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7 *Attorneys for Defendant Secretary of State*

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

11
12 ERIC JENG, an individual,
13 Plaintiff,

Case No.: 230C00137 1B
Dept. No. II

14 vs.

15 FRANCISCO V. AGUILAR, in his official
16 capacity as NEVADA SECRETARY OF
STATE

17 Defendant,

18 and

19 Fair Maps Nevada,

20 Intervenor-Defendant.

21
22 **SECRETARY OF STATE'S LIMITED RESPONSE TO MEMORANDUM OF**
23 **POINTS AND AUTHORITIES IN SUPPORT OF COMPLAINT FOR**
24 **DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE**
25 **PETITION C-04-2023**

26 Defendant Francisco Aguilar, in his official capacity as Nevada Secretary of State
27 ("Secretary of State"), submits the following Limited response to Plaintiff's Complaint for
28 Declaratory and Injunctive Relief Challenging Initiative Petition C-04-2023.

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The Secretary of State does not take a position on the legality of the proposed initiative petition. This case was brought prior to the Secretary of State having the opportunity to consider certifying the proposed initiative petition as sufficient pursuant to NRS 295.061(2). Plaintiff and Intervenor-Defendant will make those arguments, and the Secretary of State will comply with any final judgment in this case. The Secretary of State does not take a position on the policy merits of the proposed initiative petition. If deemed legal and qualified for the 2024 general election ballot, Nevadan voters will have that debate and make that policy decision.

Under such circumstances, no award of attorneys' fees or costs is appropriate against the Secretary of State.

DATED this 22nd day of January, 2024.

AARON D. FORD
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By: 
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CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on this 22nd day of January, 2024, I served a true and correct copy of the foregoing **SECRETARY OF STATE'S LIMITED RESPONSE TO MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF CHALLENGING INITIATIVE PETITION C-04-2023**, by USPS First Class Regular mail and electronic mail to:

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