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HOWARD W. CONYERS, CLERK
By: *[Signature]*
DEPUTY CLERK

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

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IN THE FOR THE COUNTY OF WASHOE

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IN THE ADMINISTRATIVE MATTER OF:

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GENERAL ELECTION 2008

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EMERGENCY MATTERS AND

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ELECTION JUDGE ASSIGNMENT

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ADMINISTRATIVE ORDER 08-08

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WHEREAS the District Court has received inquiries from individuals representing

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the National and State Republican Party, the State and County Democratic Party, the

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McCain-Palin Campaign and the Obama-Biden Campaign as to the availability of the

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Second Judicial District Court for after hours emergencies during the 2008 General

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Election on November 4, 2008, and

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WHEREAS the sound administration of justice and in support of consistency and

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predictability, the same judge should hear all election litigation arising between election

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day and the Certification of the Elections as to all candidates, and

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WHEREAS the Second Judicial District Court has a strong history of utilizing the

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random selection process for securing a judge to initially hear consolidated and related

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matters, and

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WHEREAS the Chief Judge of the Court is responsible for the overall

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administrative process of the Court, and

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1 WHEREAS in prior contested election cases, the clerk's minutes and Court
2 Reporters notes have been required by reviewing Courts and have proven invaluable to
3 the parties and public in understanding the process and decisions of the Court, and

4 WHEREAS a uniform administrative process will assist the Clerk of the Court,
5 Judicial Officer assigned to the case(s), the parties, counsel and public,

6 **IT IS HEREBY ORDERED:**

7 1. The Chief Judge does direct the Clerk to open the Court Filing Office at
8 7:00 a.m. November 4, 2008, and not close the filing office on that day until notified by
9 the Registrar of Voters that the last polling location in Washoe County has closed;

10 2. During the extended hours of operation, the Clerk must only accept filings
11 related to the 2008 General Election;

12 3. The Clerk must accept filings that are accompanied by appropriate fees;

13 4. The Clerk will randomly select, through the normal case assignment
14 process, the 2008 General "Election Judge," no advance selection of the "Election
15 Judge" shall take place;

16 5. The "Election Judge" shall only be selected if a matter relating to the 2008
17 General Election is filed between November 4, 2008 and the certification of all 2008
18 General Elections within the County;

19 6. If a matter is filed or heard on November 4, 2008 after regular business
20 hours, the matter will be "clerked" by Deputy Clerk Prince, and court reported by
21 Captions Unlimited.

22 7. Subsequent hearings will be "clerked" by the Deputy Clerk regularly
23 assigned to the "Election Judge" and court reported by the reporter selected by the
24 "Election Judge".

25 8. All matters shall be heard by the "Election Judge" on the record with a
26 Deputy Clerk and Court Reporter present; no ex parte decisions will be entered by the
27 "Election Judge" unless supported by exigent circumstances.

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1 9. Once the "Election Judge" is selected, that Judge will handle all election
2 contests which come to the Second Judicial District Court regarding the 2008 General
3 Election which are filed between November 4, 2008 and until the day after the last date
4 any election on the 2008 General Election ballot is certified.

5 10. The Clerk of the Court will notify the "Election Judge" as soon as the judge
6 has been randomly selected;

7 11. The Clerk of the Court shall lodge all Notice of Appearance submitted to
8 the Clerk through the Court, said Notice shall be filed by the Clerk if an action is filed
9 regarding the 2008 General Election, if the lodged Notice is accompanied by the
10 appropriate Court Fees;

11 12. The Clerk of the Court shall expeditiously make all matters relating to this
12 Order available through the Court e-filing system and to the public, including but not
13 limited to documents, transcripts, and minutes of the Clerk.

14 13. The Chief Judge shall invite all persons who have expressed an interest in
15 being notified of who the "Election Judge" for the Second Judicial District Court will be,
16 to an open round table discussion November 3, 2008, with the Clerk of the Court
17 facilitated by the Chief Judge of the District, wherein all these procedures will be
18 reviewed and a protocol developed for November 4, 2008.

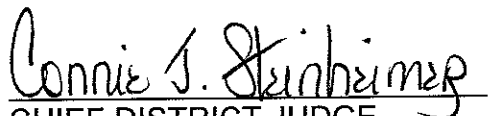
19 14. The Chief Judge and Clerk of the Court shall review the outcome of the
20 November 3, 2008 meeting and the contents of this Administrative Order with each
21 Second Judicial District Court General Jurisdiction Judge.

22 15. Any General Jurisdiction District Judge who can not ethically serve as the
23 "Election Judge" will prepare and sign an Order so declaring; transmit the Order to the
24 Clerk of the Court with instructions to enter the Order if that Judge is randomly selected
25 to be the "Election Judge", and if the Order is not necessary once the "Election Judge"
26 has been selected, the Clerk shall return the signed Order, not entered by the Clerk, to
27 the originating Judge for destruction.
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16. This Administrative Order shall be in effect until December 31, 2009, or until specifically modified or rescinded by subsequent Administrative Order.

DATED this 3rd day of November, 2008.


CHIEF DISTRICT JUDGE
CONNIE J. STEINHEIMER