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*Attorneys for Plaintiffs*

**FIRST JUDICIAL DISTRICT COURT OF NEVADA**  
**IN AND FOR CARSON CITY**

NATIONAL TAXPAYERS UNION, a non-profit organization, and ROBIN L. TITUS, MD,

Plaintiffs,

v.

THE STATE OF NEVADA, ex, rel., 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.

Case No. 25 OC 00109 1B

Dept. No. 1

**STIPULATION REGARDING AMENDED COMPLAINT AND BRIEFING SCHEDULE  
AND ORDER**

Plaintiffs National Taxpayers Union and Robin L. Titus, MD, by and through counsel, and Defendants Joseph Lombardo, Zach Conine, Richard Whitley, Scott J. Kipper, and Russell Cook, by and through counsel, file this Stipulation Regarding Amended Complaint and Briefing Schedule:

REC'D & FILED

2025 AUG 26 PM 3: 59

WILLIAM SCOTT HOEN  
CLERK

BY *[Signature]*  
DEPUTY

1. On July 7, 2025, Plaintiffs filed their Complaint.
  2. On July 7, 2025, Plaintiffs filed their Motion for Preliminary Injunction.
  3. Defendants were served with the Summons and Complaint via the Nevada Attorney General on July 11, 2025. Defendants Conine, Lombardo, Cook, and Kipper were served on July 11, 2025, making their deadline to file a response to the Complaint due on August 25, 2025. *See* NRCP 4.2(d)(2) (requiring state employees to be served individually and through Attorney General); NRCP 12(a)(2) (requiring state employees serve response to complaint within “45 days after service on the party, or if required service on the Attorney General, whichever date of service is later....”). Defendant Whitley was served individually on July 29, 2025, making a response to the Complaint due September 12, 2025.
  4. Defendants were served with the Motion for Preliminary Injunction on July 16, 2025.
  5. On July 29, 2025, Defendants filed an Unopposed Motion for Extension of Time to extend the date to file their response to the Motion for Preliminary Injunction until August 18, 2025.
  6. On August 18, 2025, Defendants filed a second Unopposed Motion for Extension of Time to extend the date to file their response to the Motion for Preliminary Injunction until August 25, 2025.
- Counsel for the parties have had discussions regarding recent amendments to Nevada law that may impact this lawsuit and the papers filed, and hereby stipulate as follows:
1. Plaintiffs intend to file the Amended Complaint attached hereto as Exhibit 1. Because more than 21 days have passed since Defendants have been served and no responsive pleading has been filed, Defendants provide their written consent for Plaintiffs to file the Amended Complaint as Exhibit 1. *See* NRCP 15(a)(2) (“In all other cases, a party may amend its pleading only with the opposing party’s written consent or the court’s leave.”).
  2. Plaintiffs’ Amended Complaint Replaces Scott Kipper, sued in his official capacity as Commissioner of Insurance, with Ned Gaines, who is the Acting Commissioner of

1 Insurance and has assumed Defendant Kipper's duties. Pursuant to NRCP 25(d), Defendant  
2 Gaines is automatically substituted in place of Defendant Kipper.

3 3. Plaintiffs' Amended Complaint replaces Russell Cook, sued in his official  
4 capacity as Executive Director of the Silver State Health Insurance Exchange, with Janel Davis,  
5 who is the Acting Director of the Silver State Health Insurance Exchange. Pursuant to NRCP  
6 25(d), Defendant Davis is automatically substituted in place of Defendant Cook.

7 4. The Nevada Attorney General's Office agrees to accept service of all papers on  
8 behalf of Defendants Gaines and Davis and re-service of each is not required.

9 5. Plaintiffs have added Stacie Weeks, sued in her official capacity as Director of  
10 the Nevada Health Authority, as a Defendant in this action.

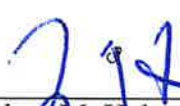
11 6. The Nevada Attorney General agrees to accept service on behalf of Defendant  
12 Weeks.

13 7. Given the filing of the Amended Complaint, Plaintiffs will file an amended  
14 Motion for Preliminary Injunction. The parties agree that Defendants response to the Motion for  
15 Preliminary Injunction will be filed on or before September 2, 2025. Plaintiffs' Reply shall be  
16 filed consistent with First JD Rule 3.9.

17 8. Defendants' response to the Amended Complaint shall be filed on or before  
18 September 8, 2025.

19  
20 DATE: August 25, 2025

21 HOLLAND & HART LLP

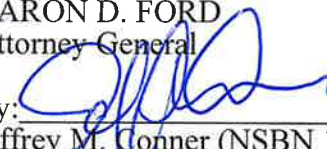
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*Attorneys for Plaintiffs*

DATE: August 25, 2025

AARON D. FORD  
Attorney General

By:   
Jeffrey M. Conner (NSBN 11543)  
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100 North Carson Street  
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Tel: (775) 684-1136  
jconner@ag.nv.gov

*Attorneys for Defendants*

1 IT IS SO ORDERED:

2 ☒ Granted

3 ☐ Granted in part:

4 \_\_\_\_\_

5 \_\_\_\_\_

6 and Denied in part:

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9 ☐ Denied

10 ☐ Declined to consider ex parte

11 ☐ Declined to consider without a hearing

12 ☐ Other: \_\_\_\_\_

13 \_\_\_\_\_

14 DATED: August 26, 2025

15 J. D. W.

16 DISTRICT COURT JUDGE

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**CERTIFICATE OF SERVICE**

I, Cathy Ryle, certify:

I am employed in the City of Reno, County of Washoe, State of Nevada by the law offices of Holland & Hart LLP. My business address is 5470 Kietzke Lane, Suite 100 Reno, Nevada 89511. I am over the age of 18 years and not a party to this action.

On August 25, 2025, I caused the foregoing **STIPULATION REGARDING AMENDED COMPLAINT AND BRIEFING SCHEDULE AND ORDER**, to be served by the following methods(s):

☐ U.S. Mail: a true and correct copy was placed in Holland & Hart LLP's outgoing mail in a sealed envelope addressed as follows:

Jeffery M. Conner (NSBN 11543)  
Chief Deputy Solicitor General  
State of Nevada  
Office of the Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717  
Tel: (775) 684-1136  
jconner@ag.nv.gov

☒ E-Mail: By e-mailing a true copy thereof to the following person(s) at the following e-mail addresses, pursuant to NRCP 5(b)(F):

Jeffery M. Conner (NSBN 11543)  
Chief Deputy Solicitor General  
jconner@ag.nv.gov

Cathy Ryle   
An Employee of Holland & Hart LLP

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