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WILLIAM SCOTT HOEN
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**FIRST JUDICIAL DISTRICT COURT OF NEVADA
CARSON CITY**

NATIONAL TAXPAYERS UNION, a
nonprofit organization; and ROBIN L. TITUS,
MD,

Plaintiffs,

vs.

JOSEPH LOMBARDO, in his official capacity
as Governor of the State of Nevada; ZACH
CONINE, in his official capacity as Nevada State
Treasurer; RICHARD WHITLEY, in his official
capacity as Director of the Nevada Department of
Health and Human Services; SCOTT J. KIPPER,
in his official capacity as the Nevada
Commissioner of Insurance; and RUSSELL
COOK, in his official capacity as Executive
Director of the Silver State Health Insurance
Exchange,

Defendants, and

LEGISLATURE OF THE STATE OF
NEVADA,

Proposed Intervenor-Defendant.

Case No. 24 OC 00001 1B

Dept. No. II

**STIPULATION AND ORDER REGARDING INTERVENTION BY LEGISLATURE,
BRIEFING SCHEDULE, AND RELATED PROCEDURAL MATTERS**

1 2. The Parties stipulate and agree that, in response to the first amended complaint for
2 declaratory and injunctive relief, the State Executive Defendants and the Legislature will file
3 motions to dismiss the first amended complaint under NRCP 12(b), and/or any joinders thereto, in
4 accordance with the following schedule, and the Parties stipulate and agree that their respective
5 documents will involve complex issues of state law, and the Parties ask the Court, for good cause
6 shown, to extend the page limits for motions, oppositions, and replies under FJDCR 3.23.
7 Accordingly, upon approval of this Stipulation and Order by the Court:

8 (a) Not later than February 23, 2024, the State Executive Defendants and the Legislature
9 must file and serve their motions to dismiss, and not later than February 26, 2024, they must file
10 and serve any joinders thereto. Such motions to dismiss (1) must not exceed 25 pages, exclusive
11 of the caption, the signature block, the certificate of service, any exhibits, and any addendum
12 reproducing provisions of constitutions, statutes, rules, regulations, or similar materials; and
13 (2) must include a table of contents and table of authorities, which are also excluded from the page
14 limits.

15 (b) Not later than March 8, 2024, the Plaintiffs must file and serve their oppositions to the
16 motions to dismiss and any joinders thereto. Such oppositions (1) must not exceed 25 pages,
17 exclusive of the caption, the signature block, the certificate of service, any exhibits, and any
18 addendum reproducing provisions of constitutions, statutes, rules, regulations, or similar materials;
19 and (2) must include a table of contents and table of authorities, which are also excluded from the
20 page limits.

21 (c) Not later than March 22, 2024, the State Executive Defendants and the Legislature must
22 file and serve their replies in support of their motions to dismiss. Such replies (1) must not exceed
23 15 pages, exclusive of the caption, the signature block, the certificate of service, any exhibits, and
24 any addendum reproducing provisions of constitutions, statutes, rules, regulations, or similar

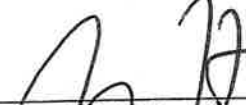
1 materials; and (2) must include a table of contents and table of authorities, which are also excluded
2 from the page limits.

3 3. The Parties agree and consent to service by electronic mail under NRCP 5(b)(2)(E).
4 The Parties agree and stipulate that NRCP 6(d), which provides for additional time after certain
5 kinds of service, shall not apply to the Parties' service by electronic mail in this case. The Parties
6 may use portable document format (pdf) or Microsoft Word as the format for attachments to
7 service by electronic mail. Each Party filing a document must serve the document by electronic
8 mail on counsel for the other Parties by 11:59 p.m. at the Court's local time on the same date that
9 the document is sent to the clerk's office by mail or other third-party carrier for filing or is hand-
10 delivered to the clerk's office for filing.

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1 **SIGNATURES FOR STIPULATION AND ORDER REGARDING INTERVENTION BY**
2 **LEGISLATURE, BRIEFING SCHEDULE, AND RELATED PROCEDURAL MATTERS**

3 DATED: This 15th day of February, 2024. DATED: This ____ day of _____, 2024.

4 By: 

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Attorneys for Plaintiffs

(continued on next page)

By: _____

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1 **SIGNATURES FOR STIPULATION AND ORDER REGARDING INTERVENTION BY**
2 **LEGISLATURE, BRIEFING SCHEDULE, AND RELATED PROCEDURAL MATTERS**

3 DATED: This _____ day of _____, 2024. DATED: This 14th day of February, 2024.

4 By: _____

5 **Joshua M. Halen, Esq.**
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(continued on next page)

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1 **SIGNATURES FOR STIPULATION AND ORDER REGARDING INTERVENTION BY**
2 **LEGISLATURE, BRIEFING SCHEDULE, AND RELATED PROCEDURAL MATTERS**

3 (continued from previous page)

DATED: This 20th day of FEB., 2024.

4 By: 

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14 *Attorneys for Intervenor-Defendant*
15 *Legislature of the State of Nevada*

16 **IT IS ORDERED:**

- 17 Granted
18 Granted in part:

19 and Denied in part:

20 Denied

21 Other: _____

22 DATED: February 23, 2024

23 Kristi Lewis
24 DISTRICT COURT JUDGE