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Exhibit 1

NEVADA

BALLOT QUESTIONS

1992



**A compilation of ballot questions which will appear
on the November 3, 1992, Nevada
general election ballot**

Issued by
CHERYL A. LAU
Secretary of State

NEVADA
LEGISLATIVE COUNSEL BUREAU
RESEARCH LIBRARY

SEP 28 1992

the term for which the members of either house shall have been elected [Provided,] ; *provided*, that an appropriation may be made for the payment of [such actual expense as] *expenses* that members of the Legislature may incur for postage, express charges, newspapers and stationery . [not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.]



QUESTION NO. 5

Amendment to the Nevada Constitution

Assembly Joint Resolution No. 23 of the 65th Session

CONDENSATION (ballot question)

Shall the Nevada Constitution be amended to allow the State of Nevada to lend money or its credit to any company, association or corporation, and to subscribe to or have an interest in the stock of companies, associations or corporations, but to retain the prohibition against donating money to private companies which are not formed for educational or charitable purposes?

Yes... 109,739 ☐ 2358.
No... 357,190 ☒ 7658

EXPLANATION

The Nevada Constitution prohibits the State of Nevada from donating or loaning money or its credit to, or subscribing to or having an interest in the stock of any company, association or corporation, except corporations formed for educational or charitable purposes. The proposed amendment would retain the prohibition against donating money of the state to businesses that are not formed for educational or charitable purposes, but would allow the state to lend money or its credit to, and subscribe to and have an interest in the stock of any business. A "Yes" vote is a vote to amend the Nevada Constitution to expand the authority of the state to loan money or its credit to, or invest in businesses. A "No" vote is a vote to disapprove the proposed amendment.

ARGUMENTS FOR PASSAGE

The existing provision was placed in the Nevada Constitution in 1864 to prevent powerful railroad companies from using their political influence to obtain loans and grants from the state. This provision has limited efforts to bring economic development and economic benefits to Nevadans by restricting the state's ability to make loans to private companies. The proposed amendment to the Nevada Constitution will allow the state greater flexibility to invest its money more effectively and to cooperate with private companies to provide benefits to the public. This authority would still be subject to statutory guidelines, including requirements that ensure safety, protection, and disclosure of any such investments.

ARGUMENTS AGAINST PASSAGE

Even though the railroads no longer have excessive political influence over state government, the existing provision has not prevented the state from supporting economic growth or making prudent investments. Also, the provision may still be useful in preventing the state from becoming financially involved in private companies.

FISCAL NOTE

Financial Impact—No. The Proposal to amend the Nevada Constitution would expand the state's ability to invest public money in various private enterprises. The proposal would have no adverse fiscal impact.

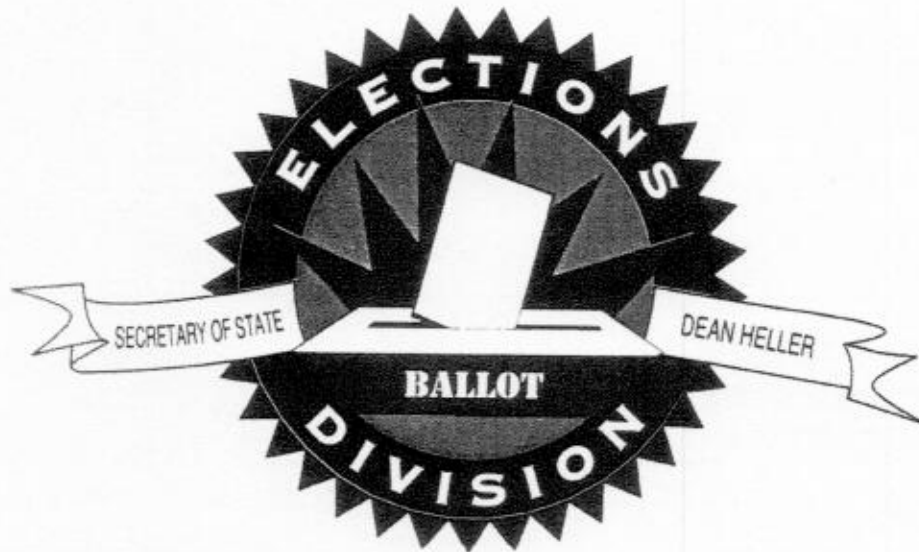
FULL TEXT OF MEASURE

ASSEMBLY JOINT RESOLUTION—Proposing to amend section 9 of article 8 of the constitution of the State of Nevada to eliminate the prohibition against lending the money or credit of the state to businesses.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 9 of article 8 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] Sec. 9. The State shall not donate **[or** loan money, or its credit, subscribe to or be, interested in the Stock of] *money to* any company, association, or corporation, except corporations formed for educational or charitable purposes.

State of Nevada Ballot Questions 1996



**A compilation of ballot questions which will appear
on the November 5, 1996, General Election Ballot**

Issued by
Dean Heller
Secretary of State

QUESTION NO. 7

Amendment to the Nevada Constitution

Assembly Joint Resolution No. 35 of the 67th Session

CONDENSATION (ballot question)

Shall the Nevada Constitution be amended to allow the prudent investment of state money in a company, association, or corporation to stimulate economic development or the creation of new jobs?

Yes 148,581... ☐

No 274,022... ☒

EXPLANATION

The Nevada Constitution prohibits the State from donating or loaning money or its credit to, or buying the stock of any company, association, or corporation, except corporations formed for educational or charitable purposes. The proposed amendment would enable the Legislature to consider and authorize the investment of state money in companies, associations, or corporations, subject to the following conditions:

1. That the investment supports economic development or the creation of new employment opportunities in the State; and
2. That the State can expect a reasonable rate of return on the investment, adjusted for the relative degree of risk.

Each investment authorized by the Legislature must be made in cooperation with knowledgeable investors and be prudently managed. The State's participation must be on terms that are the same or more favorable than those of any private investors. The proposed amendment would require any law authorizing such investments to be approved by a two-thirds vote of each house of the Nevada Legislature.

ARGUMENTS FOR PASSAGE

New capital investment is needed to diversify Nevada's economy, contribute to the growth of high-quality small businesses, broaden job opportunities, and enhance the standard of living for Nevadans. Passage of this constitutional amendment would allow Nevada to assist investors to develop new sources of capital for the state's business and industry. Most other states permit such investments.

ARGUMENTS AGAINST PASSAGE

The State should not use tax dollars for investment in private companies, associations, or corporations. Any risk or gain associated with investments involving private businesses has traditionally been left to private investors.

FISCAL NOTE

Financial Impact - Cannot be determined. The proposal does not require any investment to be made. The amendment would simply permit the Legislature to consider proposals for investments subject to the terms and conditions in the amendment. Until specific legislation is enacted authorizing an investment, there would be no fiscal impact.

FULL TEXT OF THE MEASURE

ASSEMBLY JOINT RESOLUTION—Proposing to amend the Nevada constitution to allow the investment of state money to stimulate economic development.

WHEREAS, Emerging competition in other states and federally regulated territories threaten the State of Nevada's long-term growth in its vital gaming industry; and

WHEREAS, Finance programs necessary to assure business expansion and high quality job growth do not currently provide Nevada's business sector with adequate access to those types of money and capital essential to support the growth of a diversified economic base; and

WHEREAS, The Nevada constitution currently contains restrictions, based on conditions existing in the 19th century, that have prevented the Legislature from considering legislation similar to laws enacted in several other states, which would permit prudently managed investments in public-private partnerships and corporations designed to provide needed sources of capital for high quality, job-creating businesses within Nevada that cannot feasibly obtain such financing from existing private financial markets in an easily accessible and efficient manner; and

WHEREAS, The State of Nevada must remain competitive with other states in providing the necessary financial tools to attract the types of businesses and industries that would diversify Nevada's economic base and improve the standard of living for Nevada's citizens; and

WHEREAS, The benefits to be derived from a strong economic development effort throughout the state may be jeopardized if current restrictions in the Nevada constitution are not replaced with more flexible and contemporary standards that both protect public investments in economic development projects and provide access to the type of financing needed to stimulate the growth of businesses and industries throughout the state which will provide the high quality jobs, increased property values, and enhanced standard of living desired by Nevadans; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 9 of article 8 of the constitution of the State of Nevada is hereby amended to read as follows:

[Sec: 9. The]

Sec. 9. 1. Except as otherwise provided in subsections 2 and 3, the State shall not donate or loan money [,] or its credit [,] to, or subscribe to or be [,] interested in the Stock of any company, association, or corporation. [, except] 2. The legislature may by law, approved by a vote of two-thirds of the members elected to each house, authorize the investment of state money in a company, association or corporation subject to the following conditions:

(a) Before any investment is authorized, a determination must be made, by a person or entity designated in the authorizing legislation, that:

(1) The investment is for the economic development of this state or the creation of new employment opportunities in this state;

(2) The state can reasonably expect to achieve a reasonable rate of return on the investment, adjusted for the relative degree of risk; and

(b) Each investment by the state must be made through a cooperative venture with private investors of reasonable sophistication who participate in the venture on terms that are the same as or less favorable than the terms on which the state is participating.

Revenue received from investments pursuant to this subsection may be reinvested subject to the same conditions.

3. The provisions of this section do not apply to corporations formed for educational or charitable purposes.

State of Nevada
Ballot Questions
2000



**Ballot Questions That Will Appear on the
November 7, 2000 General Election Ballot**

Issued by
Dean Heller
Secretary of State

QUESTION NO. 1

Amendment to the Nevada Constitution

Senate Joint Resolution No. 12 of the 69th Session

CONDENSATION (ballot question)

Shall the Nevada Constitution be amended to allow the investment of State money in a company, association, or corporation to assist economic development and the creation of new high-quality jobs?

Yes 234104 ☐

No 341288 ☒

EXPLANATION

The Nevada Constitution currently prohibits the State from investing its money in any company, association, or corporation, except for corporations formed for educational or charitable purposes. The proposed amendment would enable the Legislature to authorize the prudently managed investment of State money subject to the following conditions:

1. That the investment is for the economic diversification or development of Nevada or for the creation of new high-quality employment opportunities in Nevada;
2. That the State can expect a reasonable rate of return on the investment, adjusted for the relative degree of risk;
3. That any legislation authorizing such an investment must be approved by a two-thirds vote of each house of the Nevada Legislature and also by the Governor;
4. That the State's participation must be made in cooperation with knowledgeable private investors on terms that are the same as or more favorable than those of the private investors; and
5. That revenue received from these investments may be reinvested under the same conditions.

ARGUMENTS FOR PASSAGE

The restrictions under the Nevada Constitution, which were established based on conditions existing in the 1800s, have prevented the Legislature from considering laws to permit managed investments. Capital investment is needed to diversify Nevada's economy, contribute to the growth of high-quality, job-creating businesses, and improve the standard of living for Nevadans. Emerging competition in other states threatens Nevada's long-term economic stability. Nevada must remain competitive with other states in providing the necessary financial tools to attract the types of businesses and industries that would diversify the State's economic base and improve the standard of living for its residents.

The proposed amendment allows the Legislature, with the approval of two-thirds of its members in each house and the Governor, to authorize investments in economic diversification projects. The amendment requires that each proposed investment be structured so that the State can expect to achieve a reasonable rate of return.

A "Yes" vote would permit the Legislature to authorize the investment of State money to stimulate economic diversification or create new jobs.

ARGUMENTS AGAINST PASSAGE

The State of Nevada should not use tax dollars for investment in private companies, associations, or corporations. Traditionally, the State of Nevada has left any risk of loss associated with investments involving private businesses to private investors.

The State of Nevada may already invest in educational or charitable organizations and is authorized to provide other financial incentives to encourage economic development.

A "No" vote would retain the prohibition against investing the State's money or its credit in companies, associations, or corporations, except for educational or charitable purposes.

FISCAL NOTE

Financial Impact -- Cannot be determined.

The proposal does not require any investment to be made. The amendment would simply permit the Legislature to consider proposals for investments subject to the terms and conditions in the amendment. Until specific legislation is enacted authorizing an investment, there would be no fiscal impact.

FULL TEXT OF THE MEASURE

Senate Joint Resolution No. 12 of the 69th Session—Committee on Finance

FILE NUMBER 129

SENATE JOINT RESOLUTION—Proposing to amend the Nevada constitution to allow the investment of state money to stimulate economic development.

WHEREAS, Emerging competition in other states and federally regulated territories threatens the long-term growth of the State of Nevada in its vital gaming industry; and

WHEREAS, Financial programs necessary to ensure business expansion and high-quality job growth do not currently provide the business sector of this state with adequate access to the types of money and capital essential to support the growth of a diversified economic base; and

WHEREAS, The Nevada constitution currently contains restrictions, based on conditions existing in the 19th century, that have prevented the Legislature from considering legislation similar to laws enacted in several other states which would permit prudently managed investments in public-private partnerships and corporations designed to provide needed sources of capital for high-quality, job-creating businesses and low-cost housing programs within this state that cannot feasibly obtain such financing from existing private financial markets in an easily accessible and efficient manner; and

WHEREAS, The State of Nevada must remain competitive with other states in providing the necessary financial tools to attract the types of businesses and industries that would diversify the economic base of this state and improve the standard of living for the residents of this state; and

WHEREAS, The benefits to be derived from an effort toward strong economic development throughout this state may be jeopardized if current restrictions in the Nevada constitution are not replaced with more flexible and contemporary standards that both protect public investments in economic development projects and provide access to the type of financing needed to stimulate the growth of businesses and industries throughout this state which will provide the high-quality jobs, increased property values and enhanced standard of living desired by Nevadans; now, therefore, be it

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That section 9 of article 8 of the constitution of the State of Nevada be amended to read as follows:

~~{Sec: 9. The}~~

Sec. 9. 1. Except as otherwise provided in subsections 2 and 3, the State shall not donate or loan money ~~{}~~ or its credit ~~{}~~ to, or subscribe to or be ~~{}~~ interested in the Stock of any company, association, or corporation. ~~{except}~~

2. The legislature may enact legislation, approved by a vote of two-thirds of the members of each house, to authorize the investment of state money in any company, association or corporation for the purpose of stimulating the economic diversification or development of this state and the creation of new employment opportunities for the residents of this state, subject to the following conditions:

(a) Before any such investment is authorized, a determination must be made by a person or entity designated in the authorizing legislation that:

(1) The investment is for the economic development of this state or the creation of new employment opportunities in this state; and

Exhibit 2

1 IN THE FIRST JUDICIAL COURT OF THE STATE OF NEVADA

2 IN AND FOR CARSON CITY

3
4
5 MICHAEL LITTLE, a citizen) Case No.: 14 OC 00026 1B

6
7 and taxpayer of Nevada,) Dept. No: 1

8 Plaintiff,)

9 vs.)

10 THE STATE OF NEVADA; THE NEVADA)

11 GOVERNOR'S OFFICE OF ECONOMIC)

12 DEVELOPMENT; and STEVEN HILL, in)

13 his Official capacity as Executive)

14 Director of Nevada Governor's)

15 Office of Economic Development,)

16 Defendant.)

17 _____)
18
19
20 RECORDED DEPOSITION OF STEVEN HILL

21 Taken on October 9, 2014

22 At 8:53 a.m.

23 At 500 Damonte Ranch Parkway, Suite 852

24 Reno, Nevada 89521
25

1
2 APPEARANCES:

3 For the Plaintiff: Joseph F. Becker
4 1225 Westfield Ave., Suite 7
5 Reno, Nevada 89509
6

7
8 For the Defendants: Blake A. Doerr
9 555 E. Washington Ave., Suite 3900
10 Las Vegas, Nevada 89101
11

12 Kevin Power
13 Legislative Counsel Bureau of Legal
14 Division Legislature of the State of
15 Nevada
16
17
18
19
20
21
22
23
24
25

1 about today?

2 A: Thought back on past events. That's
3 all.

4 Q: Okay. Have you spoken to anyone about
5 this deposition?

6 A: Mr. Doerr and Mr. Powers.

7 Q: Okay. Anything else you've done to
8 prepare for today's deposition?

9 A: No.

10 Q: Okay. How would you describe the
11 Governor's Office of Economic Development?

12 A: I'm going to start with one of those
13 questions that I don't quite know what you're looking
14 for. Could you be a little more specific?

15 Q: Well, let me start up this way. Can I
16 refer the Governor's Office of Economic Development
17 as GOED?

18 A: Certainly.

19 Q: Okay. That will save us all time.

20 A: Yeah.

21 Q: All right. You're familiar that GOED
22 exist?

23 A: I am.

24 Q: Okay. What is your relationship with
25 GOED?

1 A: I'm the director.

2 Q: What is the nature of work performed by
3 or the mission of GOED?

4 A: It's to help grow the economy of the
5 State of Nevada and grow the number of jobs
6 [UNINTELLIGIBLE 0:06:15.7] the growth of the number
7 of jobs in the state.

8 Q: You're the executive director, is that
9 correct?

10 A: I am, yes. That's right.

11 Q: How long have you held that position?

12 A: Almost exactly three years.

13 Q: How long has the GOED office existed?

14 A: It was created during the 2011
15 legislative session. That law took effect on July
16 1st of 2011 for the most part.

17 Q: And so, are you then its only director?

18 A: I am.

19 Q: Okay. To be clear, there was no other
20 director. When the office was created, you became
21 the director and there's been no other director?

22 A: That's right. The previous institution
23 or agency was the Nevada Commission on Economic
24 Development. So, there were directors of that agency
25 prior to me, but I'm the only director that GOED has

1 A: One I don't remember. Another is Brad
2 Mamer who works for me now.

3 Q: Correct. Okay. Since we are on that
4 topic can you, explain what he does for you?

5 A: For most of the time, he's been in the
6 position in GOED. He's been the director of business
7 development. He's also recently been given the
8 additional role and title of Southern Regional
9 Manager.

10 Q: How people are employed by GOED?

11 A: Approximately 40.

12 Q: And do you know their budget?

13 A: We have seven budgets.

14 Q: Okay. I try and ask a simple question.

15 A: Yeah, I understand. Our core operating
16 budget is approximately \$10 million.

17 Q: Okay.

18 A: There are some federally-funded programs
19 that had individual budgets, the catalyst fund, the
20 knowledge fund. Both have individual budgets.
21 Obviously, they're not operating funds there, so it
22 becomes a little bit more complex than the simple
23 question you tried to ask.

24 Q: Do you know what all of these things
25 total up to?

1 the federal government. That's about \$2.5 million a
2 year. I think we have a state small business credit
3 initiative. It was funded, I think, in 2009 or 2010
4 with a \$13.8-million grant. That's federally funded
5 as well, and quite a bit of most of those budgets
6 have a good deal of pass through in them and that
7 it's not money GOED uses for operations. It's really
8 granted to other organizations for the purposes that
9 are outlined in each of those budget areas.

10 Q: So it's administered and distributed by
11 --

12 A: Right.

13 Q: --GOED in those cases?

14 A: Right.

15 Q: Okay. This 0.6 million film office, can
16 you explain that to me?

17 A: Yeah. There's a Nevada Film Office that
18 basically tries to recruit filming of productions in
19 Nevada and administers the transferable tax credit
20 program that was put in place into 2013 and provide
21 service to the film industry. So, if they're looking
22 for a location, we help provided photos and locations
23 of places they might shoot a production if they're
24 looking for something specific.

25 Q: Okay. You mentioned the catalyst fund.

1 Let's talk a little more specifically about that.

2 You're obviously familiar with that program.

3 A: I am.

4 Q: Okay. In that's a program administered
5 by COED.

6 A: It is.

7 Q: Okay. I'm interested as much detail as
8 you can give me on how that program works. Maybe
9 start with a description of what that program or that
10 fund is intended to do and then we can sort of go
11 through all the various means by which the said
12 mission is accomplished.

13 A: Sure. The program was put in place on
14 2011 during that legislative session. I was
15 originally funded with \$10 million. I probably can't
16 quote the statute but it is in line with the mission
17 that GEOD has which is to help improve the economy,
18 the state and help bring good jobs to Nevada. It
19 provides through local governments an opportunity to
20 provide really from a statutory standpoint a fairly
21 broad range of options for use of the money. We have
22 through practice and policy narrowed that use so far.
23 There are options that are open and we haven't
24 implemented, but the idea is to help attract jobs,
25 good jobs to the state.

1 mean by "Local governments," if you don't mean Clark
2 County?

3 A: City of Henderson, City of Las Vegas,
4 City of North Las Vegas.

5 Q: Okay.

6 A: In this case, not the City of Boulder
7 City, but potentially could be.

8 Q: Okay.

9 A: It's cities and counties.

10 Q: Okay. There is a formal application
11 process though for the Catalyst Fund--

12 A: There is.

13 Q: --moneys, right?

14 A: Right.

15 Q: Can you explain to me what that process
16 is?

17 A: The business has to file an application
18 with the local government that has jurisdiction. We
19 ask the local government to perform the appropriate
20 due diligence that goes along with their
21 recommendation and application to us. That local
22 government, then, files an application with GOED, you
23 know, along, through that process, we may make
24 recommendations or make comments to the business or
25 the local government, but at the point that we

1 receive that application from the local government,
2 we take that to our board for their consideration and
3 potential approval.

4 Q: So, it's ultimately GOED that approves?

5 A: Yeah, it...they have all been approved by
6 the GOED board and statute allows me to approve
7 contracts for less than \$100,000, but there has not
8 been that circumstances that relates to the Catalyst
9 Fund.

10 Q: I guess you're answering a slightly
11 different question than I thought to ask, but that's,
12 it's helpful, anyway. So, either the GOED board or
13 you, individually, approve these Catalyst Fund
14 applications?

15 A: Yeah. I have the authority to approve
16 if the application is for a total of less than
17 \$100,000. That has not happened at this point.

18 Q: Okay.

19 A: So, all of the applications that had
20 been considered at GOED have gone to our board
21 because they are in excess of \$100,000.

22 Q: Okay.

23 MR. BECKER: This is 2?

24 MALE: Hmm-hmm.

25 Q: Do you recognize this document?

1 A: I can't say I recognize it, but I know
2 what it is.

3 Q: What is it?

4 A: It's the application from Clark County
5 for the SolarCity Catalyst Fund draft.

6 Q: Okay. Is that the application that you
7 would, you and the board would have reviewed before
8 approving?

9 A: I believe so.

10 Q: Okay.

11 A: Yeah.

12 Q: And looking at it, there's no reason to
13 think that's not it?

14 A: No, that's right.

15 Q: Okay.

16 A: Yeah.

17 MR. BECKER: We could just go ahead and
18 mark that as 2 and be done with that one.

19 Q: If you want to take some more time with
20 it, it's fine.

21 A: Oh, no, no, it's fine.

22 Q: I don't want to rush you.

23 A: I just haven't seen it in a while.

24 Q: Don't want to rush you into an answer
25 that's not correct.

1 A: There's a direct impact that the company
2 will have because of its operations, so...

3 Q: Okay.

4 A: Taxes of the company pays--

5 Q: Okay.

6 A: --employees that are employed at the
7 company, the wages that are paid to employees at the
8 company, and because that company exists, there is
9 both an indirect and induced aspect. We kind of lump
10 those things together typically as indirect, but
11 indirect is basically the supply chain that might
12 form or already be there and be able to support those
13 company, where their businesses would grow as a
14 result of that company being there. And then,
15 there's the induced impact of the money that is spent
16 by employees in the company in the community that
17 produces an economic impact as well and tax revenue.

18 Q: This leads me to ask if you employ
19 economists at GOED.

20 A: Bob Potts is our Research Director.
21 Frankly, I don't know what the definition of an
22 economist is, but I would say, he is. He probably
23 would not say that. He's probably not an economist,
24 but he's got 20 years of history running the Center
25 for Business and Economic Research at UNLV and...

1 them signing the agreement with a business, but we,
2 we don't like to do that.

3 Q: And why is that?

4 A: Because we want the same thing. We want
5 to know that once we signed something, this was going
6 to happen and go through and we want to, we'd like to
7 understand that the contract between the local
8 government and the business is going to line up well
9 with the contract that we have with local government.

10 Q: Okay.

11 A: But there's, there's no hard and fast
12 rule there.

13 Q: Is there a reason that you don't just
14 enter an agreement with the recipient directly?

15 A: We feel that that's unconstitutional and
16 it's not the way the legislation has been setup, it
17 allows us to do that.

18 Q: Okay.

19 A: And actually, our feeling on the
20 constitutionality doesn't matter. The law says,
21 "This is the way this will work," so we're
22 implementing the law.

23 Q: Okay. You said earlier that you were in
24 some ways involved with the legislation that created
25 the Catalyst Fund, is that correct?

1 now. I'll use the time while you're at lunch to try
2 and consolidate the balance of my questions instead
3 of picking through, you know, because I've asked
4 questions already that are still on this list, so
5 I'll get through and eliminate those.

6 MR. BECKER: But we can go off the
7 record, I think.

8 MALE: Okay.

9 MR. SANDERSON: Going off the record at
10 11:12 a.m. We are back on the record in the matter
11 of Michael Little, excuse me, versus The State of
12 Nevada. The time is 1:25 p.m.

13 Q: Okay. Welcome back, everyone. Just a
14 couple more follow up questions to something we've
15 already covered and I've got one more area and then,
16 I think we'll be finished unless they have some
17 questions for you. Can you explain to me how the
18 Catalyst Fund grants are paid ultimately to the
19 recipients?

20 A: The short answer is that, once the local
21 government shows us evidence of the amount that has
22 been earned by the company, we'll submit a request,
23 however that works through the State, to cut a check
24 or wire money, probably, to the local government for
25 that amount and then, the local government will pay

1 the business.

2 Q: Okay. But these are State moneys that
3 are being wired to the local government, correct?

4 A: That's right.

5 Q: Okay. What does the State receive in
6 exchange for the money that gets disbursed?

7 A: Well, better economy, higher employment,
8 lower economic impact, higher physical impact and
9 that's the core. I mean, it's most directly in line
10 with our mission.

11 Q: And what procedure does the State employ
12 or your office employ to determine that the benefits
13 of what the State is getting exceed the cost of the
14 money expended?

15 A: Well, we look at, again, the economic
16 impact as well as the physical impact of all of our
17 abatements and there's, whether that include, I mean,
18 all of our incentives, whether that includes the
19 Catalyst Fund or not. So, that analysis is both done
20 and then, summarized for our board and our board,
21 ultimately, obviously, makes that decision and they
22 may have different viewpoints of what the criteria
23 should be because there are a number of them, so...

24 Q: Okay. And who does this analysis for a
25 presentation to the board?

Exhibit 3

1 JOSEPH F. BECKER
2 Nevada State Bar: 12178
3 NPRI Center for Justice
4 1225 Westfield Ave., Suite 7
5 Reno, NV 89509
6 Tel: 775-636-7703
7 Fax: 775-201-0225
8 Attorney for: Plaintiff

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

11 MICHAEL LITTLE, a citizen and taxpayer of) Case No.: 14 OC 00026 1B
12 Nevada,)
13 Plaintiff,) Dept. No.: 1
14 vs.)
15 THE STATE OF NEVADA; THE NEVADA)
16 GOVERNOR'S OFFICE OF ECONOMIC)
17 DEVELOPMENT; and STEVEN HILL, in his)
18 official capacity as Executive Director of the)
19 Nevada Governor's Office of Economic)
20 Development; and THE LEGISLATURE OF)
21 THE STATE OF NEVADA,)
22 Defendants.)

23 AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

24 STATE OF NEVADA)
25) ss.
26 COUNTY OF CLARK)

27 I, MICHAEL LITTLE, am the Plaintiff in the above referenced action and hereby swear
28 under penalty of perjury that the following assertions are true of my own personal knowledge:

1. I am over the age of eighteen (18) years. I have personal knowledge of the facts
stated within this affidavit. If called as a witness, I would be competent to testify to these facts.

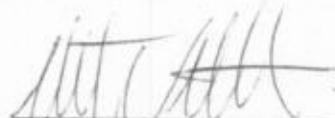
2. This affidavit is filed in support of a Motion for Summary Judgment.

1 The admissible facts are as follows:

- 2 A. I, Michael Little, Plaintiff, am a citizen of the United States, a Nevada resident
3 and a Nevada taxpayer.
- 4 B. I, Michael Little, have developed a unique technological process by which I can
5 efficiently convert organic byproducts into alternative forms of energy.
- 6 C. I, Michael Little, have earnestly and diligently attempted to utilize the
7 aforementioned technological process I developed as the cornerstone in a new
8 business enterprise in southern Nevada.
- 9 D. I, Michael Little, am placed at a competitive disadvantage and, thus, harmed when
10 SolarCity, Inc., an alternative energy competitor, is subsidized with state taxpayer
11 money in any amount.
- 12 E. I, Michael Little, as a Nevada taxpayer, am also harmed by the Defendants GOED
13 and State of Nevada when state taxpayer funds are disbursed contrary to a clear
14 prohibition of such disbursement in the Nevada Constitution.
- 15 F. I, Michael Little, Plaintiff, met with Steven Hill in the year 2011 and was led to
16 believe that application for Catalyst Fund money for my alternative energy
17 enterprise would be futile.

18 I declare under penalty of perjury, that the following assertions are true.

19 Dated this 10th day of December, 2014.

20 

21 MICHAEL LITTLE, Plaintiff

22 STATE OF NEVADA)
23) ss.
24 COUNTY OF CLARK)

25 This instrument was acknowledged before me on the
26 10th day of December, 2014, by MICHAEL LITTLE.

27 
28 NOTARY PUBLIC

