

**WRIT**  
DAVID S. LEE, ESQ.  
Nevada Bar No.: 6033  
CHARLENE N. RENWICK, ESQ.  
Nevada Bar No.: 10165  
LEE, LANDRUM & CARLSON, APC  
7575 Vegas Drive, Suite 150  
Las Vegas, Nevada 89128  
Phone: (702) 880-9750  
Fax: (702) 314-1210  
[dlee@lee-lawfirm.com](mailto:dlee@lee-lawfirm.com)  
[crenwick@lee-lawfirm.com](mailto:crenwick@lee-lawfirm.com)

CASE NO: A-20-823821-W  
Department 18

Attorneys for Petitioners  
NEVADA REPUBLICAN CENTRAL COMMITTEE  
d/b/a NEVADA REPUBLICAN PARTY;  
REPUBLICAN NATIONAL COMMITTEE; AND  
DONALD J. TRUMP FOR PRESIDENT, INC.

**DISTRICT COURT**

**CLARK COUNTY OF NEVADA**

NEVADA REPUBLICAN CENTRAL  
COMMITTEE d/b/a NEVADA  
REPUBLICAN PARTY; REPUBLICAN  
NATIONAL COMMITTEE; and DONALD  
J. TRUMP FOR PRESIDENT, INC.

CASE NO.:  
DEPT. NO.:

**ELECTION-RELATED ACTION:**  
**APPLICATION FOR ORDER**  
**COMPELLING DISCLOSURE OF**  
**PUBLIC RECORDS PURSUANT TO**  
**NRS 239.011/PETITION FOR WRIT OF**  
**MANDAMUS**

Petitioners,

vs.

CLARK COUNTY, a governmental entity;  
and JOSEPH GLORIA, in his capacity as a  
Registrar of Voters for Clark County,  
Respondents.

**(EXPEDITED HEARING**  
**REQUESTED PURSUANT TO NRS**  
**239.011 (2))**

COME NOW Petitioners, NEVADA REPUBLICAN CENTRAL COMMITTEE d/b/a  
NEVADA REPUBLICAN PARTY, REPUBLICAN NATIONAL COMMITTEE and DONALD  
J. TRUM FOR PRESIDENT, INC. (“Petitioners”) by and through their attorneys, David S. Lee,  
Esq. and Charlene N. Renwick, Esq., of the law firm LEE, LANDRUM, CARLSON, APC, and  
hereby submit their Nevada Public Records Act Application and Petition for Writ of Mandamus for  
declaratory and injunctive relief (“Application”), ordering Respondents to provide Petitioners  
access to public records requested by Petitioners. Petitioners also request an award for all fees and

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LEE, LANDRUM & CARLSON, APC  
7575 VEGAS DRIVE, SUITE 150  
LAS VEGAS, NV 89128  
(702) 880-9750

1 costs associated with their efforts to obtain withheld public records, and that this matter be  
2 expedited, as provided for by NRS 239.011(2).

3 Petitioners hereby allege as follows:

4 **I.**

5 **NATURE OF ACTION**

6 1. Petitioners bring this Application for relief pursuant to NRS 239.011. *See also* Reno  
7 Newspapers, Inc. v. Gibbons, 127 Nev. 873, 884, 266 P.3d 623, 630, n.4 (2011).

8 2. Petitioners' Application to this court is the proper means to secure Respondents'  
9 compliance with the Nevada Public Records Act ("NPRO"). *Id.*; *see also* DR Partners v. Bd. of  
10 Cty. Comm'rs of Clark Cty., 116 Nev. 616, 621, 6 P.3d 465, 468 (2000) (*citing* Donrey of Nevada  
11 v. Bradshaw, 106 Nev. 630, 798 P.2d 144 (1990)) (a writ of mandamus is the appropriate procedural  
12 remedy to compel compliance with the NPRO).

13 3. Petitioners are entitled to an expedited hearing on this matter pursuant to NRS  
14 239.011(2), which mandates that "the court shall give this matter priority over other civil matters  
15 to which priority is not given by other statutes."

16 **II.**

17 **PARTIES**

18 4. Petitioner Nevada Republican Central Committee d/b/a Nevada Republican Party  
19 is the official state party committee for the Republican Party for the State of Nevada, and it brings  
20 this petition on behalf of itself, and on behalf of the candidates, voters, and elected officials with  
21 whom it associates.

22 5. Petitioner Republican National Committee is the official national committee for  
23 the Republican Party of the United States, and it brings this petition on behalf of itself, and on  
24 behalf of the candidates, voters, and elected officials with whom it associates.

25 6. Petitioner Donald J. Trump for President, Inc. is a Non-Profit Corporation  
26 registered in the State of Virginia.

27 7. Respondent Clark County is a Nevada governmental entity, which is subject to the  
28 NPRO.

1 8. Respondent JOSEPH GLORIA is a resident of Clark County, Nevada and is, and  
2 was at all times relevant herein, the Registrar of Voters for Clark County, Nevada, and by way of  
3 the same is subject to the NPRA.

4 9. Respondents Clark County, and Joseph Gloria are collectively referred to herein as  
5 the “Respondents”.

6 **III.**

7 **JURISDICTION AND VENUE**

8 10. This Court has jurisdiction under NRS 239.011, as the court of Clark County is  
9 where all relevant public records sought are held.

10 11. This Court has jurisdiction to issue writs of mandamus under Article 6, Section 6 of  
11 the Nevada Constitution and NRS 34.160.

12 12. Venue is proper in the Eighth Judicial District Court of Nevada under NRS 239.011.  
13 All relevant actions asserted herein were conducted in Clark County, Nevada.

14 **IV.**

15 **STANDING**

16 13. Petitioners have standing to pursue this expedited action pursuant to NRS 239.011  
17 (1), because the public records they requested from Respondents, by way of their counsel, have  
18 been unjustifiably withheld and Respondents failed to meaningfully respond to their request, which  
19 is not permitted by law.

20 **V.**

21 **FACTS**

22 14. On October 16, 2020, in an effort to seek clarification on Respondents’  
23 representations that a bipartisan counting board will be used to process election ballots,  
24 Petitioners requested the following information pertaining to the 2020 election ballot processing  
25 and oversight:

- 26 1) First and last names of voters who are registered as Republicans that are  
27 members of the counting board, including the dates and times of their shifts; and  
28 shift location.

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2) First and last names of voters who are registered as Democrats who are members of the counting board, including the dates and times of their shifts; and shift location.

3) First and last names of voters registered as Independents who are members of the counting board, including the dates and times of their shifts; and shift location.

4) Political composition of the counting board for each shift (7:30 a.m. to 1:00 p.m.; and 1:00 p.m. to 7:30 p.m.) for each day starting Thursday, October 15, 2020 and ending November 12, 2020.

5) First and last names of the ambassadors that poll watchers and members of the general public can interface and interact with during ballot processing, along with dates and times of their shifts; and shift locations.<sup>1</sup>

15. On October 19, 2020, in an effort to obtain a better understanding of the policies and procedures that Respondents will employ with respect to the 2020 election ballot processing and oversight, Petitioners requested the following additional information:

1) All policies and procedures (including any official or unofficial records, training documents, and/or instructions) applicable to Clark County Election Department employees or officials regarding the receipt, processing, and tabulation of ballots, including not limited to:

- a. Any and all policies and procedures used to limit the infection or transmission of COVID19 and/or any other infectious disease or malady;
- b. Any and all documents, policies, and procedures used in training Clark County Election Department employees, agents, or officials;
- c. Any and all policies and procedures regarding the placement or restrictions on members of the public who observe process related to ballot authentication, organization, tabulation, and/or retention;
- d. Any and all policies and procedures regarding the receipt, handling, authentication, sorting, transportation, tabulation, storage, and/or retention of ballots received by the Clark County Election Department;
- e. Any and all policies and procedures used by Clark County Election Department employees, agents, or officials to call or otherwise contact electors regarding ballot and/or signature authentication;
- f. Any and all policies and procedures used to supervise Clark County Election Department employees, agents, or officials who call or otherwise contact electors regarding ballot and/or signature authentication;
- g. Any and all policies and procedures regarding the separation of ballots for the envelopes in which they were mailed;
- h. Any and all policies and procedures regarding the duplication of ballots by Clark County Election Department employees, agents, or officials;

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<sup>1</sup> Exhibit 1, *Correspondence from S. Weir, Esq. to Clark County Election Department* (October 16, 2020); See *Declaration of Shana D. Weir, Esq.* (October 27, 2020).

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- i. Any and all policies and procedures regarding receptacles used to receive or store ballots sent to the Clark County Election Department by electors;
  - j. Any and all policies and procedures regarding efforts to secure ballots received by the Clark County Election Department from electors;
  - k. Any and all documents, policies, and procedures regarding contact with law enforcement or other security officials in efforts to secure ballots received by the Clark County Election Department from electors, including efforts to secure the ballots before, during, and after the ballots are transported to or from any Clark County Election Department facility;
- 2) Any and all call scripts and/or other instructions given to Clark County Election Department employees, agents, or other officials who call or otherwise contact voters to authenticate any ballot;
- 3) The names of all Clark County Election Department employees, agents, or other officials who call or otherwise contact voters so as to authenticate ballots, including the dates and times when each individual worked or is scheduled to work on authenticating ballots for the 2020 general election;
- 4) The names of all drivers that have or are authorized to transport ballots to or from any Clark County Election Department facility, including the dates and times when each individual worked or is scheduled to transport ballots for the 2020 general election;
- 5) Any and all documents and/or communications regarding law enforcement or other security personnel's efforts to secure ballots being transported to or from any Clark County Election Department facility, including any and all documents and/or communications regarding whether law enforcement officers always monitor vehicles that transport ballots to or from any Clark County Election Department facility;
- 6) Any and all logs showing departure times, arrival times, driver information, and any other recorded data for the transport of ballots to or from any Clark County Election Department facility;
- 7) Any and all report or other document submitted to the Nevada Secretary of State or her designee regarding the handling, authentication, sorting, transportation, tabulation, storage, and/or retention of ballots.
- 8) All records that explain the process of how ballots are received, authenticated, processed, stored, and tabulated by the Clark County Election Department (such as the cycle of a ballot when it leaves the elector);
- 9) Any and all correspondence with voters regarding the authentication of ballots;
- 10) All records showing how many ballots have been rejected based upon signature authentication by the Clark County Election Department;

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11) Any and all correspondence with any official, representative, candidate or delegate from the democratic party regarding the 2020 general election;

12) Any and all requests and responses to any public records request made to Clark County from any other party regarding the 2020 general election; and

13) Any and all correspondence with the Secretary of State regarding the 2020 election.<sup>2</sup>

16. On October 23, 2020, Respondents purported to respond to Petitioners' October 16, 2020 Public Information Request, by emailing a letter dated October 21, 2020, which states as follows:

With respect to Requests 1 through 4:

- We will not be releasing the names of our counting board during the conduct of the election due to security reasons.
- The party breakdown for our Counting Board, Duplicators, and Auditors is as follows:
  - 40 Democrats
  - 35 Republicans
  - 15 Non Partisan

With respect to Request 5:

- We will not be releasing the names of our counting board during the conduct of the election due to security reasons.
- The party breakdown for our ambassadors is as follows:
  - 1 Democrats
  - 0 Republicans
  - 3 Non Partisan
  - 1 Not Registered<sup>3</sup>

17. On October 23, 2020, Petitioners made a further request to Respondents for public information pertaining to the 2020 election, which included the following:

1) Image files, documents, records, and information showing (1) each voter's signature on envelopes containing mail ballots and/or absentee ballots returned by voters to the Clark County Election Department in the November 3, 2020 general election and (2) the images of signatures of voters who have cast a mail ballot and/or an absentee ballot in the November 3, 2020 general election on record with the Clark County Election Department, the Registrar's office, the Counting Board, and/or any other affiliated entity against which signatures on envelopes containing mail ballots and/or absentee ballots are verified.

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<sup>2</sup> Exhibit 2, *Correspondence from S. Weir, Esq. to Clark County Election Department* (October 19, 2020); See *Declaration of Shana D. Weir, Esq.* (October 27, 2020).  
<sup>3</sup> Exhibit 3, *Correspondence from J. Gloria to S. Weir, Esq.* (October 21, 2020).

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2) Documents, records, and information sufficient to identify the number of absentee ballots and/or mail ballots cast in the November 3, 2020 general election that were accompanied by an envelope that (a) did not contain the voter's signature, or (b) contained a signature that the Recorder's Office determined does not match the signature on file in the voter's registration record.

3) For every ballot within the scope of Request 2, all documents, records, and information necessary to show whether the absentee ballot and/or mail ballot was ultimately approved for tabulation.

4) Documents, images, records, and information identifying all absentee ballots and/or mail ballots cast in the November 3, 2020 general election that were accompanied by an envelope that was initially rejected by the Agilis Ballot Packing Sorting System used by the Clark County Election Department.

5) Documents and information sufficient to identify the number of mail ballots cast in the November 3, 2020 general election that the Registrar's Office and/or Counting Board determined were not eligible for processing and/or tabulation for a reason other than a missing or mismatched signature on the accompanying envelope.

6) For every early ballot that is within the scope of Request No. 5, documents and information sufficient to identify:

- a. The name and voter ID number of the voter who ostensibly cast the ballot;
- b. The reason(s) the early ballot was determined to be legally insufficient or otherwise ineligible for tabulation and/or processing;
- c. The date(s) on which the County Recorder's Office attempted to contact the voter and the result of the contact attempt(s); and
- d. Whether the early ballot was subsequently accepted for processing and/or tabulation.

7) Documents and information sufficient to identify the number of provisional ballots and conditional provisional ballots cast in the November 3, 2020 general election.

8) For every provisional ballot or conditional provisional ballot that is within the scope of Request No. 7, documents and information sufficient to identify:

- a. The name and voter ID number of the voter who ostensibly cast the ballot;
- b. The reason(s) the voter was required to cast a provisional ballot or conditional provisional ballot;
- c. Any contact or communications between the voter and the County Recorder's Office in connection with the provisional ballot or conditional provisional ballot; and
- d. Whether the conditional provisional ballot or provisional ballot was subsequently accepted for processing and/or tabulation.

1 We request that responsive documents and information be produced promptly and  
2 on a rolling basis as they become available. This request will terminate on November 30,  
2020.<sup>4</sup>

3 18. On October 24, 2020, Petitioners sent an email to Respondents requesting the legal  
4 authority upon which Respondents based their denial of Petitioners' October 16, 2020 request for  
5 information, pursuant to NRS 239.0107(1)(d), as Respondents failed to provide any statutory or  
6 other legal authority that justified their failure to comply with the NPRA.

7 19. On October 26, 2020, Counsel for Respondents, Mary-Anne Miller, Esq.,  
8 responded by email to Petitioners' request for a legal basis supporting their denial of Petitioners'  
9 October 16, 2020 Public Information Request, and blanketly denied Petitioners' October 19 and  
10 23, 2020 Public Information Requests as follows:

11 Joseph Gloria has referred your recent request for legal authority to me for  
12 response to his withholding the names of election officials until after the canvass  
13 for election security purposes. We are relying upon the case of *Donrey v.*  
14 *Bradshaw*, 106 Nev. 630, 798 P.2d 144 (1990), in which the Nevada Supreme  
15 Court recognized that any limitation on the general disclosure requirements of  
16 NRS 239.010 must be based upon a balancing or 'weighing' of the interests of  
non-disclosure against the general policy in favor of open government. See  
also *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 266 P.3d 623 (2011). As  
you are aware, election security is of heightened interest this year.

17 In response to two other pending requests you have made, please be  
18 advised that due both to the assignment of available election department personnel  
19 to key election processing tasks and to the large amount of documents that you  
20 have requested, we are unable to respond to your October 19 and October 23  
21 requests before the election canvass.

22 With respect to your request of October 23, 2020, we note that you  
23 requesting some documents that are not yet even in existence, and we do not  
24 accept public records requests for records that are not in existence yet. You may  
25 wish to wait until the canvass of the vote is completed before renewing your  
26 request.

27 Finally, you noted on your request of October 23, 2020 that you are  
28 requesting documents on behalf of the Trump campaign. Because the Trump  
campaign is currently in related litigation it filed against Joseph Gloria on the same

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<sup>4</sup> Exhibit 4, *Correspondence from S. Weir, Esq. to Clark County Election Department* (October 23, 2020); See *Declaration of Shana D. Weir, Esq.* (October 27, 2020).



1 day as you sent in your request, please coordinate your broad request with the  
2 Trump campaign's attorneys of record discovery plan on that matter.<sup>5</sup>

3 20. In responding to Petitioners' October 16, 2020 request, Respondents do not assert  
4 that any of the requested information is confidential, yet they refuse to provide the names of the  
5 members of the Counting Board. Even more egregiously, Respondents refuse to provide the dates  
6 and times of their respective shifts and the shift locations as requested in Requests 1-3, and 5.  
7 Finally, Respondent makes no effort whatsoever to respond to Request 4, in violation of NPRA.

8 21. As demonstrated above, Respondents' wholly fail to respond to Petitioners'  
9 October 19, 2020 public records requests, despite having the information requested. Moreover,  
10 while Respondents claim that their personnel are too busy to respond to Petitioners' request, they  
11 fail to comply with NRS 237.0107 because they fail to:

12 Make a reasonable effort to assist the requester to focus the request in such a  
13 manner as to maximize the likelihood the requester will be able to inspect, copy or  
14 receive a copy of the public book or record as expeditiously as possible.

14 NRS 239.107 (1)(c)(2).

15 22. Respondents further fail to respond to Petitioner's October 23, 2020 request for  
16 public records, claiming that some records are not currently in existence as the election canvass is  
17 not yet complete. As Respondents well know, this response wholly ignores Petitioner's request  
18 that the responsive information be provided by Respondents on a rolling basis as it becomes  
19 available. Rather than produce the public information that is clearly in their possession and  
20 readily available, Respondents have refused to provide the same, without any basis under NRS  
21 239.107.

22 23. Further, Respondents refuse to respond to Petitioners' third Public Information  
23 Request, arguing that Petitioners must seek these public records through litigation. As this  
24 information is not confidential, and is public record subject to NRS 239.010, Respondents have  
25 no basis for withholding the same, and failed to provide any authority permitting non-disclosure  
26 under NRS 239.107.

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<sup>5</sup> See *Declaration of Shana D. Weir, Esq.* (October 27, 2020).

1 24. As there is no privilege or confidentiality that applies to Petitioners’ Public  
2 Information Requests, and given Respondents’ failure to assert the same, or provide any authority  
3 for such privilege or confidentiality, Respondents failed to comply with the NPRA in its  
4 responses to Petitioners’ public record requests.

5 **VI.**  
6 **LEGAL AUTHORITY**

7 25. NRS 239.010 mandates that, unless a record is confidential, “all public books and  
8 public records of a governmental entity must be open at all times during office hours to inspection  
9 by any person, and may be fully copied...” NRS 239.010(1). The NPRA reflects specific legislative  
10 findings and declarations that “[i]ts purpose is to foster democratic principles by providing  
11 members of the public with access to inspect and copy public books and records to the extent  
12 permitted by law” and that its provisions “must be construed liberally to carry out this important  
13 purpose.” NRS 239.001(1) and (2).

14 26. NRS 239.010 further provides that:

15 A governmental entity that has legal custody or control of a public book or  
16 record shall not deny a request made pursuant to subsection 1 to inspect or  
17 copy or receive a copy of a public book or record on the basis that the  
18 requested public book or record contains information that is confidential if  
19 the governmental entity can redact, delete, conceal or separate, including,  
without limitation, electronically, the confidential information from the  
information included in the public book or record that is not otherwise  
confidential.

20 NRS. 239.010(3).

21 27. The NPRA provides that a governmental entity must provide timely and specific  
22 notice if it is denying a request because the entity determines the documents sought are confidential.

23 NRS 239.0107(1)(d) states that, within five (5) business days of receiving a request,

24 [i]f the governmental entity must deny the person’s request because the  
25 public book or record, or part thereof, is confidential, provide to the person,  
26 in writing:

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- (1) Notice of that fact; and
- (2) A citation to the specific state or other legal authority that make the public book or record, or a part thereof, confidential.

NRS 239.0107(1)(d).

28. The NPRA dictates that a meaningful response be provided within five (5) days of a request. NRS 239.0107(1).

29. When a governmental entity is unable to make a public record available by the end of the fifth business day after the request is received, said entity shall:

Make a reasonable effort to assist the requester to focus the request in such a manner as to maximize the likelihood the requester will be able to inspect, copy or receive a copy of the public book or record as expeditiously as possible.

NRS 239.107 (1)(c)(2).

30. Per NRS 239.0113(2),

The governmental entity that has legal custody or control of the public book or record asserts that the public book or record, or a part thereof, is confidential, the governmental entity has the burden of proving by a preponderance of the evidence that the public book or record, or a part thereof, is confidential.

31. ‘[T]he balancing test under *Bradshaw* now requires a narrower interpretation of private or government interests promoting confidentiality or nondisclosure to be weighed against the liberal policy for an open and accessible government.’ More specifically, in order for requested records to be withheld under this balancing test, **the state entity bears the burden to prove that its interest in nondisclosure ‘clearly outweighs the public’s right to access.’**

*Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 880, 266 P.3d 623, 627-628 (2011) (citing *Reno Newspapers v. Sheriff*, 126 Nev. -----, 234 P.3d 922, 926 (2010). Emphasis added.

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**VII.**  
**CLAIM FOR RELIEF**

32. Petitioners re-allege and incorporate by reference each and every allegation contained in paragraphs 1-31 above, as though fully set forth herein.

33. Petitioners should be provided with the public records they requested, but were denied by Respondents.

34. The requested public records are subject to disclosure. Respondents failed to meet their burden of establishing otherwise, and indeed have failed to provide any basis for withholding records as required by the NPRA. NRS 239.0107(1)(d).

35. Respondents failed to make any effort to assist Petitioners in narrowing their requests in order assist in expediting receipt of responsive information, as mandated by NRS 239.0107 (1)(c)(2).

36. A writ of mandamus is necessary to compel Respondents' compliance with the NPRA, and response to Petitioners' Public Information Requests.

37. Respondents have violated the provisions and intent of NRS 239.010 by failing to provide Petitioners with the information requested under their October 16, 19 and 23, 2020 Public Information Requests under the NPRA.

WHEREFORE, the Petitioners pray for the following relief:

1. That the court hear and adjudicate this matter on an expedited basis as mandated by NRS 239.011;
2. Injunctive relief ordering Respondents to immediately make available complete copies of all records requested, which are admittedly in their legal custody and control;

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- 3. Reasonable costs and attorney’s fees pursuant to NRS 239.011(2); and
- 4. Any further relief the Court deems appropriate.

**DATED** this 27<sup>th</sup> day of October, 2020.

**LEE, LANDRUM & CARLSON, APC**

By: /s/Charlene N. Renwick  
DAVID S. LEE, ESQ.  
Nevada Bar No. 6033  
CHARLENE N. RENWICK, ESQ.  
Nevada Bar No.: 10165  
7575 Vegas Drive, Suite 150  
Las Vegas, Nevada 89128

Attorneys for Petitioners  
NEVADA REPUBLICAN CENTRAL  
COMMITTEE d/b/a NEVADA  
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and DONALD J. TRUMP FOR  
PRESIDENT, INC.

LEE, LANDRUM & CARLSON, APC  
7575 VEGAS DRIVE, SUITE 150  
LAS VEGAS, NV 89128  
(702) 880-9750

1 **DECL**  
2 DAVID S. LEE, ESQ.  
3 Nevada Bar No.: 6033  
4 CHARLENE N. RENWICK, ESQ.  
5 Nevada Bar No.: 10165  
6 LEE, LANDRUM & CARLSON, APC  
7 7575 Vegas Drive, Suite 150  
8 Las Vegas, Nevada 89128  
9 Phone: (702) 880-9750  
10 Fax: (702) 314-1210  
11 dlee@lee-lawfirm.com  
12 crenwick@lee-lawfirm.com

13 Attorneys for Petitioners  
14 NEVADA REPUBLICAN CENTRAL COMMITTEE  
15 d/b/a NEVADA REPUBLICAN PARTY;  
16 REPUBLICAN NATIONAL COMMITTEE; AND  
17 DONALD J. TRUMP FOR PRESIDENT, INC.

18 **DISTRICT COURT**  
19 **CLARK COUNTY OF NEVADA**

20 NEVADA REPUBLICAN CENTRAL  
21 COMMITTEE d/b/a NEVADA  
22 REPUBLICAN PARTY; REPUBLICAN  
23 NATIONAL COMMITTEE; and DONALD  
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27 CLARK COUNTY, a governmental entity;  
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**DECLARATION OF SHANA D. WEIR,  
ESQ. IN SUPPORT OF  
APPLICATION FOR ORDER  
COMPELLING DISCLOSURE OF  
PUBLIC RECORDS PURSUANT TO  
NRS 239.011/PETITION FOR WRIT OF  
MANDAMUS**

SHANA D. WEIR, ESQ., hereby declares and states as follows:

1. I am over the age of eighteen years and have personal knowledge of the facts stated herein, except for those stated upon information and belief, and as to those, I believe them to be true. I am competent to testify as to the facts stated herein, and will so testify as to the same if called upon to do so.

2. I am an attorney at law licensed in the state of Nevada, and I serve as counsel for the Petitioners.

1           3.       Given that the 2020 election is being conducted by mail, Petitioners have a  
2 substantial interest in assisting the public with understanding Clark County's processes and  
3 procedures for handling the same.

4           4.       Based on this public interest of ensuring a free and fair election for all Clark County  
5 citizens, on behalf of Petitioners, I requested the public records identified in Exhibits 1, 2 and 4 to  
6 the underlying Application/Petition, on October 16, 19 and 23, 2020.

7           5.       On October 23, 2020, Joseph Gloria emailed a copy of a letter dated October 21,  
8 2020, which purported to respond to my October 16, 2020 Public Information Request, however, it  
9 was almost wholly unresponsive, and failed to provide any authority for Respondents' refusal to  
10 provide the requested information, as required under NRS 239.0107 (1)(d).

11          6.       On October 26, 2020, Mary-Anne Miller, County Counsel of the Office of the  
12 District Attorney, Civil Division, emailed me in response to my request for authority upon which  
13 Respondents relied for their refusal to provide the public records requested, noting that  
14 Respondents' refusal to provide the names of the election officials is based on security concerns,  
15 and that Respondents are permitted to withhold disclosure based on *Donrey v. Bradshaw*, 106 Nev.  
16 630, 798 P.2d 144 (1990) and *Reno Newspapers, Inc. v. Gibbons*, 127 Nev. 873, 266 P.3d 623  
17 (2011).

18          7.       Ms. Miller further stated that due to the large amount of information sought in the  
19 October 19 and 23, 2020 requests, there was not available personnel to address these requests before  
20 the election canvass, yet she failed to provide a date by which a response was expected to be  
21 provided.

22          8.       Ms. Miller further claimed that the October 23<sup>rd</sup> request sought information that was  
23 not existence, however, she completely failed to address the information that was already in  
24 Respondents' possession by way of ballots already received.


25          9.       Ms. Miller also stated that the information sought in the October 23<sup>rd</sup> request should  
26 be sought through discovery in the litigation involving the Trump campaign, despite the fact that  
27 the information requested is public record that should be made available to the public, and is not  
28 subject to any litigation privilege.



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10. Under NRS 53.045, I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

DATED this 27<sup>th</sup> day of October, 2020

  
\_\_\_\_\_  
SHANA D. WEIR, ESQ.

LEE, LANDRUM & CARLSON, APC  
7575 VEGAS DRIVE, SUITE 150  
LAS VEGAS, NV 89128  
(702) 880-9750



**EXHIBIT "1"**

**Exhibit "1"**



October 16, 2020

Via email to: [JPG@ClarkCountyNV.gov](mailto:JPG@ClarkCountyNV.gov)  
Clark County Election Department  
965 Trade Drive, Ste. A  
North Las Vegas, NV 89030

RE: Public records request

Dear Mr. Gloria,

We are in receipt of your mail ballot schedule. In an effort to comply with your request to only interact with ambassadors (as opposed to your staff that is processing ballots), we are seeking further guidance from you. Additionally, in accordance with representations that a bipartisan counting board will be used to process, ballots, we seek further information in that regard.

Toward that end, pursuant to NRS § 239 et seq., please consider this our request for the following pertaining to the 2020 election ballot processing and oversight:

- 1) First and last names of voters who are registered as Republicans that are members of the counting board, including the dates and times of their shifts; and shift location.
- 2) First and last names of voters who are registered as Democrats who are members of the counting board, including the dates and times of their shifts; and shift location.
- 3) First and last names of voters registered as Independents who are members of the counting board, including the dates and times of their shifts; and shift location.
- 4) Political composition of the counting board for each shift (7:30 a.m. to 1:00 p.m.; and 1:00 p.m. to 7:30 p.m.) for each day starting Thursday, October 15, 2020 and ending November 12, 2020.
- 5) First and last names of the ambassadors that poll watchers and members of the general public can interface and interact with during ballot processing, along with dates and times of their shifts; and shift locations.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the local processes and procedures in Clark County and further ensure the right of the citizens of Nevada to a free and fair election. This information is not being sought for commercial purposes. We request partial records if all records cannot be provided at once.

The Nevada Open Records Act requires a response within five business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might responses or the ability to have the attached questions answered.

In the event you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,  
Weir Law Group, LLC

*/s/ Shana D. Weir*

Shana D. Weir, Esq.

**EXHIBIT "2"**

**Exhibit "2"**



October 19, 2020

Via email to: [JPG@ClarkCountyNV.gov](mailto:JPG@ClarkCountyNV.gov)  
Clark County Election Department  
965 Trade Drive, Ste. A  
North Las Vegas, NV 89030

RE: Public records request

Dear Mr. Gloria,

Pursuant to NRS § 239 et seq., please consider this our request for the following pertaining to the 2020 election ballot processing and oversight:

- 1) All policies and procedures (including any official or unofficial records, training documents, and/or instructions) applicable to Clark County Election Department employees or officials regarding the receipt, processing, and tabulation of ballots, including not limited to:
  - a. Any and all policies and procedures used to limit the infection or transmission of COVID19 and/or any other infectious disease or malady;
  - b. Any and all documents, policies, and procedures used in training Clark County Election Department employees, agents, or officials;
  - c. Any and all policies and procedures regarding the placement or restrictions on members of the public who observe process related to ballot authentication, organization, tabulation, and/or retention;
  - d. Any and all policies and procedures regarding the receipt, handling, authentication, sorting, transportation, tabulation, storage, and/or retention of ballots received by the Clark County Election Department;
  - e. Any and all policies and procedures used by Clark County Election Department employees, agents, or officials to call or otherwise contact electors regarding ballot and/or signature authentication;
  - f. Any and all policies and procedures used to supervise Clark County Election Department employees, agents, or officials who call or otherwise contact electors regarding ballot and/or signature authentication;
  - g. Any and all policies and procedures regarding the separation of ballots for the envelopes in which they were mailed;
  - h. Any and all policies and procedures regarding the duplication of ballots by Clark County Election Department employees, agents, or officials;
  - i. Any and all policies and procedures regarding receptacles used to receive or store ballots sent to the Clark County Election Department by electors;
  - j. Any and all policies and procedures regarding efforts to secure ballots received by the Clark County Election Department from electors;
  - k. Any and all documents, policies, and procedures regarding contact with law enforcement or other security officials in efforts to secure ballots received by the



Clark County Election Department from electors, including efforts to secure the ballots before, during, and after the ballots are transported to or from any Clark County Election Department facility;

- 2) Any and all call scripts and/or other instructions given to Clark County Election Department employees, agents, or other officials who call or otherwise contact voters to authenticate any ballot;
- 3) The names of all Clark County Election Department employees, agents, or other officials who call or otherwise contact voters so as to authenticate ballots, including the dates and times when each individual worked or is scheduled to work on authenticating ballots for the 2020 general election;
- 4) The names of all drivers that have or are authorized to transport ballots to or from any Clark County Election Department facility, including the dates and times when each individual worked or is scheduled to transport ballots for the 2020 general election;
- 5) Any and all documents and/or communications regarding law enforcement or other security personnel's efforts to secure ballots being transported to or from any Clark County Election Department facility, including any and all documents and/or communications regarding whether law enforcement officers always monitor vehicles that transport ballots to or from any Clark County Election Department facility;
- 6) Any and all logs showing departure times, arrival times, driver information, and any other recorded data for the transport of ballots to or from any Clark County Election Department facility;
- 7) Any and all report or other document submitted to the Nevada Secretary of State or her designee regarding the handling, authentication, sorting, transportation, tabulation, storage, and/or retention of ballots.
- 8) All records that explain the process of how ballots are received, authenticated, processed, stored, and tabulated by the Clark County Election Department (such as the cycle of a ballot when it leaves the elector);
- 9) Any and all correspondence with voters regarding the authentication of ballots;
- 10) All records showing how many ballots have been rejected based upon signature authentication by the Clark County Election Department;
- 11) Any and all correspondence with any official, representative, candidate or delegate from the democratic party regarding the 2020 general election;
- 12) Any and all requests and responses to any public records request made to Clark County from any other party regarding the 2020 general election; and
- 13) Any and all correspondence with the Secretary of State regarding the 2020 election.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the local processes and procedures in Clark County and further ensure the right of the citizens of Nevada to a free and fair election. This information is not being sought for commercial purposes. We request partial records if all records cannot be provided at once.

The Nevada Open Records Act requires a response within five business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might responses or the ability to have the attached questions answered.

In the event you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,  
Weir Law Group, LLC

*/s/ Shana D. Weir*

Shana D. Weir, Esq.

**EXHIBIT "3"**

**Exhibit "3"**





# Election Department

965 Trade Dr • Ste A • North Las Vegas NV 89030  
Voter Registration (702) 455-8683 • Fax (702) 455-2793

Joseph Paul Gloria, Registrar of Voters  
Lorena Portillo, Assistant Registrar of Voters

October 21, 2020

Shana D. Weir  
Weir Law Group, LLC  
6220 Stevenson Way  
Las Vegas, NV 89120

RE: Public Information Request (10/16/2020)

Ms. Weir,

Please find responses to your public information request dated October 16, 2020.

1) First and last names of voters who are registered as Republicans that are members of the counting board, including the dates and times of their shifts; and shift location.

- We will not be releasing the names of our counting board during the conduct of the election due to security reasons.
- The party breakdown for our Counting Board, Duplicators, and Auditors is as follows:
  - 40 Democrats
  - 35 Republicans
  - 15 Non Partisan

2) First and last names of voters who are registered as Democrats who are members of the counting board, including the dates and times of their shifts; and shift location.

- See question 1.

3) First and last names of voters registered as Independents who are members of the counting board, including the dates and times of their shifts; and shift location.

- See question 1.

4) Political composition of the counting board for each shift (7:30 a.m. to 1:00 p.m.; and 1:00 p.m. to 7:30 p.m.) for each day starting Thursday, October 15, 2020 and ending November 12, 2020.

- See question 1.

5) First and last names of the ambassadors that poll watchers and members of the general public can interface and interact with during ballot processing, along with dates and times of their shifts; and shift locations.

- We will not be releasing the names of our counting board during the conduct of the election due to security reasons.
- The party breakdown for our ambassadors is as follows:
  - 1 Democrats

- 0 Republicans
- 3 Non Partisan
- 1 Not Registered

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Paul Gloria". The signature is written in a cursive style with a large, stylized initial "J" and a long, sweeping tail.

Joseph Paul Gloria  
Registrar of Voters  
Clark County, NV

## Charlene Renwick

---

**From:** Jesse Binnall <jbinnall@harveybinnall.com>  
**Sent:** Tuesday, October 27, 2020 7:18 AM  
**To:** David Lee; Charlene Renwick; tyler@consvoymccarthy.com; Shana Weir  
**Subject:** Fwd: FOIA Response  
**Attachments:** WEIR LAW GROUP\_CCED RESPONSE\_10-23-20.pdf

\*\*\* This is an external email \*\*\*

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----- Forwarded message -----

**From:** Shana Weir <sweir@weirlawgroup.com>  
**Date:** Fri, Oct 23, 2020 at 4:22 PM  
**Subject:** Fwd: FOIA Response  
**To:** Jesse Law <jlaw@donaldtrump.com>, Jesse Binnall <jbinnall@harveybinnall.com>

Haven't opened this yet.

Begin forwarded message:

**From:** "Joseph Gloria (Election)" <JPG@ClarkCountyNV.gov>  
**Subject:** FOIA Response  
**Date:** October 23, 2020 at 4:19:25 PM PDT  
**To:** Shana Weir <sweir@weirlawgroup.com>  
**Cc:** Mary-Anne Miller <Mary-Anne.Miller@clarkcountyda.com>, Dan Kulin <DKulin@ClarkCountyNV.gov>

Good Afternoon Shana,

The attached document provides our responses to your request submitted on 10/16/2020.

**Joe P. Gloria, MPA, CERA**  
**Registrar of Voters**  
Clark County Election Department  
965 Trade Dr.  
North Las Vegas, NV 89030  
[jpg@clarkcountynv.gov](mailto:jpg@clarkcountynv.gov)  
702.455.2944 (Office)  
702.455.2793 (Fax)

--

Jesse R. Binnall

Harvey & Binnall, PLLC  
717 King Street  
Suite 300  
Alexandria, VA 22314  
(703) 888-1943  
(703) 888-1930 (fax)  
[jbinnall@harveybinnall.com](mailto:jbinnall@harveybinnall.com)

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**EXHIBIT "4"**

**Exhibit "4"**





October 23, 2020

Via email to: [JPG@ClarkCountyNV.gov](mailto:JPG@ClarkCountyNV.gov)  
Clark County Election Department  
965 Trade Drive, Ste. A  
North Las Vegas, NV 89030

RE: Public records request

Dear Mr. Gloria,

This firm represents Donald J. Trump for President, Inc. Pursuant to NRS § 239 *et seq.*, please consider this our request for the following pertaining to the 2020 election:

1. Image files, documents, records, and information showing (1) each voter's signature on envelopes containing mail ballots and/or absentee ballots returned by voters to the Clark County Election Department in the November 3, 2020 general election and (2) the images of signatures of voters who have cast a mail ballot and/or an absentee ballot in the November 3, 2020 general election on record with the Clark County Election Department, the Registrar's office, the Counting Board, and/or any other affiliated entity against which signatures on envelopes containing mail ballots and/or absentee ballots are verified.
2. Documents, records, and information sufficient to identify the number of absentee ballots and/or mail ballots cast in the November 3, 2020 general election that were accompanied by an envelope that (a) did not contain the voter's signature, or (b) contained a signature that the Recorder's Office determined does not match the signature on file in the voter's registration record.
3. For every ballot within the scope of Request 2, all documents, records, and information necessary to show whether the absentee ballot and/or mail ballot was ultimately approved for tabulation.
4. Documents, images, records, and information identifying all absentee ballots and/or mail ballots cast in the November 3, 2020 general election that were accompanied by an envelope that was initially rejected by the Agilis Ballot Packing Sorting System used by the Clark County Election Department.
5. Documents and information sufficient to identify the number of mail ballots cast in the November 3, 2020 general election that the Registrar's Office and/or Counting Board determined were not eligible for processing and/or tabulation for a reason other than a missing or mismatched signature on the accompanying envelope.

6. For every early ballot that is within the scope of Request No. 5, documents and information sufficient to identify:
  - a. The name and voter ID number of the voter who ostensibly cast the ballot;
  - b. The reason(s) the early ballot was determined to be legally insufficient or otherwise ineligible for tabulation and/or processing;
  - c. The date(s) on which the County Recorder's Office attempted to contact the voter and the result of the contact attempt(s); and
  - d. Whether the early ballot was subsequently accepted for processing and/or tabulation.
  
7. Documents and information sufficient to identify the number of provisional ballots and conditional provisional ballots cast in the November 3, 2020 general election.
  
8. For every provisional ballot or conditional provisional ballot that is within the scope of Request No. 7, documents and information sufficient to identify:
  - a. The name and voter ID number of the voter who ostensibly cast the ballot;
  - b. The reason(s) the voter was required to cast a provisional ballot or conditional provisional ballot;
  - c. Any contact or communications between the voter and the County Recorder's Office in connection with the provisional ballot or conditional provisional ballot; and
  - d. Whether the conditional provisional ballot or provisional ballot was subsequently accepted for processing and/or tabulation.

We request that responsive documents and information be produced promptly and on a rolling basis as they become available. This request will terminate on November 30, 2020. The Nevada Open Records Act requires a response within five business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect responses or the ability to have the attached questions answered.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of the local processes and procedures in Clark County, as well as further ensure the right of the citizens of Nevada to a free and fair election. This information is not being sought for commercial purposes.

In the event you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,  
Weir Law Group, LLC

/s/ Shana D. Weir

Shana D. Weir, Esq.