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Subject: Demand for Public Records & Entry of Public Comment
Date: Thursday, July 30, 2020 6:28:18 PM
Attachments: [Agenda-July 31 2020-Final \(002\).PDF](#)

Tax Commissioners:

Regarding the Nevada Tax Commission's meeting scheduled to be convened tomorrow, July 31, 2020 at 2:00 PM (attached) and in reference to Agenda II demand is hereby made that copies of any and all public documents and associated supporting materials which will be reviewed by the members of the Tax Commission in deciding whether to reject or approve Agenda, Item II be forwarded by reply email to John A. Hunt, Esq. of the law firm of Clark Hill, PLLC. Such public documents must be produced to provide the opportunity for meaningful public comment as required by the Nevada Open Meeting Law and as required by Agenda, Item I.

Such responsive copies of the public documents requested should include but are not limited to:

1. The partial Settlement Agreement to be considered, including any publicly available exhibits or attachments.
2. Any supplements or supporting materials related to the proposed partial Settlement Agreement
3. Any other related settlement agreements between the parties the State maintains in its possession. In the event, the State does not have possess any related settlement agreements between other parties to the litigation, any public documents or correspondence related to any such proposed agreement.
4. Any communication between the State and LivFree regarding the "Limited Henderson License" identified in Paragraph Two (2) of the agreement including but not limited to any correspondence, policy or interpretation relating to any purported authority by the State to issue an additional conditional license not subject to a competitive and numerically scored review of competing applicants as was required by NRS 453D.210 (6)
5. Any public documents and/or supporting materials relative to the Change of Ownership request submitted by GreenMart which the subject the provisions of Paragraph Six (6) of the proposed Partial Settlement Agreement
6. Any public documents and/or supporting materials relating to the State's determination that the enjoined parties identified in Paragraph Seven (7) who failed

to submit applications in complete form such that the applications could be properly evaluated, scored and ranked can now be deemed to have satisfied DoT requirements.

7. Any correspondence to Tax Commissioners in favor of or in opposition and any emails or texts received by any of the Tax Commissioner which they have taken into consideration in determining whether to reject or approve Agenda Item II.

Time is of the essence to receive the requested public documents to enable meaningful public comment, particularly in light of the Tax Commission only providing the minimum three (3) day notice to conduct the meeting set for tomorrow as required by the Nevada Open Meeting Law. While the OML does not require supporting materials, such as a settlement agreement, to be appended to or attached to the publication of the public body's meeting Notice and Agenda, members of the public may request copies of supporting materials before or during the meeting which then imposes a duty to provide copies of any such supporting materials. *See*, AG File No. 10-008 (May 3, 2010).

In the event the State is unable to provide the requested documents prior to the scheduled meeting, we respectfully request that the Commission defer action on requested approval of the proposed settlement until the requested materials and meaningful public comment can be provided.

Lastly, pursuant to Agenda Item 1, I am requesting the contents of this email be read into the record as my public comment as authorized by Agenda, Item I. I have read the contents of this email out loud and the time required to read it into the record is less than two (2) minutes.

Thank you, I look forward to receiving the responsive public documents as soon as possible.

John A. Hunt

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