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2 DEANNA L. FORBUSH, ESQ.

3 Nevada Bar No. 6646

4 dforbush@foxrothschild.com

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8 **FOX ROTHSCHILD LLP**

9 1980 Festival Plaza Drive, Suite 700

10 Las Vegas, Nevada 89135

11 Telephone: (702) 262-6899

12 Facsimile: (702) 597-5503

13 Attorneys for Plaintiff

14 Nevada Policy Research Institute

15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 NEVADA POLICY RESEARCH INSTITUTE, a
18 Nevada domestic nonprofit corporation,

19 Plaintiff,

20 vs.

21 NICOLE J. CANNIZZARO, an individual engaging
22 in dual employment with the Nevada State Senate
23 and Clark County District Attorney; KASINA
24 DOUGLASS-BOONE, an individual engaging in
25 dual employment with the Nevada State Assembly
26 and Clark County School District; JASON
27 FRIERSON, an individual engaging in dual
28 employment with the Nevada State Assembly and
Clark County Public Defender; OSVALDO FUMO,
an individual engaging in dual employment with the
Nevada State Assembly and University of Nevada,
Las Vegas; HEIDI SEEVERS GANSERT, an
individual engaging in dual employment with the
Nevada State Senate and University of Nevada
Reno; GLEN LEAVITT, an individual engaging in
dual employment with the Nevada State Assembly
and Regional Transportation Commission;
BRITTNEY MILLER, an individual engaging in
dual employment with the Nevada State Assembly
and Clark County School District; DINA NEAL, an

Case No.: A-20-817757-C

Dept. No.: I

HEARING REQUESTED

**PLAINTIFF'S MOTION FOR ORDER
TO SERVE BY PUBLICATION
DEFENDANTS GLEN LEAVITT,
JAMES OHRENSCHALL, AND
MELANIE SCHEIBLE**

1 individual engaging in dual employment with the
2 Nevada State Assembly and Nevada State College;
3 JAMES OHRENSCHALL, an individual engaging
4 in dual employment with the Nevada State Senate
5 and Clark County Public Defender; MELANIE
6 SCHEIBLE an individual engaging in dual
7 employment with the Nevada State Senate and Clark
8 County District Attorney; TERESA BENITEZ-
9 THOMPSON, an individual engaging in dual
10 employment with the Nevada State Assembly and
11 University of Nevada, Reno; JILL TOLLES, an
12 individual engaging in dual employment with the
13 Nevada State Assembly and University of Nevada,
14 Reno; and SELENA TORRES, an individual
15 engaging in dual employment with the Nevada State
16 Assembly and Clark County School District,

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Defendants.

12 Nevada Policy Research Institute (“NPRI”), through its attorneys of record, Deanna L.
13 Forbush, Esq. and Colleen E. McCarty, Esq., of Fox Rothschild LLP, hereby submits its Motion for
14 Order to Serve by Publication Defendants Glen Leavitt, James Ohrenschall and Melanie Scheible.
15 Plaintiff seeks an Order for service by publication on the grounds that, after due diligence, it has been
16 unable to effectuate service on the said Defendants, and it is believed they are evading service.

17 This Motion is made and based on the following Memorandum of Points and Authorities; the
18 Declaration of Deanna L. Forbush, Esq. attached hereto and the exhibits thereto; the papers and
19 pleadings already on file herein; and any oral argument permitted at the hearing of this matter.

20 Dated this 29th day of September, 2020.

21 **FOX ROTHSCHILD LLP**

22 By: /s/ Deanna L. Forbush

23 DEANNA L. FORBUSH

24 Nevada Bar No. 6646

25 COLLEEN E. MCCARTY

26 Nevada Bar No. 13186

27 1980 Festival Plaza Drive, Suite 700

28 Las Vegas, Nevada 89135

Telephone: (702) 262-6899

Attorneys for Plaintiff

Nevada Policy Research Institute

**DECLARATION OF DEANNA L. FORBUSH, ESQ. IN SUPPORT OF
MOTION FOR ORDER TO SERVE BY PUBLICATION**

I, Deanna L. Forbush, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of Nevada, and I am a partner of the law firm of Fox Rothschild LLP, attorneys for Plaintiff, Nevada Policy Research Institute (“NPRI”).

2. I have personal knowledge of the facts stated in this Declaration. If called upon to testify to the same, I am competent to do so.

3. NPRI filed its operative Amended Complaint for Declaratory and Injunctive Relief on July 28, 2020. By way of the instant litigation, NPRI seeks injunctive and declaratory relief in the public interest to address the alleged ongoing constitutional violations of the Separation of Powers requirement of the Nevada Constitution by 13 individually named Defendants, each of whom are engaging in dual employment by simultaneously holding elected offices in the Nevada State Legislature and paid positions with Nevada State or local government.

4. Over the two-month period preceding the instant filing, NPRI has been successful in personally serving 10 of the 13 Defendants, with the most recent personal service taking place on September 27, 2020. Despite its due diligence, however, NPRI has been unable to effectuate service on 3 of the Defendants: Glen Leavitt, James Ohrenschall and Melanie Scheible.

5. In addition to repeated service attempts made at each Defendant’s last known address, Plaintiff’s process server made repeated telephone calls to arrange for a convenient time for service, leaving messages for both Glen Leavitt and James Ohrenschall and speaking directly to Melanie Scheible, but these efforts were ultimately unsuccessful.

6. Attached hereto as **Exhibit 1** are true and correct copies of three (3) Affidavits of Due Diligence executed by licensed process server Sean Keseday with Nationwide Legal Nevada, LLC, which attest to a total of thirteen (13) personal service and/or call attempts made at the last known address of Defendant Glen Leavitt. These personal service and/or call attempts were made between the dates of August 28, 2020 and September 15, 2020 and undertaken at varying times.

7. Attached hereto as **Exhibit 2** are true and correct copies of two (2) Affidavits of Due

1 Diligence executed by licensed process server Judith Mae All with Nationwide Legal Nevada, LLC,
2 which attest to a total of seven (7) personal service and/or call attempts made at the last known
3 address of Defendant James Ohrenschall. These personal service and/or call attempts were made
4 between the dates of September 1, 2020 and September 22, 2020 and undertaken at varying times.

5 8. Attached hereto as **Exhibit 3** are true and correct copies of two (2) Affidavits of Due
6 Diligence executed by licensed process server Tyler Trewet with Nationwide Legal Nevada, LLC,
7 which attest to a total of nine (9) personal service and/or call attempts made at the last known
8 address of Defendant Melanie Scheible. These personal service and/or call attempts were made
9 between the dates of August 29, 2020 and September 23, 2020 at differing times throughout the day.

10 I declare under penalty of perjury under the laws of the State of Nevada (NRS 53.045)¹ that
11 the foregoing is true and correct.

12 Dated this 29th day of September, 2020.

13
14 /s/ Deanna L. Forbush
15 DEANNA L. FORBUSH
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25
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27 ¹ NRS 53.045. Use of unsworn declaration in lieu of affidavit or other sworn declaration. Any matter whose existence
28 or truth may be established by an affidavit or other sworn declaration may be established with the same effect by an
unsworn declaration of its existence or truth signed by the declarant under penalty of perjury, and dated, in substantially
the prescribed form.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **STATEMENT OF RELEVANT FACTS**

4 The facts relevant to the instant Motion for Order to Serve by Publication are contained
5 within the Declaration of Deanna L. Forbush, Esq., supra, and are incorporated by reference herein.

6 **II.**

7 **ARGUMENT**

8 **A. Service by Publication is Warranted Where Defendants Cannot, After Due**
9 **Diligence, Be Personally Served and Are Likely Evading Service.**

10 Under NRCP 4, parties are required to personally serve summons and complaint upon a
11 defendant. When personal service proves impossible, however, NRCP 4.4(c) provides that service
12 by publication may be ordered when the defendant cannot, after due diligence, be found or when by
13 concealment defendant seeks to avoid service of the summons and complaint. See NRCP
14 4.4(c)(1)(A) and (B). A party moving for service by publication must, among other requirements,
15 support the request by filing an affidavit demonstrating it diligently attempted to serve the defendant.
16 NRCP 4.4(c)(2).

17 There are several factors courts consider to evaluate a party's due diligence, including the
18 number of attempts made to serve the defendant at his or her residence. See *Abreu v. Gilmer*, 115
19 Nev. 308, 713, 985 P.2d 746, 749 (1999) ("due diligence measured by the qualitative efforts of a
20 specific plaintiff seeking to locate and serve a specific defendant); *McNair v. Rivera*, 110 Nev. 463,
21 464, 874 P.2d 1240, 1241 (1994); *Price v. Dunn*, 106 Nev. 100, 103, 787 P.2d 785, 786-87 (1990).

22 Here, NPRI has provided the Court with a Declaration of its attorney of record, Deanna L.
23 Forbush, Esq., demonstrating a cause of action exists against Defendants Glen Leavitt, James
24 Ohrenschall, and Melanie Scheible, said Defendants are necessary and proper parties to the action,
25 and specific facts showing the diligent efforts it made to locate and serve said Defendants. As
26 detailed above, NPRI engaged three (3) different process servers, each of whom attempted to serve
27 Defendants Glen Leavitt, James Ohrenschall, and Melanie Scheible, respectively, on numerous
28 occasions. This matter has been well publicized, and so far, two (2) motions to dismiss have been

1 filed by one or more colleagues of these Defendants and are pending, all of which are strong
2 indicators Defendants are aware of the instant litigation.

3 As a result, this Court has authority to grant NPRI's motion and enter an Order directing that
4 service by publication may be made against Defendants Glen Leavitt, James Ohrenschall, and
5 Melanie Scheible according to the procedures set forth in NRCP 4.4(c)(4), namely that publication
6 "be made in one or more newspapers or other periodicals published in Nevada....at least once a
7 week for a period of four weeks." NRCP 4.4(c)(4)(A). Further, where the individual Defendant's
8 last known addresses are known, a copy of the summons and complaint must also be mailed. NRCP
9 4.4(c)(4)(B). Finally, "[s]ervice by publication is complete four weeks from the later of: (i) the date
10 of the first publication; or the mailing of the summons of complaint, if mailing is ordered." NRCP
11 4.4(c)(4)(C).

12 **III.**

13 **CONCLUSION**

14 For the reasons stated above, NPRI respectfully requests that the Court enter an Order
15 directing that Defendants Glen Leavitt, James Ohrenschall, and Melanie Scheible may be served by
16 publication, according to the requirements of NRCP 4.4.

17 Dated this 29th day of September, 2020.

18 **FOX ROTHSCHILD LLP**

19 By: /s/ Deanna L. Forbush
20 DEANNA L. FORBUSH, ESQ.
21 Nevada Bar No. 6646
22 COLLEEN E. MCCARTY, ESQ.
23 Nevada Bar No. 13186
24 1980 Festival Plaza Dr., Suite 700
25 Las Vegas, Nevada 89135
26 Telephone: (702) 262-6899
27 Attorneys for Plaintiff
28 Nevada Policy Research Institute

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of Fox Rothschild LLP and that on
3 this 29th day of September, 2020, I caused the foregoing document entitled **PLAINTIFF’S**
4 **MOTION FOR ORDER TO SERVE BY PUBLICATION DEFENDANTS GLEN LEAVITT,**
5 **JAMES OHRENSCHALL, AND MELANIE SCHEIBLE** to be served upon each of the parties,
6 listed below, via electronic service through the Eighth Judicial District Court’s Odyssey E-File and
7 Serve system.

8 Berna L. Rhodes-Ford, General Counsel
9 **Nevada State College**
10 1300 Nevada State Drive, RSC 374
11 Henderson, Nevada 89002
12 Email: berna.rhodes-ford@nsc.edu

Gary A. Cardinal, Assistant General Counsel
University of Nevada, Reno
1664 North Virginia Street/MS 0550
Reno, Nevada 89557-0550
Email: gcardinal@unr.edu

13 *Attorneys for Defendants Osvaldo Fumo,*
14 *Heidi Seevers Gansert and Dina Neal*

Attorneys for Defendants Osvaldo Fumo,
Heidi Seevers Gansert and Dina Neal

15 Bradley Schragger, Esq.
16 Daniel Bravo, Esq.
17 Wolf, Rifkin, Shapiro, Schulman & Rabkin LLP
18 3556 E. Russell Road
19 Las Vegas, NV 89102
20 (702) 639-5102
21 Email: bschrager@wrslawyers.com
22 Email: dbravo@wrslawyers.com

Attorneys for Defendants Brittney Miller,
Kasina Douglas-Boone, and Selena Torres

23 */s/ Natasha Martinez*
24 An Employee of Fox Rothschild LLP

Exhibit 1

AFFIDAVIT OF DUE DILIGENCE

**CLARK COUNTY DISTRICT COURT
CLARK COUNTY, STATE OF NEVADA**

Nevada Policy Research Institute, a Nevada domestic nonprofit corporation,

Plaintiff(s)

v.

Nicole Cannizzaro, an individual enging in dual employment with the Nevada State Senate and Clark County District Attorney; et al.,

Defendant(s)

Case No.:A-20-817757-C
DEANNA L. FORBUSH, ESQ., Bar No. 6646
FOX ROTHCHILD, LLP
1980 Festival Plaza Drive Suite 700
Las Vegas, NV 89135
(702) 262-6899
Attorneys for the Plaintiff(s)
Client File# 189864.00021

I, Sean Keseday, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Summons-Civil; Amended Complaint for Declaratory And Injunctive Relief, from FOX ROTHCHILD, LLP

That attempts were made to serve Glen Leavitt with Summons-Civil; Amended Complaint for Declaratory And Injunctive Relief, at:

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 8/28/2020 at 5:42 PM
Results: No answer, quiet, 1 car in driveway

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 8/29/2020 at 8:23 AM
Results: No answer, No activity, No cars parked in driveway

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 8/29/2020 at 7:41 PM
Results: No answer, No activity

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/3/2020 at 1:00 PM
Results: Called subject left voicemail

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/4/2020 at 9:00 AM
Results: Called subject left voicemail

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 9/28/2020

Sean Keseday
Registered Work Card# R-065975
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:
Nationwide Legal Nevada, LLC
626 S. 7th Street
Las Vegas, NV 89101
(702) 385-5444
Nevada Lic # 1656



Control #:NV230874
Reference: 189864.00021

AFFIDAVIT OF DUE DILIGENCE

**CLARK COUNTY DISTRICT COURT
CLARK COUNTY, STATE OF NEVADA**

Nevada Policy Research Institute, a Nevada domestic nonprofit corporation,

Plaintiff(s)

v.

Nicole Cannizzaro, an individual ending in dual employment with the Nevada State Senate and Clark County District Attorney; et al.,

Defendant(s)

Case No.:A-20-817757-C
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Attorneys for the Plaintiff(s)
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That attempts were made to serve Glen Leavitt with Summons-Civil; Amended Complaint for Declaratory And Injunctive Relief, at:

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/5/2020 at 10:00 AM
Results: Called subject left voicemail

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/6/2020 at 2:00 PM
Results: Called subject left voicemail

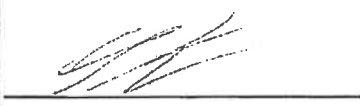
Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/11/2020 at 1:32 PM
Results: Called work number subject not available

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/15/2020 at 9:30 AM
Results: Called work number subject not available

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/15/2020 at 5:04 PM
Results: Called to schedule time to meet. no answer from subject

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 9/28/2020



Sean Keseday
Registered Work Card# R-065975
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:
Nationwide Legal Nevada, LLC
626 S. 7th Street
Las Vegas, NV 89101
(702) 385-5444
Nevada Lic # 1656



Control #:NV230874
Reference: 189864.00021

AFFIDAVIT OF DUE DILIGENCE

**CLARK COUNTY DISTRICT COURT
CLARK COUNTY, STATE OF NEVADA**

Nevada Policy Research Institute, a Nevada domestic
nonprofit corporation,

Plaintiff(s)

v.

Nicole Cannizzaro, an individual enging in dual
employment with the Nevada State Senate and Clark
County District Attorney; et al.,

Defendant(s)

Case No.:A-20-817757-C
DEANNA L. FORBUSH, ESQ., Bar No. 6646
FOX ROTHCHILD, LLP
1980 Festival Plaza Drive Suite 700
Las Vegas, NV 89135
(702) 262-6899
Attorneys for the Plaintiff(s)
Client File# 189864.00021

I, Sean Keseday, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Summons-Civil; Amended Complaint for Declaratory And Injunctive Relief, from FOX ROTHCHILD, LLP

That attempts were made to serve Glen Leavitt with Summons-Civil; Amended Complaint for Declaratory And Injunctive Relief, at:

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/15/2020 at 5:10 PM
Results: Called work number and subject left for day

Attempted at 101 E. Bonneville Las Vegas, NV 89101 On 9/17/2020 at 3:05 PM
Results: Attempted service at business address. was told by security, you need to schedule an appointment to meet with office personal. called 702 875 9288, phone went unanswered.

Attempted at 1540 Sandra Drive Boulder City, NV 89005 On 9/18/2020 at 2:33 PM
Results: Tried subject on phone says call cannot be completed as dialed.

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 9/28/2020



Sean Keseday
Registered Work Card# R-065975
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:
Nationwide Legal Nevada, LLC
626 S. 7th Street
Las Vegas, NV 89101
(702) 385-5444
Nevada Lic # 1656



Control #:NV230874
Reference: 189864.00021

Exhibit 2

1 AFFIDAVIT OF DUE DILIGENCE

2 DISTRICT COURT CLARK COUNTY
3 CLARK COUNTY, STATE OF NEVADA

4 NEVADA POLICY RESEARCH INSTITUTE, a Nevada
domestic nonprofit corporation,

5 Plaintiff(s)

6 v.

7 NICOLE J. CANNIZZARO, an individual engaging in
dual employment with the Nevada State Senate and
Clark County District Attorney; et al.,

8 Defendant(s)

Case No.:A-20-817757-C
DEANNA L. FORBUSH, ESQ., Bar No. 6646
FOX ROTHCHILD, LLP
1980 Festival Plaza Drive Suite 700
Las Vegas, NV 89135
(702) 262-6899
Attorneys for the Plaintiff(s)
Client File# 189864.00021

9
10 I, Judith Mae All, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of
the Summons-Civil; Amended Complaint For Declaratory And Injunctive Relief, from FOX ROTHCHILD, LLP

11 That attempts were made to serve James Ohrenschall with Summons-Civil; Amended Complaint For Declaratory And
12 Injunctive Relief, at:

13 Attempted at 7215 Linden Avenue, Las Vegas, NV 89110 On 9/1/2020 at 5:48 PM

Results: Property fenced all the way around, walk-thru gate is locked. No access to front. Banged on gate, no activity. No
cars in driveway.

14 Attempted at 7215 Linden Avenue, Las Vegas, NV 89110 On 9/3/2020 at 7:48 PM

Results: No access. Two large dogs in yard barking. No response. No cars parked in driveway.

15 Attempted at 7215 Linden Avenue, Las Vegas, NV 89110 On 9/4/2020 at 9:06 AM

16 Results: No access. Banged on gate, no response. Dogs not in yard. No cars parked in the driveway.

17 Attempted at 7215 Linden Avenue, Las Vegas, NV 89110 On 9/8/2020 at 6:03 PM

Results: Called number and it went to voicemail. Unable to leave message, mailbox full.

18
19 I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in
the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

20 Date: 9/25/2020

21
22 *Judith Mae All*
23 Judith Mae All
Registered Work Card# R-040570
24 State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:
Nationwide Legal Nevada, I.L.C
626 S. 7th Street
Las Vegas, NV 89101
(702) 385-5444
Nevada Lic # 1656



Control #:NV230856
Reference: 189864.00021

1 AFFIDAVIT OF DUE DILIGENCE

2 DISTRICT COURT CLARK COUNTY
3 CLARK COUNTY, STATE OF NEVADA

4 NEVADA POLICY RESEARCH INSTITUTE, a Nevada
domestic nonprofit corporation,

5 Plaintiff(s)

6 v.

7 NICOLE J. CANNIZZARO, an individual engaging in
dual employment with the Nevada State Senate and
Clark County District Attorney; et al.,

8 Defendant(s)

Case No.:A-20-817757-C
DEANNA L. FORBUSH, ESQ., Bar No. 6646
FOX ROTHCHILD, LLP
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Las Vegas, NV 89135
(702) 262-6899
Attorneys for the Plaintiff(s)
Client File# 189864.00021

9
10 I, Judith Mae All, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of
the Summons-Civil; Amended Complaint For Declaratory And Injunctive Relief, from FOX ROTHCHILD, L.L.P

11 That attempts were made to serve James Ohrenschall with Summons-Civil; Amended Complaint For Declaratory And
12 Injunctive Relief, at:

13 Attempted at 7215 Linden Avenue, Las Vegas, NV 89110 On 9/15/2020 at 4:42 PM

14 Results: Called number 702-277-3378 received voicemail for a Lois but I was unable to leave a message as mailbox is
full. Called work number 702-455-4685 and spoke with Devon in Clark County Public Defender's Office who states
subject does not work here.

15 Attempted at 7215 Linden Avenue, Las Vegas, NV 89110 On 9/18/2020 at 10:48 AM

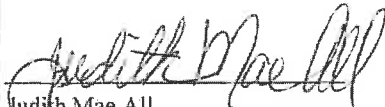
16 Results: Called corrected work number, the juvenile public defender's office for subject at 702-455-5475 and was told he
was not in. Transferred to his voicemail, left message and number.

17 Attempted at 7215 Linden Avenue, Las Vegas, NV 89110 On 9/22/2020 at 11:31 AM

18 Results: I called number 702-523-4766 received voicemail. unable to leave a message as mailbox is full. Called work
number 702-455-5475 and call went to voicemail, left message.

19 I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in
the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

20 Date: 9/25/2020

21
22 
23 Judith Mae All
Registered Work Card# R-040570
24 State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:
Nationwide Legal Nevada, LLC
626 S. 7th Street
Las Vegas, NV 89101
(702) 385-5444
Nevada Lic # 1656



Control #:NV230856
Reference: 189864.00021

Exhibit 3

AFFIDAVIT OF DUE DILIGENCE

**DISTRICT COURT CLARK COUNTY
CLARK COUNTY, STATE OF NEVADA**

NEVADA POLICY RESEARCH INSTITUTE, a Nevada domestic nonprofit corporation,

Plaintiff(s)

v.

NICOLE J. CANNIZZARO, an individual engaging in dual employment with the Nevada State Senate and Clark County District Attorney; et al.,

Defendant(s)

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FOX ROTHCHILD, LLP
1980 Festival Plaza Drive Suite 700
Las Vegas, NV 89135
(702) 262-6899
Attorneys for the Plaintiff(s)
Client File# 189864.00021

I, Tyler Trewet, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Summons-Civil; Amended Complaint For Declaratory And Injunctive Relief, from FOX ROTHCHILD, LLP

That attempts were made to serve Melanie Scheible with Summons-Civil; Amended Complaint For Declaratory And Injunctive Relief, at:

Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 8/29/2020 at 5:10 PM
Results: No response or activity. Leasing shut down.

Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 8/30/2020 at 3:44 PM
Results: No response. No activity. No answer with neighbor.

Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 9/3/2020 at 11:00 AM
Results: No response. Leasing confirmed subject is a resident.

Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 9/6/2020 at 9:22 AM
Results: No response. No change.

Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 9/7/2020 at 4:10 PM
Results: No response. No activity. No change from prior atempt. Called phone number provided, no answer, left voicemail.

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 9/25



Tyler Trewet
Registered Work Card# R201904184
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:
Nationwide Legal Nevada, LLC
626 S. 7th Street
Las Vegas, NV 89101
(702) 385-5444
Nevada Lic # 1656



Control #:NV230853
Reference: 189864.00021

1 **AFFIDAVIT OF DUE DILIGENCE**

2 **DISTRICT COURT CLARK COUNTY**
3 **CLARK COUNTY, STATE OF NEVADA**

4 NEVADA POLICY RESEARCH INSTITUTE, a Nevada
domestic nonprofit corporation,

5 Plaintiff(s)

6 v.

7 NICOLE J. CANNIZZARO, an individual engaging in
dual employment with the Nevada State Senate and
Clark County District Attorney; et al.,

8 Defendant(s)

Case No.:A-20-817757-C
DEANNA L. FORBUSH, ESQ., Bar No. 6646
FOX ROTHCHILD, LLP
1980 Festival Plaza Drive Suite 700
Las Vegas, NV 89135
(702) 262-6899
Attorneys for the Plaintiff(s)
Client File# 189864.00021

10 I, Tyler Trewet, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of
the Summons-Civil; Amended Complaint For Declaratory And Injunctive Relief, from FOX ROTHCHILD, LLP

11 That attempts were made to serve Melanie Scheible with Summons-Civil; Amended Complaint For Declaratory And
12 Injunctive Relief, at:

13 Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 9/9/2020 at 7:04 PM
Results: No response. No answer with neighbor below.


14 Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 9/10/2020 at 3:40 PM
15 Results: Spoke with subject at number provided. Subject was unwilling to arrange delivery of documents or coordinate
with server a convenient time to return to her address. Subject stated she would confer with her counsel and get back to
me if she was willing to accept documents.

16 Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 9/15/2020 at 3:45 PM
17 Results: The phone number given is for the District Attorney's office, generic voicemail with information of who to call,
does not lists names.

18 Attempted at 4355 S. Durango Drive, Apt. 260, Las Vegas, NV 89147 On 9/23/2020 at 11:32 AM
Results: Called number went to generic voicemail, no names provided.

19 I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in
the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

20 Date: 9/25/20

21
22 
23 Tyler Trewet
Registered Work Card# R201904184
24 State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:
Nationwide Legal Nevada, LLC
626 S. 7th Street
Las Vegas, NV 89101
(702) 385-5444
Nevada Lic # 1656



27
28 Control #:NV230853
Reference: 189864.00021