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13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 MONICA BRANCH-NOTO, individually and )  
16 on behalf of JOHN DOE MINOR *NO. 1*, as )  
17 guardian of said minor, TIFFANY PAULSON, )  
18 individually and on behalf of JOHN DOE )  
19 MINOR *NO. 2* and JANE DOE MINOR *NO.* )  
20 *I*, as guardian of said minors, )

21 Plaintiffs,

22 vs.

23 STEPHEN F. SISOLAK, in his official capacity )  
24 as Governor of the State of Nevada, AARON )  
25 DARNELL FORD, in his official capacity as )  
26 the Attorney General of the State of Nevada, )  
27 CLARK COUNTY SCHOOL DISTRICT, a )  
28 public entity, DOES 1 through 100. )

Defendants

COMPLAINT

Case No.

CIVIL RIGHTS  
COMPLAINT FOR  
DAMAGES AND  
INJUNCTIVE AND  
DECLARATORY  
RELIEF

JURY TRIAL  
DEMANDED

**COMPLAINT**

1  
2 COME NOW, Plaintiffs, MONICA BRANCH-NOTO, TIFFANY PAULSON, who  
3 bring this action on behalf of their minor children, by and through the undersigned attorneys  
4 of record, SIGAL CHATTAH, ESQ., of the CHATTAH LAW GROUP, and JOSEPH S.  
5 GILBERT, ESQ., of JOEY GILBERT LAW, who hereby complain of Defendants and each of  
6 them and allege as follows:  
7

**PARTIES**

8 **A. The Plaintiffs**

9  
10 1. Plaintiff, MONICA BRANCH NOTO, is the legal guardian of JOHN DOE  
11 MINOR NO. 1, a minor, and brings this action on his behalf, as a student at VANDERBURG  
12 ELEMENTARY SCHOOL located in Clark County Nevada, and part of the CLARK  
13 COUNTY SCHOOL DISTRICT.

14 2. Plaintiff, TIFFANY PAULSON is the legal guardian of JOHN DOE MINOR  
15 NO. 2, and JANE DOE MINOR NO. 1, and brings this action on their behalf, as students at  
16 CORONADO HIGH SCHOOL located in Clark County Nevada, and part of the CLARK  
17 COUNTY SCHOOL DISTRICT.  
18

19 **B. Defendants**

20 1. Defendant STEPHEN F. SISOLAK, was and is at all times relevant herein the  
21 Governor of the STATE OF NEVADA.

22 2. Defendant AARON DARNELL FORD, was and is at all times relevant herein  
23 the Attorney General for the STATE OF NEVADA.  
24

25 3. Defendant, CLARK COUNTY SCHOOL DISTRICT (“CCSD”) is a public  
26 entity duly incorporated and operating under Nevada law as a public school district.  
27  
28





1 a. All persons whose minor children attend the Clark County School District  
2 and/or bound by Emergency Directive 0048 Section 5 as a private learning institution in Clark  
3 County, Nevada; and are forced to wear mask in accordance with Defendants' Emergency  
4 Directive 0048 Section 5 while attending school in Clark County, Nevada.

5 b. All persons who were deprived of their Constitutional rights under NRS  
6 414.060;

7 c. All persons who were deprived of their Constitutional under the 9<sup>th</sup> and 14<sup>th</sup>  
8 Amendments of the Unites States Constitution.; and  
9

10 d. All persons affected by the wanton and reckless disregard of Defendants'  
11 conduct to the detriment of the enrolled students of the State of Nevada.  
12

13 15. Pursuant to Federal Rule of Civil Procedure 23(a), the members of the class are  
14 so numerous that joinder of all members is impractical. Plaintiffs do not know the exact  
15 number of class members. Plaintiffs are informed and believe, and thereupon allege that there  
16 are more than 10,000 persons in the class defined above.

17 16. Pursuant to Federal Rule of Civil Procedure 23(a), Plaintiffs are informed and  
18 believe, and thereupon allege, that there are questions of law and fact common to the class,  
19 including but not limited to:  
20

21 a. Whether Defendants exceeded the powers granted under NRS 414.060.

22 b. Whether Defendants have willfully and wantonly disregarded the  
23 Constitutional rights of the children attending Clark County School District and/or private  
24 schools subject thereto.

25 c. Whether Defendants engaged in child abuse as defined in NRS 200.508 by  
26 forcing students to wear masks in accordance with arbitrary and capricious protocols.  
27  
28

1 d. Whether the Emergency Directives 0048 specifically Section 5 is an arbitrary  
2 and capricious violation of Plaintiffs' 9<sup>th</sup> and 14<sup>th</sup> Amendment rights and not supported by  
3 substantial evidence or justification of same;

4 e. Whether Defendants should be enjoined from engaging in this gross negligence  
5 and willful misconduct which has been detrimental to the State of Nevada and its enrolled  
6 students.  
7

8 16. Pursuant to Federal Rule of Civil Procedure 23(a), Plaintiffs' claims are typical  
9 of the class they seek to represent. Plaintiffs and the class they seek to represent were all  
10 subjected to violations of their Constitutional rights over the course of the past week in the  
11 State of Nevada, specifically County of Clark.  
12

13 17. Plaintiffs have the same interests and have suffered the same type of injuries as  
14 the proposed class. Each proposed class member suffered actual damages as a result of the  
15 challenged conduct.

16 18. Plaintiffs' claims arose because of Defendants' policies, customs, and/or  
17 practices. Plaintiffs' claims are based upon the same legal theories as the claims of the  
18 proposed class members.  
19

20 19. Plaintiffs' counsels have the resources, experience, and expertise to  
21 successfully prosecute this action against Defendants. Counsels knows of no conflicts among  
22 any members of the class, or between counsel and any members of the class.

23 20. Pursuant to Federal Rule of Evidence 23(b)(3), upon certification, class  
24 members must be furnished with the best notice practicable under the circumstances,  
25 including individual notice to all members who can be identified through reasonable effort.  
26  
27  
28



1 and their parents, by mandating all Clark County School District and private schools therein,  
2 fully masked while attending school.

3 24. The Due Process Clause of the United States Constitution does not permit a  
4 state to infringe on the fundamental right of parents to make child rearing decisions, including  
5 arbitrarily forcing children to wear masks in school.

6 25. The COVID-19 pandemic still exists and has existed – unabated and  
7 unsuppressed – in Nevada since both the declaration of Emergency in March, 2020 and the  
8 initiation of the vaccine roll outs in December, 2020.

9 26. Nor has the COVID-19 crisis materially changed since the emergency order  
10 and associated mask mandate. Although the nominal case count has, on certain days, declined,  
11 this appears to be an artifact of reduced testing (the rate of positive tests has not declined),  
12 in any event, the COVID-19 pandemic in Nevada has not materially abated or worsened since  
13 the initial emergency order.

14 27. On July 27, 2021, the Clark County School District issued an Updated Mask  
15 and Health Guidance for the 2021-22 School Year, requiring students to wear face masks  
16 while inside school buildings/facilities, unless medical or developmental conditions prohibit  
17 use.

18 28. Said guidelines also require all students to wear face masks on all District  
19 buses, unless medical or developmental conditions prohibit use.

20 29. More than a year after school closures began, the Centers for Disease Control  
21 (hereinafter “CDC”) acknowledges that “the limited in-person instruction during the  
22 pandemic may have had a negative effect on learning for children and on the mental and  
23  
24  
25  
26  
27  
28



1 emotional well-being of children.”<sup>1</sup> Moreover, “[s]tudents benefit from in-person learning,  
2 and safely returning to in-person instruction in the fall 2021 is a priority.”

3 30. The CDC issued updated guidance for COVID-19 prevention in K-12 schools  
4 on July 9, 2021, which provides, in relevant portion, as follows: • Masks should be worn  
5 indoors by all individuals (age 2 and older) who are not fully vaccinated.  
6

7 31. CDC recommended schools maintain at least 3 feet of physical distance  
8 between students within classrooms, combined with indoor mask wearing by people who are  
9 not fully vaccinated.<sup>2</sup>

10 32. According to the CDC, children with COVID-19 typically have mild  
11 symptoms or no symptoms at all.  
12

13 33. The estimated infection fatality rate for children ages 0-17 is 0.00002%.<sup>11</sup> Put  
14 another way, children have a one in a million risk of dying from COVID-19. Moreover, a  
15 recent review found that the mortality risk for children without serious pre-existing conditions  
16 is effectively zero.<sup>3</sup>

17 34. For all children, the mortality risk from a COVID-19 infection is lower than  
18 from seasonal influenza.<sup>4</sup> The risk of severe disease or hospitalization is about the same.  
19 There is currently no evidence of any increased mortality risk from any variant of COVID-19,  
20 including the Delta variant.  
21  
22  
23  
24  
25

26 <sup>1</sup> CDC Science Brief: Transmission of SARS-CoV-2 in K-12 Schools and Early Care and Education Programs -  
Updated

27 <sup>2</sup> Centers for Disease Control and Prevention, Guidance for COVID-19 Prevention in Kindergarten (K)-12  
Schools, updated July 9, 2021.

28 <sup>3</sup> Think Twice Before Giving the COVID Vax to Healthy Kids | MedPage Today

<sup>4</sup> 2019-20 Season’s Pediatric Flu Deaths Tie High Mark Set During 2017-18 Season | CDC

1           35. Over the course of the pandemic, 49,000 Americans under the age of 18 have  
2 died of all causes, according to the CDC.<sup>5</sup> Only 335 of those deaths have been from COVID-  
3 19 — less than half as many as have died of pneumonia. Of those deaths, 116 were between  
4 the ages of 5 and 14. In 2019, more than 2,000 American children died in car crashes; each  
5 year, approximately 1,000 children die from drowning.<sup>6</sup>

6           36. Importantly, the risk of COVID-19 mortality is significantly higher for older  
7 adults. Indeed, 80 percent of American COVID-19 deaths have been among those 65 and  
8 above. However, according to the White House, 90 percent of American seniors are now fully  
9 vaccinated.  
10

11           37. On August 4, 2021, Defendant Sisolak issued Emergency Directive 048 which  
12 provides:  
13

14           **Face coverings are required in county school district, charter**  
15           **school, and private school settings as provided in this Section.**

16           **In counties with a population of 100,000 or greater, all**  
17           **kindergarten through 12th grade students (regardless of**  
18           **whether they would be exempt from the face covering**  
19           **requirement based on their age) must wear face coverings**  
20           **while inside school buildings unless granted an exemption**  
21           **consistent with this Section. Face coverings are required**  
22           **indoors regardless of vaccination status.**

23           **Notwithstanding anything to the contrary in Directive 047, in**  
24           **counties with a population less than 100,000, each county**  
25           **school district, charter school, and private school shall adopt a**  
26           **face covering policy that addresses whether or under what**  
27           **circumstances face coverings will be required for students**  
28           **while in school buildings or on school campuses. Any such**

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<sup>5</sup> Provisional COVID-19 Deaths by Sex and Age | Data | Centers for Disease Control and Prevention (cdc.gov)

<sup>6</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6637963/>

1           **policy must not conflict with the provisions of this Directive or**  
2           **with any face covering requirements imposed by county**  
3           **governments or local health authorities.**

4           **In all school settings:**

- 5           **1. All school staff must wear face coverings while inside school**  
6           **buildings, regardless of vaccination status.**  
7           **2. School building administrators may approve exemptions for:**  
8           **1. Students who are medically fragile as documented per an**  
9           **existing Individualized Education Program or health-related 504**  
10           **Plan; or,**  
11           **2. Students or staff who provide documentation from a qualified**  
12           **Nevada-licensed medical professional that they are exempt in**  
13           **accordance with subsection 3 of section 7 of Directive 024.**  
14           **3. Unless expressly granted exempted consistent with subsection**  
15           **(2) of this Section, all kindergarten through 12th grade**  
16           **students, and all school staff, must wear face coverings while**  
17           **on school buses.**  
18           **4. Parents, vendors, volunteers, visitors, and guests who are**  
19           **unable or unwilling to wear face coverings under any**  
20           **circumstances or exemptions should not be allowed on school**  
21           **buses or inside school buildings.**

22           **Irrespective of any policy adopted by a county school district,**  
23           **charter school, or private school, if a school-wide outbreak of**  
24           **COVID-19 is identified by the applicable local health authority**  
25           **in any school, the use of face coverings for all students in the**  
26           **affected school building(s) is mandatory and must be**  
27           **immediately implemented. Additional mitigation measures may**  
28           **also be required by the local health authority for that school or**  
          **school building(s). The face covering requirement and any**  
          **other mitigation measures remain in effect until the local**  
          **health authority determines that the outbreak is closed.**

**All school districts, charter schools, and private schools are**  
          **strongly encouraged to require all students to wear face**  
          **coverings while inside school buildings.**



1 fundamental changes to both world and national economies, and specifically, the manner in  
2 which students attend school, if at all.

3 44. To be sure, State and United States' officials have faced tremendous adversity  
4 in planning, coordinating, and at times executing effective nationwide and statewide policies to  
5 protect the general public's health, safety and welfare during this time of crisis.

6 45. However, these policies, as well-intentioned as they may be, have had an  
7 unlawful and disparate effect on some people, their health, mental wellbeing and their civil  
8 rights, to the point where life, liberty and the pursuit of happiness have been ripped away from  
9 law-abiding citizens and their children.

10 46. On or about March 13, 2020, President of the United States ("POTUS")  
11 Donald J. Trump proclaimed a National State of Emergency as a result of the threat of the  
12 emergence of COVID-19.  
13

14 47. On March 16, 2020, POTUS announced "*15 Days to Slow the Spread*" –  
15 Coronavirus Guidelines for America based on the Center for Disease Control ("CDC")  
16 recommendations.  
17

18 48. Though a Federal Mandate was not issued, these guidelines and  
19 recommendations for the general public and State Agencies were made based on COVID-19  
20 projections established by the CDC and the Institute of Health Metrics and Evaluation  
21 ("IHME").  
22

23 49. Defendant SISOLAK still maintains his tyrannical Emergency Powers under  
24 NRS 414.060, eighteen (18) months after the initial declaration, issuing arbitrary and  
25 capricious mandates such as Directive 0048.  
26

27 50. Over the course of the eighteen (18) months, it became noticeably clear that  
28 these projections were grossly over-exaggerated and correlating restrictions were unnecessary.

1           51.       Specifically, since the initial outbreak in February and March of 2020, the  
2 Federal Government’s projections of anticipated U.S. deaths related to the virus have  
3 decreased substantially, by an order of magnitude. Yet, despite such revisions, Defendants  
4 have continued to increasingly restrict—and in some cases have even outright banned—  
5 Plaintiffs’ engagement in constitutionally-protected activities.  
6

7           52.       Chapter 414 of the Nevada Revised Statutes, entitled *Emergency Management*,  
8 delineates the Executive Authority that Defendant Governor Sisolak enjoys, and albeit  
9 broadly extends certain powers to the Governor, it does not allow for arbitrary and capricious  
10 actions, willful misconduct or grossly negligent conduct taken against the State, or against the  
11 residents of Nevada or their children.  
12

13           53.       Accordingly, Defendant Governor Sisolak and other named Defendants  
14 engaged in actions that were arbitrary and capricious, grossly negligent, willful misconduct  
15 and in bad faith, in the execution and enforcement of those powers delineated in Chapter 414  
16 of the Nevada Revised Statutes, as stated *infra*.  
17

18           54.       NRS 414.110 specifically precludes immunity for such actions that are based  
19 on willful misconduct, gross negligence, or bad faith.  
20

21           55.       It has become exceedingly clear that Defendant Governor Sisolak and  
22 associated Defendants named herein have engaged in gross negligence, bad faith and willful  
23 misconduct by issuing Orders and Emergency Directives that are arbitrary and capricious, and  
24 unsubstantiated by concrete empirical evidence to merit same.  
25

26           56.       On August 4, 2021, Defendant Sisolak issued Emergency Directive 0048  
27 which mandated all Nevada Counties with a population of 100,000 or greater, mandatory  
28 mask mandates in schools regardless of whether public or private in nature.

1           57.           Accordingly, Plaintiffs’ complaint against Defendants, and each of them, for  
2 violation of the Federal Civil Rights Act, 42 U.S.C § 1983, to declare and enjoin the  
3 enforcement of the following Orders and Emergency Directives:

- 4                   a.           Defendant Governor Sisolak’s Emergency Directive 0048 section 5;  
5                   b.           Defendant Clark County School District Mask and Heath Guidance for  
6                   2021-22 School Year.

7  
8           58.           Plaintiffs have standing to bring § 1983 claims since they are aggrieved in fact,  
9 as parents of children attending Clark County School District that are the subject of  
10 enforcement of the overbroad and unconstitutional Orders and Emergency Directives which  
11 have the effect of forcing Plaintiffs – which are a collection of Nevada parents of students in  
12 the Clark County School District and private schools – to bear a public burden by entirely  
13 eviscerating Plaintiffs’ ability to send their children to school freely and unhindered by  
14 arbitrary directives in violation of their constitutional rights.

15  
16           59.           Defendants’ Orders and Emergency Directives are in violation of 42 U.S.C. §  
17 1983, as is the enforcement of these Orders and Emergency Directives by Defendants, and  
18 should be enjoined under § 1983, due to the following circumstances:

19                   a.           The Orders and Emergency Directives plainly violate the unenumerated rights  
20 of Ninth and Fourteenth Amendments in that they unconstitutionally and disparately interfere  
21 with Parents’ and students’ rights to unhindered education without arbitrary and capricious  
22 directives precluding same.

23                   b.           The Orders and Emergency Directives plainly violate the due process  
24 and privileges and immunities clause of the 14<sup>th</sup> Amendment.

25                   c.           The Orders and Emergency Directives perpetuate State and County  
26 sanctioned child abuse as defined in NRS 200.508.  
27  
28





1 *States v. Darby*, 312 U.S. 100 (1941), *Griswold v. Connecticut*, 381 U.S. 479 (1965); *Roe v.*  
2 *Wade*, 410 U.S. 113 (1973)

3 64. Plaintiffs have a fundamental right to make decisions concerning the custody,  
4 control and care of their minor children, under the Ninth and Fourteenth Amendments. *Troxel*  
5 *v. Granville*, 530 U.S. 57 (2000).

6 65. Defendants have violated Plaintiffs' rights to make decisions regarding the care  
7 of their children under the Ninth and Fourteenth Amendment of the United States  
8 Constitution.

9 66. Plaintiffs have no adequate remedy at law and will suffer serious and  
10 irreparable harm to their Constitutional rights unless Defendants are enjoined from  
11 implementing and enforcing the Orders and Emergency Directives.  
12

13 67. Pursuant to 42 U.S. C. §§ 1983 and 1988, Plaintiffs are entitled to declaratory  
14 relief and temporary, preliminary, and permanent injunctive relief invalidating and restraining  
15 enforcement of the Orders and Emergency Directives.  
16

17 68. Plaintiffs found it necessary to engage the services of private counsel to  
18 vindicate their rights under the law. Plaintiffs are therefore entitled to an award of attorneys'  
19 fees pursuant to 42 U.S. C. § 1988.  
20

21 **II.**  
22 **SECOND CLAIM FOR RELIEF**  
23 **VIOLATION OF THE PRIVILEGES AND IMMUNITIES CLAUSE OF THE**  
24 **FOURTEENTH AMENDMENT**  
*(Against All Defendants)*

25 69. Plaintiffs incorporate herein by reference each and every allegation contained  
26 in the preceding paragraphs of this Complaint as though fully set forth herein.  
27  
28



1 including intimate choices that define personal identity and beliefs. *See, e.g., Eisenstadt v.*  
2 *Baird*, 405 U.S. 438, 453 (1972); *Griswold v. Connecticut*, 381 U.S. 479, 484-486 (1965).

3 77. The Due Process Clause, like its Fifth Amendment counterpart, "guarantees  
4 more than fair process." *Washington v. Glucksberg*, 521 U. S. 702, 719 (1997). The Clause  
5 also includes a substantive component that "provides heightened protection against  
6 government interference with certain fundamental rights and liberty interests." *Id.*, at 720; see  
7 also *Reno v. Flores*, 507 U. S. 292, 301-302 (1993).

9 78. Custody, care and nurture of the child reside first in the parents, whose primary  
10 function and freedom include preparation for obligations the state can neither supply nor  
11 hinder.

12 79. Defendants', which expressly deprive Plaintiffs of their rights and liberties by  
13 requiring students attend school wearing face masks, did not afford Plaintiffs with a  
14 constitutionally adequate hearing with which to present their case for their children not to  
15 attend school in masks.  
16

17 80. Defendants failed to comply with the procedural and substantive requirements  
18 of the United States Constitution in connection with Plaintiffs' rights and liberties as they  
19 relate to their respective rights to attend school and send their children to school unhindered  
20 by mask mandates  
21

22 81. Because Defendants' decisions in issuing the Emergency Directives were made  
23 in reliance on procedurally deficient and substantively lawful processes, Plaintiffs were  
24 directly and proximately deprived of their liberties, and consequently, their ability to attend  
25 schools and/or send their children to schools unhindered by arbitrary and capricious  
26 directives.  
27  
28





1           95.     At its core, the Equal Protection Clause of the Fourteenth Amendment to the  
2 U.S. Constitution functions as a constitutional guarantee that no person or group will be  
3 denied the protection under the law that is enjoyed by similar persons or groups. In other  
4 words, persons similarly situated must be similarly treated. Equal protection is extended  
5 when the rules of law are applied equally in all like cases and when persons are exempt from  
6 obligations greater than those imposed upon others in like circumstances.  
7

8           96.     The Orders and Emergency Directives, and Defendants’ enforcement thereof,  
9 violate the Fourteenth Amendment, both facially and as-applied to Plaintiffs. The Fourteenth  
10 Amendment of the Constitution provides that “[n]o State shall . . . deny to any person within  
11 its jurisdiction the equal protection of the laws.” Equal protection requires the State to govern  
12 impartially—not draw arbitrary distinctions between Counties based solely on differences that  
13 are irrelevant to a legitimate governmental objection.  
14

15           97.     Defendants have intentionally and arbitrarily categorized Emergency Directive  
16 0048, as those Counties whose populations exceed 100,000.00 people, regardless of empirical  
17 data as to the spread of the virus.  
18

19           98.     Defendants preposterously propose that the virus spreads among school  
20 children in counties over 100,000 residents, while do not in counties with smaller populations.  
21

22           99.     Strict scrutiny under the Equal Protection Clause applies where, as here, the  
23 classification impinges on a fundamental right – the right to free exercise, including the right  
24 to due process and the right to travel (both interstate and intrastate), the right to privacy,  
25 among others.  
26

27           100.    Defendants cannot satisfy strict scrutiny because their arbitrary classifications  
28 are not narrowly tailored measures that further compelling government interests, for the  
reasons stated above.



1 (d) By increasing airway resistance during exhalation, masks can lead to increased  
2 levels of carbon dioxide in the blood.

3 (e) Masks can be vectors for pathogens if they become moist or are used for too  
4 long.

5 (f) Masks may exacerbate anxiety or breathing difficulties for some students;

6 (g) Some children compensate for such difficulties by breathing through their  
7 mouths. Chronic and prolonged mouth breathing can alter facial development. It  
8 is well-documented that children who mouth-breathe because adenoids block their  
9 nasal airways can develop a mouth deformity and elongated face.  
10

11 (h) Facial expressions are integral to human connection, particularly for young  
12 children, who are only learning how to signal fear, confusion and happiness. Covering  
13 a child's face mutes these nonverbal forms of communication and can result in robotic  
14 and emotionless interactions, anxiety and depression.  
15

16 (i) Seeing people speak is a building block of phonetic development. It is  
17 especially important for children with disabilities such as hearing impairment.  
18

19 107. Defendants deliberately disregard the harmful effects of the mask mandate on  
20 school children as a result of Directive 0048.

21 108. A special relationship exists between the students of the Clark County School  
22 District and the School District, which arises from the mandatory character of school  
23 attendance and comprehensive control over students exercised by school personnel.  
24

25 109. CCSD owed Plaintiffs and their minor children, a duty to exercise reasonable  
26 care to prevent harm to Plaintiffs at the hands of anyone, negligently or intentionally.  
27  
28





1 (iv) Contrary to Constitutional right, power, privilege, or immunity  
2 in violation of the United States Constitution; and

3 (v) In excess of statutory jurisdiction, authority, or limitations, or  
4 short of statutory right in violation of the U.S. Constitutions;

5 (2) Set aside and hold unlawful Defendants' Orders and Emergency Directives;

6 (3) Permanently enjoin Defendants and all persons and entities in active concert or  
7 participation with Defendants, including law enforcement authorities and their agents, from  
8 enforcing the Orders and Emergency Directives;

9 (4) Issue a TRO and a preliminary injunction preventing Defendants from  
10 enforcing or implementing the Orders and Emergency Directives until this Court decides the  
11 merits of this lawsuit;  
12

13 (5) Permanently enjoin Defendants and all persons and entities in active concert or  
14 participation with Defendants from enforcing the Orders and Emergency Directives unless  
15 they are issued in accordance with all procedural and substantive due process requirements  
16 of the U.S. Constitution;  
17

18 (6) Award Plaintiffs damages arising out of their § 1983 Claims, and specifically,  
19 under the Ninth Amendment to the U.S. Constitution.  
20

21 (7) Award Plaintiffs the reasonable value of the loss of their businesses by virtue  
22 of Defendant Governor Sisolak's Orders and Emergency Directives;

23 (8) For such other and further relief to which Plaintiffs may show themselves  
24 justly entitled; and  
25

26 ///

27 ///

28

1 (9) For an award of reasonably attorneys' fees and his costs on his behalf  
2 expended as to such Defendants pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1988.  
3

4 **AFFIRMATION**

5 The undersigned does hereby affirm that this document does not contain the social  
6 security number of any person.  
7

8 DATED this 12th day of August, 2021

9 **CHATTAH LAW GROUP**

10  
11 /s/ Sigal Chattah  
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16 **JOEY GILBERT LAW**

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24 *Attorney for Plaintiffs*  
25  
26  
27  
28

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

MONICA BRANCH-NOTO, individually and on behalf of JOHN DOE MINOR NO. 1, as guardian of said minor, TIFFANY PAULSON, individually and on behalf of JOHN DOE MINOR NO. 2 and JANE DOE MINOR NO. 1, as guardian of said minors

Plaintiff(s)

v.

STEPHEN F. SISOLAK, in his official capacity as Governor of the State of Nevada, AARON DARNELL FORD, in his official capacity as the Attorney General of the State of Nevada, CLARK COUNTY SCHOOL DISTRICT, a public entity

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) CLARK COUNTY SCHOOL DISTRICT

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CHATTAH LAW GROUP
5875 S. Rainbow Blvd #203
Las Vegas NV 89118

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Nevada

MONICA BRANCH-NOTO, individually and on behalf of JOHN DOE MINOR NO. 1, as guardian of said minor, TIFFANY PAULSON, individually and on behalf of JOHN DOE MINOR NO. 2 and JANE DOE MINOR NO. 1, as guardian of said minors

Plaintiff(s)

v.

STEPHEN F. SISOLAK, in his official capacity as Governor of the State of Nevada, AARON DARNELL FORD, in his official capacity as the Attorney General of the State of Nevada, CLARK COUNTY SCHOOL DISTRICT, a public entity

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) AARON DARNELL FORD

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

CHATTAH LAW GROUP
5875 S. Rainbow Blvd #203
Las Vegas NV 89118

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
District of Nevada

MONICA BRANCH-NOTO, individually and on behalf
of JOHN DOE MINOR NO. 1, as guardian of said
minor, TIFFANY PAULSON, individually and on
behalf of JOHN DOE MINOR NO. 2 and JANE DOE
MINOR NO. 1, as guardian of said minors

Plaintiff(s)

v.

STEPHEN F. SISOLAK, in his official capacity as
Governor of the State of Nevada, AARON DARNELL
FORD, in his official capacity as the Attorney General
of the State of Nevada, CLARK COUNTY SCHOOL
DISTRICT, a public entity

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) STEPHEN S. SISOLAK

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you
are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ.
P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of
the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,
whose name and address are:

CHATTAH LAW GROUP
5875 S. Rainbow Blvd #203
Las Vegas NV 89118

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint.
You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

JS 44 (Rev. 10/20)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**  
 MONICA BRANCH-NOTO, individually and on behalf of  
 JOHN DOF MINOR NO. 1, as guardian of said minor.  
**(b)** County of Residence of First Listed Plaintiff \_\_\_\_\_  
 (EXCEPT IN U.S. PLAINTIFF CASES)  
  
**(c)** Attorneys (Firm Name, Address, and Telephone Number)  
 CHATTAH LAW GROUP  
 5875 S RAINBOW BLVD 203

**DEFENDANTS**  
 STEPHEN F. SISOLAK, in his official capacity as Governor  
 of the State of Nevada. AARON DARNELL FORD, in his  
 County of Residence of First Listed Defendant \_\_\_\_\_  
 (IN U.S. PLAINTIFF CASES ONLY)  
 NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
 THE TRACT OF LAND INVOLVED.  
 Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)  
 1 U.S. Government Plaintiff  
 3 Federal Question (U.S. Government Not a Party)  
 2 U.S. Government Defendant  
 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
 (For Diversity Cases Only)  

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)  
 1 Original Proceeding  
 2 Removed from State Court  
 3 Remanded from Appellate Court  
 4 Reinstated or Reopened  
 5 Transferred from Another District (specify) \_\_\_\_\_  
 6 Multidistrict Litigation - Transfer  
 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**  
 Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 42 US 1983  
 Brief description of cause:  
 VIOLATION OF DUE PROCESS 14TH AMENDMENT; 9TH AMEND

**VII. REQUESTED IN COMPLAINT:**  CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ \_\_\_\_\_ CHECK YES only if demanded in complaint: JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY** (See instructions): JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE: 8/12/21  
 SIGNATURE OF ATTORNEY OF RECORD:

FOR OFFICE USE ONLY  
 RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_