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**THE UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

SUSAN VANNESS, an individual, )  
ALEXANDREA SLACK, an individual )  
MARTIN WALDMAN, an individual, )  
ROBERT BEADLES,an individual )

Plaintiffs,

vs.

FRANCISCO V. AGUILAR, in his official )  
capacity as Nevada Secretary of State, JOSEPH M. )  
LOMBARDO, in his official capacity as Governor )  
of the State of Nevada, DOES )  
I-X, inclusive: ROE )  
CORPORATIONS 11-20, inclusive. )

Defendants.

Case No:

**COMPLAINT**

**COMPLAINT FOR TEMPORARY  
RESTRAINING ORDER, DECLARATORY JUDGMENT, AND PRELIMINARY AND  
PERMANENT INJUNCTIVE RELIEF**

COME NOW, individual Plaintiffs, ALEXANDREA SLACK, SUSAN VANNESS,  
MARTIN WALDMAN, and ROBERT BEADLES, who bring this action by and through the  
undersigned attorney of record SIGAL CHATTAH, ESQ. of CHATTAH LAW GROUP, and  
respectfully request this Court to issue a Temporary Restraining Order, Declaratory Judgment,

1 and Preliminary and Permanent Injunctive Relief and Damages. In support thereof, Plaintiffs  
2 show unto the Court as follows:

3 **PRELIMINARY STATEMENT**

4 1. This is a lawsuit for declaratory judgment and injunctive relief challenging the  
5 legality of Senate Bill 406, known as, the Election Worker Protection Bill, amending Chapter  
6 293, creating a new category for a criminal offense toward election workers promulgated by the  
7 Defendants.

8 2. SB 406 imposes impossible—and unpredictable—burdens on individuals that  
9 come into contact with “election officials” during elections at voting centers and ballot  
10 processing centers.

11 3. The consequence of SB 406 is a sweeping and unwieldy regulation that leaves  
12 the identification of what an offense is so opaque, uncertain, and all-encompassing that Plaintiffs  
13 and others similarly situated cannot determine whether and when the most basic activities  
14 undertaken will subject them to drastic criminal penalties.

15 4. The failure to define what “election official” includes, leaves the identification of  
16 a protected class or victim to be covered by SB 406 so opaque and uncertain, that Plaintiffs and  
17 others similarly situation cannot determine who an election official is and who is protected under  
18 SB 406.

19 5. On or about May 30, 2023, after passing both chambers of the Nevada  
20 Legislature, Nevada’s Secretary of State Francisco V. Aguilar and Nevada’s Governor Joseph  
21 M. Lombardo signed SB 406 into law.

22 6. SB 406 is described as “AN ACT relating to elections; making it unlawful for a  
23 person to use or threaten or attempt to use any force, intimidation, coercion, violence, restraint or  
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1 undue influence with the intent to interfere with the performance of duties of an elections’  
2 official or retaliate against an elections official for the performance of such duties;”

3 7. SB 406 subjects Plaintiffs to many different injuries, each of which is “concrete  
4 and particularized”, “actual or imminent” fairly traceable to SB406 and likely to be redressed by  
5 a “favorable decision from this Court”. *Lujan v Defs. Of Wildlife*, 504 U.S. 555, 560-561 (1992).

6 8. SB 406 Section 1 provides “[C]hapter 293 of NRS is hereby amended by adding  
7 thereto a new section to read as follows:

- 8 1. It is unlawful for any person to use or threaten or attempt to use any force,  
9 intimidation, coercion, violence, restraint or undue influence ***with the intent*** to:  
10 (a) ***Interfere with the performance of the duties*** of any ***elections official*** relating  
11 to an election; or  
12 (b) Retaliate against any ***elections official*** for performing duties relating to an  
13 election.  
14 2. The provisions of subsection 1 apply ***regardless of whether*** a person uses or  
15 threatens or ***attempts to use*** such force, intimidation, coercion, violence, restraint  
16 or undue influence ***at a polling place or a location*** other than a polling place.

17 [Emphasis added]

18 9. It is significant to note that nowhere in Chapter 293 of the Nevada Revised  
19 Statute is the term “election official” defined making the assessment of a purported victim of a  
20 crime under SB 406 vague and overbroad.

21 10. It is also significant to note that because the term “election official” is not defined  
22 neither in the statutory scheme of Chapter 293, it can be concluded that the term “election  
23 official” can be defined as an election official, election officer, election judge, election clerk, poll  
24 worker, poll observer, or central ballot processing observer/worker.

25 11. The term “election official” can be used to qualify any individual responsible for  
the proper and orderly voting at polling stations and monitoring the conduct of the election  
workers including members of the Counting Board which include the following:

- Ballot Inspectors

- 1 • Ballot Runners
- 2 • Opex Operators
- 3 • Lead/Supervisors
- 4 • Duplicating Team/Duplication Board
- 5 • Administrators
- 6 • Rovers
- 7 • Folder Audit Verification Team
- 8 • Imprint Verification Team

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10 12. It is also significant to note that NRS 293.274 entitled *Members of general public*  
11 *allowed to observe conduct of voting at polling place; photographing or otherwise recording*  
12 *conduct of voting by members of general public prohibited* provides as follows:

- 13 1. The county clerk shall allow members of the general public to observe the conduct of  
14 voting at a polling place.
- 15 2. A member of the general public shall not photograph the conduct of voting at a polling  
16 place or record the conduct of voting on audiotape or any other means of sound or video  
17 reproduction.
- 18 3. For the purposes of this section, a member of the general public does not include any  
19 person who:
  - 20 (a) Gathers information for communication to the public;
  - 21 (b) Is employed or engaged by or has contracted with a newspaper, periodical,  
22 press association, or radio or television station; and
  - 23 (c) Is acting solely within his or her professional capacity.

24 13. Interestingly, an election observer, or a volunteer poll-observer (under NRS  
25 293.274) may potentially not only be a victim of SB 406 but also be subject to a prosecution  
under SB 406, for a Class E felony, if an election observer vocally objects to any conduct which  
may be *subjectively* viewed as intimidation or undue influence, by a purported victim under SB  
406.

1 14. Furthermore, SB 406 subjects Plaintiffs to criminal liability without defining  
2 what intimidation and/or undue influence with the intent to interfere is for said crime,  
3 obstructing the purpose of election observers which are statutorily authorized under NRS  
4 293.274.

5 15. In fact, SB 406 makes it a category E felony for an act regardless of an attempt to  
6 engage in such intimidation, undue influence etc. whether at a polling location, election office or  
7 any location any time.

8 16. The costs of acting in a way that may be deemed intimidation or use undue  
9 influence “regardless of whether a person attempts to use” same at a polling place or other  
10 location is absolutely absurd.

11 17. If a “Rover” confronts a ballot inspector over an inspector’s perceived wrongful  
12 conduct, with the intent to have that wrongful conduct corrected, and the inspector feels  
13 intimidated, under SB 406 that subjects the Rover to criminal liability.

14 18. Moreover, if a Ballot inspector confronts another ballot inspector outside the  
15 Central Ballot processing area/Election office/Warehouse, about perceived wrongful conduct,  
16 with an intent to correct it, that may subject a ballot inspector to criminal liability for  
17 intimidation or undue influence.

18 19. The potential of innocent individuals, being subject for criminal liability for  
19 attempting to take corrective actions, under the vague and overbroad statutory scheme under SB  
20 406 is inconceivable

21 20. A first-time criminal offense for a person who violates the provisions of  
22 subsection 1 is guilty of a category E felony<sup>1</sup> and shall be punished as provided in NRS 193.130  
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25 <sup>1</sup> NRS 193.130(e) defines a category E felony as “a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 4

1 21. Plaintiffs and others similarly situated fear that even minimal expressions as poll  
2 observers protected by the First Amendment (and authorized under NRS 293.274) will result in  
3 an arbitrary violation of SB 406 and prosecution thereunder.

4 22. Accordingly, SB 406’s potential to criminalize innocent conduct makes it vague  
5 in defining the conduct it criminalizes and therefore unconstitutional as delineated *infra*.

6 **SB 406-SPECIFIC INTENT CRIME**

7 23. The criminal liability the attaches to an individual that violates SB 406, lies in the  
8 following statement “It is unlawful for any person to use or threaten or attempt to use any force,  
9 intimidation, coercion, violence, restraint or undue influence with the intent to interfere with the  
10 performance of the duties of any elections official” [*Emphasis added*].

11 24. In a specific intent crime, a defendant must intend to bring about the social harm  
12 that is the target of the statute; here it would be to intentionally interfere with the performance of  
13 the duty of any “elections official”.

14 25. Specific intent lies when a person consciously desires a result, whatever the  
15 likelihood of that result happening from his conduct; and (2) when he knows that that result is  
16 practically certain to follow from his conduct, whatever his desire may be as to that result”). *W.*  
17 *LaFave, Substantive Criminal Law § 5.2(a) (3d. ed. 2017)*

18 26. An” attempt” in SB 406, subsection 2 requires “an intent to do an act or to bring  
19 about a certain consequence which would in law amount to a crime.” *LaFave, Substantive*  
20 *Criminal Law § 11.3.*

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years. Except as otherwise provided in paragraph (b) of subsection 1 of NRS 176A.100, upon sentencing a person who is found guilty of a category E felony, the court shall suspend the execution of the sentence and grant probation to the person upon such conditions as the court deems appropriate. Such conditions of probation may include, but are not limited to, requiring the person to serve a term of confinement of not more than 1 year in the county jail. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater penalty is authorized or required by statute”.

1           27.     In Order to charge someone with a criminal offense under SB 406, the  
2 Government would have to demonstrate that an individual, even a lawfully entitled poll observer  
3 (watcher) intended on interfering with the performance of an “election official” (which may or  
4 may not be a fellow poll observer or poll worker; or any set of individuals executing their duties  
5 as an ‘election official’”).

6           28.     Additionally, in subsection 2 of SB 406, an individual can be charged for  
7 violating subsection 1, not only at a polling or election place, but anywhere geographically  
8 where an “election official” is.

9           29.     SB 406 is not divisible because it merely lists alternative means of committing the  
10 same crime, which is interference with an election official. However, based on the nature of SB  
11 406 and the overbreadth and vague manner it is drafted, it is clear that in order to provide any  
12 culpability over a defendant, a “substantial step” analysis will be necessary for adjudication.

13           30.     To constitute a substantial step, a potential Defendants conduct “must go beyond  
14 mere preparation and must be strongly corroborative of the firmness of a defendant’s criminal  
15 intent.” *United States v. Smith*, 962 F.2d 923, 930 (9th Cir. 1992) (*quotations omitted*). That is,  
16 “the defendant’s conduct must (1) advance the criminal purpose charged, and (2) provide some  
17 verification of the existence of that purpose.” *United States v. Goetzke*, 494 F.3d 1231, 1235–36  
18 (9th Cir. 2007) (*per curiam*) (*quoting Walters v. Maass*, 45 F.3d 1355, 1358–59 (9th Cir. 1995)).

19           31.     On it’s face, SB 406 is an absolute contradiction with the intent of NRS 293.274,  
20 allowing the public to observe election operations. Furthermore, SB 406, deliberately creates a  
21 classification of a crime, for lawful oversight on the subjective view of a purported victim of  
22 whether that victim felt intimidation or undue influence.  
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1           32.     The sole purpose behind NRS 293.274 is to allow for public oversight and  
2 transparency over elections, and the ability for public poll observers (along with ballot  
3 processing location observers) to enable corrective measures be taken when there are deviations  
4 from lawful election processes.

5           33.     SB 406 subverts the purpose of NRS 293.274 by criminalizing legal behavior  
6 focusing not on the intent to ensure “elections officials” take corrective measures when there is a  
7 deviation from the legal standards- but on whether the person corrected for said deviation, feels  
8 “intimidated” by ensuring they to do so.

9           34.     This statutory provision not only imposes its own state of mind requirement, but  
10 also requires that the underlying predicate offense itself have a certain elevated state of mind.

11           35.     The Supreme Court has held laws unconstitutional when they do not define  
12 offenses with enough specificity. *Lanzetta v. New Jersey*, 306 U.S. 451 (1939); *Edelman v.*  
13 *California*, 344 U.S. 357 (1953).

14           36.     A statute may be so vague or threatening to constitutionally protected activity that  
15 it can be pronounced wholly unconstitutional; i.e., unconstitutional on its face. *Papachristou v.*  
16 *City of Jacksonville*, 405 U.S. 156 (1972).

17           37.     SB 406 not only criminalizes the legally authorized conduct enabled in NRS  
18 293.274, it also makes it a Category E felony to engage in the very purpose NRS 293.274 exists.

19           38.     Plaintiffs seek a declaration from this Court affirming that SB 406 subsection 1  
20 and 2 are unconstitutional under the 1<sup>st</sup> Amendment and Due Process clause of the 5<sup>th</sup> and 14<sup>th</sup>  
21 Amendment.  
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1 39. To prevent, wrongful prosecution under SB 406, Plaintiffs seek to have their and  
2 others rights protected from alleged criminal conduct and request a permanent injunction against  
3 future enforcement of the SB406 in its entirety.

4 **NATURE OF ACTION AND JURISDICTION**

5 40. This is a civil action under 42 U.S.C § 1983 seeking damages and injunctive relief  
6 against Defendants for committing acts, under color of law, with the intent and for the purpose of  
7 depriving Plaintiffs of rights secured under the Constitution and laws of the United States and for  
8 refusing or neglecting to prevent such deprivations and denials to Plaintiffs.

9 41. Plaintiffs' claims arise under the Constitution and laws of the United States. This  
10 Court has jurisdiction over these claims under 28 U.S.C. §§ 1331, 1343(a)(3).

11 42. This Court has the authority to grant declaratory and injunctive relief under 28  
12 U.S.C. § 2201-2202 and Fed. R. Civ. P. 57 and 65. The federal rights asserted by Plaintiffs are  
13 enforceable under 42 U.S.C. § 1983.

14 43. Venue is proper in the District of Nevada under 28 U.S.C. § 1391(e).

15 44. Plaintiffs reside both in Washoe and Clark Counties.

16 **THE PARTIES**

17 **PLAINTIFFS**

18 45. Plaintiff ALEXANDREA SLACK, is a citizen of the United States and was, at all  
19 times relevant herein, a resident of Clark County.

20 46. Plaintiff SUSAN VANNESS<sup>2</sup> is a citizen of the United States and was, at all times  
21 relevant herein, a resident of Washoe County.  
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25 <sup>2</sup> In addition to being a lawful public observer of the ballot counting rooms, Plaintiff Susan Vanness was also employed by the Washoe County Registrar of Voters in 2022 as a "ballot runner".

1 47. Plaintiff MARTIN WALDMAN is a citizen of the United States and was, at all  
2 times relevant to the complaint, a resident of Clark County.

3 48. Plaintiff ROBERT BEADLES is a citizen of the United States and was, at all times  
4 relevant herein, a resident of Washoe County<sup>3</sup>.

5 49. All Plaintiffs herein were previously poll observers, ballot runners, or ballot  
6 counting rooms observers and are lawful election observers in their respective counties and have  
7 standing as lawful public election observers classified under NRS 293.274.

8 50. SB 406 subjects the Plaintiffs to many different injuries, each of which are concrete  
9 and particularized actual or imminent, fairly traceable to the challenged action of the defendant,  
10 and the injury Plaintiff complains of will be redressed by a favorable decision.

11 DEFENDANTS

12 51. Defendant FRANCISCO V. AGUILAR, named in his official capacity, is at all  
13 times relevant to this complaint, the Secretary of State of Nevada, and the chief elections officer  
14 of the State.

15 52. Defendant JOSEPH M. LOMBARDO, named in his official capacity, is at all  
16 times relevant to this complaint, the Governor of the State of Nevada.

17 53. At all times pertinent herein, Defendants were agents, servants, employees, or  
18 joint venturers of every other Defendant, and at all times mentioned herein were acting  
19 within the scope and course of said agency, employment, or joint venture, with knowledge  
20 and permission and consent of all other named Defendants. Whenever and wherever  
21 reference is made in this Complaint to any acts by Defendants, such allegations and  
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24  
25 <sup>3</sup> In addition to being a lawful public observer of the ballot counting rooms, Plaintiff Robert Beadles was also hired by the Washoe County Registrar of Voters in 2022 as an election intake specialist.

1 references shall also be deemed to mean the acts of each Defendant acting individually,  
2 jointly or severally.

3 54. All of the actions taken by Defendants and/or those acting on behalf of  
4 Defendants and referred to herein, were done by Defendants while acting under color or state of  
5 law and had the effect of depriving Plaintiffs of rights secured by the Constitution and laws of  
6 the United States .

7 55. The true names and capacities, whether individual, corporate, associate, or  
8 otherwise, of Defendants DOES 1 through 100, are unknown to Plaintiffs, who therefore sue  
9 said Defendants by such fictitious names. Plaintiffs are informed and believe and thereon  
10 allege that each of the Defendants designated herein as a DOE is responsible in some  
11 manner for the events and happenings herein referred to. As such, Plaintiffs will seek leave  
12 of Court to amend this Complaint to insert the true names and capacities of said Defendant  
13 as they become identified.  
14

15 **CLAIMS FOR RELIEF**

16 **FIRST CLAIM FOR RELIEF**  
17 **VIOLATION OF THE FIRST AMENDMENT – FREE SPEECH CLAUSE-**  
18 **OVERBREADTH**  
19 ***(Against All Defendants)***

20 56. Plaintiffs incorporate herein by reference each and every allegation contained  
21 in the preceding paragraphs of this Complaint as though fully set forth herein.

22 57. The Free Speech Clause of the First Amendment provides that the government  
23 “shall make no law . . . abridging the freedom of speech.”. *U.S. CONST. amend. I*. A regulation  
24 of speech is unconstitutionally overbroad if it regulates a substantial amount of constitutionally  
25 protected expression.

1           58. Defendants may restrict speech “in a few limited areas,” including obscenity,  
2 defamation, fraud, incitement, and speech integral to criminal conduct. *United States v. Stevens*,  
3 *559 U.S. 460 (2010)*. Furthermore, the First Amendment protects against the government; it does  
4 not leave us at the mercy of *noblesse oblige*.

5           59. The Constitution gives significant protection from overbroad laws that chill  
6 speech within the First Amendment’s vast and privileged sphere. *Ashcroft v. Free Speech Coal.*,  
7 *535 U.S. 234, 244 (2002)*.

8           60. Facial overbreadth challenges are permitted because an overly broad statute may  
9 chill the speech of individuals, including individuals not named herein. *Massachusetts v. Oakes*,  
10 *491 U.S. 576, 581 (1989)*.

11           61. SB 406 violates the First Amendment's prohibition against government  
12 abridgment of speech because it overbroadly criminalizes speech that civil remedies can  
13 sufficiently address.

14           62. Plaintiffs allege herein that there are no set of circumstances under which SB 406,  
15 would be valid.

16           63. Plaintiffs further allege that SB 406 lacks any plainly legitimate sweep and a  
17 substantial number of SB 406’s applications are unconstitutional, judged in relation to SB 406’s  
18 attempted legitimate sweep.

19           64. Plaintiffs further allege that the overbroad nature of SB 406 infringes on a  
20 substantial amount of constitutionally protected speech since there is a realistic danger that the  
21 statute itself will significantly compromise recognized First Amendment protections of Plaintiffs  
22 and similarly situated individuals not before the Court.  
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1           65.     Plaintiffs further allege that the statute is “susceptible of regular application to  
2 protected expression, and criminal liability automatically attaches to that protected expression as  
3 many commonplace statements and actions could be construed as intimidating in a highly  
4 subjective context.

5           66.     Plaintiffs further allege that SB 406 deliberately criminalizes a behavior that NRS  
6 293.274 authorizes and encourages.

7           67.     Accordingly, Plaintiffs seek to invalidate the statute, in its entirety as Defendants  
8 enactment of same violates the First Amendment of the US Constitution.

9           68.     All of the actions taken by Defendants and/or those acting on behalf of  
10 Defendants and referred to herein, were done by Defendants while acting under color or state of  
11 law and had the effect of depriving Plaintiffs of rights secured by the Constitution and laws of  
12 the United States .

13           69.     Plaintiffs have no adequate remedy at law and will suffer serious and irreparable  
14 harm to their constitutional rights unless Defendants are enjoined from implementing and  
15 enforcing these SB 406  
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17           70.     Pursuant to 42 U.S.C. §§ 1983 and 1988, Plaintiffs are entitled to declaratory  
18 relief and temporary, preliminary, and permanent injunctive relief invalidating and restraining  
19 enforcement of the SB 406.

20           71.     Plaintiffs found it necessary to engage the services of private counsel to vindicate  
21 their rights under the law. Plaintiffs are therefore entitled to an award of attorneys’ fees pursuant  
22 to 42 U.S.C. § 1988.

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**SECOND CLAIM FOR RELIEF**  
**VIOLATION OF FOURTEENTH AMENDMENT**  
**SUBSTANTIVE DUE PROCESS RIGHTS-VAGUENESS**  
*(Against All Defendants)*

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3       72. Plaintiffs incorporate by reference each and every allegation contained  
4 in the preceding paragraphs of this Complaint as though fully set forth herein.

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6       73. Plaintiffs are entitled to constitutional protection for certain rights or “liberty  
7 interests” related to speech under the Due Process clause of the Fourteenth Amendment.

8       74. Plaintiffs’ right to due process includes protection against the ills of laws whose  
9 ‘prohibitions are not clearly defined.’ " *Nat'l Org. for Marriage v. McKee*, 649 F.3d 34, 62 (1st  
10 Cir. 2011) (quoting *Grayned v. City of Rockford*, 408 U.S. 104, 108, 92 S.Ct. 2294, 33 L.Ed.2d  
11 222 (1972) ).

12  
13       75. Plaintiffs are entitled to a ‘fair warning’ of what a law prohibits to prevent  
14 ‘arbitrary and discriminatory enforcement’ of laws by requiring that Defendants provide explicit  
15 standards for those who apply them.

16  
17       76. Plaintiffs are entitled to engage in conduct without criminal prosecution of basic  
18 First Amendment freedoms under a statute that should avoid chilling the exercise of First  
19 Amendment rights.

20  
21       77. Plaintiffs therefore brings this facial challenge to SB 406 as to be codified in  
22 Chapter 293 as it violates their due process rights in the United States Constitution.

23  
24       78. Accordingly, Plaintiffs seek to invalidate SB 406 in its entirety as Defendants  
25 enactment of same violates the First, Fifth and Fourteenth Amendments of the United States  
Constitution.

1           79. All of the actions taken by Defendants and/or those acting on behalf of  
2 Defendants and referred to herein, were done by Defendants while acting under color or state of  
3 law and had the effect of depriving Plaintiffs of rights secured by the Constitution and laws of  
4 the United States .

5           80. Plaintiffs have no adequate remedy at law and will suffer serious and irreparable  
6 harm to their constitutional rights unless Defendants are enjoined from implementing and  
7 enforcing these SB 406

8           81. Pursuant to 42 U.S.C. §§ 1983 and 1988, Plaintiffs are entitled to declaratory  
9 relief and temporary, preliminary, and permanent injunctive relief invalidating and restraining  
10 enforcement of the SB 406.

11           82. Plaintiffs found it necessary to engage the services of private counsel to vindicate  
12 their rights under the law. Plaintiffs are therefore entitled to an award of attorneys' fees pursuant  
13 to 42 U.S.C. § 1988.  
14

15                           **THIRD CLAIM FOR RELIEF**  
16                           **VIOLATION OF THE NEVADA CONSTITUTION**  
17                           **ARTICLE I DECLARATION OF RIGHTS**  
18                           *(Against All Defendants)*

19           83. Plaintiffs incorporate by reference each and every allegation contained in the  
20 preceding paragraphs of this Complaint as though fully set forth herein.

21           84. Since 1864, the Nevada Constitution has provided intrinsic and unalienable rights  
22 and liberties to its citizens.

23           85. Chief among those rights and liberties are those found in Article 1 of the Nevada  
24 Constitution.

25           86. Article 1, §1 of the Nevada Constitution provides, in pertinent part: “[A]ll men  
are by Nature free and equal and have certain inalienable rights among which are those of

1 enjoying and defending life and liberty; Acquiring, Possessing and Protecting property and  
2 pursuing and obtaining safety and happiness[.]

3 87. Similarly, Article I, §8 provides No person shall be deprived of life, liberty, or  
4 property, without due process of law.

5 88. Defendants' arbitrary inclusion of the terms "intimidation" and "undue  
6 influence" interferes with Plaintiffs' rights and liberties as set forth under Article 1, §1 of the  
7 Nevada Constitution.

8 89. Plaintiffs have no adequate remedy at law and will suffer serious and irreparable  
9 harm to their constitutional rights unless Defendants are enjoined from implementing those  
10 vague and overbroad subsections in SB 406 codified in NRS Chapter 293.

11 90. Plaintiffs have found it necessary to engage the services of private counsel to  
12 vindicate their rights under the law. Plaintiffs are entitled to an award of attorney's fees thereon.  
13

14 **REQUESTED RELIEF**

15 WHEREFORE, Plaintiffs respectfully demands that this Court grant the following relief.

16 1. An immediate hearing on Plaintiffs' Motion for Temporary Restraining  
17 Order, and, upon hearing, enter an Order restraining Defendants from enforcing SB 406 as  
18 codified in NRS Chapter 293.

19 2. Permanently enjoin Defendants and all persons and entities in active concert or  
20 participation with Defendants from enforcement of SB 406, codified in NRS Chapter 293.

21 3. Permanently enjoin Defendants and all persons and entities in active concert or  
22 participation with Defendants from enforcing criminal penalties included in SB 406 codified in  
23 NRS Chapter 293.

24 4. For an award of reasonable attorney's fees and his costs on their behalf  
25



1 expended as to such Defendants pursuant to 42 U.S.C. Section 1988.

2 5. Such other relief as the Court deems just and proper.

3 **JURY TRIAL DEMAND**

4 Plaintiffs hereby demands a trial by jury on all counts so triable.

5 Dated this 29th day of June, 2023

6 CHATTAH LAW GROUP

7  
8 /s/ Sigal Chattah

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