 2024.

James T. Russell  
JAMES T. RUSSELL  
DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**


Pursuant to NRC 5(b), I certify that I am an employee of the First Judicial District Court, and that on May 16, 2024, I deposited for mailing, postage paid, at Carson City, Nevada, a true and correct copy of the foregoing Order addressed as follows:

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8 **IN THE FIRST JUDICIAL DISTRICT COURT**  
9 **OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

10 UBER SEXUAL ASSAULT  
SURVIVORS FOR LEGAL  
11 ACCOUNTABILITY and NEVADA  
12 JUSTICE ASSOCIATION,

13 Plaintiffs,

14 vs.

15 UBER TECHNOLOGIES, INC., a  
16 Delaware corporation; MATT GRIFFIN,  
17 JOHN GRIFFIN, SCOTT GILLES, and  
18 TIA WHITE, individuals; "NEVADANS  
FOR FAIR RECOVERY," a registered  
19 Nevada political action committee; and  
FRANCISCO AGUILAR, in his official  
20 capacity as Nevada Secretary of State,

21 Defendants.  
22

Case No.: 24 OC 00056 1B

Dept. No.: I

**NOTICE OF ENTRY OF ORDER**

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24 ///  
25 ///  
26 ///  
27 ///  
28 ///



1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 10th day of May, 2024, I served the foregoing  
3 **NOTICE OF ENTRY OF ORDER** by depositing a true copy of the same via  
4 electronic mail, per the April 16, 2024, Stipulation, as follows:

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7 Jonathan E. Taylor, Esq.  
8 Thomas Scott-Railton, Esq.  
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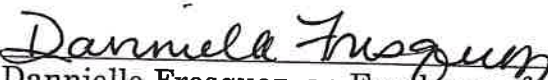
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19 By:   
20 Dannielle Fresquez, an Employee of  
21 BRAVO SCHRAGER LLP

22 **INDEX OF EXHIBITS**

Exhibit No.	Document Title	No. of Pages
A	Findings of Fact and Conclusions of Law and Order Denying Plaintiffs' Legal Challenge to Initiative Petition S-04-2024	10

# EXHIBIT A

# EXHIBIT A



REC'D & FILED

2024 MAY 10 AM 8:24

WILLIAM SCOTT HOEN  
CLERK

BY Handwritten  
DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

UBER SEXUAL ASSAULT SURVIVORS  
FOR LEGAL ACCOUNTABILITY AND  
NEVADA JUSTICE ASSOCIATION,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC., A  
DELAWARE CORPORATION; MATT  
GRIFFIN, JOHN GRIFFIN, SCOTT GILLES,  
AND TIA WHITE, INDIVIDUALS;  
NEVADANS FOR FAIR RECOVERY, A  
REGISTERED NEVADA POLITICAL  
ACTION COMMITTEE; AND FRANCISCO  
AGUILAR, IN HIS OFFICIAL CAPACITY  
AS NEVADA SECRETARY OF STATE,

Defendant

Case No.: 24 OC 00056 1B

Dept No. 1

**FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER DENYING  
PLAINTIFFS' LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024**

This matter came before this Court following a complaint filed by Plaintiffs Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association (collectively, "Plaintiffs") challenging the legal sufficiency of Initiative Petition S-04-2024 (the "Petition").

On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition with the Nevada Secretary of State. On April 8, Plaintiffs filed their complaint, pursuant to NRS

1 295.061. After briefing according to a schedule to which the parties stipulated, the Court held a  
2 hearing on May 6, 2024, regarding Plaintiffs' legal challenge to the Petition.

3 As indicated by this Court in all initiative hearings, this Court takes no position as to the  
4 merit of the initiative but seeks to determine if the requirements of NRS 295.009, et al and Article  
5 19 of the Nevada Constitution have been complied with.

6 Initially, the Court would note that Plaintiffs have made strong argument's as to the  
7 initiative having the effect of precluding access to legal counsel, reducing the reimbursement to  
8 the State Medicaid fund, and changing the calculation of contingent fees by removal of medical  
9 expenses from the calculations thereof. All of these arguments against the initiative may or may  
10 not have merit, but are not dermane to whether the requirements of NRS 295.009 and Article 19  
11 of the Nevada Constitution have been complied with.

12 The Court, having reviewed the papers and pleadings on file, considered the matter, being  
13 fully advised, and good cause appearing, finds, concludes, and orders as follows:

14 **FINDINGS OF FACT AND CONCLUSIONS OF LAW<sup>1</sup>**

15 **A. FINDINGS OF FACT**

16 **1. Initiative Petition S-04-2024**

17 On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition  
18 with the Nevada Secretary of State. The Petition seeks to amend Title 1, Chapter 7 of the Nevada  
19 Revised Statutes by adding a new section thereto that seeks to limit the fees an attorney can charge  
20 and receive in a civil case in Nevada to 20% of any amount or amounts recovered, beginning in  
21 2027.

22 ///

23 ///

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25  
26 <sup>1</sup> Any findings of fact which are more appropriately considered conclusions of law shall be  
27 treated as such, and any conclusions of law which are more appropriately considered findings of fact  
28 shall be treated as such.

1 The Petition includes a description of effect as required by NRS 295.009(1)(b), which reads,  
2 in full:

3 If enacted, this initiative will limit the fees an attorney can  
4 charge and receive as a contingency fee in a civil case in Nevada to 20% of any  
5 amount or amounts recovered, beginning in 2027.  
6

7 In Nevada currently, most civil cases do not limit an attorney's  
8 contingent fee percentages, except that such fees must be reasonable. Current  
9 law does, however, limit attorney fees in medical malpractice cases to 35% of  
10 any recovery, and caps contingency fees for a private attorney contracted to  
11 represent the State of Nevada to 25% of the total amount recovered.

## 12 **2. Procedural History**

13 On April 8, Plaintiffs filed their complaint, pursuant to NRS 295.061, challenging the legal  
14 sufficiency of the Petition. On April 12, Plaintiffs filed a memorandum in support of their  
15 complaint.

16 On April 16, the parties stipulated to, and the Court ordered, a briefing schedule for this  
17 matter. On April 19, Defendants Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles,  
18 Tia White, and Nevadans for Fair Recovery (collectively, "Defendants") filed a response  
19 memorandum. After briefing, this Court held a hearing on the matter on May 6.

20 As an initial matter, it is important to state that at hearing both parties agreed that in a pre-  
21 election challenge to an initiative petition, the only issues for the Court concern whether the  
22 Petition complies with the requirements of NRS 295.009 and any pertinent procedural provisions  
23 of Article 19 of the Nevada Constitution. The Court does not inquire into, and does not consider,  
24 either the substantive validity of the proposal or the positive or negative qualities, as policy, of its  
25 provisions.  
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1 **B. CONCLUSIONS OF LAW**

2 **1. The Petition Does Not Violate Nevada's Single Subject Rule**

3 NRS 295.009(1) provides that "[e]ach petition for initiative or referendum must ...  
4 [e]mbrace but one subject and matters necessarily connected therewith and pertaining thereto."  
5 Subsection 2 of that statute explains that an initiative "embraces but one subject and matters  
6 necessarily connected therewith and pertaining thereto, if the parts of the proposed initiative ... are  
7 functionally related and germane to each other in a way that provides sufficient notice of the  
8 general subject of, and of the interests likely to be affected by, the proposed initiative." NRS  
9 295.009(2).

10 The single-subject requirement "facilitates the initiative process by preventing petition  
11 drafters from circulating confusing petitions that address multiple subjects." *Nevadans for the Protection*  
12 *of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 902, 141 P.3d 1235, 1240 (2006). Thus, "the single-  
13 subject requirement helps both in promoting informed decisions and in preventing the enactment  
14 of unpopular provisions by attaching them to more attractive proposals or concealing them in  
15 lengthy, complex initiatives (i.e., logrolling)." *Las Vegas Taxpayer Accountability Comtee. v. City*  
16 *Council of City of Las Vegas*, 125 Nev. 165, 176-77, 208 P.3d 429, 436-37 (2009).

17 In considering single-subject challenges, courts must first determine the initiative's  
18 purpose or subject. "To determine the initiative's purpose or subject, this court looks to its textual  
19 language and the proponents' arguments." *Las Vegas Taxpayer*, 125 Nev. at 180, 208 P.3d at 439.  
20 Courts also will look at whether the description of effect articulates an overarching purpose and  
21 explains how provisions relate to a single subject. *Id.*

22 Furthermore, and most recently, in *Helton v. Nevada Voters First PAC*, 138 Nev. Adv. Op.  
23 45, 512 P.3d 309 (2022), the Nevada Supreme Court stated that "even if an initiative petition  
24 proposes more than one change, each of which could be brought in separate initiative petitions,  
25 the proper consideration is whether the changes are functionally related and germane to each other  
26 and the petition's subject." *Id.*, 512 P.3d at 314. The Court found that "(b)oth categories of changes  
27 proposed in the ... initiative concern the election process in Nevada and more specifically how  
28

1 candidates for the specifically defined partisan offices are presented to voters and elected.” *Id.*  
2 512 P.3d at 314-15.

3 In this case, the Court finds that the primary purpose of the Petition, clear from both its text  
4 and the description of effect, is *the limitation of contingency fees in civil cases*. Further, the Court  
5 finds that the Petition’s text, its description of effect, and the arguments of the Defendants in  
6 briefing and at hearing confirm the Petition’s primary purpose. And unlike the petition at issue in  
7 *Helton*, for example, the Petition does not appear to present multiple changes that could be  
8 considered to be unrelated in any event. Section 1 sets out the substantive purpose of the proposal;  
9 Section 2 describes the scope of Section 1’s proposal; and Section 3 provides a definition of  
10 “recovered,” for purposes of the proposed new statute. All three sections of the Petition, therefore,  
11 are functionally related and germane both to the primary purpose of the Petition and to one another.

12 The Court is unconvinced by Plaintiffs’ arguments because Plaintiffs have not identified  
13 multiple “subjects” under any reading of Nevada statutory or case law authority.<sup>2</sup> For example, the  
14 fact that the term “civil cases” covers more than one type of civil action does not constitute a  
15 single-subject violation, because the primary purpose of the Petition is the limitation of  
16 contingency fees in civil cases generally. *See, e.g.*, Nev. R. Civ. Proc., 1, 2, and 3.

17 The Court finds the Petition does not violate NRS 295.009(1)(a)’s single-subject  
18 requirement.

19 **2. The Petition Does Not Violate Article 19, Section 3’s “Full-Text” Requirement**

20 Under Article 19, Section 3 of the Nevada Constitution, proponents must “include the full  
21 text of the measure proposed” with a filed initiative petition. Nev. Const. art. 19, § 3. Plaintiffs  
22 contend that some other statutory text beyond that which proponents have proposed should be  
23 included with the Petition, because they speculate that the Petition, should it become law, may

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26 <sup>2</sup> *See Helton*, 512 P.3d at 315 n.5: “A *subject* is the overall thing being discussed, whereas a change is the  
27 alteration or modification of existing law. *See* ‘Subject,’ *Black’s Law Dictionary* (11th ed. 2019) (defining “subject”  
28 as “[t]he matter of concern over which something is created”).”

1 have some future effect on those other provisions of law. The Court disagrees that this is what  
2 Article 19, Section 3 requires, and finds that every provision that is proposed to be circulated for  
3 signatures and to be considered by the electorate is included with the filed Petition, and that  
4 therefore there is no violation of the full-text requirement. To rule otherwise would not only be  
5 speculative, but would interfere unnecessarily with the people's right to the initiative power, if  
6 each proposed petition had also to contain the text of any and all other laws that might possibly be  
7 affected by the petition's enactment.

### 8           3.       **The Petition's Description Of Effect Is Legally Adequate**

9           Under NRS 295.009(1)(b), every initiative must "[s]et forth, in not more than 200 words,  
10 a description of the effect of the initiative or referendum if the initiative or referendum is approved  
11 by the voters." The purpose of the description is to "prevent voter confusion and promote informed  
12 decisions." *Nevadans for Nev. v. Beers*, 122 Nev. 930, 939, 142 P.3d 339, 345 (2006). Thus, "[t]he  
13 importance of the description of effect cannot be minimized, as it is what the voters see when  
14 deciding whether to even sign a petition." *Coal. For Nev. 's Future v. RIP Com. Tax, Inc.*, No.  
15 69501, 2016 WL 2842925 at \*2 (2016) (unpublished disposition) (citing *Educ. Initiative PAC v.*  
16 *Comm. To Protect Nev. Jobs*, 129 Nev. 35, 37, 293 P.3d 874, 876 (2013)). "[T]he description of  
17 effect may hold even more impact with respect to a referendum, since merely gathering sufficient  
18 signatures to place a referendum on the ballot guarantees a change to the law regardless of the  
19 election's outcome." *Id.* (citing Nev. Const. art. 19, § 1(3) (providing that, if the voters approve  
20 the referendum, the statute "shall stand as the law of the state and shall not be amended, annulled,  
21 repealed, set aside, suspended or in any way made inoperative except by the direct vote of the  
22 people," and if the voters disapprove the statute or resolution, it is rendered void)).

23           The Nevada Supreme Court has repeatedly held that "a description of effect must be  
24 straightforward, succinct, and non-argumentative, and it must not be deceptive or misleading."  
25 *Educ. Initiative PAC*, 129 Nev. at 42, 293 P.3d at 879 (internal quotation marks and citation  
26 omitted). It must also "explain the[] ramifications of the proposed amendment" in order to allow  
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28

1 voters to make an informed decision. *Nev. Judges Ass'n v. Lau*, 112 Nev. 51, 59, 910 P.2d 898,  
2 903 (1996).

3 This Court finds that the Petition's description of effect meets the requirements of Nevada  
4 law. The description of effect is straightforward, succinct, under 200 words, and there is no basis  
5 for a finding of any argumentative language as written. The Court finds that Plaintiffs fail to meet  
6 their burden of showing that the Petition's description of effect does not comply with NRS 295.009.

7 With their Complaint, Plaintiffs filed numerous declarations regarding the opinions of  
8 multiple persons in various fields regarding what Plaintiffs believe may be the eventual effects of  
9 the Petition should it one day become law, including what they contend are potential effects on  
10 government programs, like Medicaid, that can receive reimbursement funds through subrogation  
11 claims upon settlement or damages awards at the conclusion of civil actions. The Court makes no  
12 findings regarding the truth or falsity of the claims in Plaintiffs' declarations, but believes these  
13 sorts of potential effect to be too speculative and hypothetical to be required to be included in the  
14 Petition's description. Most of the speculative effects Plaintiffs identify "do not concern the  
15 initiative's primary goal," and instead "involve how the initiative may apply in a variety of  
16 hypothetical situations." *Nevadans for Reproductive Freedom v. Washington*, 140 Nev. Adv. Op.  
17 28, 2024 WL 1688083, at \*5 (Nev. Apr. 18, 2024).

18 Furthermore, these and any other perceived effects of the Petition upon which Plaintiffs or  
19 their declarants opine can be the subject of political speech, lobbying efforts, or campaign materials  
20 in opposition to the passage and enactment of the Petition when, and if, it is transmitted to the  
21 Nevada Legislature or qualifies for placement on the ballot at a general election ballot. As the  
22 Supreme Court has noted, "the description of effect ... does not serve as the full, detailed  
23 explanation, including arguments for and against, that voters receive prior to a general election,"  
24 and "once enough signatures have been gathered to place the initiative on the ballot, the Secretary  
25 of State will draft a neutral summary of the initiative, which does not have a word limit, and  
26 committees will draft arguments for and against the passage of the initiative, both of which will be  
27  
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1 placed on the ballot, instead of the description of effect.” *Helton*, 512 P.3d at 317 n.6. (citing *Educ.*  
2 *Initiative PAC*, 129 Nev. at 39–40).

3           Additionally, because the description of effect of an initiative petition is, by law, limited in  
4 length, it cannot constitutionally be required to delineate every downstream effect that an initiative  
5 may have; to conclude otherwise could obstruct, rather than facilitate, the people’s right to the  
6 initiative process. *Educ. Initiative PAC*, 129 Nev. at 38. In the words of the Nevada Supreme Court,  
7 “an opponent of a ballot initiative [can often] identify some perceived effect of an initiative that is  
8 not explained by the description of effect, challenge the initiative in district court, and block the  
9 people’s right to the initiative process.” But the “[s]tatutes enacted to facilitate the initiative  
10 process cannot be interpreted so strictly as to halt the process.” *Educ. Initiative PAC*, 129 Nev. at  
11 47.

12           The Court finds the description of effect of the Petition  
13 satisfies Nevada’s NRS 295.009 requirements, as the plain language of the description is  
14 straightforward, succinct, and non-argumentative.

15           Based on the foregoing findings of fact and conclusions of law:

16           **IT IS HEREBY ORDERED** and declared that Initiative Petition  
17 S-04-2024 does not violate Nevada’s single subject rule.

18           **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
19 S-04-2024’s description of effect meets the requirements of Nevada law.

20           **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
21 S-04-2024 does not violate Article 19, Section 3.

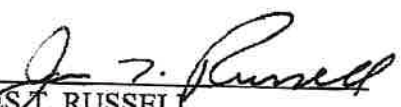
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**IT IS FURTHER ORDERED** that Plaintiffs' challenges to Initiative Petition S-04-2023 are rejected, and Plaintiffs' complaint is dismissed with prejudice.

Dated this 10<sup>th</sup> day of May, 2024.

  
JAMES T. RUSSELL  
DISTRICT COURT JUDGE

1 CERTIFICATE OF SERVICE

2 Pursuant to NRCF 5(b), I certify that I am an employee of the First Judicial District  
3 Court, and that on May 10<sup>th</sup>, 2024, I deposited for mailing, postage paid, at Carson City,  
4 Nevada, a true and correct copy of the foregoing Order addressed as follows:

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21 \* admitted *pro hac vice*

22 **IN THE FIRST JUDICIAL DISTRICT COURT**  
23 **OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

24 UBER SEXUAL ASSAULT SURVIVORS  
25 FOR LEGAL ACCOUNTABILITY and  
26 NEVADA JUSTICE ASSOCIATION,  
27 Plaintiffs,

28 vs.

29 UBER TECHNOLOGIES, INC., a Delaware  
30 corporation; MATT GRIFFIN, JOHN  
31 GRIFFIN, SCOTT GILLES, and TIA WHITE,  
32 individuals; "NEVADANS FOR FAIR  
33 RECOVERY," a registered Nevada political  
34 action committee; and FRANCISCO  
35 AGUILAR, in his official capacity as Nevada  
36 Secretary of State,  
37 Defendants.

REC'D & FILED

2024 JUN -7 PM 4:22

WILLIAM SCOTT HOEN  
CLERK

BY  DEPUTY

Case No. 24-OC-000561B

Dept. No. 1

**CASE APPEAL STATEMENT**

1 Case Appeal Statement

2 **1. Appellants filing this Case Appeal Statement:**

3 Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association

4 **2. Judge issuing the decision, judgment, or order appealed from:**

5 The Honorable James T. Russell, First Judicial District Court, Dept. I

6 **3. Appellants:**

7 Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association.

8 COUNSEL OF RECORD:

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**4. Respondents:**

Respondents Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles, Tia White, and

Nevadans for Fair Recovery.

COUNSEL OF RECORD:

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5 Respondent Francisco Aguilar in his official capacity as Nevada Secretary of State:

6 COUNSEL OF RECORD:  
7 LAENA ST-JULES (NBN 15156)  
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9 100 N. Carson Street  
10 Carson City, Nevada 89701

11 Counsel for Appellant is informed that Respondent will retain the same counsel for the appellate  
12 proceedings.

13 **5. Attorneys not licensed to practice in Nevada whom the district court granted permission  
14 under SCR 42:**

15 Out-of-state counsel for the appellants, Deepak Gupta, Matthew W.H. Wessler, Jonathan E. Taylor,  
16 Thomas Scott-Railton, and Jessica Garland, have been admitted under SCR 42. The district court's orders  
17 granting such permission are attached as Exhibit A.

18 **6. Appellant was represented by retained counsel in the district court.**

19 **7. Appellant is represented by retained counsel on appeal.**

20 **8. Appellant was not granted leave to proceed in forma pauperis.**

21 **9. The Complaint in this matter was originally filed on April 8, 2024.**

22 **10. Brief description of the nature of the action and result in the district court, including the  
23 type of judgment or order being appealed and the relief granted by the district court:**

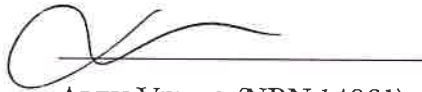
24 Plaintiffs Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association filed  
25 a complaint for Declaratory and Injunctive Relief challenging Initiative Petition S-04-2024 on April 8, 2024  
26 against Defendants Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles, Tia White, and Nevadans  
27 for Fair Recovery. The parties stipulated to a scheduling order and briefed the issues. After briefing, the district  
28 court held a hearing on the challenge on May 6, 2024. The Court issued Findings of Fact and Conclusions of  
Law and Order Denying Plaintiffs' Legal Challenge to Initiative Petition S-04-2024, which was entered on  
May 10, 2024. The Court corrected its order on May 13, 2024.

- 1 11. This case has not been subject of an appeal to or original writ proceeding in the Supreme  
2 Court.  
3 12. This appeal does not involve child custody or visitation.  
4 13. This appeal does not involve the possibility of settlement.

5 Affirmation

6 Pursuant to NRS 239B.030(1) and NRS 603A.040, undersigned counsel hereby affirm that the  
7 foregoing case appeal statement does not contain the personal information of any person.  
8

9 Dated this 7th day of June 2024



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27 \* admitted *pro hac vice*

28 <sup>1</sup> Admitted in New York; practicing under direct supervision of members of the District of Columbia Bar under Rule 49(c)(8).

1 CERTIFICATE OF SERVICE

2 Pursuant to NRCP 5(b), I certify that I am an employee of the law firm of Reese Ring Velto, PLLC  
3 and that on the 7th day of June 2024, I caused service a true and correct copy of the **CASE APPEAL**  
4 **STATEMENT** by via US Mail addressed to the following:

5  
6 BRADLEY S. SCHRAGER, ESQ. (NBN 10217)  
7 DANIEL BRAVO, ESQ. (NBN 13078)  
8 BRAVO SCHRAGER LLLP  
9 6675 South Tenaya Way, Suite 200  
10 Las Vegas, Nevada 89113

Laena St-Jules, Esq. (NBN 15156)  
ATTORNEY GENERAL'S OFFICE  
100 N. Carson Street  
Carson City, Nevada 89701

*Counsel for Nevada Secretary of State*

11 *Attorneys for Defendants* UBER TECHNOLOGIES,  
12 INC.; MATT GRIFFIN, JOHN GRIFFIN,  
13 SCOTT GILLES, TIA WHITE, and NEVADANS  
14 FOR FAIR RECOVERY

15  
16   
17 An employee of Reese Ring Velto, PLLC

EXHIBIT INDEX

EXHIBIT NUMBER	DOCUMENT TITLE	NUMBER OF PAGES
A	Orders Admitting to Practice	9

1  
2  
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**EXHIBIT A**

REC'D & FILED  
MAY 06 2024

Date

WILLIAM SCOTT HOEN  
CLERK

By  Deputy

1 DEEPAK GUPTA\*  
2 MATTHEW W.H. WESSLER\*\*  
3 JONATHAN E. TAYLOR\*  
4 THOMAS SCOTT-RAILTON\*  
5 JESSICA GARLAND\*  
6 GUPTA WESSLER LLP  
7 2001 K Street, NW  
8 Washington, DC 20001  
9 (202) 888-1741  
10 [deepak@guptawessler.com](mailto:deepak@guptawessler.com)

11 ALEX VELTO (NBN 14961)  
12 NATHAN RING (NBN 12078)  
13 REESE RING VELTO PLLC  
14 200 S. Virginia Street, Suite 655  
15 Reno, NV 89501  
16 (775) 446-8096  
17 (775) 249-7864 (fax)  
18 [alex@rrvlawyers.com](mailto:alex@rrvlawyers.com)  
19 [nathan@rrvlawyers.com](mailto:nathan@rrvlawyers.com)

20 *Counsel for the Plaintiffs*

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IN THE FIRST JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA IN AND FOR CARSON CITY

UBER SEXUAL ASSAULT SURVIVORS  
FOR LEGAL ACCOUNTABILITY and  
NEVADA JUSTICE ASSOCIATION,  
Plaintiffs,

vs.

UBER TECHNOLOGIES, INC., a Delaware  
corporation; MATT GRIFFIN, JOHN  
GRIFFIN, SCOTT GILLES, and TIA WHITE,  
individuals; "NEVADANS FOR FAIR  
RECOVERY," a registered Nevada political  
action committee; and FRANCISCO  
AGUILAR, in his official capacity as Nevada  
Secretary of State,  
Defendants.

Case No. 24-OC-000561B

Dept. No. 1

ORDER ADMITTING TO PRACTICE

1 Deepak Gupta, Esq., having filed his Motion to Associate Counsel under Nevada Supreme Court Rule  
2 42, together with a Verified Application for Association of Counsel, a Certificate of Good Standing for the  
3 District of Columbia, and the State Bar of Nevada Statement; said application having been noticed, no  
4 objections having been made, and the Court being fully apprised in the premises, and good cause appearing,

5 **IT IS HEREBY ORDERED** that said application is hereby granted, and Deepak Gupta, Esq. is  
6 hereby admitted to practice in the above-entitled Court *pro hac vice* for the purposes of the above-entitled  
7 matter only.

8 **IT IS SO ORDERED.**

9  
10 DATED this 6<sup>th</sup> day of May 2024.

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14 DISTRICT JUDGE  
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REC'D & FILED ✓

MAY 06 2024

Date

WILLIAM SCOTT HOEN  
CLERK

By [Signature] Deputy

1 DEEPAK GUPTA\*  
2 MATTHEW W.H. WESSLER\*\*  
3 JONATHAN E. TAYLOR\*  
4 THOMAS SCOTT-RAILTON\*  
5 JESSICA GARLAND\*  
6 GUPTA WESSLER LLP  
7 2001 K Street, NW  
8 Washington, DC 20001  
9 (202) 888-1741  
10 deepak@guptawessler.com

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13 REESE RING VELTO PLLC  
14 200 S. Virginia Street, Suite 655  
15 Reno, NV 89501  
16 (775) 446-8096  
17 (775) 249-7864 (fax)  
18 alex@rrvlawyers.com  
19 nathan@rrvlawyers.com

20 *Counsel for the Plaintiffs*

21 **IN THE FIRST JUDICIAL DISTRICT COURT**  
22 **OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

23 UBER SEXUAL ASSAULT SURVIVORS  
24 FOR LEGAL ACCOUNTABILITY and  
25 NEVADA JUSTICE ASSOCIATION,  
26 Plaintiffs,

27 vs.

28 UBER TECHNOLOGIES, INC., a Delaware  
corporation; MATT GRIFFIN, JOHN  
GRIFFIN, SCOTT GILLES, and TIA WHITE,  
individuals; "NEVADANS FOR FAIR  
RECOVERY," a registered Nevada political  
action committee; and FRANCISCO  
AGUILAR, in his official capacity as Nevada  
Secretary of State,  
Defendants.

Case No. 24-OC-000561B

Dept. No. 1

**ORDER ADMITTING TO PRACTICE**

1 Thomas Scott-Railton, Esq., having filed his Motion to Associate Counsel under Nevada Supreme  
2 Court Rule 42, together with a Verified Application for Association of Counsel, a Certificate of Good  
3 Standing for the State of New York, and the State Bar of Nevada Statement; said application having been  
4 noticed, no objections having been made, and the Court being fully apprised in the premises, and good cause  
5 appearing,

6 **IT IS HEREBY ORDERED** that said application is hereby granted, and Thomas Scott-Railton,  
7 Esq. is hereby admitted to practice in the above-entitled Court *pro hac vice* for the purposes of the above  
8 entitled matter only.

9 **IT IS SO ORDERED.**

10  
11 DATED this 6<sup>th</sup> day of May 2024.

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14 DISTRICT JUDGE  
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REC'D & FILED  
MAY 06 2024

Date

WILLIAM SCOTT HOEN  
CLERK

By  Deputy

1 DEEPAK GUPTA\*  
2 MATTHEW W.H. WESSLER\*\*  
3 JONATHAN E. TAYLOR\*  
4 THOMAS SCOTT-RAILTON\*  
5 JESSICA GARLAND\*  
6 GUPTA WESSLER LLP  
7 2001 K Street, NW  
8 Washington, DC 20001  
9 (202) 888-1741  
10 [deepak@guptawessler.com](mailto:deepak@guptawessler.com)

11 ALEX VELTO (NBN 14961)  
12 NATHAN RING (NBN 12078)  
13 REESE RING VELTO PLLC  
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15 Reno, NV 89501  
16 (775) 446-8096  
17 (775) 249-7864 (fax)  
18 [alex@rrvlawyers.com](mailto:alex@rrvlawyers.com)  
19 [nathan@rrvlawyers.com](mailto:nathan@rrvlawyers.com)

20 *Counsel for the Plaintiffs*

21 **IN THE FIRST JUDICIAL DISTRICT COURT**  
22 **OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

23 UBER SEXUAL ASSAULT SURVIVORS  
24 FOR LEGAL ACCOUNTABILITY and  
25 NEVADA JUSTICE ASSOCIATION,  
26 Plaintiffs,

27 vs.

28 UBER TECHNOLOGIES, INC., a Delaware  
corporation; MATT GRIFFIN, JOHN  
GRIFFIN, SCOTT GILLES, and TIA WHITE,  
individuals; "NEVADANS FOR FAIR  
RECOVERY," a registered Nevada political  
action committee; and FRANCISCO  
AGUILAR, in his official capacity as Nevada  
Secretary of State,  
Defendants.

Case No. 24-OC-000561B

Dept. No. 1

**ORDER ADMITTING TO PRACTICE**

1 Jonathan Ellis Taylor, Esq., having filed his Motion to Associate Counsel under Nevada Supreme  
2 Court Rule 42, together with a Verified Application for Association of Counsel, Certificates of Good  
3 Standing for the State of New York and for the District of Columbia, and the State Bar of Nevada Statement;  
4 said application having been noticed, no objections having been made, and the Court being fully apprised in  
5 the premises, and good cause appearing,

6 **IT IS HEREBY ORDERED** that said application is hereby granted, and Jonathan Ellis Taylor, Esq.  
7 is hereby admitted to practice in the above-entitled Court *pro hac vice* for the purposes of the above-entitled  
8 matter only.

9 **IT IS SO ORDERED.**

10  
11 DATED this 6<sup>th</sup> day of May 2024.

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15 DISTRICT JUDGE  
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REC'D & FILED

2024 MAY 10 AM 7:46

WILLIAM SCOTT HOEN  
CLERK

BY Handwritten Signature  
DEPUTY

1 DEEPAK GUPTA\*  
MATTHEW W.H. WESSLER\*\*  
2 JONATHAN E. TAYLOR\*  
3 THOMAS SCOTT-RAILTON\*<sup>1</sup>  
JESSICA GARLAND\*  
4 GUPTA WESSLER LLP  
2001 K Street, NW  
5 Washington, DC 20001  
6 (202) 888-1741  
despak@guptawessler.com

7 ALEX VELTO (NBN 14961)  
8 NATHAN RING (NBN 12078)  
REESE RING VELTO PLLC  
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10 Reno, NV 89501  
(775) 446-8096  
11 (775) 249-7864 (fax)  
alex@rrvlawyers.com  
12 nathan@rrvlawyers.com

13 *Counsel for the Plaintiffs*

14 *\*admitted pro hac vice*

15 *\*\*pro hac vice application forthcoming*

17 **IN THE FIRST JUDICIAL DISTRICT COURT**  
18 **OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

19 UBER SEXUAL ASSAULT SURVIVORS  
FOR LEGAL ACCOUNTABILITY and  
20 NEVADA JUSTICE ASSOCIATION,  
Plaintiffs,

21 vs.

22 UBER TECHNOLOGIES, INC., a Delaware  
23 corporation; MATT GRIFFIN, JOHN  
GRIFFIN, SCOTT GILLES, and TIA WHITE,  
24 individuals; "NEVADANS FOR FAIR  
25 RECOVERY," a registered Nevada political  
action committee; and FRANCISCO  
26 AGUILAR, in his official capacity as Nevada  
Secretary of State,  
27 Defendants.

Case No. 24-OC-000561B

Dept. No. 1

**ORDER ADMITTING TO PRACTICE**

28 <sup>1</sup> Admitted in New York; practicing under direct supervision of members of the District of Columbia Bar under Rule 49(c)(8).

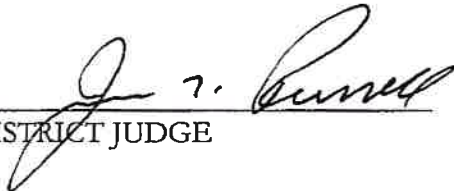


1 Jessica Garland, Esq., having filed her Motion to Associate Counsel under Nevada Supreme Court  
2 Rule 42, together with a Verified Application for Association of Counsel, Certificates of Good Standing for  
3 the State of California and for the District of Columbia, and the State Bar of Nevada Statement; said  
4 application having been noticed, no objections having been made, and the Court being fully apprised in the  
5 premises, and good cause appearing,

6 **IT IS HEREBY ORDERED** that said application is hereby granted, and Jessica Garland, Esq. is  
7 hereby admitted to practice in the above-entitled Court *pro hac vice* for the purposes of the above entitled  
8 matter only.

9 **IT IS SO ORDERED.**

10  
11 DATED this 10<sup>th</sup> day of May 2024.

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16 DISTRICT JUDGE  
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Judge: RUSSELL, JUDGE JAMES  
TODD

Case No. 24 OC 00056 1B

Ticket No:  
CTN:

UBER SEXUAL ASSAULT SURVIVORS  
FOR LEGAL ACCOUNTABI et al

By:

AGUILAR, FRANCISCO DRSPND

-vs-

By: ATTORNEY GENERAL OFFICE  
HEROE'S MEMORIAL BLDG.  
CAPITOL COMPLEX  
CARSON CITY, NV 89710

Dob: Sex:  
Lic: Sid:  
GILLES, SCOTT DRSPND

By: SCHRAGER, BRADLEY S  
3773 HOWARD HUGHES PKWY  
3RD FLOOR SOUTH  
LAS VEGAS, NV 89169

Dob: Sex:  
Lic: Sid:  
GRIFFIN, JOHN DRSPND

By: SCHRAGER, BRADLEY S  
3773 HOWARD HUGHES PKWY  
3RD FLOOR SOUTH  
LAS VEGAS, NV 89169

Dob: Sex:  
Lic: Sid:  
GRIFFIN, MATT DRSPND

By: SCHRAGER, BRADLEY S  
3773 HOWARD HUGHES PKWY  
3RD FLOOR SOUTH  
LAS VEGAS, NV 89169

Dob: Sex:  
Lic: Sid:  
NEVADANS FOR FAIR RECOVERY DRSPND

By: SCHRAGER, BRADLEY S  
3773 HOWARD HUGHES PKWY  
3RD FLOOR SOUTH  
LAS VEGAS, NV 89169

Dob: Sex:  
Lic: Sid:  
UBER TECHNOLOGIES INC. DRSPND

By: SCHRAGER, BRADLEY S  
3773 HOWARD HUGHES PKWY  
3RD FLOOR SOUTH  
LAS VEGAS, NV 89169

Dob: Sex:  
Lic: Sid:  
WHITE, TIA DRSPND

By: SCHRAGER, BRADLEY S  
3773 HOWARD HUGHES PKWY  
3RD FLOOR SOUTH  
LAS VEGAS, NV 89169

Dob: Sex:  
Lic: Sid:

Plate#: Accident:  
Make:  
Year:  
Type:  
Venue:  
Location:

Bond: Set:  
Type: Posted:

NEVADA JUSTICE ASSOCIATION PLNTPET  
UBER SEXUAL ASSAULT PLNTPET  
SURVIVORS FOR LEGAL  
ACCOUNTABI

Charges:

Ct. Offense Dt: Cvr:  
Arrest Dt:  
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Ct.:  
Offense Dt:                      Cvr:  
Arrest Dt:  
Comments:

Sentencing:

No.	Filed	Action	Operator	Fine/Cost	Due
1	06/07/24	RECEIPT	1BPETERSON	0.00	0.00
2	06/07/24	APPEAL BOND DEPOSIT Receipt: 85119 Date: 06/07/2024	1BPETERSON	500.00	0.00
3	06/07/24	CASE APPEAL STATEMENT	1BPETERSON	0.00	0.00
4	06/07/24	NOTICE OF APPEAL FILED Receipt: 85120 Date: 06/07/2024	1BPETERSON	24.00	0.00
5	05/15/24	NOTICE OF ENTRY OF ORDER	1BDORTIZ	0.00	0.00
6	05/13/24	NOTICE OF ENTRY OF ORDER	1BDORTIZ	0.00	0.00
7	05/13/24	CORRECTED FINDINGS OF FACT CONLUCTIONS OF LAW AND ORDER DENYING PLAINTIFFS LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024	1BCCOOPER	0.00	0.00
8	05/10/24	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
9	05/10/24	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
10	05/10/24	FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER DENYING PLAINTIFFS LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024	1BCCOOPER	0.00	0.00
11	05/10/24	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BCCOOPER	0.00	0.00
12	05/10/24	ORDER ADMITTING TO PRACTICE	1BCCOOPER	0.00	0.00
13	05/08/24	MOTION TO ASSOCIATE COUNSEL JESSICA GARLAND	1BJULIEH	0.00	0.00
14	05/06/24	ORDER ADMITTING TO PRACTICE (3)	1BJULIEH	0.00	0.00
15	05/06/24	HEARING HELD: The following event: PETITION HEARING scheduled for 05/06/2024 at 1:30 pm has been resulted as follows:  Result: HEARING HELD Judge: RUSSELL, JUDGE JAMES TODD      Location: DEPT I	1BCFRANZ	0.00	0.00
16	05/03/24	REQUEST FOR SUBMISSION MOTION TO ASSOCIATE COUNSEL JONATHAN ELLIS TAYLOR AND [PROPOSED] ORDER	1BCFRANZ	0.00	0.00
17	05/03/24	REQUEST FOR SUBMISSION MOTION TO ASSOCIATE COUNSEL DEEPAK GUPTA AND [PROPOSED]	1BCFRANZ	0.00	0.00
18	05/03/24	REQUEST FOR SUBMISSION MOTION TO ASSOCIATE COUNSEL THOMAS SCOTT-RAILTON AND [PROPOSED] ORDER	1BCFRANZ	0.00	0.00
19	05/03/24	MOTION TO ASSOCIATE COUNSEL JONATHAN ELLIS TAYLOR AND [PROPOSED] ORDER; HEARING NOT REQUESTED	1BCFRANZ	0.00	0.00
20	05/03/24	MOTION TO ASSOCIATE COUNSEL DEEPAK GUPTA AND [PROPOSED]; ORDER HEARING NOT REQUESTED	1BCFRANZ	0.00	0.00
21	05/03/24	MOTION TO ASSOCIATE COUNSEL THOMAS SCOTT-RAILTON AND [PROPOSED] ORDER; HEARING NOT REQUESTED	1BCFRANZ	0.00	0.00
22	04/28/24	AMENDED REQUEST FOR SUBMISSION	1BPETERSON	0.00	0.00
23	04/25/24	REQUEST FOR SUBMISSION	1BPETERSON	0.00	0.00
24	04/25/24	REPLY MEMORANDUM IN SUPPORT OF COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION S-04-2024	1BPETERSON	0.00	0.00

No.	Filed	Action	Operator	Fine/Cost	Due
25	04/23/24	DEFENDANTS MEMORANDUM IN RESPONSE TO CHALLENGE TO INITIATIVE PETITION S-04-2024	1BCCOOPER	0.00	0.00
26	04/23/24	INITIAL APPEARANCE FEE DISCLOSURE	1BCCOOPER	0.00	0.00
27	04/23/24	ADDITIONAL DEFENDANT (MATT GRIFFIN) Receipt: 84522 Date: 04/23/2024	1BCCOOPER	30.00	0.00
28	04/23/24	ADDITIONAL DEFENDANT (NEVADANS FOR FAIR RECOVERY) Receipt: 84522 Date: 04/23/2024	1BCCOOPER	30.00	0.00
29	04/23/24	ADDITIONAL DEFENDANT (TIA WHITE) Receipt: 84522 Date: 04/23/2024	1BCCOOPER	30.00	0.00
30	04/23/24	ADDITIONAL DEFENDANT (SCOTT GILLES) Receipt: 84522 Date: 04/23/2024	1BCCOOPER	30.00	0.00
31	04/23/24	ADDITIONAL DEFENDANT (JOHN GRIFFIN) Receipt: 84522 Date: 04/23/2024	1BCCOOPER	30.00	0.00
32	04/23/24	DEFENDANTS UBER TECHNOLOGIES INC. MATT GRIFFIN JOHN GRIFFIN SCOTT GILLES TIA WHITE AND NEVADANS FOR FAIR RECOVERY ANSWER TO COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION S-04-2024 Receipt: 84522 Date: 04/23/2024	1BCCOOPER	218.00	0.00
33	04/18/24	SECRETARY OF STATES LIMITED RESPONSE TO MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION S-04-2024	1BDORTIZ	0.00	0.00
34	04/18/24	SECRETARY OF STATE'S ANSWER TO COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION S-04-2024	1BDORTIZ	0.00	0.00
35	04/17/24	ERRATA TO STIPULATION AND SCHEDULING ORDER OF THE COURT	1BPETERSON	0.00	0.00
36	04/16/24	FILE RETURNED AFTER SUBMISSION - ORDER ENTERED	1BDORTIZ	0.00	0.00
37	04/16/24	STIPULATION AND SCHEDULING ORDER OF THE COURT	1BDORTIZ	0.00	0.00
38	04/16/24	REQUEST FOR SUBMISSION OF THE STIPULATION AND (PROPOSED) SCHEDULING ORDER OF THE COURT	1BDORTIZ	0.00	0.00
39	04/16/24	ACCEPTANCE OF SERVICE (2)	1BDORTIZ	0.00	0.00
40	04/12/24	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION S-04-2024	1BPETERSON	0.00	0.00
41	04/08/24	APPENDIX TO COMPLAINT VOLUME 3 OF 3	1BPETERSON	0.00	0.00
42	04/08/24	APPENDIX TO COMPLAINT VOLUME 2 OF 3	1BPETERSON	0.00	0.00
43	04/08/24	APPENDIX TO COMPLAINT VOLUME 1 OF 3	1BPETERSON	0.00	0.00
44	04/08/24	ADDITIONAL PLAINTIFF Receipt: 84317 Date: 04/08/2024	1BPETERSON	30.00	0.00
45	04/08/24	ISSUING SUMMONS AND 6 ADDITIONAL SUMMONS	1BPETERSON	0.00	0.00
46	04/08/24	COMPLAINT FOR INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION S-04-2024 Receipt: 84317 Date: 04/08/2024	1BPETERSON	265.00	0.00
Total:				1,187.00	0.00

Totals By: COST 687.00 0.00  
HOLDING 500.00 0.00  
INFORMATION 0.00 0.00

\*\*\* End of Report \*\*\*

REC'D & FILED ✓

2024 MAY 10 AM 8:24

WILLIAM SCOTT HOEN  
CLERK

BY Huddard  
DEPUTY

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6 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR CARSON CITY  
8

9 UBER SEXUAL ASSAULT SURVIVORS  
10 FOR LEGAL ACCOUNTABILITY AND  
11 NEVADA JUSTICE ASSOCIATION,

12 Plaintiff,

13 vs.

14 UBER TECHNOLOGIES, INC., A  
15 DELAWARE CORPORATION; MATT  
16 GRIFFIN, JOHN GRIFFIN, SCOTT GILLES,  
17 AND TIA WHITE, INDIVIDUALS;  
18 NEVADANS FOR FAIR RECOVERY, A  
19 REGISTERED NEVADA POLITICAL  
20 ACTION COMMITTEE; AND FRANCISCO  
21 AGUILAR, IN HIS OFFICIAL CAPACITY  
22 AS NEVADA SECRETARY OF STATE,

23 Defendant

Case No.: 24 OC 00056 1B

Dept No. 1

24 **FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER DENYING**  
25 **PLAINTIFFS' LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024**

26 This matter came before this Court following a complaint filed by Plaintiffs Uber Sexual  
27 Assault Survivors for Legal Accountability and Nevada Justice Association (collectively,  
28 "Plaintiffs") challenging the legal sufficiency of Initiative Petition S-04-2024 (the "Petition").

On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition  
with the Nevada Secretary of State. On April 8, Plaintiffs filed their complaint, pursuant to NRS

1 295.061. After briefing according to a schedule to which the parties stipulated, the Court held a  
2 hearing on May 6, 2024, regarding Plaintiffs' legal challenge to the Petition.

3 As indicated by this Court in all initiative hearings, this Court takes no position as to the  
4 merit of the initiative but seeks to determine if the requirements of NRS 295.009, et al and Article  
5 19 of the Nevada Constitution have been complied with.

6 Initially, the Court would note that Plaintiffs have made strong argument's as to the  
7 initiative having the effect of precluding access to legal counsel, reducing the reimbursement to  
8 the State Medicaid fund, and changing the calculation of contingent fees by removal of medical  
9 expenses from the calculations thereof. All of these arguments against the initiative may or may  
10 not have merit, but are not dermane to whether the requirements of NRS 295.009 and Article 19  
11 of the Nevada Constitution have been complied with.

12 The Court, having reviewed the papers and pleadings on file, considered the matter, being  
13 fully advised, and good cause appearing, finds, concludes, and orders as follows:

14 **FINDINGS OF FACT AND CONCLUSIONS OF LAW<sup>1</sup>**

15 **A. FINDINGS OF FACT**

16 **1. Initiative Petition S-04-2024**

17 On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition  
18 with the Nevada Secretary of State. The Petition seeks to amend Title 1, Chapter 7 of the Nevada  
19 Revised Statutes by adding a new section thereto that seeks to limit the fees an attorney can charge  
20 and receive in a civil case in Nevada to 20% of any amount or amounts recovered, beginning in  
21 2027.

22 ///

23 ///

---

24  
25  
26 <sup>1</sup> Any findings of fact which are more appropriately considered conclusions of law shall be  
27 treated as such, and any conclusions of law which are more appropriately considered findings of fact  
28 shall be treated as such.

1 The Petition includes a description of effect as required by NRS 295.009(1)(b), which reads,  
2 in full:

3 If enacted, this initiative will limit the fees an attorney can  
4 charge and receive as a contingency fee in a civil case in Nevada to 20% of any  
5 amount or amounts recovered, beginning in 2027.

6  
7 In Nevada currently, most civil cases do not limit an attorney's  
8 contingent fee percentages, except that such fees must be reasonable. Current  
9 law does, however, limit attorney fees in medical malpractice cases to 35% of  
10 any recovery, and caps contingency fees for a private attorney contracted to  
11 represent the State of Nevada to 25% of the total amount recovered.

## 12 **2. Procedural History**

13 On April 8, Plaintiffs filed their complaint, pursuant to NRS 295.061, challenging the legal  
14 sufficiency of the Petition. On April 12, Plaintiffs filed a memorandum in support of their  
15 complaint.

16 On April 16, the parties stipulated to, and the Court ordered, a briefing schedule for this  
17 matter. On April 19, Defendants Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles,  
18 Tia White, and Nevadans for Fair Recovery (collectively, "Defendants") filed a response  
19 memorandum. After briefing, this Court held a hearing on the matter on May 6.

20 As an initial matter, it is important to state that at hearing both parties agreed that in a pre-  
21 election challenge to an initiative petition, the only issues for the Court concern whether the  
22 Petition complies with the requirements of NRS 295.009 and any pertinent procedural provisions  
23 of Article 19 of the Nevada Constitution. The Court does not inquire into, and does not consider,  
24 either the substantive validity of the proposal or the positive or negative qualities, as policy, of its  
25 provisions.  
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27  
28

1 **B. CONCLUSIONS OF LAW**

2 **1. The Petition Does Not Violate Nevada’s Single Subject Rule**

3 NRS 295.009(1) provides that “[e]ach petition for initiative or referendum must ...  
4 [e]mbrace but one subject and matters necessarily connected therewith and pertaining thereto.”  
5 Subsection 2 of that statute explains that an initiative “embraces but one subject and matters  
6 necessarily connected therewith and pertaining thereto, if the parts of the proposed initiative ... are  
7 functionally related and germane to each other in a way that provides sufficient notice of the  
8 general subject of, and of the interests likely to be affected by, the proposed initiative.” NRS  
9 295.009(2).

10 The single-subject requirement “facilitates the initiative process by preventing petition  
11 drafters from circulating confusing petitions that address multiple subjects.” *Nevadans for the Protection*  
12 *of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 902, 141 P.3d 1235, 1240 (2006). Thus, “the single-  
13 subject requirement helps both in promoting informed decisions and in preventing the enactment  
14 of unpopular provisions by attaching them to more attractive proposals or concealing them in  
15 lengthy, complex initiatives (i.e., logrolling).” *Las Vegas Taxpayer Accountability Comte. v. City*  
16 *Council of City of Las Vegas*, 125 Nev. 165, 176-77, 208 P.3d 429, 436-37 (2009).

17 In considering single-subject challenges, courts must first determine the initiative’s  
18 purpose or subject. “To determine the initiative’s purpose or subject, this court looks to its textual  
19 language and the proponents’ arguments.” *Las Vegas Taxpayer*, 125 Nev. at 180, 208 P.3d at 439.  
20 Courts also will look at whether the description of effect articulates an overarching purpose and  
21 explains how provisions relate to a single subject. *Id.*

22 Furthermore, and most recently, in *Helton v. Nevada Voters First PAC*, 138 Nev. Adv. Op.  
23 45, 512 P.3d 309 (2022), the Nevada Supreme Court stated that “even if an initiative petition  
24 proposes more than one change, each of which could be brought in separate initiative petitions,  
25 the proper consideration is whether the changes are functionally related and germane to each other  
26 and the petition’s subject.” *Id.*, 512 P.3d at 314. The Court found that “(b)oth categories of changes  
27 proposed in the ... initiative concern the election process in Nevada and more specifically how  
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1 candidates for the specifically defined partisan offices are presented to voters and elected.” *Id.*  
2 512 P.3d at 314-15.

3 In this case, the Court finds that the primary purpose of the Petition, clear from both its text  
4 and the description of effect, is *the limitation of contingency fees in civil cases*. Further, the Court  
5 finds that the Petition’s text, its description of effect, and the arguments of the Defendants in  
6 briefing and at hearing confirm the Petition’s primary purpose. And unlike the petition at issue in  
7 *Helton*, for example, the Petition does not appear to present multiple changes that could be  
8 considered to be unrelated in any event. Section 1 sets out the substantive purpose of the proposal;  
9 Section 2 describes the scope of Section 1’s proposal; and Section 3 provides a definition of  
10 “recovered,” for purposes of the proposed new statute. All three sections of the Petition, therefore,  
11 are functionally related and germane both to the primary purpose of the Petition and to one another.

12 The Court is unconvinced by Plaintiffs’ arguments because Plaintiffs have not identified  
13 multiple “subjects” under any reading of Nevada statutory or case law authority.<sup>2</sup> For example, the  
14 fact that the term “civil cases” covers more than one type of civil action does not constitute a  
15 single-subject violation, because the primary purpose of the Petition is the limitation of  
16 contingency fees in civil cases generally. *See, e.g., Nev. R. Civ. Proc., 1, 2, and 3.*

17 The Court finds the Petition does not violate NRS 295.009(1)(a)’s single-subject  
18 requirement.

## 19 2. The Petition Does Not Violate Article 19, Section 3’s “Full-Text” Requirement

20 Under Article 19, Section 3 of the Nevada Constitution, proponents must “include the full  
21 text of the measure proposed” with a filed initiative petition. Nev. Const. art. 19, § 3. Plaintiffs  
22 contend that some other statutory text beyond that which proponents have proposed should be  
23 included with the Petition, because they speculate that the Petition, should it become law, may

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26 <sup>2</sup> *See Helton*, 512 P.3d at 315 n.5: “A *subject* is the overall thing being discussed, whereas a change is the  
27 alteration or modification of existing law. *See* ‘Subject,’ *Black’s Law Dictionary* (11th ed. 2019) (defining “subject”  
28 as “[t]he matter of concern over which something is created”).”

1 have some future effect on those other provisions of law. The Court disagrees that this is what  
2 Article 19, Section 3 requires, and finds that every provision that is proposed to be circulated for  
3 signatures and to be considered by the electorate is included with the filed Petition, and that  
4 therefore there is no violation of the full-text requirement. To rule otherwise would not only be  
5 speculative, but would interfere unnecessarily with the people's right to the initiative power, if  
6 each proposed petition had also to contain the text of any and all other laws that might possibly be  
7 affected by the petition's enactment.

### 8           **3.       The Petition's Description Of Effect Is Legally Adequate**

9           Under NRS 295.009(1)(b), every initiative must “[s]et forth, in not more than 200 words,  
10 a description of the effect of the initiative or referendum if the initiative or referendum is approved  
11 by the voters.” The purpose of the description is to “prevent voter confusion and promote informed  
12 decisions.” *Nevadans for Nev. v. Beers*, 122 Nev. 930, 939, 142 P.3d 339, 345 (2006). Thus, “[t]he  
13 importance of the description of effect cannot be minimized, as it is what the voters see when  
14 deciding whether to even sign a petition.” *Coal. For Nev. 's Future v. RIP Com. Tax, Inc.*, No.  
15 69501, 2016 WL 2842925 at \*2 (2016) (unpublished disposition) (citing *Educ. Initiative PAC v.*  
16 *Comm. To Protect Nev. Jobs*, 129 Nev. 35, 37, 293 P.3d 874, 876 (2013)). “[T]he description of  
17 effect may hold even more impact with respect to a referendum, since merely gathering sufficient  
18 signatures to place a referendum on the ballot guarantees a change to the law regardless of the  
19 election's outcome.” *Id.* (citing Nev. Const. art. 19, § 1(3) (providing that, if the voters approve  
20 the referendum, the statute “shall stand as the law of the state and shall not be amended, annulled,  
21 repealed, set aside, suspended or in any way made inoperative except by the direct vote of the  
22 people,” and if the voters disapprove the statute or resolution, it is rendered void)).

23           The Nevada Supreme Court has repeatedly held that “a description of effect must be  
24 straightforward, succinct, and non-argumentative, and it must not be deceptive or misleading.”  
25 *Educ. Initiative PAC*, 129 Nev. at 42, 293 P.3d at 879 (internal quotation marks and citation  
26 omitted). It must also “explain the[] ramifications of the proposed amendment” in order to allow  
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28

1 voters to make an informed decision. *Nev. Judges Ass'n v. Lau*, 112 Nev. 51, 59, 910 P.2d 898,  
2 903 (1996).

3 This Court finds that the Petition's description of effect meets the requirements of Nevada  
4 law. The description of effect is straightforward, succinct, under 200 words, and there is no basis  
5 for a finding of any argumentative language as written. The Court finds that Plaintiffs fail to meet  
6 their burden of showing that the Petition's description of effect does not comply with NRS 295.009.

7 With their Complaint, Plaintiffs filed numerous declarations regarding the opinions of  
8 multiple persons in various fields regarding what Plaintiffs believe may be the eventual effects of  
9 the Petition should it one day become law, including what they contend are potential effects on  
10 government programs, like Medicaid, that can receive reimbursement funds through subrogation  
11 claims upon settlement or damages awards at the conclusion of civil actions. The Court makes no  
12 findings regarding the truth or falsity of the claims in Plaintiffs' declarations, but believes these  
13 sorts of potential effect to be too speculative and hypothetical to be required to be included in the  
14 Petition's description. Most of the speculative effects Plaintiffs identify "do not concern the  
15 initiative's primary goal," and instead "involve how the initiative may apply in a variety of  
16 hypothetical situations." *Nevadans for Reproductive Freedom v. Washington*, 140 Nev. Adv. Op.  
17 28, 2024 WL 1688083, at \*5 (Nev. Apr. 18, 2024).

18 Furthermore, these and any other perceived effects of the Petition upon which Plaintiffs or  
19 their declarants opine can be the subject of political speech, lobbying efforts, or campaign materials  
20 in opposition to the passage and enactment of the Petition when, and if, it is transmitted to the  
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22 Supreme Court has noted, "the description of effect ... does not serve as the full, detailed  
23 explanation, including arguments for and against, that voters receive prior to a general election,"  
24 and "once enough signatures have been gathered to place the initiative on the ballot, the Secretary  
25 of State will draft a neutral summary of the initiative, which does not have a word limit, and  
26 committees will draft arguments for and against the passage of the initiative, both of which will be

27

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1 placed on the ballot, instead of the description of effect.” *Helton*, 512 P.3d at 317 n.6. (citing *Educ.*  
2 *Initiative PAC*, 129 Nev. at 39–40).

3         Additionally, because the description of effect of an initiative petition is, by law, limited in  
4 length, it cannot constitutionally be required to delineate every downstream effect that an initiative  
5 may have; to conclude otherwise could obstruct, rather than facilitate, the people’s right to the  
6 initiative process. *Educ. Initiative PAC*, 129 Nev. at 38. In the words of the Nevada Supreme Court,  
7 “an opponent of a ballot initiative [can often] identify some perceived effect of an initiative that is  
8 not explained by the description of effect, challenge the initiative in district court, and block the  
9 people’s right to the initiative process.” But the “[s]tatutes enacted to facilitate the initiative  
10 process cannot be interpreted so strictly as to halt the process.” *Educ. Initiative PAC*, 129 Nev. at  
11 47.

12         The Court finds the description of effect of the Petition  
13 satisfies Nevada’s NRS 295.009 requirements, as the plain language of the description is  
14 straightforward, succinct, and non-argumentative.

15         Based on the foregoing findings of fact and conclusions of law:

16         **IT IS HEREBY ORDERED** and declared that Initiative Petition  
17 S-04-2024 does not violate Nevada’s single subject rule.

18         **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
19 S-04-2024’s description of effect meets the requirements of Nevada law.

20         **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
21 S-04-2024 does not violate Article 19, Section 3.

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1 **CERTIFICATE OF SERVICE**

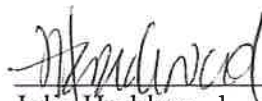
2 Pursuant to NRCP 5(b), I certify that I am an employee of the First Judicial District  
3 Court, and that on May 10<sup>th</sup>, 2024, I deposited for mailing, postage paid, at Carson City,  
4 Nevada, a true and correct copy of the foregoing Order addressed as follows:

5  
6 Alex Velto, Esq.  
7 Nathan Ring, Esq.  
8 Reese Ring Velto PLLC  
9 200 S Virginia Street, Suite 655  
10 Reno, NV 89501  
11 [alex@rrvlawyers.com](mailto:alex@rrvlawyers.com)  
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14 Matthew W.H. Wessler, Esq.  
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27 Julie Harkleroad  
28 Judicial Assistant, Dept. 1

REC'D & FILED

2024 MAY 13 AM 8:33

WILLIAM SCOTT HOEN  
CLERK

BY Handwritten Signature  
DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

UBER SEXUAL ASSAULT SURVIVORS  
FOR LEGAL ACCOUNTABILITY AND  
NEVADA JUSTICE ASSOCIATION,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC., A  
DELAWARE CORPORATION; MATT  
GRIFFIN, JOHN GRIFFIN, SCOTT GILLES,  
AND TIA WHITE, INDIVIDUALS;  
NEVADANS FOR FAIR RECOVERY, A  
REGISTERED NEVADA POLITICAL  
ACTION COMMITTEE; AND FRANCISCO  
AGUILAR, IN HIS OFFICIAL CAPACITY  
AS NEVADA SECRETARY OF STATE,

Defendant

Case No.: 24 OC 00056 1B

Dept No. 1

**CORRECTED FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER  
DENYING PLAINTIFFS' LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024**

This matter came before this Court following a complaint filed by Plaintiffs Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association (collectively, "Plaintiffs") challenging the legal sufficiency of Initiative Petition S-04-2024 (the "Petition").

On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition with the Nevada Secretary of State. On April 8, Plaintiffs filed their complaint, pursuant to NRS

1 295.061. After briefing according to a schedule to which the parties stipulated, the Court held a  
2 hearing on May 6, 2024, regarding Plaintiffs' legal challenge to the Petition.

3 As indicated by this Court in all initiative hearings, this Court takes no position as to the  
4 merit of the initiative but seeks to determine if the requirements of NRS 295.009, et al and Article  
5 19 of the Nevada Constitution have been complied with.

6 Initially, the Court would note that Plaintiffs have made strong argument's as to the  
7 initiative having the effect of precluding access to legal counsel, reducing the reimbursement to  
8 the State Medicaid fund, and changing the calculation of contingent fees by removal of medical  
9 expenses from the calculations thereof. All of these arguments against the initiative may or may  
10 not have merit, but are not germane to whether the requirements of NRS 295.009 and Article 19  
11 of the Nevada Constitution have been complied with.

12 The Court, having reviewed the papers and pleadings on file, considered the matter, being  
13 fully advised, and good cause appearing, finds, concludes, and orders as follows:

14 **FINDINGS OF FACT AND CONCLUSIONS OF LAW<sup>1</sup>**

15 **A. FINDINGS OF FACT**

16 **1. Initiative Petition S-04-2024**

17 On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition  
18 with the Nevada Secretary of State. The Petition seeks to amend Title 1, Chapter 7 of the Nevada  
19 Revised Statutes by adding a new section thereto that seeks to limit the fees an attorney can charge  
20 and receive in a civil case in Nevada to 20% of any amount or amounts recovered, beginning in  
21 2027.

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26 <sup>1</sup> Any findings of fact which are more appropriately considered conclusions of law shall be  
27 treated as such, and any conclusions of law which are more appropriately considered findings of fact  
28 shall be treated as such.



1 The Petition includes a description of effect as required by NRS 295.009(1)(b), which reads,  
2 in full:

3 If enacted, this initiative will limit the fees an attorney can  
4 charge and receive as a contingency fee in a civil case in Nevada to 20% of any  
5 amount or amounts recovered, beginning in 2027.

6  
7 In Nevada currently, most civil cases do not limit an attorney's  
8 contingent fee percentages, except that such fees must be reasonable. Current  
9 law does, however, limit attorney fees in medical malpractice cases to 35% of  
10 any recovery, and caps contingency fees for a private attorney contracted to  
11 represent the State of Nevada to 25% of the total amount recovered.

## 12 **2. Procedural History**

13 On April 8, Plaintiffs filed their complaint, pursuant to NRS 295.061, challenging the legal  
14 sufficiency of the Petition. On April 12, Plaintiffs filed a memorandum in support of their  
15 complaint.

16 On April 16, the parties stipulated to, and the Court ordered, a briefing schedule for this  
17 matter. On April 19, Defendants Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles,  
18 Tia White, and Nevadans for Fair Recovery (collectively, "Defendants") filed a response  
19 memorandum. After briefing, this Court held a hearing on the matter on May 6.

20 As an initial matter, it is important to state that at hearing both parties agreed that in a pre-  
21 election challenge to an initiative petition, the only issues for the Court concern whether the  
22 Petition complies with the requirements of NRS 295.009 and any pertinent procedural provisions  
23 of Article 19 of the Nevada Constitution. The Court does not inquire into, and does not consider,  
24 either the substantive validity of the proposal or the positive or negative qualities, as policy, of its  
25 provisions.  
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1 **B. CONCLUSIONS OF LAW**

2 **1. The Petition Does Not Violate Nevada’s Single Subject Rule**

3 NRS 295.009(1) provides that “[e]ach petition for initiative or referendum must ...  
4 [e]mbrace but one subject and matters necessarily connected therewith and pertaining thereto.”  
5 Subsection 2 of that statute explains that an initiative “embraces but one subject and matters  
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8 general subject of, and of the interests likely to be affected by, the proposed initiative.” NRS  
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10 The single-subject requirement “facilitates the initiative process by preventing petition  
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22 Furthermore, and most recently, in *Helton v. Nevada Voters First PAC*, 138 Nev. Adv. Op.  
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25 the proper consideration is whether the changes are functionally related and germane to each other  
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27 proposed in the ... initiative concern the election process in Nevada and more specifically how  
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1 candidates for the specifically defined partisan offices are presented to voters and elected.” *Id.*,  
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3 In this case, the Court finds that the primary purpose of the Petition, clear from both its text  
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5 finds that the Petition’s text, its description of effect, and the arguments of the Defendants in  
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16 contingency fees in civil cases generally. *See, e.g.*, Nev. R. Civ. Proc., 1, 2, and 3.

17 The Court finds the Petition does not violate NRS 295.009(1)(a)’s single-subject  
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## 19 **2. The Petition Does Not Violate Article 19, Section 3’s “Full-Text” Requirement**

20 Under Article 19, Section 3 of the Nevada Constitution, proponents must “include the full  
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3 This Court finds that the Petition's description of effect meets the requirements of Nevada  
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12           The Court finds the description of effect of the Petition  
13 satisfies Nevada’s NRS 295.009 requirements, as the plain language of the description is  
14 straightforward, succinct, and non-argumentative.

15           Based on the foregoing findings of fact and conclusions of law:

16           **IT IS HEREBY ORDERED** and declared that Initiative Petition  
17 S-04-2024 does not violate Nevada’s single subject rule.

18           **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
19 S-04-2024’s description of effect meets the requirements of Nevada law.

20           **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
21 S-04-2024 does not violate Article 19, Section 3.

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1           **IT IS FURTHER ORDERED** that Plaintiffs' challenges to Initiative Petition S-04-2023  
2 are rejected, and Plaintiffs' complaint is dismissed with prejudice.

3           Dated this 13<sup>th</sup> day of May, 2024.

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7           JAMES T. RUSSELL  
8           DISTRICT COURT JUDGE  
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1 CERTIFICATE OF SERVICE


2 Pursuant to NRC 5(b), I certify that I am an employee of the First Judicial District  
3 Court, and that on May 13, 2024, I deposited for mailing, postage paid, at Carson City,  
4 Nevada, a true and correct copy of the foregoing Order addressed as follows:

5  
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7 Nathan Ring, Esq.  
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13 Deepak Gupta, Esq.  
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28 Julie Harkleroad  
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**ORIGINAL**

REC'D & FILED ✓

2024 MAY 13 AM 11:10

WILLIAM SCOTT HOEN  
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Inc., Matt Griffin, John Griffin, Scott Gilles,  
Tia White, and Nevadans for Fair Recovery*

9  
10 **IN THE FIRST JUDICIAL DISTRICT COURT**  
11 **OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

12 UBER SEXUAL ASSAULT  
13 SURVIVORS FOR LEGAL  
14 ACCOUNTABILITY and NEVADA  
15 JUSTICE ASSOCIATION,

16 Plaintiffs,

17 vs.

18 UBER TECHNOLOGIES, INC., a  
19 Delaware corporation; MATT GRIFFIN,  
20 JOHN GRIFFIN, SCOTT GILLES, and  
21 TIA WHITE, individuals; "NEVADANS  
22 FOR FAIR RECOVERY," a registered  
23 Nevada political action committee; and  
24 FRANCISCO AGUILAR, in his official  
25 capacity as Nevada Secretary of State,

26 Defendants.

Case No.: 24 OC 00056 1B

Dept. No.: I

**NOTICE OF ENTRY OF ORDER**

BRAVO SCHRAGER LLP

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 10th day of May, 2024, I served the foregoing  
3 **NOTICE OF ENTRY OF ORDER** by depositing a true copy of the same via  
4 electronic mail, per the April 16, 2024, Stipulation, as follows:

5 Deepak Gupta, Esq.  
6 Matthew W.H. Wessler, Esq.  
7 Jonathan E. Taylor, Esq.  
8 Thomas Scott-Railton, Esq.  
9 Jessica Garland, Esq.  
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19 By:   
20 Dannielle Fresquez, an Employee of  
21 **BRAVO SCHRAGER LLP**

22 **INDEX OF EXHIBITS**

23

Exhibit No.	Document Title	No. of Pages
24 A	25 Findings of Fact and Conclusions of Law and 26 Order Denying Plaintiffs' Legal Challenge to Initiative Petition S-04-2024	10

27

28

EXHIBIT A

EXHIBIT A

REC'D & FILED

2024 MAY 10 AM 8:24

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BY W. H. Haddad  
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1  
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6 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR CARSON CITY  
8

9 UBER SEXUAL ASSAULT SURVIVORS  
10 FOR LEGAL ACCOUNTABILITY AND  
11 NEVADA JUSTICE ASSOCIATION,

12 Plaintiff,

13 vs.

14 UBER TECHNOLOGIES, INC., A  
15 DELAWARE CORPORATION; MATT  
16 GRIFFIN, JOHN GRIFFIN, SCOTT GILLES,  
17 AND TIA WHITE, INDIVIDUALS;  
18 NEVADANS FOR FAIR RECOVERY, A  
19 REGISTERED NEVADA POLITICAL  
20 ACTION COMMITTEE; AND FRANCISCO  
21 AGUILAR, IN HIS OFFICIAL CAPACITY  
22 AS NEVADA SECRETARY OF STATE,

23 Defendant

Case No.: 24 OC 00056 1B

Dept No. 1

24  
25  
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**FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER DENYING  
PLAINTIFFS' LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024**

This matter came before this Court following a complaint filed by Plaintiffs Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association (collectively, "Plaintiffs") challenging the legal sufficiency of Initiative Petition S-04-2024 (the "Petition").

On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition with the Nevada Secretary of State. On April 8, Plaintiffs filed their complaint, pursuant to NRS

1 295.061. After briefing according to a schedule to which the parties stipulated, the Court held a  
2 hearing on May 6, 2024, regarding Plaintiffs' legal challenge to the Petition.

3 As indicated by this Court in all initiative hearings, this Court takes no position as to the  
4 merit of the initiative but seeks to determine if the requirements of NRS 295.009, et al and Article  
5 19 of the Nevada Constitution have been complied with.

6 Initially, the Court would note that Plaintiffs have made strong argument's as to the  
7 initiative having the effect of precluding access to legal counsel, reducing the reimbursement to  
8 the State Medicaid fund, and changing the calculation of contingent fees by removal of medical  
9 expenses from the calculations thereof. All of these arguments against the initiative may or may  
10 not have merit, but are not dermane to whether the requirements of NRS 295.009 and Article 19  
11 of the Nevada Constitution have been complied with.

12 The Court, having reviewed the papers and pleadings on file, considered the matter, being  
13 fully advised, and good cause appearing, finds, concludes, and orders as follows:

14 **FINDINGS OF FACT AND CONCLUSIONS OF LAW<sup>1</sup>**

15 **A. FINDINGS OF FACT**

16 **1. Initiative Petition S-04-2024**

17 On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition  
18 with the Nevada Secretary of State. The Petition seeks to amend Title 1, Chapter 7 of the Nevada  
19 Revised Statutes by adding a new section thereto that seeks to limit the fees an attorney can charge  
20 and receive in a civil case in Nevada to 20% of any amount or amounts recovered, beginning in  
21 2027.

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26 <sup>1</sup> Any findings of fact which are more appropriately considered conclusions of law shall be  
27 treated as such, and any conclusions of law which are more appropriately considered findings of fact  
28 shall be treated as such.

1 The Petition includes a description of effect as required by NRS 295.009(1)(b), which reads,  
2 in full:

3 If enacted, this initiative will limit the fees an attorney can  
4 charge and receive as a contingency fee in a civil case in Nevada to 20% of any  
5 amount or amounts recovered, beginning in 2027.

6  
7 In Nevada currently, most civil cases do not limit an attorney's  
8 contingent fee percentages, except that such fees must be reasonable. Current  
9 law does, however, limit attorney fees in medical malpractice cases to 35% of  
10 any recovery, and caps contingency fees for a private attorney contracted to  
11 represent the State of Nevada to 25% of the total amount recovered.

## 12 **2. Procedural History**

13 On April 8, Plaintiffs filed their complaint, pursuant to NRS 295.061, challenging the legal  
14 sufficiency of the Petition. On April 12, Plaintiffs filed a memorandum in support of their  
15 complaint.

16 On April 16, the parties stipulated to, and the Court ordered, a briefing schedule for this  
17 matter. On April 19, Defendants Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles,  
18 Tia White, and Nevadans for Fair Recovery (collectively, "Defendants") filed a response  
19 memorandum. After briefing, this Court held a hearing on the matter on May 6.

20 As an initial matter, it is important to state that at hearing both parties agreed that in a pre-  
21 election challenge to an initiative petition, the only issues for the Court concern whether the  
22 Petition complies with the requirements of NRS 295.009 and any pertinent procedural provisions  
23 of Article 19 of the Nevada Constitution. The Court does not inquire into, and does not consider,  
24 either the substantive validity of the proposal or the positive or negative qualities, as policy, of its  
25 provisions.  
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1 **B. CONCLUSIONS OF LAW**

2 **1. The Petition Does Not Violate Nevada’s Single Subject Rule**

3 NRS 295.009(1) provides that “[e]ach petition for initiative or referendum must ...  
4 [e]mbrace but one subject and matters necessarily connected therewith and pertaining thereto.”  
5 Subsection 2 of that statute explains that an initiative “embraces but one subject and matters  
6 necessarily connected therewith and pertaining thereto, if the parts of the proposed initiative ... are  
7 functionally related and germane to each other in a way that provides sufficient notice of the  
8 general subject of, and of the interests likely to be affected by, the proposed initiative.” NRS  
9 295.009(2).

10 The single-subject requirement “facilitates the initiative process by preventing petition  
11 drafters from circulating confusing petitions that address multiple subjects.” *Nevadans for the Protection*  
12 *of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 902, 141 P.3d 1235, 1240 (2006). Thus, “the single-  
13 subject requirement helps both in promoting informed decisions and in preventing the enactment  
14 of unpopular provisions by attaching them to more attractive proposals or concealing them in  
15 lengthy, complex initiatives (i.e., logrolling).” *Las Vegas Taxpayer Accountability Comte. v. City*  
16 *Council of City of Las Vegas*, 125 Nev. 165, 176-77, 208 P.3d 429, 436-37 (2009).

17 In considering single-subject challenges, courts must first determine the initiative’s  
18 purpose or subject. “To determine the initiative’s purpose or subject, this court looks to its textual  
19 language and the proponents’ arguments.” *Las Vegas Taxpayer*, 125 Nev. at 180, 208 P.3d at 439.  
20 Courts also will look at whether the description of effect articulates an overarching purpose and  
21 explains how provisions relate to a single subject. *Id.*

22 Furthermore, and most recently, in *Helton v. Nevada Voters First PAC*, 138 Nev. Adv. Op.  
23 45, 512 P.3d 309 (2022), the Nevada Supreme Court stated that “even if an initiative petition  
24 proposes more than one change, each of which could be brought in separate initiative petitions,  
25 the proper consideration is whether the changes are functionally related and germane to each other  
26 and the petition’s subject.” *Id.*, 512 P.3d at 314. The Court found that “(b)oth categories of changes  
27 proposed in the ... initiative concern the election process in Nevada and more specifically how  
28



1 candidates for the specifically defined partisan offices are presented to voters and elected.” *Id.*,  
2 512 P.3d at 314-15.

3 In this case, the Court finds that the primary purpose of the Petition, clear from both its text  
4 and the description of effect, is *the limitation of contingency fees in civil cases*. Further, the Court  
5 finds that the Petition’s text, its description of effect, and the arguments of the Defendants in  
6 briefing and at hearing confirm the Petition’s primary purpose. And unlike the petition at issue in  
7 *Helton*, for example, the Petition does not appear to present multiple changes that could be  
8 considered to be unrelated in any event. Section 1 sets out the substantive purpose of the proposal;  
9 Section 2 describes the scope of Section 1’s proposal; and Section 3 provides a definition of  
10 “recovered,” for purposes of the proposed new statute. All three sections of the Petition, therefore,  
11 are functionally related and germane both to the primary purpose of the Petition and to one another.

12 The Court is unconvinced by Plaintiffs’ arguments because Plaintiffs have not identified  
13 multiple “subjects” under any reading of Nevada statutory or case law authority.<sup>2</sup> For example, the  
14 fact that the term “civil cases” covers more than one type of civil action does not constitute a  
15 single-subject violation, because the primary purpose of the Petition is the limitation of  
16 contingency fees in civil cases generally. *See, e.g.*, Nev. R. Civ. Proc., 1, 2, and 3.

17 The Court finds the Petition does not violate NRS 295.009(1)(a)’s single-subject  
18 requirement.

## 19 2. The Petition Does Not Violate Article 19, Section 3’s “Full-Text” Requirement

20 Under Article 19, Section 3 of the Nevada Constitution, proponents must “include the full  
21 text of the measure proposed” with a filed initiative petition. Nev. Const. art. 19, § 3. Plaintiffs  
22 contend that some other statutory text beyond that which proponents have proposed should be  
23 included with the Petition, because they speculate that the Petition, should it become law, may

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26 <sup>2</sup> *See Helton*, 512 P.3d at 315 n.5: “A *subject* is the overall thing being discussed, whereas a change is the  
27 alteration or modification of existing law. *See* ‘Subject,’ *Black’s Law Dictionary* (11th ed. 2019) (defining “subject”  
28 as “[t]he matter of concern over which something is created”).”

1 have some future effect on those other provisions of law. The Court disagrees that this is what  
2 Article 19, Section 3 requires, and finds that every provision that is proposed to be circulated for  
3 signatures and to be considered by the electorate is included with the filed Petition, and that  
4 therefore there is no violation of the full-text requirement. To rule otherwise would not only be  
5 speculative, but would interfere unnecessarily with the people's right to the initiative power, if  
6 each proposed petition had also to contain the text of any and all other laws that might possibly be  
7 affected by the petition's enactment.

### 8           3.       **The Petition's Description Of Effect Is Legally Adequate**

9           Under NRS 295.009(1)(b), every initiative must "[s]et forth, in not more than 200 words,  
10 a description of the effect of the initiative or referendum if the initiative or referendum is approved  
11 by the voters." The purpose of the description is to "prevent voter confusion and promote informed  
12 decisions." *Nevadans for Nev. v. Beers*, 122 Nev. 930, 939, 142 P.3d 339, 345 (2006). Thus, "[t]he  
13 importance of the description of effect cannot be minimized, as it is what the voters see when  
14 deciding whether to even sign a petition." *Coal. For Nev. 's Future v. RIP Com. Tax, Inc.*, No.  
15 69501, 2016 WL 2842925 at \*2 (2016) (unpublished disposition) (citing *Educ. Initiative PAC v.*  
16 *Comm. To Protect Nev. Jobs*, 129 Nev. 35, 37, 293 P.3d 874, 876 (2013)). "[T]he description of  
17 effect may hold even more impact with respect to a referendum, since merely gathering sufficient  
18 signatures to place a referendum on the ballot guarantees a change to the law regardless of the  
19 election's outcome." *Id.* (citing Nev. Const. art. 19, § 1(3) (providing that, if the voters approve  
20 the referendum, the statute "shall stand as the law of the state and shall not be amended, annulled,  
21 repealed, set aside, suspended or in any way made inoperative except by the direct vote of the  
22 people," and if the voters disapprove the statute or resolution, it is rendered void)).

23           The Nevada Supreme Court has repeatedly held that "a description of effect must be  
24 straightforward, succinct, and non-argumentative, and it must not be deceptive or misleading."  
25 *Educ. Initiative PAC*, 129 Nev. at 42, 293 P.3d at 879 (internal quotation marks and citation  
26 omitted). It must also "explain the[] ramifications of the proposed amendment" in order to allow  
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1 voters to make an informed decision. *Nev. Judges Ass'n v. Lau*, 112 Nev. 51, 59, 910 P.2d 898,  
2 903 (1996).

3 This Court finds that the Petition's description of effect meets the requirements of Nevada  
4 law. The description of effect is straightforward, succinct, under 200 words, and there is no basis  
5 for a finding of any argumentative language as written. The Court finds that Plaintiffs fail to meet  
6 their burden of showing that the Petition's description of effect does not comply with NRS 295.009.

7 With their Complaint, Plaintiffs filed numerous declarations regarding the opinions of  
8 multiple persons in various fields regarding what Plaintiffs believe may be the eventual effects of  
9 the Petition should it one day become law, including what they contend are potential effects on  
10 government programs, like Medicaid, that can receive reimbursement funds through subrogation  
11 claims upon settlement or damages awards at the conclusion of civil actions. The Court makes no  
12 findings regarding the truth or falsity of the claims in Plaintiffs' declarations, but believes these  
13 sorts of potential effect to be too speculative and hypothetical to be required to be included in the  
14 Petition's description. Most of the speculative effects Plaintiffs identify "do not concern the  
15 initiative's primary goal," and instead "involve how the initiative may apply in a variety of  
16 hypothetical situations." *Nevadans for Reproductive Freedom v. Washington*, 140 Nev. Adv. Op.  
17 28, 2024 WL 1688083, at \*5 (Nev. Apr. 18, 2024).

18 Furthermore, these and any other perceived effects of the Petition upon which Plaintiffs or  
19 their declarants opine can be the subject of political speech, lobbying efforts, or campaign materials  
20 in opposition to the passage and enactment of the Petition when, and if, it is transmitted to the  
21 Nevada Legislature or qualifies for placement on the ballot at a general election ballot. As the  
22 Supreme Court has noted, "the description of effect ... does not serve as the full, detailed  
23 explanation, including arguments for and against, that voters receive prior to a general election,"  
24 and "once enough signatures have been gathered to place the initiative on the ballot, the Secretary  
25 of State will draft a neutral summary of the initiative, which does not have a word limit, and  
26 committees will draft arguments for and against the passage of the initiative, both of which will be

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1 placed on the ballot, instead of the description of effect.” *Helton*, 512 P.3d at 317 n.6. (citing *Educ.*  
2 *Initiative PAC*, 129 Nev. at 39–40).

3       Additionally, because the description of effect of an initiative petition is, by law, limited in  
4 length, it cannot constitutionally be required to delineate every downstream effect that an initiative  
5 may have; to conclude otherwise could obstruct, rather than facilitate, the people’s right to the  
6 initiative process. *Educ. Initiative PAC*, 129 Nev. at 38. In the words of the Nevada Supreme Court,  
7 “an opponent of a ballot initiative [can often] identify some perceived effect of an initiative that is  
8 not explained by the description of effect, challenge the initiative in district court, and block the  
9 people’s right to the initiative process.” But the “[s]tatutes enacted to facilitate the initiative  
10 process cannot be interpreted so strictly as to halt the process.” *Educ. Initiative PAC*, 129 Nev. at  
11 47.

12       The Court finds the description of effect of the Petition  
13 satisfies Nevada’s NRS 295.009 requirements, as the plain language of the description is  
14 straightforward, succinct, and non-argumentative.

15       Based on the foregoing findings of fact and conclusions of law:

16       **IT IS HEREBY ORDERED** and declared that Initiative Petition  
17 S-04-2024 does not violate Nevada’s single subject rule.

18       **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
19 S-04-2024’s description of effect meets the requirements of Nevada law.

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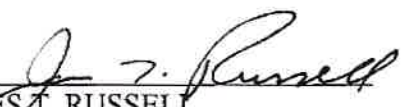
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**IT IS FURTHER ORDERED** that Plaintiffs' challenges to Initiative Petition S-04-2023 are rejected, and Plaintiffs' complaint is dismissed with prejudice.

Dated this 10<sup>th</sup> day of May, 2024.

  
\_\_\_\_\_  
JAMES T. RUSSELL  
DISTRICT COURT JUDGE

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the First Judicial District  
3 Court, and that on May 10<sup>th</sup>, 2024, I deposited for mailing, postage paid, at Carson City,  
4 Nevada, a true and correct copy of the foregoing Order addressed as follows:

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6 *Inc., Matt Griffin, John Griffin, Scott Gilles,*  
7 *Tia White, and Nevadans for Fair Recovery*

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21 Defendants.

Case No.: 24 OC 00056 1B

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BRAVO SCHRAGER LLP





**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of May, 2024, I served the foregoing **NOTICE OF ENTRY OF ORDER** by depositing a true copy of the same via electronic mail, per the April 16, 2024, Stipulation, as follows:

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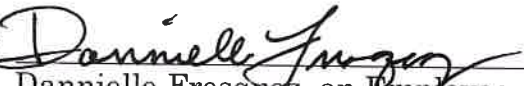
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**INDEX OF EXHIBITS**

Exhibit No.	Document Title	No. of Pages
A	Corrected Findings of Fact and Conclusions of Law and Order Denying Plaintiffs' Legal Challenge to Initiative Petition S-04-2024	10

EXHIBIT A

EXHIBIT A

REC'D & FILED

2024 MAY 13 AM 8:33

WILLIAM SCOTT HOEH  
CLERK

BY Handwritten Signature  
DEPUTY

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

UBER SEXUAL ASSAULT SURVIVORS  
FOR LEGAL ACCOUNTABILITY AND  
NEVADA JUSTICE ASSOCIATION,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC., A  
DELAWARE CORPORATION; MATT  
GRIFFIN, JOHN GRIFFIN, SCOTT GILLES,  
AND TIA WHITE, INDIVIDUALS;  
NEVADANS FOR FAIR RECOVERY, A  
REGISTERED NEVADA POLITICAL  
ACTION COMMITTEE; AND FRANCISCO  
AGUILAR, IN HIS OFFICIAL CAPACITY  
AS NEVADA SECRETARY OF STATE,

Defendant

Case No.: 24 OC 00056 1B

Dept No. 1

**CORRECTED FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER  
DENYING PLAINTIFFS' LEGAL CHALLENGE TO INITIATIVE PETITION S-04-2024**

This matter came before this Court following a complaint filed by Plaintiffs Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association (collectively, "Plaintiffs") challenging the legal sufficiency of Initiative Petition S-04-2024 (the "Petition").

On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition with the Nevada Secretary of State. On April 8, Plaintiffs filed their complaint, pursuant to NRS

1 295.061. After briefing according to a schedule to which the parties stipulated, the Court held a  
2 hearing on May 6, 2024, regarding Plaintiffs' legal challenge to the Petition.

3 As indicated by this Court in all initiative hearings, this Court takes no position as to the  
4 merit of the initiative but seeks to determine if the requirements of NRS 295.009, et al and Article  
5 19 of the Nevada Constitution have been complied with.

6 Initially, the Court would note that Plaintiffs have made strong argument's as to the  
7 initiative having the effect of precluding access to legal counsel, reducing the reimbursement to  
8 the State Medicaid fund, and changing the calculation of contingent fees by removal of medical  
9 expenses from the calculations thereof. All of these arguments against the initiative may or may  
10 not have merit, but are not germane to whether the requirements of NRS 295.009 and Article 19  
11 of the Nevada Constitution have been complied with.

12 The Court, having reviewed the papers and pleadings on file, considered the matter, being  
13 fully advised, and good cause appearing, finds, concludes, and orders as follows:

14 **FINDINGS OF FACT AND CONCLUSIONS OF LAW<sup>1</sup>**

15 **A. FINDINGS OF FACT**

16 **1. Initiative Petition S-04-2024**

17 On March 18, 2024, Tia White, on behalf of Nevadans for Fair Recovery, filed the Petition  
18 with the Nevada Secretary of State. The Petition seeks to amend Title 1, Chapter 7 of the Nevada  
19 Revised Statutes by adding a new section thereto that seeks to limit the fees an attorney can charge  
20 and receive in a civil case in Nevada to 20% of any amount or amounts recovered, beginning in  
21 2027.

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26 <sup>1</sup> Any findings of fact which are more appropriately considered conclusions of law shall be  
27 treated as such, and any conclusions of law which are more appropriately considered findings of fact  
28 shall be treated as such.

1 The Petition includes a description of effect as required by NRS 295.009(1)(b), which reads,  
2 in full:

3 If enacted, this initiative will limit the fees an attorney can  
4 charge and receive as a contingency fee in a civil case in Nevada to 20% of any  
5 amount or amounts recovered, beginning in 2027.

6  
7 In Nevada currently, most civil cases do not limit an attorney's  
8 contingent fee percentages, except that such fees must be reasonable. Current  
9 law does, however, limit attorney fees in medical malpractice cases to 35% of  
10 any recovery, and caps contingency fees for a private attorney contracted to  
11 represent the State of Nevada to 25% of the total amount recovered.

## 12 **2. Procedural History**

13 On April 8, Plaintiffs filed their complaint, pursuant to NRS 295.061, challenging the legal  
14 sufficiency of the Petition. On April 12, Plaintiffs filed a memorandum in support of their  
15 complaint.

16 On April 16, the parties stipulated to, and the Court ordered, a briefing schedule for this  
17 matter. On April 19, Defendants Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles,  
18 Tia White, and Nevadans for Fair Recovery (collectively, "Defendants") filed a response  
19 memorandum. After briefing, this Court held a hearing on the matter on May 6.

20 As an initial matter, it is important to state that at hearing both parties agreed that in a pre-  
21 election challenge to an initiative petition, the only issues for the Court concern whether the  
22 Petition complies with the requirements of NRS 295.009 and any pertinent procedural provisions  
23 of Article 19 of the Nevada Constitution. The Court does not inquire into, and does not consider,  
24 either the substantive validity of the proposal or the positive or negative qualities, as policy, of its  
25 provisions.  
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1 **B. CONCLUSIONS OF LAW**

2 **1. The Petition Does Not Violate Nevada’s Single Subject Rule**

3 NRS 295.009(1) provides that “[e]ach petition for initiative or referendum must ...  
4 [e]mbrace but one subject and matters necessarily connected therewith and pertaining thereto.”  
5 Subsection 2 of that statute explains that an initiative “embraces but one subject and matters  
6 necessarily connected therewith and pertaining thereto, if the parts of the proposed initiative ... are  
7 functionally related and germane to each other in a way that provides sufficient notice of the  
8 general subject of, and of the interests likely to be affected by, the proposed initiative.” NRS  
9 295.009(2).

10 The single-subject requirement “facilitates the initiative process by preventing petition  
11 drafters from circulating confusing petitions that address multiple subjects.” *Nevadans for the Protection*  
12 *of Prop. Rights, Inc. v. Heller*, 122 Nev. 894, 902, 141 P.3d 1235, 1240 (2006). Thus, “the single-  
13 subject requirement helps both in promoting informed decisions and in preventing the enactment  
14 of unpopular provisions by attaching them to more attractive proposals or concealing them in  
15 lengthy, complex initiatives (i.e., logrolling).” *Las Vegas Taxpayer Accountability Comte. v. City*  
16 *Council of City of Las Vegas*, 125 Nev. 165, 176-77, 208 P.3d 429, 436-37 (2009).

17 In considering single-subject challenges, courts must first determine the initiative’s  
18 purpose or subject. “To determine the initiative’s purpose or subject, this court looks to its textual  
19 language and the proponents’ arguments.” *Las Vegas Taxpayer*, 125 Nev. at 180, 208 P.3d at 439.  
20 Courts also will look at whether the description of effect articulates an overarching purpose and  
21 explains how provisions relate to a single subject. *Id.*

22 Furthermore, and most recently, in *Helton v. Nevada Voters First PAC*, 138 Nev. Adv. Op.  
23 45, 512 P.3d 309 (2022), the Nevada Supreme Court stated that “even if an initiative petition  
24 proposes more than one change, each of which could be brought in separate initiative petitions,  
25 the proper consideration is whether the changes are functionally related and germane to each other  
26 and the petition’s subject.” *Id.*, 512 P.3d at 314. The Court found that “(b)oth categories of changes  
27 proposed in the ... initiative concern the election process in Nevada and more specifically how  
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1 candidates for the specifically defined partisan offices are presented to voters and elected.” *Id.*  
2 512 P.3d at 314-15.

3 In this case, the Court finds that the primary purpose of the Petition, clear from both its text  
4 and the description of effect, is *the limitation of contingency fees in civil cases*. Further, the Court  
5 finds that the Petition’s text, its description of effect, and the arguments of the Defendants in  
6 briefing and at hearing confirm the Petition’s primary purpose. And unlike the petition at issue in  
7 *Helton*, for example, the Petition does not appear to present multiple changes that could be  
8 considered to be unrelated in any event. Section 1 sets out the substantive purpose of the proposal;  
9 Section 2 describes the scope of Section 1’s proposal; and Section 3 provides a definition of  
10 “recovered,” for purposes of the proposed new statute. All three sections of the Petition, therefore,  
11 are functionally related and germane both to the primary purpose of the Petition and to one another.

12 The Court is unconvinced by Plaintiffs’ arguments because Plaintiffs have not identified  
13 multiple “subjects” under any reading of Nevada statutory or case law authority.<sup>2</sup> For example, the  
14 fact that the term “civil cases” covers more than one type of civil action does not constitute a  
15 single-subject violation, because the primary purpose of the Petition is the limitation of  
16 contingency fees in civil cases generally. *See, e.g.*, Nev. R. Civ. Proc., 1, 2, and 3.

17 The Court finds the Petition does not violate NRS 295.009(1)(a)’s single-subject  
18 requirement.

## 19 2. The Petition Does Not Violate Article 19, Section 3’s “Full-Text” Requirement

20 Under Article 19, Section 3 of the Nevada Constitution, proponents must “include the full  
21 text of the measure proposed” with a filed initiative petition. Nev. Const. art. 19, § 3. Plaintiffs  
22 contend that some other statutory text beyond that which proponents have proposed should be  
23 included with the Petition, because they speculate that the Petition, should it become law, may

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26 <sup>2</sup> *See Helton*, 512 P.3d at 315 n.5: “A *subject* is the overall thing being discussed, whereas a change is the  
27 alteration or modification of existing law. *See* ‘Subject,’ *Black’s Law Dictionary* (11th ed. 2019) (defining “subject”  
28 as “[t]he matter of concern over which something is created”).”

1 have some future effect on those other provisions of law. The Court disagrees that this is what  
2 Article 19, Section 3 requires, and finds that every provision that is proposed to be circulated for  
3 signatures and to be considered by the electorate is included with the filed Petition, and that  
4 therefore there is no violation of the full-text requirement. To rule otherwise would not only be  
5 speculative, but would interfere unnecessarily with the people's right to the initiative power, if  
6 each proposed petition had also to contain the text of any and all other laws that might possibly be  
7 affected by the petition's enactment.

### 8 3. The Petition's Description Of Effect Is Legally Adequate

9 Under NRS 295.009(1)(b), every initiative must "[s]et forth, in not more than 200 words,  
10 a description of the effect of the initiative or referendum if the initiative or referendum is approved  
11 by the voters." The purpose of the description is to "prevent voter confusion and promote informed  
12 decisions." *Nevadans for Nev. v. Beers*, 122 Nev. 930, 939, 142 P.3d 339, 345 (2006). Thus, "[t]he  
13 importance of the description of effect cannot be minimized, as it is what the voters see when  
14 deciding whether to even sign a petition." *Coal. For Nev.'s Future v. RIP Com. Tax, Inc.*, No.  
15 69501, 2016 WL 2842925 at \*2 (2016) (unpublished disposition) (citing *Educ. Initiative PAC v.*  
16 *Comm. To Protect Nev. Jobs*, 129 Nev. 35, 37, 293 P.3d 874, 876 (2013)). "[T]he description of  
17 effect may hold even more impact with respect to a referendum, since merely gathering sufficient  
18 signatures to place a referendum on the ballot guarantees a change to the law regardless of the  
19 election's outcome." *Id.* (citing Nev. Const. art. 19, § 1(3) (providing that, if the voters approve  
20 the referendum, the statute "shall stand as the law of the state and shall not be amended, annulled,  
21 repealed, set aside, suspended or in any way made inoperative except by the direct vote of the  
22 people," and if the voters disapprove the statute or resolution, it is rendered void)).

23 The Nevada Supreme Court has repeatedly held that "a description of effect must be  
24 straightforward, succinct, and non-argumentative, and it must not be deceptive or misleading."  
25 *Educ. Initiative PAC*, 129 Nev. at 42, 293 P.3d at 879 (internal quotation marks and citation  
26 omitted). It must also "explain the[] ramifications of the proposed amendment" in order to allow  
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1 voters to make an informed decision. *Nev. Judges Ass'n v. Lau*, 112 Nev. 51, 59, 910 P.2d 898,  
2 903 (1996).

3 This Court finds that the Petition's description of effect meets the requirements of Nevada  
4 law. The description of effect is straightforward, succinct, under 200 words, and there is no basis  
5 for a finding of any argumentative language as written. The Court finds that Plaintiffs fail to meet  
6 their burden of showing that the Petition's description of effect does not comply with NRS 295.009.

7 With their Complaint, Plaintiffs filed numerous declarations regarding the opinions of  
8 multiple persons in various fields regarding what Plaintiffs believe may be the eventual effects of  
9 the Petition should it one day become law, including what they contend are potential effects on  
10 government programs, like Medicaid, that can receive reimbursement funds through subrogation  
11 claims upon settlement or damages awards at the conclusion of civil actions. The Court makes no  
12 findings regarding the truth or falsity of the claims in Plaintiffs' declarations, but believes these  
13 sorts of potential effect to be too speculative and hypothetical to be required to be included in the  
14 Petition's description. Most of the speculative effects Plaintiffs identify "do not concern the  
15 initiative's primary goal," and instead "involve how the initiative may apply in a variety of  
16 hypothetical situations." *Nevadans for Reproductive Freedom v. Washington*, 140 Nev. Adv. Op.  
17 28, 2024 WL 1688083, at \*5 (Nev. Apr. 18, 2024).

18 Furthermore, these and any other perceived effects of the Petition upon which Plaintiffs or  
19 their declarants opine can be the subject of political speech, lobbying efforts, or campaign materials  
20 in opposition to the passage and enactment of the Petition when, and if, it is transmitted to the  
21 Nevada Legislature or qualifies for placement on the ballot at a general election ballot. As the  
22 Supreme Court has noted, "the description of effect ... does not serve as the full, detailed  
23 explanation, including arguments for and against, that voters receive prior to a general election,"  
24 and "once enough signatures have been gathered to place the initiative on the ballot, the Secretary  
25 of State will draft a neutral summary of the initiative, which does not have a word limit, and  
26 committees will draft arguments for and against the passage of the initiative, both of which will be

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1 placed on the ballot, instead of the description of effect.” *Helton*, 512 P.3d at 317 n.6. (citing *Educ.*  
2 *Initiative PAC*, 129 Nev. at 39–40).

3         Additionally, because the description of effect of an initiative petition is, by law, limited in  
4 length, it cannot constitutionally be required to delineate every downstream effect that an initiative  
5 may have; to conclude otherwise could obstruct, rather than facilitate, the people’s right to the  
6 initiative process. *Educ. Initiative PAC*, 129 Nev. at 38. In the words of the Nevada Supreme Court,  
7 “an opponent of a ballot initiative [can often] identify some perceived effect of an initiative that is  
8 not explained by the description of effect, challenge the initiative in district court, and block the  
9 people’s right to the initiative process.” But the “[s]tatutes enacted to facilitate the initiative  
10 process cannot be interpreted so strictly as to halt the process.” *Educ. Initiative PAC*, 129 Nev. at  
11 47.

12         The Court finds the description of effect of the Petition  
13 satisfies Nevada’s NRS 295.009 requirements, as the plain language of the description is  
14 straightforward, succinct, and non-argumentative.

15         Based on the foregoing findings of fact and conclusions of law:

16         **IT IS HEREBY ORDERED** and declared that Initiative Petition  
17 S-04-2024 does not violate Nevada’s single subject rule.

18         **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
19 S-04-2024’s description of effect meets the requirements of Nevada law.

20         **IT IS HEREBY FURTHER ORDERED** and declared that Initiative Petition  
21 S-04-2024 does not violate Article 19, Section 3.

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**IT IS FURTHER ORDERED** that Plaintiffs' challenges to Initiative Petition S-04-2023 are rejected, and Plaintiffs' complaint is dismissed with prejudice.

Dated this 13<sup>th</sup> day of May, 2024.

  
JAMES T. RUSSELL  
DISTRICT COURT JUDGE

1 **CERTIFICATE OF SERVICE**

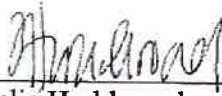
2 Pursuant to NRCP 5(b), I certify that I am an employee of the First Judicial District  
3 Court, and that on May 13, 2024, I deposited for mailing, postage paid, at Carson City,  
4 Nevada, a true and correct copy of the foregoing Order addressed as follows:  
5

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26   
27 \_\_\_\_\_  
28 Julie Harkleroad  
Judicial Assistant, Dept. 1

**FIRST JUDICIAL DISTRICT COURT MINUTES**

CASE NO. 24 OC 00056 1B

TITLE: UBER SEXUAL ASSAULT SURVIVORS FOR LEGAL ACCOUNTABILITY AND NEVADA JUSTICE ASSOCIATION VS UBER TECHNOLOGIES ; MATT GRIFFIN; JOHN GRIFFIN; SCOTT GILLES; TIA WHITE; "NEVADANS FOR FAIR RECOVERY: A REGISTERED NEVADA POLITICAL COMMITTEE; AND FRANCISCO AGUILAR, IN HIS CAPACITY AS NEVADA SECRETARY OF STATE

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05/06/24 – DEPT. I – HONORABLE JAMES T. RUSSELL  
C. Franz, Clerk – Not Reported

COMPLAINT FOR DECLARATORY ND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION S-04-2024

Present: Deepak Gupta, Alex Velto and Thomas Scott-Ralton, counsel for Plaintiffs; Bradley Schragger and Laena St. Jules, counsel for Defendants.

Deepak and Schragger argued that matter.

**COURT ORDERED:** It takes the matter under submission.

The Court minutes as stated above are a summary of the proceeding and are not a verbatim record. The hearing held on the above date was recorded on the Court's recording system.

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DISTRICT COURT CIVIL COVER SHEET

Carson City County, Nevada

Case No. 240C0005618  
(Assigned by Clerk's Office)

RECORDED & FILED

**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):  Uber Sexual Assault Survivors for Legal Accountability and Nevada Justice Association	Defendant(s) (name/address/phone): 2024 APR 18 PM 4:04 Uber Technologies, Inc., Matt Griffin, John Griffin, Scott Gilles, Tia White, "Nevadans for Fair Recovery," and Francisco Aguilar in his capacity as Nevada Secretary of State
Attorney (name/address/phone):  Alex Velto 200 S. Virginia St., Suite 655 Reno, Nevada 89501	Attorney (name/address/phone):  Bradley Schragger 6675 South Tenaya Way, Suite 200 Las Vegas, Nevada 89113

**II. Nature of Controversy** (please select the one most applicable filing type below)

**Civil Case Filing Types**

<p><b>Real Property</b></p> <p><b>Landlord/Tenant</b></p> <p><input type="checkbox"/> Unlawful Detainer</p> <p><input type="checkbox"/> Other Landlord/Tenant</p> <p><b>Title to Property</b></p> <p><input type="checkbox"/> Judicial Foreclosure</p> <p><input type="checkbox"/> Foreclosure Mediation Assistance</p> <p><input type="checkbox"/> Other Title to Property</p> <p><b>Other Real Property</b></p> <p><input type="checkbox"/> Condemnation/Eminent Domain</p> <p><input type="checkbox"/> Other Real Property</p>	<p><b>Negligence</b></p> <p><input type="checkbox"/> Auto</p> <p><input type="checkbox"/> Premises Liability</p> <p><input type="checkbox"/> Other Negligence</p> <p><b>Malpractice</b></p> <p><input type="checkbox"/> Medical/Dental</p> <p><input type="checkbox"/> Legal</p> <p><input type="checkbox"/> Accounting</p> <p><input type="checkbox"/> Other Malpractice</p>	<p><b>Torts</b></p> <p><b>Other Torts</b></p> <p><input type="checkbox"/> Product Liability</p> <p><input type="checkbox"/> Intentional Misconduct</p> <p><input type="checkbox"/> Employment Tort</p> <p><input type="checkbox"/> Insurance Tort</p> <p><input type="checkbox"/> Other Tort</p>
<p><b>Probate</b></p> <p><b>Probate</b> (select case type and estate value)</p> <p><input type="checkbox"/> Summary Administration</p> <p><input type="checkbox"/> General Administration</p> <p><input type="checkbox"/> Special Administration</p> <p><input type="checkbox"/> Set Aside <input type="checkbox"/> Surviving Spouse</p> <p><input type="checkbox"/> Trust/Conservatorship</p> <p><input type="checkbox"/> Other Probate</p> <p><b>Estate Value</b></p> <p><input type="checkbox"/> Greater than \$300,000</p> <p><input type="checkbox"/> \$200,000-\$300,000</p> <p><input type="checkbox"/> \$100,001-\$199,999</p> <p><input type="checkbox"/> \$25,001-\$100,000</p> <p><input type="checkbox"/> \$20,001-\$25,000</p> <p><input type="checkbox"/> \$2,501-20,000</p> <p><input type="checkbox"/> \$2,500 or less</p>	<p><b>Construction Defect &amp; Contract</b></p> <p><b>Construction Defect</b></p> <p><input type="checkbox"/> Chapter 40</p> <p><input type="checkbox"/> Other Construction Defect</p> <p><b>Contract Case</b></p> <p><input type="checkbox"/> Uniform Commercial Code</p> <p><input type="checkbox"/> Building and Construction</p> <p><input type="checkbox"/> Insurance Carrier</p> <p><input type="checkbox"/> Commercial Instrument</p> <p><input type="checkbox"/> Collection of Accounts</p> <p><input type="checkbox"/> Employment Contract</p> <p><input type="checkbox"/> Other Contract</p>	<p><b>Judicial Review/Appeal</b></p> <p><b>Judicial Review</b></p> <p><input type="checkbox"/> Petition to Seal Records</p> <p><input type="checkbox"/> Mental Competency</p> <p><b>Nevada State Agency Appeal</b></p> <p><input type="checkbox"/> Department of Motor Vehicle</p> <p><input type="checkbox"/> Worker's Compensation</p> <p><input type="checkbox"/> Other Nevada State Agency</p> <p><b>Appeal Other</b></p> <p><input type="checkbox"/> Appeal from Lower Court</p> <p><input type="checkbox"/> Other Judicial Review/Appeal</p>
<p><b>Civil Writ</b></p> <p><b>Civil Writ</b></p> <p><input type="checkbox"/> Writ of Habeas Corpus</p> <p><input type="checkbox"/> Writ of Mandamus</p> <p><input type="checkbox"/> Writ of Quo Warrant</p> <p><input type="checkbox"/> Writ of Prohibition</p> <p><input type="checkbox"/> Other Civil Writ</p>	<p><b>Other Civil Filing</b></p> <p><b>Other Civil Filing</b></p> <p><input type="checkbox"/> Compromise of Minor's Claim</p> <p><input type="checkbox"/> Foreign Judgment</p> <p><input checked="" type="checkbox"/> Other Civil Matters</p>	

Business Court filings should be filed using the Business Court civil coversheet

4/8/2024

Date

Signature of initiating party or representative

See other side for family-related case filings.