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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEVIN ZIMMERMAN, an individual

Plaintiff,

vs.

GJS GROUP, INC.

Defendant,

Case No.: CV:2-17-00304-GMN-GWF

**STATE OF NEVADA'S MOTION TO
INTERVENE AS A LIMITED PURPOSE
DEFENDANT**

AND

**REQUEST FOR EXPEDITED
CONSIDERATION**

(Assigned to the Hon. Gloria Navarro)

Pursuant to Federal Rule of Civil Procedure ("FRCP") 24, and for the reasons set forth herein, the State of Nevada *ex rel.* Adam Paul Laxalt, the Nevada Attorney General (the "State") hereby moves to intervene in this action as a limited purpose defendant. This case is one of 275 actions commenced by this Plaintiff in this Court since January 31, 2017, all of which target Nevada businesses in their role as places of public accommodation ("PPAs") under the Americans with Disabilities Act of 1990 (the "ADA"). The vast majority of these cases have been assigned to this Court pursuant to an

1 Omnibus Transfer Order dated February 23, 2017 and filed on February 28, 2017 in
2 related Case No. 2:17-cv-00307-GMN-GWF.¹ The complaints, which all follow the same
3 template, allege one or more deficiencies that purportedly cause the respective PPA to be
4 noncompliant with ADA Standards for Accessible Design that were promulgated under
5 Title III of the ADA (“ADA Design Standards”). However, the complaints are potentially
6 malicious² or, at best, premature and poorly drafted; failing to state a cause of action or
7 adequately establish the plaintiff’s standing to bring these suits. The Nevada Attorney
8 General has a strong interest in protecting the public interest from malicious or
9 premature lawsuits that threaten Nevada businesses owners and adversely impact
10 Nevada’s general economy.

11 Moreover, applicable federal law requires that persons first notify the Nevada
12 Equal Rights Commission (“NERC”) about any allegedly deficient ADA Design Standards
13 before they file suit in any court. Yet, seeking to circumvent the power and authority of
14 NERC vested in it by federal and state law, the Plaintiff filed 275 cases in federal court
15 without any advance notice to NERC.³ The federal notice requirement contemplates that
16

17 ¹ See the Minute Order entered in the docket for this case on February 28, 2017. As
18 noted in the State’s Motion to Consolidate, a few cases were subsequently reassigned to
19 other judges.

20 ² After reviewing a similar rash of complaints filed in the U.S. District Court for the
21 District of New Mexico, Chief Magistrate Judge Karen Molzen issued Proposed Findings
22 of Fact and Recommended Disposition on July 10, 2017. See Proposed Findings of Fact
23 and Recommended Disposition, filed as Document 39 in Case No.:1:17-cv-00037-KG-SCY
24 (Carton v. Carroll Ventures, Inc., D. N.M.). Based on her proposed findings, Judge
25 Molzen recommended that Chief Judge Armijo find all complaints to be malicious, and
26 that they be dismissed with prejudice. Furthermore, the Proposed Findings cite
27 statements from the transcript of a May 11, 2017 hearing which reveal that all
28 complaints filed by Kevin Zimmerman which are pending before this Court, similar
complaints filed in the U.S. District Court for the District of Colorado, and the malicious
complaints filed in New Mexico are virtually identical and all follow the same template.
See Proposed Findings at Section IV, Preparation of the Complaints.

³ This Court has previously found that, where pre-suit notice to NERC is required,
plaintiffs must observe that requirement, and that failure to notify NERC deprives this
Court of jurisdiction over the plaintiff’s claim(s). *May v. Cal. Hotel and Casino, Inc.*, No.
2:13-cv-00066-GMN-PAL, 2014 WL 1494231, at *3-*5. (D. Nev. Apr. 14, 2014). Although
that case concerned claims asserted under Title II of the Civil Rights Act of 1964, the

1 state agencies such as NERC should have the first opportunity to address noncompliant
 2 PPAs within their borders, but the Plaintiff's actions undermine the State's enforcement
 3 process.

4 The State therefore seeks to intervene in this matter as of right under FRCP 24(a),
 5 or in the alternative permissive intervention under FRCP 24(b), in order to protect the
 6 public interest, advocate for its interests as the primary enforcer of ADA Design
 7 Standards at businesses in this State, and otherwise promote judicial economy. Pursuant
 8 to FRCP 24(c), this Motion is accompanied by a proposed Answer, as Exhibit A, setting
 9 forth affirmative defenses.

10 The State files this Motion for the limited purpose of seeking consolidation of
 11 similar remaining actions filed by the Plaintiff Kevin Zimmerman; if this Motion is
 12 granted, the State will seek to consolidate all of those similar remaining actions pending
 13 in this Court. Pursuant to Rule 42 of Nevada's Local Rules of Civil Practice, this Motion
 14 is also accompanied by a proposed Motion for Consolidation, as Exhibit B.

15 This Motion is made and based on upon the following Memorandum of Points and
 16 Authorities, the pleadings and papers on record in this action, and any argument
 17 presented at the time of hearing on this matter.

18 Dated this 8th day of August, 2017.

19 ADAM PAUL LAXALT
 20 Nevada Attorney General

21 By: /s/ Lucas J. Tucker
 22 Lucas J. Tucker (Bar. No. 010252)
 23 Senior Deputy Attorney General

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 28 same notice requirement in that case, found at 42 U.S.C. § 2000a-3(c), is applicable to
 Plaintiff's claims in this case.

MEMORANDUM OF POINTS AND AUTHORITIES

I.

BACKGROUND

As this Court is aware, Plaintiff has filed 275 lawsuits against various Nevada businesses in the past few months. These lawsuits allege various deficiencies with ADA Design Standards and assert those deficiencies as the basis for Plaintiff's claim that he has suffered discrimination under the ADA. The Complaint filed in this action is virtually identical to complaints filed in all other cases by Plaintiff in this Court. The differences between the complaints include the date of alleged visitations, which are always stated in paragraph 9, and variances in the specific ADA Design Standards that are allegedly not being followed, which variances are always stated in an "a, b, c ..." format in paragraph 31. The complaints overall assert that on any given day numerous Nevada businesses discriminate against the Plaintiff.⁴

Plaintiff's lawsuits directly and adversely impact Nevada's economy. Plaintiff's lawsuits target Nevada businesses that sell goods and services to Nevada consumers. Even though the ADA generally provides only injunctive relief,⁵ rather than monetary damages, a successful ADA plaintiff can recover attorneys' fees and costs, and business owners are dismayed by the need to incur their own substantive fees and costs in order to

⁴ The Nevada Attorney General has reviewed a representative sample of the 275 complaints filed by Plaintiff, and has found several instances where Plaintiff alleges discrimination by at least 4 or 5 PPAs on the same day. For example, Plaintiff alleges he experienced discrimination as a "customer" on February 27, 2017, at each of (i) Applebee's located at 10305 S. Eastern Blvd., (ii) Buffalo Wild Wings located at 10271 S. Eastern Blvd., (iii) Jamba Juice located at 10251 S. Eastern Blvd., (iv) Jack in the Box located at 10505 S. Eastern Blvd., and (v) Trader Joes located at 10345 S. Eastern Blvd. See complaints filed in Case Nos. 2:17-cv-01169, 2:17-cv-01171, 2:17-cv-01176, 2:17-cv-01181 and 2:17-cv-01203. Plaintiff may have alleged discrimination by many more restaurants or other PPAs on February 27, 2017 in other complaints not yet reviewed.

⁵ *Chapman v. Pier 1 Imports, Inc.* 631 F.3d 939, 946 (9th Cir. 2011), citing 42 U.S.C. § 12188(a)(1), which affords private plaintiffs the remedies provided under the Civil Rights Act of 1964, 42 U.S.C. §2000a-3(a). Note, 42 U.S.C. § 12188(b)(2)(B) allows the U.S. Attorney General to request an award of damages to aggrieved individuals, but otherwise creates no right to, or discretion to award, damages.

1 successfully defend these suits. Thus, many business owners facing these ADA suits have
2 a financial incentive to settle the suit for less than the projected cost of defending it. Not
3 surprisingly, according to public news articles, dozens of Nevada business owners have
4 pursued settlement at a cost ranging from \$3,900 to \$7,500 per case;⁶ certainly not a trifle
5 amount for the business, nor a trifle award of attorneys' fees when considering the cookie-
6 cutter template of complaint used by Plaintiff and the lack of any substantive discovery.

7 There are at least 157 open cases involving the Plaintiff that are still pending
8 before this Court. These suits are fiscally motivated, preying on businesses' income, and,
9 left undeterred, seek to serve as a roadmap for malicious or nuisance litigation whose
10 objective is to obtain monetary settlements rather than meaningful injunctive relief. A
11 review of these complaints clearly demonstrates the Plaintiff's overarching objective,
12 because the Plaintiff failed to first notify NERC, which notice would have allowed NERC
13 to resolve any legitimate deficiencies with ADA Design Standards without the need to file
14 suit.

15 Malicious or nuisance litigation against Nevada businesses adversely impacts the
16 State's general economy. First, businesses pay annual or quarterly fees to State and local
17 agencies, but may not be able to afford those fees due to the cost of litigating or settling
18 nuisance lawsuits. Moreover, the cost of nuisance litigation trickles down to consumers,
19 who may pay increased costs for the products sold by the businesses. And, left
20 undeterred, the Plaintiff's litigation model adversely impacts the State's ability to attract
21 new businesses.

22 Within the organization of the Nevada Attorney General, the Consumer's Advocate
23 has broad discretion to represent the public interest in any proceeding.⁷ In turn, the
24 public interest is defined as "the interests or rights of *the State of Nevada and of the*
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26 ⁶ Jane Ann Morrison, *Attorney for disabled Las Vegas man stops filing ADA lawsuits*, Las
27 Vegas Review Journal, July 12, 2017, available at
28 <https://www.reviewjournal.com/news/news-columns/jane-ann-morrison/attorney-for-disabled-las-vegas-man-stops-filing-ada-lawsuits/>.

⁷ Nev. Rev. Stat. § 228.390(1)(a).

1 *residents of this State*, or a broad class of those residents, *which arise from* the
2 constitutions, *court decisions* and statutes of this State and of the United States and
3 from the common law.”⁸

4 The Consumer’s Advocate requests that the Court take into consideration the cases
5 filed by Plaintiff as an issue of public interest due to their volume, direct impact on
6 Nevada businesses and consumers, and prospect for attempting to establish Nevada as a
7 favorable forum for nuisance ADA litigation that preys on business owners. The public
8 interest of this case is rooted in what appears to be Plaintiff’s efforts to obtain monetary
9 payments by filing, and attempting quick settlements for, hundreds of claims for which
10 Plaintiff has no valid legal standing, and for which the applicable law generally only
11 provides injunctive, rather than monetary, relief. Plaintiff’s cases threaten to severely
12 impair and impede current and future Nevada businesses. Additionally, the economic
13 impact borne by these lawsuits may shift from Nevada businesses to Nevada consumers.
14 Further, the State has a legitimate interest in ensuring that private plaintiffs are not
15 allowed, or encouraged, to usurp the State’s enforcement regime in matters where it has
16 jurisdiction and administrative authority.

17 II.

18 INTERVENTION AS OF RIGHT UNDER RULE 24(A)

19 FRCP 24(a)(2) states that, on a timely motion, the court must permit anyone to
20 intervene who “claims an interest relating to the property or transaction that is the
21 subject of the action, and is so situated that disposing of the action may as a practical
22 matter impair or impede the movant’s ability to protect its interest, unless existing
23 parties adequately represent that interest.”⁹ When evaluating motions to intervene as a
24 matter of right, courts construe FRCP 24 liberally in favor of potential intervenors,
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28 ⁸ Nev. Rev. Stat. § 228.308 (emphasis added).

⁹ Fed. R. Civ. P. 24(a)(2).

1 focusing on practical considerations rather than technical distinctions.¹⁰ Accordingly, a
2 proposed intervenor as of right must satisfy four requirements:

3 (1) the applicant must timely move to intervene; (2) the applicant must have a
4 significantly protectable interest relating to the property or transaction that is the
5 subject of the action; (3) the applicant must be situated such that the disposition of
6 the action may impair or impede the party's ability to protect that interest; and (4)
7 the applicant's interest must not be adequately represented by existing parties.¹¹

8 As further discussed below, the State meets all four requirements.

9 **A. This Motion is Timely.**

10 "Timeliness is 'the threshold requirement' for intervention as of right."¹² Courts
11 consider three factors to determine whether a motion to intervene is timely: (1) the stage
12 of the proceedings when the motion is filed, (2) the prejudice to other parties, and (3) the
13 length and reason for any delay.¹³ In considering the first factor, the State is intervening
14 in the early stages of the proceeding. Defendant GJS Group, Inc. has not filed an answer.
15 As to the second factor, the existing parties will not be prejudiced. The Plaintiff is
16 certainly not prejudiced, as he filed this suit without first observing the requirement
17 under federal law to notify NERC. Nor is the defendant prejudiced, because the State has
18 no financial motives to settle this suit, and allowing the State leave to intervene for the
19 limited purpose of consolidation will result in a legitimate adjudication of Plaintiff's
20 claims in this lawsuit and many others. As to the third factor, the public importance of
21 the matters posed did not become apparent until another defendant sued by Plaintiff
22 expressed its grievances to the Nevada Attorney General in June of 2017. Thus, this
23 motion is timely.

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26 ¹⁰ *Sw. Ctr. for Biological Diversity v. Berg*, 268 F.3d 810, 817 (9th Cir. 2001).

27 ¹¹ *Arakaki v. Cayetano*, 324 F.3d 1078, 1083 (9th Cir. 2003).

28 ¹² *League of United Latin Am. Citizens v. Wilson*, 131 F.3d 1297, 1302 (9th Cir. 1997)
(quoting *United States v. Oregon*, 913 F.2d 576, 588 (9th Cir. 1990)).

¹³ *League of United Latin Am. Citizens v. Wilson*, 131 F.3d 1297, 1302 (9th Cir. 1997).

B. The State has a Protectable Interest in the Subject of this Action and Only the State can Represent That Interest.

The State possesses a strong interest as of right in this case in ensuring the public interest is well represented. As mentioned above, Nevada law provides the Consumer's Advocate broad discretion to participate in any proceeding involving the public interest, and court decisions that impact the State and its residents are matters of public interest.¹⁴

Further, the Consumer's Advocate's authority to represent the public interest in any proceeding is consistent with the State's *parens patriae* authority to protect the interests of its citizens. The Supreme Court has held that a state has a "quasi-sovereign interest in the health and well-being—both physical and economic—of its residents in general," and can therefore protect these interests.¹⁵ A state asserting *parens patriae* standing must satisfy two distinct requirements.¹⁶ First, "the State must articulate an interest apart from the interests of particular private parties, i.e., the State must be more than a nominal party."¹⁷ Second, "[t]he State must express a quasi-sovereign interest."¹⁸ A State's quasi-sovereign interest extends beyond mere physical interests to economic and commercial interests of its residents. In addition, a State has a quasi-sovereign interest in not being discriminatorily denied its rightful status within the federal

¹⁴ Nev. Rev. Stat. § 228.308.

¹⁵ *Alfred L. Snapp & Son, Inc. v. Puerto Rico, ex rel., Barez*, 458 U.S. 592, 607 (1982).

¹⁶ These requirements are in addition to the general requirement to satisfy Article III standing, which requires an injury that is (i) concrete, particularized, and actual or imminent, (ii) fairly traceable to the challenged action, and (iii) redressable by a favorable ruling. *Missouri ex re. Koster v. Harris*, 847 F.3d. 646, 651 (9th Cir. 2017), citing *Table Bluff Reservation (Wiyot Tribe) v. Philip Morris, Inc.*, 256 F.3d 879, 885 (9th Cir. 2001) and *Clapper v. Amnesty Int'l USA*, 133 S.Ct. 1138, 1147, 185 L.Ed.2d 264 (2013). The State does not ignore these requirements, but adequately addresses them in its argument that it has satisfied the distinct elements of *parens patriae* standing

¹⁷ *Id.*

¹⁸ *Id.*

1 system.¹⁹ For the following reasons, the State meets the requirements of *parens patriae*
2 standing.

3 The State is not a mere nominal party to this action, because only the State can
4 protect the public interest. Furthermore, the State asserts a quasi-sovereign interest.
5 Nevada businesses are owned and operated by Nevada residents, and sell goods and
6 services to Nevada consumers. If these lawsuits continue undeterred, Plaintiff's
7 campaign of malicious or nuisance litigation will hurt hundreds of small businesses that
8 cannot afford litigation or easily bear the cost of settlement. Failure to protect Nevada
9 businesses against malicious or nuisance litigation materially and detrimentally impacts
10 the State's ability to attract new businesses and keep existing ones. Further, the
11 economic impact may shift from businesses to consumers, if businesses have to raise the
12 price of goods or services to compensate for the money spent on litigation or settlement.
13 Altogether, Plaintiff's course of conduct adversely impacts the prosperity and welfare of
14 the State, its businesses and consumers. Only the State's intervention in this matter will
15 protect these interests.

16 A State also has a quasi-sovereign interest in securing the observance of the terms
17 under which it participates in the federal system.²⁰ Plaintiff's circumvention of Title III's
18 enforcement provisions usurps the federal authority vested in a State agency; NERC.
19 Title III's enforcement provision, 42 U.S.C. § 12188, incorporates the "remedies and
20 procedures of section 2000a-3(a)" which allows for a private civil action for "preventive
21 relief."²¹ However, that right is subject to compliance with 42 U.S.C. § 2000a-3(c), which
22 requires that where a State law prohibits the challenged practice, the plaintiff must first
23 give notice to the relevant State authority, and then wait 30 days before filing suit in
24 Federal Court.²²

25 ¹⁹ *Id.*

26 ²⁰ *Id.* at 607-608.

27 ²¹ 42 U.S.C. § 12188.

28 ²² 42 U.S.C. § 12188 provides an exception to this requirement in cases where the prospective plaintiff has actual notice that the PPA or its owner does not intend to comply with ADA Design Standards. However, Plaintiff never pled that he has actual notice

1 In Nevada, NRS § 651.050 defines PPAs in a similarly broad fashion as 28 CFR §
2 36.104, and NRS § 651.070 provides that all persons are entitled to the full and equal
3 enjoyment of all goods, services, facilities and accommodations of any PPA, without
4 discrimination based on disability. Further, NRS § 651.110 provides that any person who
5 has been denied full and equal enjoyment of the goods, services, facilities or
6 accommodation of any PPA due to discrimination based on disability may file a complaint
7 with NERC. Thus, Nevada law prohibits the same conduct that the Plaintiff has alleged
8 as violating ADA Title III. Accordingly, the Plaintiff is subject to the notice provision of
9 42 U.S.C. § 2000a-3(c), and NERC would be the appropriate state authority to notify.

10 The federal notice requirement contemplates that states should have the first
11 opportunity to investigate and address any noncompliant PPAs located within their
12 borders. Contrary to the requirements of federal law, Plaintiff failed to notify NERC,
13 thus denying the State its proper participation in the ADA's enforcement scheme
14 concerning Nevada businesses and their adherence to ADA Design Standards. Plaintiff
15 then effectively circumvented the enforcement power vested in NERC by commencing
16 this action with no advance notification to NERC. The Nevada Attorney General
17 represents state agencies, including NERC,²³ and thus has a legitimate interest in
18 ensuring that NERC is able to exercise the power vested in it under state and federal law.

19 Altogether, no private party can adequately represent the State's interest in this
20 matter. The State seeks to protect the public interest while private parties seek to
21 protect their own businesses. Only the State has an interest in protecting its general
22 economy, its businesses and residents. And, given that the State has the authority to
23 enforce legitimate violations of ADA Design Standards, the State has a strong interest in
24 preserving the rights afforded to NERC under federal and state law; rights that the
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27 that GJS Group, Inc. does not intend to comply with the applicable PPA Design
28 Standards.

²³ Nev. Rev. Stat. § 228.110(1)(a).

1 Plaintiff seeks to eviscerate in its goal of seeking a quick settlement or default judgment.
 2 All these factors warrant the State's intervention as of right.

3 III.

4 PERMISSIVE INTERVENTION UNDER RULE 24(B)

5 The State alternatively seeks permissive intervention under FRCP 24(b). Under
 6 FRCP 24(b), the court may permit anyone to intervene who, on a timely motion, "is given
 7 a conditional right to intervene by a federal statute; or has a claim or defense that shares
 8 with the main action a common question of law or fact."²⁴ As with FRCP 24(a), FRCP
 9 24(b) should be construed liberally in favor of applicants for intervention, and permissive
 10 intervention is allowed even when the intervenor has no direct personal or pecuniary
 11 interest in the subject of the litigation.²⁵

12 A movant "who seeks permissive intervention must prove that it meets three
 13 threshold requirements: (1) it shares a common question of law or fact with the main
 14 action; (2) its motion is timely; and (3) the court has an independent basis for jurisdiction
 15 over the applicant's claims."²⁶ For the same reasons described in Section II(A), *supra*,
 16 this motion is timely. Further, the State seeks to intervene in order to adjudicate the
 17 questions of whether Plaintiff has proper standing to bring these suits, has sufficiently
 18 pled a cause of action on which relief can be granted, and has presented a case or
 19 controversy that is ripe for review; all these questions stem from the Plaintiff's
 20 allegations in the main action. This motion also presents an independent basis for
 21 jurisdiction in that it (a) questions whether this Court has proper jurisdiction over the
 22 Plaintiff's claims, as pled, and (b) asserts the rights of NERC under federal and state law,
 23 and this court has jurisdiction to confirm that federal law requires notice to NERC before
 24 Plaintiff can pursue its claims via a private action filed in this Court.

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 26 ²⁴ FED. R. CIV. P. 24(b)(1).

27 ²⁵ *My Home Now, LLC v. Bank of America, N.A.*, No. 2:14-cv-01957-RFP-CWH, 2015 WL
 28 4276100 at *1-*2 (D. Nev. July 13, 2015).

²⁶ *Donnelly v. Glickman*, 159 F.3d 405, 412 (9th Cir. 1998).

1 Finally, in exercising its discretion, a court should consider whether intervention
 2 will unduly delay or prejudice the original parties, whether the applicant's interests are
 3 adequately represented by the existing parties, and whether judicial economy favors
 4 intervention.²⁷ The State has already addressed the first 2 factors in Sections II(A) and
 5 (B), *supra*. As to judicial economy, this factor also favors permitting the State's
 6 intervention, because the State seeks to intervene for the purpose of consolidation, which
 7 would ensure that (i) no default judgments are granted simply because a defendant can't
 8 afford legal counsel, (ii) prospective ADA plaintiffs can't circumvent the rights afforded to
 9 NERC under federal and state law, and (iii) this Court has an opportunity to consider and
 10 rule on all common aspects of the Plaintiff's complaints, rather than a case-by-case basis.

11 Given all these ample reasons to allow the State's intervention, the Court should
 12 not hesitate to exercise its discretion in allowing the State to intervene in this matter.

13 IV.

14 REQUEST FOR EXPEDITED CONSIDERATION

15 In any motion, a party can request for expedited consideration. As previously
 16 noted on page 4, *supra*, Plaintiff has already procured settlement payments from several
 17 defendants, at a cost ranging from \$3,900 to \$7,500 per case, even though Plaintiff would
 18 not be entitled to recover any damages under the ADA if he pursued the cases to trial.
 19 Any delay increases the likelihood that additional defendants are pressured into paying
 20 costly, and unwarranted, settlement sums or face the prospect of default judgments. To
 21 minimize this and other harms, the State waives any reply and respectfully requests that
 22 this Court rules on this Motion to Intervene as soon as is practicable.

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 28 ²⁷ *MGM Grand Hotel, Inc. v. Smith-Hemion Prods, Inc.*, 158 F.R.D. 677, 680 (D. Nev. 1994), citing *Venegas v. Skaggs*, 867 F.2d 527, 530-531 (9th Cir. 1989).

V.

CONCLUSION

For the foregoing reasons, the State respectfully requests that the Court grant the State's request to intervene as of right pursuant to FRCP 24(a) or, in the alternative, permit the State to intervene pursuant to FRCP 24(b).

The State further requests that the Court give expedited consideration to this Motion.

Dated this 8th day of August, 2017.

ADAM PAUL LAXALT
Nevada Attorney General

By: /s/ Lucas J. Tucker
Lucas J. Tucker (Bar. No. 010252)
Senior Deputy Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **STATE OF NEVADA'S MOTION TO INTERVENE AS A LIMITED PURPOSE DEFENDANT AND REQUEST FOR EXPEDITED CONSIDERATION**, with the Clerk of the Court by using the electronic filing system.

I certify that the following participants in this case are registered electronic filing systems users and will be served electronically:

Whitney C. Wilcher

E-mail: wcwilcher@hotmail.com
sydney@nevadaada.com
wcw@nevadaada.com

AND/OR

I certify that some of the participants in the case are not registered electronic filing system users. For those parties not registered service was made by depositing a copy of the above-referenced document for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada to the following unregistered participants:

Dated: August 8, 2017



An employee of the
Office of the Attorney General

INDEX OF EXHIBITS

Exhibit A – Proposed form of Answer by Defendant-Intervenor State of Nevada to Plaintiff's Complaint

Exhibit B – Proposed form of State of Nevada's Motion to Consolidate Cases for Limited Purposes, Set a Scheduling Conference, Allow Leave to Serve by Other Means and Request for Expedited Consideration

Exhibit B, Appendix A – List of active cases filed by Kevin Zimmerman in the United States District Court for the District of Nevada, as of August 8, 2017