

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN INDIVIDUAL;
TREVOR HARDER, AN INDIVIDUAL; AND
THE HENDERSON EQUALITY CENTER,
A NEVADA NON-PROFIT CORPORATION,
Appellants,
vs.
SOUTHERN NEVADA ASSOCIATION OF
PRIDE, INC. D/B/A LAS VEGAS PRIDE, A
NEVADA NON-PROFIT CORPORATION;
AND BRADY MCGILL, AN INDIVIDUAL,
Respondents.

No. 88906

Electronically Filed
Aug 14 2024 01:17 PM
Elizabeth A. Brown
Clerk of Supreme Court

SETTLEMENT PROGRAM STATUS REPORT

A mediation session was held in this matter on N/A. I make the following report
to the court:

(check one box)



The parties have agreed to a settlement of this matter.



The parties were unable to agree to a settlement of this matter.



The settlement process is continued as follows:


Date: _____ Time: _____

Location: _____



Other: _____

Additional Comments: _____



Settlement Judge

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

No. _____ Electronically Filed
Jul 30 2024 07:39 PM
DOCKETING Elizabeth N. Brown
CIVIL APPEALS Clerk of Supreme Court

GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District _____ Department _____
County _____ Judge _____
District Ct. Case No. _____

2. Attorney filing this docketing statement:

Attorney _____ Telephone _____
Firm _____
Address _____

Client(s) _____

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney _____ Telephone _____
Firm _____
Address _____

Client(s) _____

Attorney _____ Telephone _____
Firm _____
Address _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

4. Nature of disposition below (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Judgment after bench trial | <input type="checkbox"/> Dismissal: |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Lack of jurisdiction |
| <input type="checkbox"/> Summary judgment | <input type="checkbox"/> Failure to state a claim |
| <input type="checkbox"/> Default judgment | <input type="checkbox"/> Failure to prosecute |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief | <input type="checkbox"/> Other (specify): _____ |
| <input type="checkbox"/> Grant/Denial of injunction | <input type="checkbox"/> Divorce Decree: |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination | <input type="checkbox"/> Other disposition (specify): _____ |

5. Does this appeal raise issues concerning any of the following?

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

6. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

8. Nature of the action. Briefly describe the nature of the action and the result below:

9. Issues on appeal. State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☐ N/A

☐ Yes

☐ No

If not, explain:

12. Other issues. Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain:

13. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

14. Trial. If this action proceeded to trial, how many days did the trial last? _____

Was it a bench or jury trial? _____

15. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from _____

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

17. Date written notice of entry of judgment or order was served _____

Was service by:

☐ Delivery

☐ Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b) Date of filing _____

☐ NRCP 52(b) Date of filing _____

☐ NRCP 59 Date of filing _____

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ____, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion _____

(c) Date written notice of entry of order resolving tolling motion was served _____

Was service by:

☐ Delivery

☐ Mail

19. Date notice of appeal filed _____

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

SUBSTANTIVE APPEALABILITY

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> NRAP 3A(b)(1) | <input type="checkbox"/> NRS 38.205 |
| <input type="checkbox"/> NRAP 3A(b)(2) | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3) | <input type="checkbox"/> NRS 703.376 |
| <input type="checkbox"/> Other (specify) _____ | |

(b) Explain how each authority provides a basis for appeal from the judgment or order:

22. List all parties involved in the action or consolidated actions in the district court:

(a) Parties:

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.

24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

☐ Yes

☐ No

25. If you answered "No" to question 24, complete the following:

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☐ No

26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):

27. Attach file-stamped copies of the following documents:

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Name of appellant

Name of counsel of record

Alex Shepherd

Date

Signature of counsel of record

State and county where signed

CERTIFICATE OF SERVICE

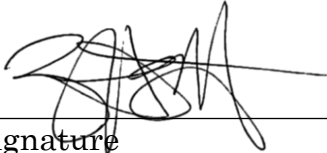
I certify that on the _____ day of _____, _____, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☐ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

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*Attorneys for Defendants Southern Nevada
Association of Pride, Inc. dba Las Vegas Pride
and Brady McGill*

Dated this _____ day of _____, _____



Signature

DOCUMENTS IN
RESPONSE TO NO. 27

COMPLAINT



COMP

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CASE NO. A237938C
Department 28

Attorneys for Plaintiffs
Christopher Davin, Trevor Harder,
and Henderson Equality Center

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHRISTOPHER DAVIN, an individual;
TREVOR HARDER, an individual; and
HENDERSON EQUALITY CENTER, a
Nevada non-profit corporation,

Plaintiffs,

v.

**SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS
PRIDE**, a Nevada nonprofit corporation;
HUMAN RIGHTS CAMPAIGN, INC., a
District of Columbia nonprofit corporation;
**HOLY ORDER SIN SITY SISTERS OF
PERPETUAL INDULGENCE, INC.**, a
Nevada nonprofit corporation;
**INTERNATIONAL CULTURAL
MOVEMENT FOR EQUALITY**, a Nevada
non-profit corporation; **GENDER JUSTICE
NEVADA**, a Nevada non-profit corporation;
LAS VEGAS TRANSPRIDE, a Nevada
non-profit corporation; **SOCIAL
INFLUENCE FOUNDATION DBA
HOUSE OF VEGAS PRIDE**, a Nevada non-
profit corporation; and **JOHN PHOENIX,
APRN, PLLC DBA HUNTRIDGE
FAMILY CLINIC**, a Nevada professional
limited liability company, **GOLDEN
RAINBOW OF NEVADA, INC.**, a Nevada

Case No. _____

Dept. _____

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

**ARBITRATION EXEMPTION:
AMOUNT IN EXCESS OF \$50,000;
EQUITABLE RELIEF SOUGHT**

nonprofit corporation, **BRADY MCGILL**, an individual, **NICOLE WILLIAMS**, an individual, **JOHN PHOENIX**, an individual, **GARY COSTA**, an individual, **ANTHONY CORTEZ**, an individual, and **SEAN VANGORDER**, an individual,
Defendants.

Plaintiffs Christopher Davin, Trevor Harder, and Henderson Equality Center hereby bring this Complaint against Defendants Southern Nevada Association of Pride, Inc. dba Las Vegas PRIDE; Human Rights Campaign; Holy Order Sin Sity Sisters of Perpetual Indulgence, Inc.; International Cultural Movement for Equality; Gender Justice Nevada; Las Vegas Transpride; Social Influence Foundation dba House of Vegas Pride; John Phoenix, APRN, PLLC dba Huntridge Family Clinic; Golden Rainbow of Nevada, Inc.; Brady McGill; Nicole Williams; John Phoenix; Gary Costa; Anthony Cortez; and Sean Vangorder, and allege as follows:

THE PARTIES

1. Plaintiff Christopher Davin is an individual residing in Nevada.
2. Plaintiff Trevor Harder is an individual residing in Nevada.
3. Plaintiff Henderson Equality Center (“HEC”) is a Nevada nonprofit corporation with its principal place of business in Henderson, Nevada.
4. Defendant Southern Nevada Association of Pride, Inc. dba Las Vegas PRIDE (“Vegas PRIDE”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.
5. Defendant Human Rights Campaign (“HRC”) is a District of Columbia nonprofit corporation registered to do business in Nevada and regularly conducts business in Las Vegas, Nevada.
6. Defendant Holy Order Sin Sity Sisters of Perpetual Indulgence, Inc. (“Sisters”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

7. Defendant International Cultural Movement for Equality (“ICME”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

8. Defendant Gender Justice Nevada (“Gender Justice”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

9. Defendant Las Vegas Transpride (“Transpride”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

10. Defendant Social Influence Foundation dba House of Vegas Pride (“House of Vegas”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

11. Defendant John Phoenix, APRN, PLLC dba Huntridge Family Clinic (“Huntridge”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

12. Defendant Golden Rainbow of Nevada, Inc. (“Golden Rainbow”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

13. Defendant Brady McGill at all relevant times was the President of Vegas PRIDE and is a resident of Las Vegas, Nevada.

14. Defendant Nicole Williams at all relevant times was the President of House of Vegas and is a resident of Las Vegas, Nevada.

15. Defendant John Phoenix at all relevant times was the Manager of Huntridge and a resident of Las Vegas, Nevada.

16. Defendant Gary Costa at all relevant times was the Executive Director of Golden Rainbow and a resident of Las Vegas, Nevada.

17. Anthony Cortez at all relevant times was the Co-Founder and Executive Director of ICME and a resident of Las Vegas, Nevada.

18. Sean Vangorder is a former Vice Chair of HRC’s National Board of Governors and Member of its Las Vegas Steering Committee, still volunteers for HRC in Las Vegas, and is a resident of Las Vegas, Nevada.

JURISDICTION AND VENUE

19. This Court has jurisdiction over this matter because all Defendants reside or regularly do business in Nevada and because the tortious statements made by Defendants, which are the basis of this action, were published in Nevada and caused harm to Plaintiffs in Nevada.

20. The amount in controversy, represented by actual and consequential damages to Plaintiff, and possible punitive damages, exceeds \$15,000.00. This Court thus has jurisdiction over this matter.

21. Venue is proper before this Court because the actions that form the basis of Plaintiff's claims took place in Clark County, Nevada.

FACTS RELEVANT TO ALL CLAIMS

22. Plaintiff Davin is the Executive Director of HEC.

23. HEC is a community-supported organization created to engage, empower, enrich, and advance, the LGBTQ+ community in Henderson, Nevada by providing a safe space that provides resources and assistance in various forms to at-risk, low-income LGBTQ+ youth and adults.

24. Davin's partner, Plaintiff Harder, is a Co-Founder, Youth Director, and PrEP Navigator at HEC and Henderson Wellness Clinic, and is employed as a public educator at a charter school.

25. For years, Davin has been actively engaged in LGBTQ+ organizations in Nevada to support the LGBTQ+ community.

26. As of 2020, Davin was a volunteer with Defendant Human Rights Campaign.

27. As of 2021, Davin was a Board Member of Vegas PRIDE.

28. Similarly, as of 2021, Plaintiff Harder was a Board Member of Vegas PRIDE.

29. On April 20, 2023, Vegas PRIDE published a press release (the "Press Release") on its website containing numerous false and defamatory statements about Plaintiffs.¹

¹ Available at: <https://lasvegaspride.org/2023/04/25/christopher-chris-davin-trevor-harder/>. A true and correct copy of the Press Release is attached to this Complaint as **Exhibit 1**.

30. The Press Release primarily consists of 5 distinct categories of actionable statements:

- A. *"In April 2023, Mr. Davin threatened Las Vegas PRIDE Officers and took intentional action to cause harm to our organization and our work by making frivolous trademark claims. These actions resulted in harm to Las Vegas PRIDE and other community-serving organizations."*
- B. *"In August of 2021, it was determined that Mr. Davin accessed sensitive information and stole data from the Las Vegas PRIDE, which he used without permission to benefit his organization. In a unanimous vote, Mr. Davin was removed from his position on the Board ["Minutes of the Las Vegas PRIDE Board – Closed Session."](#) [August 11, 2021](#).² At that time, Mr. Harder also resigned from his position on our Board."*
- C. *"In a similar incident in the spring of 2020, Mr. Davin was removed from his involvement with Human Rights Campaign of Las Vegas for accessing sensitive information and using it without permission for personal gain."*
- D. *"Las Vegas PRIDE Officers have been made aware of multiple reports of bullying, threats, and unethical business activities Mr. Davin has taken against individuals, charities, and businesses in Southern Nevada."*
- E. *"Las Vegas PRIDE Officers have been made aware of reports made to various authorities regarding Mr. Davin directly for unethical, unprofessional, and illegal financial practices and behavior."*

31. The Press Release then states that *"Las Vegas PRIDE takes direct threats to our Board Members and attacks on our organization by Mr. Davin and Mr. Harder seriously. Bullying actions of these individuals will not be tolerated . . . "*

32. The Press Release also encourages readers to file complaints with various governmental agencies, both real and non-existent, regarding Davin and Harder and "the many organizations with which they are associated."

² The hyperlink to this document is in the Press Release. The August 11, 2021, closed meeting minutes linked in the Press Release are attached to this Complaint as **Exhibit 2**.

33. The Press Release contains the logos of Defendants Vegas PRIDE, HRC, Sisters, ICME, Gender Justice, Transpride, and House of Vegas (the “PR Defendants”).

34. The Press Release also includes links to the PR Defendants’ respective websites.

35. The inclusion of the PR Defendants’ website links and logos shows that these Defendants endorse the actionable statements in the Press Release.

36. Defendant HRC had actual knowledge that it was listed as a signatory to the Press Release no later than May 2023. It contacted Plaintiffs in May 2023 regarding the Press Release, and Plaintiffs’ then-counsel informed HRC that same month that it contained false and defamatory statements. Despite having this actual knowledge, HRC did nothing to distance or dissociate itself from the Press Release until approximately October 2023, after it received a demand letter from Plaintiffs.

37. Shortly after the Press Release was published, Defendant Phoenix published a verbatim copy of the Press Release on Defendant Huntridge’s website.

38. Shortly after the Press Release was published, Phoenix also contacted at least one of HEC’s doctors and encouraged them to stop working for HEC based on the false allegations contained in the Press Release.

39. On information and belief, Vegas PRIDE, or one of its agents, sent a message to several supporters and donors of HEC (the “Direct Message”).

40. The Direct Message linked to the defamatory Press Release and stated that these other organizations endorsed the statements in the release (the “Direct Message”). A true and correct copy of the Direct Message is attached to this Complaint as **Exhibit 3**.

41. The Direct Message includes the following statement:

“For the safety and well-being of the LGBTQ+ community, Please [sic] reconsider your sponsorship of this organization as your support perpetuates Mr. Davin’s and Mr. Harder’s ability to cause harm to individuals, charitable organizations and business in the Las Vegas LGBTQ+ Community.

This information has been sent to you anonymously, for fear of continued retaliation from Mr. Davin and Mr. Harder.”

42. On May 2, 2023, the Press Release was updated to include two additional defamatory statements.

43. The Press Release was amended to claim that Vegas PRIDE had received reports from unnamed third parties accusing Plaintiffs of “Harassment of community members, and former board members,” and “Failure to submit payment for goods/services rendered.”

44. Each of these statements in the Press Release is false and defamatory, as discussed below.

Allegation of Davin Harming Vegas PRIDE With Frivolous Trademark Claims

45. HEC owns multiple trademark registrations for the mark HENDERSON PRIDE FEST.

46. HEC owns a federal registration for this mark, which was registered on the Supplemental Register on February 7, 2023, with an effective registration date of December 10, 2021 (Reg. No. 6,976,120).

47. HEC also owns three Nevada state registrations for the mark, which were registered on January 11, 2022 (Mark No. 202200035766-22 (trademark), 202200035760-40 (trade name), and 202200035764-28 (service mark)).

48. In April 2023, Davin submitted a complaint to Facebook on HEC’s behalf alleging trademark infringement on Vegas PRIDE’s Facebook page.

49. Davin alleged that this page contained several images used in a commercial context for the confusingly similar trademark HENDERSON PRIDE FESTIVAL.

50. Davin also alleged that the HENDERSON PRIDE FESTIVAL mark was used in connection with the same goods and services as HEC’s HENDERSON PRIDE FEST mark.

51. On or about April 17, 2023, Facebook found Davin’s complaint meritorious and suspended Vegas PRIDE’s Facebook page for approximately two months.

52. On information and belief, Facebook’s suspension of Vegas PRIDE’s page was not due solely to Davin’s complaint, but rather was the cumulative consequence of numerous

trademark infringement complaints filed against Vegas PRIDE by third parties, combined with Davin's complaint.

53. There are multiple reasons this allegation in the Press Release is false.

54. First, Davin did not threaten anyone by sending a takedown request to Facebook, nor did he do so to "cause harm" to Vegas PRIDE.

55. HEC owns multiple trademark registrations for HENDERSON PRIDE FEST, and Vegas PRIDE was using the confusingly similar HENDERSON PRIDE FESTIVAL mark on Facebook.

56. Nor did Plaintiffs request that Facebook remove Vegas PRIDE's Facebook account.

57. It appears that Vegas PRIDE had already been the subject of so many trademark complaints that Facebook felt a suspension was appropriate instead of simply removing the infringing content.

58. Furthermore, Facebook found Davin's takedown request to be meritorious and acted on it.

59. The allegation that Davin made "frivolous trademark claims" is thus not merely a statement of opinion, but a demonstrably false statement of fact.

60. Crucially, Vegas PRIDE published the Press Release on April 20, 2023, a mere *three days* after Facebook suspended its Facebook page.

61. It could not be more apparent that PR Defendants and Phoenix's motive in publishing and endorsing the Press Release was not to inform the LGBTQ+ community about a bad actor, but rather to retaliate against Plaintiffs for asserting their legal rights.

Allegations Regarding August 2021 Departure from Vegas PRIDE

62. On August 11, 2021, Vegas PRIDE held a closed meeting to discuss allegations of Davin taking Vegas PRIDE assets.

63. Specifically, the allegation that Davin logged into Vegas PRIDE's mail program and extracted email files for the purpose of soliciting donations from Vegas PRIDE donors for the benefit of HEC.

64. This claim is categorically false.

65. As Davin explained during this meeting, if he had engaged in this alleged conduct, then Vegas PRIDE's email software, Mailchimp, would have had a log of it.

66. There was no log of such activity.

67. To prove this claim, Davin provided an example of logging into HEC's mail system, which also uses MailChimp, resulting in a log of him doing so.

68. Vegas PRIDE's board ignored evidence conclusively showing the allegations against Davin were false.

69. Instead, Vegas PRIDE's President, Brady McGill, proposed the absurd hypothetical that Davin could have copied all 22,000 allegedly extracted emails word by word.

70. Without conducting any investigation and ignoring the conclusive proof Davin provided during the meeting, the Vegas PRIDE Board found that Davin had engaged in this alleged misconduct.

71. The same day this meeting occurred; Davin voluntarily retired from the Board due to him being subjected to a disrespectful kangaroo court with no interest in determining the truth of allegations against him.

72. The claim that Davin was removed from the Vegas PRIDE Board is also false.

73. In reality, the allegation of Davin committing data theft was fabricated out of whole cloth and used as a pretext to get Davin off the Vegas PRIDE Board.

74. The Press Release also falsely implies Harder was somehow involved in this non-existent data theft by mentioning that Davin left the Vegas PRIDE Board at the same time in the same paragraph as the false allegations about Davin.

75. If an actual data breach had happened and Davin had stolen the information of thousands of donors, then Vegas PRIDE would have taken action in response, such as informing these donors that a data breach had happened.

76. Vegas PRIDE took no such action.

77. Further, Vegas PRIDE did not even acknowledge the existence of an alleged data breach until after it published the defamatory Press Release, two years later.

78. The fact that Vegas PRIDE did not even mention the alleged theft of thousands of supporters' information until it defamed Plaintiffs shows that PR Defendants and Phoenix knew this allegation was false when they published or endorsed the Press Release and published it for the specific purpose of harming Plaintiffs.

Allegations Regarding Davin's Departure from HRC

79. In 2020, Davin volunteered his time to HRC and served as a co-chair for the HRC Gala silent auction.

80. Davin did approximately 90% of the work in finding donors and items for the auction at the 2020 Gala in Caesar's Palace in Las Vegas, Nevada.

81. At the Gala, HRC's poor training of its volunteers led to a great deal of confusion in the checkout process for successful bidders.

82. HRC volunteers allowed bidders to pick up items simply upon showing a phone message notifying the bidder of being the highest bidder.

83. This was problematic because some of the persons who received phone messages indicating they were the highest bidder, were later outbid by others.

84. This resulted in some of the wrong people getting items presented during the auction.

85. Because his co-chair was not doing their share of the work, Davin was left to sort out this mess by himself, which involved contacting various bidders to make arrangements for them to acquire or transfer auction items.

86. As a necessary part of this work, Davin had access to HRC donor information.

87. Davin did not use HRC donor information for any purpose other than fixing the issues which arose during the checkout process.

88. It is categorically false to say that Davin was involved “in a similar incident in the Spring of 2020,” as he did not misappropriate any donor information or use it for his or HEC’s benefit.

89. Similar to the above false allegations regarding Davin’s departure from the Vegas PRIDE Board, if HRC actually did experience a data breach in 2020, it presumably would have told its donors about this.

90. HRC did no such thing, and has made no public statement about an alleged data breach resulting from this incident.

91. The Press Release is also wrong about its claim that Davin was removed from HRC.

92. After 4 to 6 months of trying to fix HRC’s mistakes, which took up a significant amount of his unpaid time, Davin informed HRC he could no longer do this work on a volunteer basis.

93. Davin did not hold any office or title with HRC; he was an unpaid volunteer.

94. HRC did not “remove” Davin.

95. Davin simply stopped volunteering for the organization.

Allegations of Harassment, Bulling, Threats, Unethical Business Activities, and Unethical and Illegal Financial Practices and Behavior

96. In a classic example of reckless defamation, the Press Release refers to numerous unspecified complaints of various incidents of unprofessional or illegal conduct.

97. Neither Vegas PRIDE nor any of the signatories of the Press Release have received such reports. They are fabrications.

98. Even if some people attempting to harm Plaintiffs’ reputation have made “complaints” to Vegas PRIDE, the Press Release clearly endorses the veracity of such complaints by publishing about them alongside unambiguous factual assertions of Plaintiffs’ wrongdoing.

99. The reference to these “complaints” implies the existence of undisclosed facts which are false and defamatory, meaning these claims in the Press Release are also defamatory.

100. The Press Release also clearly imputes this alleged misconduct to Plaintiffs collectively, as it refers to “attacks on our organization by Mr. Davin and Mr. Harder,” and asks readers to report “information regarding issues with Chris Davin, Trevor Harder, or any of the many organizations with which they are associated.”

Allegations of Failure to Submit Payment for Goods/Services Rendered

101. Finally, the Press Release alleges that Plaintiffs have engaged in “[f]ailure to submit payment for goods/services rendered.”

102. This statement, endorsed as true in the Press Release, is false.

103. The only incident it could possibly be referring to is a dispute between HEC and a company called Excellence LLC d/b/a Smithman Productions (“Smithman”).

104. HEC had a commercial relationship with Smithman in 2022 to produce HEC-branded merchandise.

105. HEC quickly learned that Smithman had provided incorrect inventory counts, despite agreeing to provide correct ones.

106. Further, despite promising to provide custom original designs, Smithman instead used images it took from the internet without permission or attribution to create the merchandise.

107. Both of these issues were a breach of the agreement between Smithman and HEC.

108. Upon learning of these breaches, HEC refused payment, as it was entitled to do.

109. Smithman threatened to sue HEC for this alleged breach, but never did.

110. The claim that HEC failed to submit payment for goods/services rendered is thus grossly misleading and falsely implies that HEC does not honor its contractual obligations.

Sean Vangorder’s Facebook Post

111. In or around June 2023, Sean Vangorder published a post on Facebook of and concerning Plaintiffs.

112. This post claimed that Davin and Harder:

are the greatest scam artists to the LGBTQ+ community in Las Vegas. They have stolen donor lists, bashed dedicated and caring volunteer leaders, attacked valuable queer-supported Vegas organizations, and have continued on a journey of full destruction of non-profit and political orgs that fight for our freedoms and help gain us access to valuable services every day. As of now, they have attacked Las Vegas Pride to the point of having their social media access removed – just before June Pride month – one of their most important months for engagement and exposure. It's time for the Vegas queer community to be transparent about the toxic attacks these two humans have participated in. It's time for them to go and for the rest of us to unite. Take it from me – I know personally about the toxicity of these two.

113. This post contains numerous false statements and implications, namely that Davin and Harder are “scam artists,” that they have “stolen donor lists,” and that they have undermined the Nevada LGBTQ+ community.³

114. As alleged above, the allegation that Davin and Harder stole donor lists is categorically false.

115. Vangorder knew this allegation was false when he published it or did so with significant subjective doubt as to its truth, given that there was no factual basis for this allegation.

116. As alleged above, the allegation that Davin and Harder “attacked” Vegas PRIDE by shutting down its Facebook page is false.

117. Rather, Davin sent Facebook a meritorious trademark takedown request that Facebook acted upon.

118. Vangorder’s broader claim that Davin and Harder are trying to undermine the Vegas LGBTQ+ community is thus false, as it rests on this false premise.

119. The statement Davin and Harder are “scam artists” is false, as neither Plaintiff has scammed anyone.

³ The entirety of the post is false and was published with the specific intent of harming Plaintiffs, but not every statement in it is actionable.

120. This is not a statement of protected opinion because it implies the existence of undisclosed false facts, namely that there are underlying facts which support the asserted conclusion of Davin and Harder being “scam artists.”

The LGBTQIA2 Connect Emails

121. On April 18, 2023, an employee of the LGBTQ Center of Southern Nevada sent an email to members of several Nevada LGBTQ+ communities, including Davin and Defendants Costa and Cortez, inviting them to attend an upcoming meeting in July 2023.

122. In response to this email, on May 3, 2023, a recipient wrote “Why is this person a part of this group?” and posted a link to the Press Release.

123. In response to that email, Defendant Cortez wrote an email claiming that the City of Henderson, Nevada called him to tell him that it would deploy armed officers to an upcoming ICME festival “because of continuous emails/threats by this idiot” and that the Mayor would be attending the festival “but with FULL SECURITY DETAIL. . . WHAT DOES THAT TELL YOU??”

124. Cortez concluded by asking everyone in the email chain to “report” Davin to law enforcement if they saw him at ICME’s upcoming festival.

125. Cortez wrote this email in the course and scope of his employment with ICME and for the benefit of ICME, as ICME was an active participant in an ongoing campaign to defame and harm Plaintiffs.

126. Cortez’s email was false.

127. The City of Henderson never contacted him regarding any security concerns regarding Plaintiffs, nor did the Mayor have or express any such security concerns.

128. Cortez’s email is also false in that Plaintiffs never sent any “emails/threats” that could possibly have caused any government organization to believe he was a security threat.

129. Furthermore, the implication that Davin is a violent individual and a security threat is categorically false.

130. In response to Cortez’s email, Defendant Costa wrote an email thanking Cortez for “sharing this [false] information widely to other LGBTQ organizations and community leaders” and falsely claiming that Davin and Harder “have been terrorizing the LGBTQ community for the past 3 years,” and called them “bad actors” and “bullies.”

131. Costa published this email in the course and scope of his employment with Defendant Golden Rainbow and for the benefit of Golden Rainbow.

132. Indeed, he published it explicitly on behalf of Golden Rainbow.

133. Costa’s email endorsed Cortez’s email in its entirety, thus making him and Golden Rainbow equally liable for the statements in it.

134. Costa’s email also falsely implied the existence of undisclosed facts to support his assertion that Davin and Harder “have been terrorizing the LGBTQ community for the past 3 years.”

135. Neither Davin nor Harder have “terrorized” the LGBTQ community at any point and have not engaged in any conduct that any reasonable person apprised of the facts could possibly interpret as “terrorizing” the community.

False Statements to Interpride

136. In or about October 2023, Defendants Brady McGill and Nicole Williams spoke to a representative of InterPride, an international LGBTQ+ organization that organizes PRIDE events.

137. McGill and Williams told the InterPride representative that Plaintiffs were engaged in racism and elder abuse.

138. On information and belief, McGill and Williams made several false factual representations to the InterPride representative underlying their allegations of racism and elder abuse, which statements will be uncovered during the course of discovery.

139. The allegations of racism and elder abuse are false and defamatory. None of the Plaintiffs have ever engaged in such conduct, nor have they engaged in any conduct that a reasonable person could describe as racism or elder abuse.

140. McGill and Williams had actual knowledge that their allegations of racism and elder abuse were false when they made them, as they knew Plaintiffs have never engaged in such conduct, and that they have never engaged in any conduct that a reasonable person could describe as racism or elder abuse.

141. Even if McGill and Williams did not have actual knowledge of the falsity of these statements, they published them with significant subjective doubt as to their truth, given that there was no factual basis for these allegations.

142. Plaintiff Davin is an Alternate Gag Board Member of InterPride.

143. On information and belief McGill and Williams made their false allegations of racism and elder abuse for the specific purpose of causing Davin to be removed from the Board of InterPride.

144. It is inherently implausible that McGill or Williams were simply passing on complaints about Plaintiffs of racism or elder abuse, as Vegas PRIDE and House of Vegas are not associated with Plaintiffs and no such complaints were sent to Plaintiffs or any organization that is actually involved with Plaintiffs.

145. McGill and Williams are the President of Vegas PRIDE and House of Vegas, respectively, and made these false statements to InterPride in the course and scope of their employment with these organizations.

FIRST CLAIM FOR RELIEF

(Defamation *Per Se*)

146. Plaintiffs hereby incorporate the allegations of each of the preceding paragraphs as if fully set forth fully herein.

147. Defendants published false and defamatory statements of and concerning Plaintiffs by publishing them online and transmitting them directly to HEC supporters.

148. Specifically, the PR Defendants and Phoenix published or endorsed the Press Release, Vangorder published his defamatory Facebook post, Cortez published his defamatory email in his capacity as an ICME officer (thus making ICME liable for this conduct), Costa

published his defamatory email in his capacity as a Golden Rainbow officer (thus making Golden Rainbow liable for this conduct), and McGill and Williams published their defamatory statements to InterPride in their capacity as officers of Vegas PRIDE and House of Vegas, respectively (thus making Vegas PRIDE and House of Vegas liable for this conduct).

149. Defendants made their false and defamatory statements to third parties without privilege.

150. Defendants' statements falsely accuse Plaintiffs of various forms of misconduct, including theft and misappropriation of donor information; deliberately trying to harm LGBTQ organizations by making false claims; bullying, harassing, and threatening behavior; engaging in unethical business activities and unethical and illegal financial practices and behavior; not honoring contractual obligations; engaging in threatening conduct so severe as to be determined a security threat by the City of Henderson; racism; and elder abuse.

151. All of these allegations are literally false or grossly misleading, thus implying a false and defamatory meaning.

152. Defendants published the false and defamatory statements with knowledge they were false, or with reckless disregard for their truth or falsity, as they had actual knowledge Plaintiffs did not engage in any of the above alleged conduct.

153. To the extent any Defendant did not publish or endorse the Press Release with knowledge of falsity, such Defendants published with reckless disregard for the truth, as they performed no investigation prior to publishing and had significant subjective doubt as to the truth of the statements in the Press Release.

154. Plaintiffs are not public figures, and thus must prove merely negligence.

155. Defendants' false and defamatory statements constitute defamation *per se* in that they tend to injure Plaintiffs in their trade, business, or profession.

156. Defendants' statements were no more than an issue of curiosity and gossip and had no bearing on any matter of public concern.

157. Defendants' statements were of concern only to them and a small, specific audience.

158. Defendants did not make their statements to further any kind of public interest.

159. Defendants made their statements solely as part of a private controversy with Plaintiffs.

160. Damages to Plaintiffs are presumed by law since the defamation is *per se*.

161. Even without this presumption, as a direct and proximate result of Defendants' actions, Plaintiffs' reputations have been severely harmed and Plaintiffs have suffered actual economic loss, including but not limited to loss of income, loss of sponsorship opportunities, loss of employment opportunities, and loss of clients.

162. Defendants' conduct was willful and intentional.

163. Plaintiffs are entitled to an award of punitive damages to punish Defendants for their unlawful conduct and to deter them from repeating such misconduct in the future.

164. As a direct and proximate result of Defendants' actions, Plaintiffs have incurred attorneys' fees and costs for the protection of their interests.

165. As a direct and proximate result of Defendants' actions, Plaintiffs have been injured in an amount exceeding \$15,000.00.

SECOND CLAIM FOR RELIEF

(False Light) (By Davin and Harder)

166. Plaintiffs hereby incorporate the allegations of each of the preceding paragraphs as if fully set forth fully herein.

167. Defendants published false and defamatory statements of and concerning Plaintiffs by publishing them online and transmitting them directly to HEC supporters.

168. Specifically, the PR Defendants and Phoenix published or endorsed the Press Release, Vangorder published his defamatory Facebook post in his capacity as an HRC Member (thus making HRC liable for this conduct), Cortez published his defamatory email in his capacity as an ICME officer (thus making ICME liable for this conduct), Costa published his defamatory

email in his capacity as a Golden Rainbow officer (thus making Golden Rainbow liable for this conduct), and McGill and Williams published their defamatory statements to InterPride in their capacity as officers of Vegas PRIDE and House of Vegas, respectively (thus making Vegas PRIDE and House of Vegas liable for this conduct).

169. Defendants made their false and defamatory statements to third parties without privilege.

170. Defendants' statements falsely accuse Davin and Harder of various forms of misconduct, including theft and misappropriation of donor information; deliberately trying to harm LGBTQ+ organizations by making false claims; bullying, harassing, and threatening behavior; engaging in unethical business activities and unethical and illegal financial practices and behavior; not honoring contractual obligations; engaging in threatening conduct so severe as to be determined a security threat by the City of Henderson; racism; and elder abuse.

171. All of these allegations are literally false or grossly misleading, thus implying a false and defamatory meaning.

172. Due to the falsity of these statements and their implications, Defendants cast Davin and Harder in a false light by publishing and endorsing them.

173. The false light in which the statements portrayed Davin and Harder is highly offensive to any reasonable person.

174. Defendants made the false statements with knowledge that the statements, and the light in which they placed Davin and Harder were false, or with reckless disregard for their truth or falsity.

175. To the extent any Defendant did not publish or endorse the Press Release with knowledge of falsity, such Defendants published with reckless disregard for the truth, as they performed no investigation prior to publishing and had significant subjective doubt as to the truth of the statements in the Press Release.

176. Defendants' conduct was willful and intentional.

177. Plaintiffs Davin and Harder are entitled to an award of punitive damages to punish Defendants for their unlawful conduct and to deter them from repeating such misconduct in the future.

178. As a direct and proximate result of Defendants' actions, Plaintiffs Davin and Harder have suffered mental anguish. Defendants' actions, and the mental harm they caused Plaintiffs Davin and Harder, have adversely affected the quantity and quality of Plaintiffs Davin and Harder's time with friends and family.

179. As a direct and proximate result of Defendants' actions, Plaintiffs Davin and Harder have incurred attorneys' fees and costs for the protection of their interests.

180. As a direct and proximate result of Defendants' actions, Plaintiffs Davin and Harder have been injured in an amount exceeding \$15,000.00.

THIRD CLAIM FOR RELIEF

(Tortious Interference with Prospective Economic Advantage)

181. Plaintiffs hereby incorporate the allegations of each of the preceding paragraphs as if fully set forth fully herein.

182. HEC and Davin, as its President, had a number of promising economic relationships with third parties at the time Defendants made their false and defamatory statements.

183. Harder, as a public school educator, had prospects for career advancement as an educator when Defendants made their false and defamatory statements.

184. Defendants had actual knowledge of these relationships and opportunities when they made their statements.

185. Defendants made false statements of fact of and concerning Plaintiffs to third parties without any privilege.

186. Specifically, the PR Defendants and Phoenix published or endorsed the Press Release, Vangorder published his defamatory Facebook post, Cortez published his defamatory email in his capacity as an ICME officer (thus making ICME liable for this conduct), Costa published his defamatory email in his capacity as a Golden Rainbow officer (thus making Golden

Rainbow liable for this conduct), and McGill and Williams published their defamatory statements to InterPride in their capacity as officers of Vegas PRIDE and House of Vegas, respectively (thus making Vegas PRIDE and House of Vegas liable for this conduct).

187. Defendants, in the Direct Message, even specifically encouraged supporters of HEC to sever all ties with Plaintiffs due to the false and defamatory statements in the Press Release.

188. In making false, negative, and defamatory statements concerning Plaintiffs, Defendants acted intentionally to disrupt the economic and contractual relationships, both current and potential, between Plaintiffs and third parties.

189. As a direct and proximate result of Defendants' actions, Plaintiffs' ability to engage in these economic relationships has been harmed, causing actual economic loss, including but not limited to loss of income, loss of sponsorship opportunities, loss of employment opportunities, and loss of clients

190. As a direct and proximate result of Defendants' actions, Plaintiffs have incurred attorneys' fees and costs for the protection of their interests.

191. As a direct and proximate result of Defendants' actions, Plaintiffs have been injured in an amount exceeding \$15,000.00.

FOURTH CLAIM FOR RELIEF (Conspiracy)

192. Plaintiffs hereby incorporate the allegations of each of the preceding paragraphs as if fully set forth herein.

193. Prior to publication of the Press Release, Defendants entered into an agreement to publish the Press Release, endorse its contents, and further defame Plaintiffs in separate communications after the Press Release was published.

194. The purpose of this agreement was to harm Plaintiffs' reputation, business, and current and prospective economic and employment opportunities.

195. There was no legitimate purpose to this agreement; Defendants' sole objective was to harm Plaintiffs by publishing false and defamatory statements.

196. Each of the Defendants acted in concert and took material steps in carrying out this agreement by either publishing the Press Release, endorsing its contents, or publishing subsequent communications to third parties defaming Plaintiffs.

197. As a direct and proximate result of Defendants' actions and their conspiracy, Plaintiffs have suffered reputational harm, emotional harm and distress, and actual economic loss, including but not limited to loss of income, loss of sponsorship opportunities, loss of employment opportunities, and loss of clients.

198. As a direct and proximate result of Defendants' actions, Plaintiffs have incurred attorneys' fees and costs for the protection of his interests.

199. As a direct and proximate result of Defendants' actions, Plaintiffs have been injured in an amount exceeding \$15,000.00.

JURY DEMAND

Plaintiffs demand a trial by jury on all claims asserted herein.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs hereby pray for relief as follows:

A. That Plaintiffs be awarded general, exemplary, compensatory, and punitive damages in an amount to be determined at trial;

B. A determination that the complained-of statements are false and defamatory;

C. A determination that the complained-of statements place Plaintiffs Davin and Harder in a false light that is highly offensive to a reasonable person;

D. Injunctive relief compelling a retraction of the false and defamatory statements; and,

E. Such other relief as this Court deems proper.

Dated: October 19, 2023.

Respectfully submitted,

/s/ Alex J. Shepard

Marc J. Randazza (NV Bar No. 12265)

Alex J. Shepard (NV Bar No. 13582)

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Attorneys for Plaintiffs

Christopher Davin, Trevor Harder,

and Henderson Equality Center

EXHIBIT 1

Press Release



CHRISTOPHER "CHRIS" DAVIN & TREVOR HARDER

Las Vegas PRIDE Board of Directors Adopt a Vote of No Confidence in Christopher "Chris" Davin & Trevor Harder

Las Vegas, NV, April 20, 2023: It is with great consideration and patience that Las Vegas PRIDE has come to the decision to speak out on a long-running issue facing our community. The Las Vegas PRIDE Board of Directors unanimously adopted a vote of no confidence in Christopher "Chris" Davin and Trevor Harder at the April 2023 meeting of the Board.

This decision is not taken lightly and comes from years of ongoing issues that Las Vegas PRIDE has encountered with these individuals. The following are representative of the reasons why Las Vegas PRIDE will not communicate, associate, or engage with Mr. Davin or Mr. Harder. For the health, safety, and well-being of our members, Las Vegas PRIDE will not participate in events that these individuals are known to support or attend.

- In April 2023, Mr. Davin threatened Las Vegas PRIDE Officers and took intentional action to cause harm to our organization and our work by making frivolous trademark claims. These actions resulted in harm to Las Vegas PRIDE and other community-serving organizations.
- In August of 2021, it was determined that Mr. Davin accessed sensitive information and stole data from the Las Vegas PRIDE, which he used without permission to benefit his organization. In a unanimous vote, Mr. Davin was removed from his position on the Board "[Minutes of the Las Vegas PRIDE Board – Closed Session.](#)" [August 11, 2021](#). At that time, Mr. Harder also resigned from his position on our Board.
- In a similar incident in the spring of 2020, Mr. Davin was removed from his involvement with Human Rights Campaign of Las Vegas for accessing sensitive information and using it without permission for personal gain.
- Las Vegas PRIDE Officers have been made aware of multiple reports of bullying, threats, and unethical business activities Mr. Davin has taken against individuals, charities, and businesses in Southern Nevada.
- Las Vegas PRIDE Officers have been made aware of reports made to various authorities regarding Mr. Davin directly for unethical, unprofessional, and illegal financial practices and behavior.

If you have information regarding issues with Chris Davin, Trevor Harder, or any of the many organizations with which they are associated, we encourage you to file complaints with the appropriate governing body, e.g. Nevada Secretary of State, Clark County Nevada, City of Henderson, HIPAA, Internal Revenue Service, etc.

For 40 years, Las Vegas PRIDE has fostered strong working relationships with local and national community-serving organizations. Las Vegas PRIDE takes direct threats to our Board Members and attacks on our organization by Mr. Davin and Mr. Harder seriously.

Bullying actions of these individuals will not be tolerated, and we encourage the community and our allies to assess their relationships and partnerships through the lens of integrity and professionalism. These are the criteria by which our current and future partnerships will be evaluated. We encourage our community to adopt a zero-tolerance for bullying and violence, no matter the source.

Las Vegas PRIDE exists to uplift our community and celebrate our achievements. This Board feels strongly that we must offer our help, love, and support to others who work within the organization(s) represented by both Mr. Davin and Mr. Harder. While we have no direct knowledge or contact with others within these organization(s), Las Vegas PRIDE maintains an open line for communication and resolution for others who wish to discuss this topic.

The Las Vegas PRIDE Board will continue to seek opportunities to build and uplift the LGBTQ+ community and actively seek mutually beneficial relationships to do so. The Board strongly encourages our partners in the nonprofit and business communities to consider these individuals' inappropriate, unethical bullying behavior and evaluate your investment in the LGBTQIA+ community accordingly.



May 2, 2023, Las Vegas, NV: After our initial release, we have received additional reports and information from members of the community who also wanted to have their voices heard. These reports include:

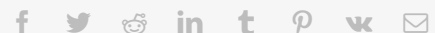
- Harassment of community members, and former board members.
- Failure to submit payment for goods/services rendered.

#

For inquiries or to speak with a representative of Las Vegas PRIDE regarding these issues, please email info@lasvegaspride.org

The United States Patent & Trademark Office operates the [Trademark Electronic Search System \(TESS\)](#), which was used to verify and validate the Henderson Pride trademark ownership by International Cultural Movement for Equality.

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> [Parade Entry Application](#)

> Photo Galleries

> Festival Vendor
Application

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EXHIBIT 2

August 11, 2021
closed meeting minutes



8/11/21 –Emergency Meeting – Disciplinary Action + Google Meets

Call to Order 8:01pm

Attendance	Lucas		
Present	Absent	Associate	Additional
Brady Lucas Lyndon Joslyn Steve Clair Freddy JC Lopez Trevor Brock Chris			

Explanation of Procedure & Order of Business	Brock	5 min
<ul style="list-style-type: none"> - Brock - Explanation of Procedure & Order of Business <ul style="list-style-type: none"> o IAW SOP 2, Disciplinary sessions may be called in the manner prescribed in the Southern Nevada Association of Pride, Inc. By-Laws and the Order of Business shall be as follows: <ol style="list-style-type: none"> 1. Call To Order (Chair) 2. Announcement of Closed, Special Session & Obligations of Secretary (Chair) 3. Explanation of Procedure & Order of Business (parliamentarian) 4. Reading of Citation from Minutes (secretary) 5. Presentation of Citation Letter & Receipt to Chair (secretary) 6. Appointment of Managers (Chair) 7. Inquiry As To Council for Accused - Appoint if Needed (Chair) 8. Reading of Charges & Specifications (Secretary) 9. Plea for Each Specification & Charge (Accused) 10. If Guilty Plea, Skip to #14, Otherwise <ol style="list-style-type: none"> a. Statement from SNAPI Chair b. Statement from Accused c. SNAPI Manager Questions Accused & Witnesses & Presents Case d. Accused Manager Questions Witnesses & Presents Defense 11. Debate (Board of Directors) 12. Chair Puts Forth the Question, "Is Mr./Mrs/Ms XXXXX guilty of the specifications and charges brought against them?" 13. Vote (each charge separately) 		



- 14. Penalty Request (SNAPI Manager)
- 15. Penalty Debate (Board of Directors) & Vote
- 16. Verdict (Chair)
- 17. Adjourn

Plea for Each Specification & Charge	Chris	2 min
- Chris plead Not Guilty on all charges.		

Statement from Accused	Accused	5 min
Chris does not present a statement on his behalf, he only wishes to present evidence to show that he did not do a breach of our email system.		
Statement from Chair	Brady	10 min
- Freddy - review of reporting o		
	Questions	10 min
- Freddy, If Chris can please review what you we're presenting since he was driving. Asking for more clarification.		
Debate	Board Member	10 min
<ul style="list-style-type: none"> - Josyln, to clarify PR & Marketing firms must follow the same guidelines. But firms don't just send out mass emails. - Lucas, If I was on their email list why wouldn't I have received an email campaign before 8/4. I only received an email after he did a manual input entry after an event. - Brock, Chris just showed the whole board that the email in question were actually in his database. - JC, he never answered clearly how the emails were sent them out. - Freddy, 		
Presentes the Question	Brady	5min
<ul style="list-style-type: none"> - Brady - <ul style="list-style-type: none"> o Misfeasance (Bylaws – Section 7.1) – Chris Davin accessed proprietary PRIDE information and without any authorization or permission, repurposed PRIDE data and assets for use at Henderson Equality Center. o Conflict of Interest (Bylaws – Section 7.2) – Chris Davin breached conflict of interest by his actions in taking PRIDE assets and using them for Henderson Equality Center without authorization or permission. 		



<ul style="list-style-type: none"> o Code of Conduct (Bylaws – Section 7.5) – Chris Davin’s actions in misuse of system access and sharing of proprietary data violated Code of Conduct items 1, 2, 3, 4, 5, 6, 8, and 10. o Vote of No Confidence (Bylaws – Section 7.4) – The Board of Directors voted on 8/13/21, no confidence in Chris Davin’s ability to represent the organization with integrity or to serve as a Director on the Board of Directors. 		
Voting	Brady	5 min
<ul style="list-style-type: none"> - Chair Puts Forth the Questions, Is Mr.Davin guilty of the specifications and charges brought against them; <ul style="list-style-type: none"> o 1- Mifseasance (Bylaws – Section 7.1), Guilty o 2- Conflict of Interest (Bylaws – Section 7.2), Guilty o 3- Code of Conduct (Bylaws – Section 7.5), Guilty o 4- Vote of No Confidence (Bylaws – Section 7.4), Guilty 		
Penalty Request	Brady	10 min
<ul style="list-style-type: none"> - Steve, we should offer up to Chris the option of resigning rather than be removed from the Board. - Josyln, also agrees with this method - Brady, - Brock, does anyone else have any recommendations to offer. - Brock, would like to motion for Chris to be given the opportunity to resign, if he does not follow through with that then he will be removed from the Board. Clair 2nds, Motion passes unanimously. 		
Verdict and Penalty	Brady	5 min
<ul style="list-style-type: none"> - Brady, reads the verdicts of the 4 charges to Chris and to the board. - Brady, the board has offered the option of a resignation in lieu of a removal. 		

EXHIBIT 3

Direct Message

On April 20, Las Vegas PRIDE posted the following message on their website.

<https://lasvegaspride.org/2023/04/25/christopher-chris-davin-trevor-harder>

This is a very unusual but necessary action for a community-based organization to take, but the malicious actions of these individuals can no longer be tolerated.

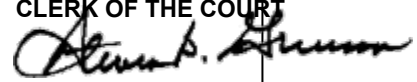
Multiple community organizations have stepped forward as a result, endorsing the message with their logo attached to the bottom of the message. Other charitable organizations, businesses, and individuals have also been affected by the actions of Mr. Davin and Mr. Harder. These actions are not isolated, nor recent, and the harm that they have done to the Las Vegas LGBTQ+ community can no longer be tolerated.

Your organization is or has been listed as a supporter or sponsor of Henderson Equality Center, the organization run by these individuals.

For the safety and well-being of the LGBTQ+ community, Please reconsider your sponsorship of this organization as your support perpetuates Mr. Davin's and Mr. Harder's ability to cause harm to individuals, charitable organizations and businesses in the Las Vegas LGBTQ+ Community.

This information has been sent to you anonymously, for fear of continued retaliation from Mr. Davin and Mr. Harder.

**NOTICE OF DISMISSAL RE:
DEFENDANT HUMAN RIGHTS
CAMPAIGN INC.**



NVDP

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Attorneys for Plaintiffs
Christopher Davin, Trevor Harder,
and Henderson Equality Center

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHRISTOPHER DAVIN, an individual;
TREVOR HARDER, an individual; and
HENDERSON EQUALITY CENTER, a
Nevada non-profit corporation,

Plaintiffs,

v.

**SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS
PRIDE**, a Nevada nonprofit corporation;
HUMAN RIGHTS CAMPAIGN, INC., a
District of Columbia nonprofit corporation;
**HOLY ORDER SIN SITY SISTERS OF
PERPETUAL INDULGENCE, INC.**, a
Nevada nonprofit corporation;
**INTERNATIONAL CULTURAL
MOVEMENT FOR EQUALITY**, a Nevada
non-profit corporation; **GENDER JUSTICE
NEVADA**, a Nevada non-profit corporation;
LAS VEGAS TRANSPRIDE, a Nevada
non-profit corporation; **SOCIAL
INFLUENCE FOUNDATION DBA
HOUSE OF VEGAS PRIDE**, a Nevada non-
profit corporation; and **JOHN PHOENIX,
APRN, PLLC DBA HUNTRIDGE
FAMILY CLINIC**, a Nevada professional
limited liability company, **GOLDEN
RAINBOW OF NEVADA, INC.**, a Nevada

Case No. A-23-879938-C

Dept. XXVIII

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE AS TO
DEFENDANT HUMAN RIGHTS
CAMPAIGN, INC. ONLY**

nonprofit corporation, **BRADY MCGILL**, an individual, **NICOLE WILLIAMS**, an individual, **JOHN PHOENIX**, an individual, **GARY COSTA**, an individual, **ANTHONY CORTEZ**, an individual, and **SEAN VANGORDER**, an individual,

Defendants.

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

AS TO DEFENDANT HUMAN RIGHTS CAMPAIGN, INC. ONLY

PLEASE TAKE NOTICE that, pursuant to NRCP 41(a)(1)(A)(i), Plaintiffs Christopher Davin, Trevor Harder, and Henderson Equality Center hereby voluntarily dismiss all of their claims against Defendant Human Rights Campaign, Inc. without prejudice.

All of Plaintiffs' claims against each and every other Defendant remain pending.

Dated: November 9, 2023.

Respectfully submitted,

/s/ Alex J. Shepard

Marc J. Randazza (NV Bar No. 12265)

Alex J. Shepard (NV Bar No. 13582)

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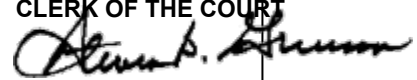
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Attorneys for Plaintiffs

Christopher Davin, Trevor Harder,

and Henderson Equality Center

**NOTICE OF DISMISSAL RE:
DEFENDANTS HOLY ORDER
SIN CITY SISTERS OF
PERPETUAL INDULGENCE,
INC., LAS VEGAS TRANSPRIDE,
AND JOHN PHOENIX APRN,
PLLC DBA HUNTRIDGE
FAMILY CLINIC**



NVDP

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Attorneys for Plaintiffs
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and Henderson Equality Center

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHRISTOPHER DAVIN, et. al.,

Plaintiffs,

v.

**SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS
PRIDE**, et. al.,

Defendants.

Case No. A-23-879938-C

Dept. XXVIII

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE AS TO
DEFENDANTS HOLY ORDER SIN
SITY SISTERS OF PERPETUAL
INDULGENCE, INC., LAS VEGAS
TRANSPRIDE, AND JOHN PHOENIX,
APRN, PLLC DBA HUNTRIDGE
FAMILY CLINIC**

PLEASE TAKE NOTICE that pursuant to NRCP 41(a)(1)(A)(i), Plaintiffs Christopher Davin, Trevor Harder, and Henderson Equality Center hereby voluntarily dismiss all of their claims against Defendants Holy Order Sin Sity Sisters of Perpetual Indulgence, Inc.; Las Vegas TransPride;¹ and John Phoenix, APRN, PLLC dba Huntridge Family Clinic, without prejudice.

All of Plaintiffs' claims against each and every other Defendant remain pending.

¹ Defendants Sin Sity Sisters and Las Vegas TransPride have filed a Special Motion to Dismiss under NRS 41.660, which is currently pending. However, they have not filed an answer or a motion for summary judgment, and so Plaintiffs may dismiss their claims against these Defendants unilaterally under NRS 41(a)(1)(A)(i).

Dated: December 19, 2023.

Respectfully submitted,

/s/ Alex J. Shepard

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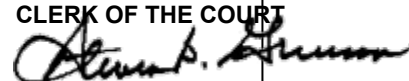
Case No. A-23-879938-C

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was electronically filed on this 19th day of December and served via the Eighth Judicial District Court's Odyssey electronic filing system.

/s/ Alex J. Shepard
ALEX J. SHEPARD

**NOTICE OF DISMISSAL RE:
DEFENDANT GENDER JUSTICE
OF NEVADA**



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**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHRISTOPHER DAVIN, et. al.,

Plaintiffs,

v.

**SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS
PRIDE**, et. al.,

Defendants.

Case No. A-23-879938-C

Dept. XXVIII

**NOTICE OF VOLUNTARY DISMISSAL
WITH PREJUDICE AS TO
DEFENDANT GENDER JUSTICE
NEVADA**

PLEASE TAKE NOTICE that pursuant to NRCP 41(a)(1)(A)(i), Plaintiffs Christopher Davin, Trevor Harder, and Henderson Equality Center hereby voluntarily dismiss all of their claims against Defendant Gender Justice Nevada with prejudice.

All of Plaintiffs' claims against each and every other Defendant not already dismissed remain pending.

Dated: February 28, 2024.

Respectfully submitted,

/s/ Alex J. Shepard

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Attorneys for Plaintiffs

Christopher Davin, Trevor Harder,

and Henderson Equality Center

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was electronically filed on February 28, 2024, and served via the Eighth Judicial District Court's Odyssey electronic filing system.

/s/ Alex J. Shepard

ALEX J. SHEPARD

**NOTICE OF ENTRY OF ORDER
RE: MOTION FOR DISMISSAL
OF JOHN PHOENIX**



NEOJ

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHRISTOPHER DAVIN, et. al.,

Plaintiffs,

v.

**SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS
PRIDE**, et. al.,

Defendants.

Case No. A-23-879938-C

Dept. XXVIII

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that on February 29, 2024, the Court entered its Order Granting Plaintiffs' Motion for Voluntary Dismissal of Defendant John Phoenix Under 41(a)(2), which is attached hereto as **Exhibit 1**.

Dated: February 29, 2024.

Respectfully submitted,

/s/ Alex J. Shepard

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Alex J. Shepard (NV Bar No. 13582)

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and Henderson Equality Center

Case No. A-23-879938-C

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was electronically filed on February 29, 2024, and served via the Eighth Judicial District Court's Odyssey electronic filing system.

/s/ Alex J. Shepard

ALEX J. SHEPARD

EXHIBIT 1

Order Granting Plaintiffs' Motion for
Voluntary Dismissal of Defendant John
Phoenix

1 **OGM**

2 Marc J. Randazza (NV Bar No. 12265)

3 Alex J. Shepard (NV Bar No. 13582)

4 RANDAZZA LEGAL GROUP, PLLC

5 4974 S. Rainbow Blvd., Suite 100

6 Las Vegas, NV 89118

7 Telephone: 702-420-2001

8 ecf@randazza.com

9 Attorneys for Plaintiffs

10 Christopher Davin, Trevor Harder,

11 and Henderson Equality Center

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 **CHRISTOPHER DAVIN**, et. al.,

15 Plaintiffs,

16 v.

17 **SOUTHERN NEVADA ASSOCIATION**
18 **OF PRIDE, INC. DBA LAS VEGAS**
19 **PRIDE**, et. al.,

20 Defendants.

Case No. A-23-879938-C

Dept. XXVIII

21 **ORDER GRANTING MOTION FOR**
22 **VOLUNTARY DISMISSAL OF**
23 **DEFENDANT JOHN PHOENIX UNDER**
24 **41(a)(2)**

25 This matter was placed on Department XXVIII's Civil Chambers Calendar on Plaintiffs'
26 Motion for Voluntary Dismissal of Defendant John Phoenix under 41(A)(2). After reviewing the
27 motion, and no opposition being filed, the Court finds:

1. Plaintiffs filed their Complaint on October 19, 2023, asserting claims against numerous Defendants. They have since chosen to "streamline" their case by dismissing some of the Defendants, including Defendant John Phoenix.

2. Defendant Phoenix filed his Answer on December 19, 2023. He has not filed any motions or counterclaims, nor has he requested any affirmative relief from the Court or opposed Plaintiffs' motion.

3. NRCP 41(a)(2) provides that court approval is necessary for a plaintiff to voluntarily dismiss their claims against a defendant who has filed an answer or a motion for summary judgment.

4. Courts should grant motions for voluntary dismissal unless a defendant can show that doing so will result in “plain legal prejudice.” *Smith v. Leaches*, 263 F.3d 972, 975 (9th Cir. 2001). The inconvenience and expense of defending against a lawsuit does not amount to plain legal prejudice. *Westlands Water Dist. v. United States*, 100 F.3d 94, 97 (9th Cir. 1996).

5. This case is still in its early stages, and there is no basis to find that Defendant John Phoenix would suffer plain legal prejudice by allowing Plaintiffs to voluntarily dismiss their claims against him.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs’ motion is GRANTED.

IT IS FURTHER ORDERED that all of Plaintiffs’ claims asserted against Defendant John Phoenix are hereby dismissed without prejudice.

Dated this 29th day of February, 2024


A-23-879938-C

kd

Submitted by,

D90 680 52F9 B04B
Ronald J. Israel
District Court Judge

/s/ Alex J. Shepard

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Attorneys for Plaintiffs
Christopher Davin, Trevor Harder,
and Henderson Equality Center

1 **CSERV**

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5	Christopher Davin, Plaintiff(s)	CASE NO: A-23-879938-C
6	vs.	DEPT. NO. Department 28
7	Southern Nevada Association of	
8	Pride, Inc, Defendant(s)	
9		

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order Granting Motion was served via the court's electronic eFile
14 system to all recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 2/29/2024

16	Joseph Nold	noldj@cox.net
17	Janet Terrazas	algparalegal@cox.net
18	Alex Shepard	ecf@randazza.com
19	James Olson	jhollingsworth@ocgas.com
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24	Ashley Marchant	amarchant@dennettwinspear.com
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**NOTICE OF ENTRY OF
FINDINGS OF
FACT, CONCLUSIONS
OF LAW, AND
ORDER GRANTING SPECIAL
ANTISLAPP
MOTIONS TO DISMISS**



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11 Telephone: 702.893.3383
12 Facsimile: 702.893.3789

13 *Attorneys for Defendants Southern Nevada*
14 *Association of Pride, Inc. dba Las Vegas Pride*
15 *and Brady McGill*

16 **DISTRICT COURT**

17 **CLARK COUNTY, NEVADA**

18 CHRISTOPHER DAVIN, an individual;
19 TREVOR HARDER, an individual; and
20 HENDERSON EQUALITY CENTER, a
21 Nevada non-profit corporation,

22 Plaintiffs,

23 vs.

24 SOUTHERN NEVADA ASSOCIATION
25 OF PRIDE, INC. DBA LAS VEGAS PRIDE,
26 a Nevada nonprofit corporation; HUMAN
27 RIGHTS CAMPAIGN, INC., a District of
28 Columbia nonprofit corporation; HOLY
ORDER SIN SITY SISTERS OF
PERPETUAL INDULGENCE, INC., a
Nevada nonprofit corporation;
INTERNATIONAL CULTURAL
MOVEMENT FOR EQUALITY, a Nevada
non-profit corporation; GENDER JUSTICE
NEVADA, a Nevada non-profit corporation;
LAS VEGAS TRANSPRIDE, a Nevada
non-profit corporation; SOCIAL
INFLUENCE FOUNDATION DBA HOUSE
OF VEGAS PRIDE, a Nevada nonprofit
corporation; and JOHN PHOENIX, APRN,
PLLC DBA HUNTRIDGE FAMILY
CLINIC, a Nevada professional LLC,

Case No. A-23-879938-C
Dept No. 28

**NOTICE OF ENTRY OF FINDINGS OF
FACT, CONCLUSIONS OF LAW, AND
ORDER GRANTING SPECIAL ANTI-
SLAPP MOTIONS TO DISMISS**

1 GOLDEN RAINBOW OF NEVADA, INC.,
2 a Nevada nonprofit corporation, BRADY
3 MCGILL, an individual, NICOLE
4 WILLIAMS, an individual, JOHN PHOENIX,
5 an individual, GARY COSTA, an individual,
6 ANTHONY CORTEZ, an individual, and
7 SEAN VANGORDER, an individual,

Defendants.

8 NOTICE IS HEREBY GIVEN that a *Findings of Fact, Conclusions of Law, and Order*
9 *Granting Special Anti-SLAPP Motions to Dismiss* was entered in the above-captioned matter on
10 May 23, 2024, a true and correct copy is attached hereto as **EXHIBIT A**.

11 DATED this 23rd day of May 2024.

12 LEWIS BRISBOIS BISGAARD & SMITH LLP

13
14 By /s/ Joel Z. Schwarz

15 JOEL Z. SCHWARZ

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24 *Association of Pride, Inc. dba Las Vegas Pride*
25 *and Brady McGill*
26
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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of May 2024, a true and correct copy of a **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING SPECIAL ANTI-SLAPP MOTIONS TO DISMISS** was served by electronically filing with the Clerk of the Court using the Odyssey E-File & Serve system and serving all parties with an email-address on record in this action.

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individually*

By /s/ Susan Awe

Employee of
LEWIS BRISBOIS BISGAARD & SMITH LLP

EXHIBIT A

EXHIBIT A

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and Brady McGill*

DISTRICT COURT

CLARK COUNTY, NEVADA

CHRISTOPHER DAVIN, an individual;
TREVOR HARDER, an individual; and
HENDERSON EQUALITY CENTER, a
Nevada non-profit corporation,

Plaintiffs,

vs.

SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS PRIDE,
a Nevada nonprofit corporation; HUMAN
RIGHTS CAMPAIGN, INC., a District of
Columbia nonprofit corporation; HOLY
ORDER SIN SITY SISTERS OF
PERPETUAL INDULGENCE, INC., a
Nevada nonprofit corporation;
INTERNATIONAL CULTURAL
MOVEMENT FOR EQUALITY, a Nevada
non-profit corporation; GENDER JUSTICE
NEVADA, a Nevada non-profit corporation;
LAS VEGAS TRANSPRIDE, a Nevada
non-profit corporation; SOCIAL
INFLUENCE FOUNDATION DBA HOUSE
OF VEGAS PRIDE, a Nevada nonprofit
corporation; and JOHN PHOENIX, APRN,
PLLC DBA HUNTRIDGE FAMILY
CLINIC, a Nevada professional LLC,

Case No. A-23-879938-C
Dept No. 28

**FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER GRANTING
SPECIAL ANTI-SLAPP MOTIONS TO
DISMISS**

1 GOLDEN RAINBOW OF NEVADA, INC.,
2 a Nevada nonprofit corporation, BRADY
3 MCGILL, an individual, NICOLE
4 WILLIAMS, an individual, JOHN PHOENIX,
5 an individual, GARY COSTA, an individual,
6 ANTHONY CORTEZ, an individual, and
7 SEAN VANGORDER, an individual,

Defendants.

8 This matter came on for hearing before the Court on April 16, 2024, on: (1) Defendants Gary
9 Costa and Golden Rainbow of Nevada Inc.'s Special Motion to Dismiss Per Nevada's Anti-SLAPP
10 Provisions, NRS 41.635, et. seq. (the "Golden Rainbow anti-SLAPP Motion"); and Defendants
11 Southern Nevada Association of Pride, Inc. d/b/a Las Vegas Pride, Brady McGill, Holy Order Sin
12 City Sisters of Perpetual Indulgence, Inc., and Sean Vangorder's Special Motion to Dismiss
13 Plaintiffs' SLAPP Suit Pursuant to NRS 41.660 (Anti-SLAPP), and Request for Attorney Fees,
14 Costs, and Damages Pursuant to 41.670 (the "Pride anti-SLAPP Motion").

15 Alex J. Shepard of Randazza Law Group, PLLC appeared as counsel for Plaintiffs
16 Christopher Davin ("Davin"), Trevor Harder ("Harder"), and Henderson Equality Center ("HEC,"
17 and together with Davin and Harder, the "Plaintiffs"). Joel Z. Schwarz of Lewis Brisbois Bisgaard
18 & Smith LLP appeared as counsel for Defendants Southern Nevada Association of Pride, Inc. dba
19 Las Vegas Pride ("Las Vegas Pride") and Brady McGill ("McGill," and together with Las Vegas
20 Pride, the "Pride Defendants"). Joseph T. Nold of Accelerated Law Group appeared as counsel for
21 Defendant Sean Vangorder ("Vangorder"). Peter Pratt of Olson Cannon & Gormley appeared on
22 behalf of Defendants Gary Costa ("Costa") and Golden Rainbow of Nevada, Inc. ("Golden
23 Rainbow," and together with Costa, the "Golden Rainbow Defendants").

24 After considering the motions and exhibits thereto, Plaintiffs' oppositions to the motions and
25 exhibits thereto, the replies in support of the motions and exhibits thereto, and Plaintiffs' surreplies;
26 having heard argument of counsel; and good cause appearing, the Court HEREBY FINDS,
27 CONCLUDES, and ORDERS as follows:
28

FINDINGS OF FACT

1. Plaintiffs Christopher Davin and Trevor Harden, both individuals, and Henderson Equality Center, a Nevada non-profit corporation, filed a defamation lawsuit against the above named Defendants.

2. Plaintiffs dismissed an additional six Defendants with another four Defendants set for Plaintiffs' Notice of Intent to Seek Default.

3. There are two remaining Defendants – Nicole Williams and Anthony Cortez – for whom there is no proof of service on file and who have not appeared in the case.

4. Defendants have moved to dismiss the complaint under Nevada's anti-SLAPP laws, arguing that their statements were made in good faith, in furtherance of the right to free speech on matters of public concern.

5. Plaintiffs are public figures.

6. Plaintiffs' claims against Defendants Costa and Golden Rainbow are based upon statements made by Defendant Costa in an email to the LGBTQIA2+ Connect group on May 3, 2023.

7. The Golden Rainbow Defendants made no statement about Plaintiff HEC.

8. Plaintiffs never argued Defendant Costa defamed HEC, nor have Plaintiffs provided any evidence to support a defamation claim against Defendant Costa or Defendant Golden Rainbow.

9. Defendant Costa's statements were based on his observations and experiences within the LGBTQ+ community.

10. Defendant Costa's statements were disseminated to the LGBTQIA2+ Connect group, a public coalition discussing LGBTQ+ community issues.

11. The subscriber list, just for Golden Rainbow alone, is comprised of more than two thousand people.

12. The LBTQIA2+ Connect group is a coalition of local leaders and organizations that meet regularly to discuss pertinent issues within the local LGBTQ+ community.

13. LGBTQIA2+ Connect meets regularly, and the group does not deny anyone's entry to said meetings.

1 14. Golden Rainbow did not act on behalf of the organization in any private capacity
2 within the Connect group.

3 15. Plaintiffs' Complaint against Las Vegas Pride, McGill, and Vangorder includes
4 claims for defamation, false light, tortious interference, civil conspiracy, and other various claims,
5 all of which Plaintiffs contend arose from a Press Release issued by Defendant Las Vegas Pride.

6 16. The Press Release by Las Vegas Pride addresses Plaintiffs distinctly as individuals.

7 17. As to the harassment of community members and former board members discussed
8 in the Press Release, only Plaintiff Davin was addressed.

9 18. Plaintiff Harder was mentioned twice in the Press Release. Once in the vote of "no"
10 confidence from the Las Vegas Pride's Board of Directors minutes and the other time in the section
11 which sought additional comments from the Las Vegas Pride's constituents on experiences with
12 Plaintiff.

13 19. The Press Release was published by Las Vegas Pride and not any other named
14 Defendants.

15 20. Moreover, at no time is Plaintiff HEC named nor mentioned.

16 21. In an August 11, 2021 vote, the Board of Las Vegas Pride voted unanimously to
17 remove Plaintiff Davin from his position on the Board due to his violation of Las Vegas Pride's
18 Bylaws Section 7.1 and Bylaws Section 7.2. *See "Minutes of the Las Vegas PRIDE Board – Closed*
19 *Session."* August 11, 2021.

20 22. Defendant Harder also resigned from his position on the Board on August 11, 2021.

21 23. Numerous members within the LGBTQ community reported incidents with
22 Plaintiffs.

23 24. These constituents reported, based on their own experiences, what they opined to be
24 bullying, threats, and/or unethical business activities by Plaintiffs.

25 CONCLUSIONS OF LAW

26 25. The Court has considered the Golden Rainbow anti-SLAPP Motion and the Pride
27 anti-SLAPP Motion under Nevada's anti-SLAPP statutes, NRS 41.660 *et seq.*

1 26. Under Nevada’s anti-SLAPP statutes, a defendant may file a special motion to
2 dismiss if the defendant can show by a preponderance of the evidence that the claim is based upon
3 a good faith communication made in furtherance of the right to petition or the right to free speech
4 in direct connection with an issue of public concern. If a defendant makes this initial showing, the
5 burden shifts to the plaintiff to show with prima facie evidence a probability of prevailing on the
6 claim. *See Shapiro v. Welt*, 133 Nev. 35, 39, 389 P.3d 262 (2016); *see also* NRS 41.660(3)(a), (b).

7 27. As to the first prong, the Court must determine whether the statements were of the
8 public interest and whether the statements were truthful or opinion-based.

9 28. When determining whether or not each one of Defendants’ statements constitute fact
10 or opinion, the Court again looks to Nevada precedent. That is, “whether a reasonable person would
11 be likely to understand the remark as an expression of the source's opinion or as a statement of
12 existing fact.” *Id.* at 410, 664 P.2d at 342. Because “there is no such thing as a false idea,” *Pegasus*
13 *v. Reno Newspapers, Inc.*, 118 Nev. 706, 714, 57 P.3d 82, 87 (2002) (internal quotation marks
14 omitted), statements of opinion are statements made without knowledge of their falsehood under
15 Nevada's anti-SLAPP statutes. *Abrams v. Sanson*, 136 Nev. 83, 89, 458 P.3d 1062, 1068 (2020).

16 29. As a preliminary matter, the Court considered the allegations in the Plaintiffs’
17 Complaint, the supporting documentation, and evidence provided to the Court thus far.

18 30. The Court finds Defendant Costa made no statement about Plaintiff HEC.
19 Additionally, Plaintiffs never argued Defendant Costa defamed HEC, nor have Plaintiffs provided
20 any evidence to support a defamation claim against the Golden Rainbow Defendants. The Court
21 finds Plaintiffs have not alleged any actions or claims against Plaintiff HEC that would justify the
22 instant lawsuit, and accordingly, the Court dismisses HEC pursuant to NRCP 12(b)(5).

23 31. With respect to the Golden Rainbow Defendants, the Court must address whether or
24 not the statements made by Defendant Costa in an email on May 3, 2023, were defamatory. The
25 Court must look at whether Defendant Costa’s statements were made in a public forum, were of
26 public interest and were truthful or Defendant Costa’s mere opinions.

27 32. Moreover, when considering the Golden Rainbow anti-SLAPP Motion, the Court
28 applies the below analysis to the *independent* actions of Costa and the *independent* actions, if any,

1 of Golden Rainbow. The Court was certainly mindful of the fact Costa is the executive director of
2 Golden Rainbow of Nevada, Inc., but nonetheless, the Court was careful in its analysis as to each of
3 the Defendant's individual actions.

4 33. The statements made by Defendant Costa were of public interest. Defendant Costa's
5 statements were disseminated to the LGBTQIA2+ Connect group, a public *coalition* discussing
6 LGBTQ+ community issues. The Court finds that this group constitutes a public forum.

7 34. The Court looks to precedent recently set forth by the Nevada Supreme Court in
8 *Kosor v. Olympia Companies*, regarding the issue of what constitutes a public forum. In making
9 this determination, the Court first analyzed traditional characteristics of public forums, specifically:
10 whether the email server was compatible with expressive activity, and the extent to which the server
11 allowed free interaction between the person posting the message and the constituent commentators.

12 35. The LBTQIA2+ Connect group is a coalition of local leaders and organizations that
13 meet regularly to discuss pertinent issues within the local LGBTQ+ community. While the Court
14 acknowledges Defendant's position there were only 44 emails on the thread, the Court finds that
15 this figure does not represent the actual reach of the group. Considering the fact LGBTQIA2+
16 Connect meet regularly, and that the group does not deny anyone's entry to said meetings, the
17 Court finds the email server represents a public forum in which information about the LGBTQ
18 issues and concerns are freely exchanged and disseminated to the broader community. *See Kosor*
19 *v. Olympia Companies*, 136 Nev. 705, 478 P.3d 390 (2020).

20 36. Additionally, the Court finds the arguments set forth in the motion compelling, and
21 therefore, has determined the statements were either truthful or expressions of valid opinion, both
22 of which are protected under the First Amendment.

23 37. Defendant Costa's statements were based on his observations and experiences within
24 the LGBTQ+ community. Defendant Costa formed his opinion of Plaintiffs from the years of
25 witnessing Plaintiffs' unethical behavior and from publicly available information.

26 38. An opinion based on truth is not a basis for a defamation claim, as long as it is based
27 on true and public information, and an evaluative opinion conveys "the publisher's judgment as to
28 the quality of another's behavior and, as such, it is not a statement of fact." *Lubin v. Kunin*, 117 Nev.

1 107, 112, 17 P.3d 422, 426 (2001).

2 39. Therefore, the Court cannot invalidate Defendant Costa's opinions, based on his own
3 experiences and experience in the way in which Plaintiffs treats others.

4 40. Likewise, the Court cannot make the determination that Defendant Costa took these
5 things "personally," and therefore, crafted a personal vendetta/smear campaign. The Court looks to
6 the speech, and determines whether or not it is defamatory or whether it is protected. The Court
7 finds that the speech in this case is protected speech, as it is directly related to the experiences
8 Defendant Costa endured throughout years of interactions and opinion-forming of Plaintiffs.

9 41. In a defamation action, "it is not the literal truth of 'each word or detail used in a
10 statement which determines whether or not it is defamatory; rather, the determinative question is
11 whether the "gist or sting" of the statement is true or false.'" See *Rosen v. Tarkanian*, 135 Nev. 436,
12 441, 453 P.3d 1220, 1224 (2019) citing *Oracle USA, Inc. v. Rimini St., Inc.*, 6 F. Supp. 3d 1108,
13 1131 (D. Nev. 2014).

14 42. Thus, for Plaintiffs to ask the Court to infer any underlying personal dispute as
15 underlying motivation for its decision, is a complete abuse of this Court's discretion when deciding
16 such matters. The Court emphasizes that the precedent in Nevada is clear: statements of opinion are
17 protected speech under the First Amendment of the United States Constitution and are not actionable
18 at law. See *Nevada Ind. Broadcasting*, 99 Nev. at 410, 664 P.2d at 341–42.

19 43. The Court reviewed every statement made by Defendant Costa regarding the security
20 threats and pattern of bullying, and the Court finds evidence supported each of these statements
21 and/or these statements were based on Defendant Costa's valid opinion. As explained in his
22 supplemental declaration and further expanded upon at oral argument, Defendant Costa witnessed
23 bad actors inside and outside the LGBTQ+ community for four decades, and based on his own
24 experience, he knows what constitutes bullying and harassing behavior.

25 44. Moreover, the Court finds there was no compelling evidence presented by Plaintiffs
26 to rebut the fact that, at the very least, Defendant Costa made these statements without knowledge
27 of their falsehood.

1 45. As such, the Court finds the Golden Rainbow Defendants have satisfied their burden
2 under the first prong in the anti-SLAPP analysis.

3 46. As to the second prong, the probability Plaintiffs will prevail on their claim, the Court
4 notes Plaintiffs, as public figures, must prove by clear and convincing evidence that the statements
5 were made with actual malice. *Wynn v. Associated Press*, 140 Nev. Adv. Op. 6, 542 P.3d 751, 756
6 (2024) citing *Pegasus v. Reno Newspapers, Inc.*, 118 Nev. 706, 719, 57 P.3d 82, 90 (2002).

7 47. The Court finds Plaintiffs have failed to meet this burden and have not provided
8 sufficient evidence to substantiate these claims. A public figure plaintiff cannot prevail on an anti-
9 SLAPP special motion to dismiss by putting forth only minimal evidence of actual malice. The
10 statutes' mechanism for providing an early and expeditious resolution of meritless claims would be
11 rendered ineffectual. *Id.*

12 48. For the reasons set forth above, the Court finds Defendant Costa's statements in his
13 May 3, 2023, email are not defamatory, and thus, are protected under Nevada's anti-SLAPP statutes.

14 49. Accordingly, the Court finds that the Golden Rainbow Defendants met their burden
15 under the first prong of the anti-SLAPP analysis showing that Costa's statements were an issue of
16 public interest, made in a public forum, and were true or based on his valid opinion.

17 50. Additionally, Plaintiffs failed to provide any evidence of their probability of
18 prevailing on their claims. Thus, Plaintiffs failed to satisfy their burden under the second prong.

19 51. Next, the Court looks to the Pride anti-SLAPP Motion, filed by the Pride Defendants
20 and Vangorder.¹

21 52. Again, the Court must conduct the two-prong analysis under Nevada's Anti-SLAPP
22 laws to determine if dismissal is appropriate.

23 53. As to the first prong, the Court considers whether or not Defendants have met their
24 burden of demonstrating the good faith communication on matters of public concern.
25
26

27 ¹ The Court notes Holy Order Sin City Sisters of Perpetual Indulgence, Inc., and Las Vegas
28 TransPride claims were dismissed without prejudice in Plaintiffs' December 19, 2023 filing.

1 54. Here, the Defendants asserted their statements in the Press Release were made in
2 good faith and in furtherance of the right to free speech on matters of public concern, particularly
3 regarding the LGBTQ+ community in Las Vegas. The Court finds Defendants' arguments are
4 supported by a preponderance of evidence, showing that the communication was made in good faith.

5 55. In making this determination, the Court looks to the precedent set forth in *Rosen v.*
6 *Tarkanian*, where the Nevada Supreme Court held that the determination of whether a
7 communication is made in good faith and in furtherance of the right to free speech depends on
8 whether the "gist or sting" of the statement is true or false. Furthermore, NRS 41.637 requires that
9 the communication be "truthful or is made without knowledge of its falsehood." *Rosen v. Tarkanian*,
10 135 Nev. 436, 453 P.3d 1220 (2019).

11 56. The Court finds Defendants provided declarations and exhibits to support their
12 assertion that the Press Release addressed issues of public concern and was made in good faith. The
13 Court emphasizes it is not just the declarations attesting to the truthfulness of the statements made
14 in the Press Release, but the actions and interactions of the Las Vegas Pride constituents. Defendants
15 showed through supporting documentation, including emails and social media posts how Plaintiffs
16 were perceived in the LGBTQ+ community. The Court finds Defendants' actions were in direct
17 response to a genuine concern for the LGBTQ+ community in Las Vegas.

18 57. Illustrative of Plaintiff Davin's behavior was the email sent to Defendant McGill on
19 April 8, 2023. Plaintiff Davin not only asked Las Vegas Pride Magazine to remove page 47, but also
20 told Defendant McGill there was a trademark infringement in page 47. Plaintiff Davin then goes a
21 step further and demands page 47 be removed or legal action will be taken. Plaintiff Davin then goes
22 another step and tells Defendant McGill he has already successfully sued for this type of trademark
23 infringement and that he has the money to protect [his] Trademark.

24 58. Thereafter, Plaintiffs took issue with the Las Vegas Pride Facebook page. It is
25 uncontested Facebook took action against Las Vegas Pride by deactivating its account and removing
26 posts and photos which promoted community events. The Court does not speculate whether or not
27 the trademark infringement actions by Facebook were legal. Rather, the Court focuses its analysis on
28 whether Las Vegas Pride's actions were reasonable in their concern for their organization; and

1 whether their organization were at risk of additional harm and loss. Thus, the Court finds Las Vegas
2 Pride acted as a reasonable organization would. Las Vegas Pride has represented to Plaintiffs prior
3 to this lawsuit, and now to this Court, its belief their organization was at risk of unlawful interference.

4 59. While the Court recognizes Plaintiffs' argument that they believe they had a legal
5 basis in confronting Defendants, the Court finds Las Vegas Pride has provided substantial evidence
6 to support how Plaintiffs' actions made the risks to Defendants all the more tangible. The Court finds
7 that Plaintiffs' challenges were made material when Defendants' accounts were compromised.
8 Moreover, Defendants' accounts were compromised both internally, with regard to their
9 organization's servers; and externally – with regard to their Facebook account, both of which directly
10 affected their constituents. In other words, the Court finds that Defendants had reason to believe
11 their organization were at the mercy of Plaintiffs' actions, and that Defendants acted in a reasonable
12 manner when attempting to rectify any damage done to their organization and the constituents they
13 represent.

14 60. The Court next moves on to Plaintiff Davin's access to sensitive information and
15 data from Las Vegas Pride, which he used without permission to benefit his organization.
16 Defendants again have provided the Court with striking evidence in support of this issue. The Court
17 notes that the communications regarding prohibited access to sensitive information was prior to the
18 Board of Director's meeting on August 11, 2021. In the August 11, 2021 vote, the Board voted
19 unanimously to remove Plaintiff Davin from his position on the Board due to his violation of Las
20 Vegas Pride's Bylaws Section 7.1 and Bylaws Section 7.2. *See "Minutes of the Las Vegas PRIDE*
21 *Board – Closed Session."* August 11, 2021. The Court notes Defendant Harder also resigned from
22 his position on the Board on August 11, 2021.

23 61. Thus, the Court finds Defendants have provided substantial evidence to support their
24 concerns regarding Plaintiffs' activities. This is evidenced by the numerous members within the
25 LGBTQ community who reported incidents with Plaintiffs. The Court finds these constituents
26 reported, based on their own experiences, what they opined to be bullying, threats, and/or unethical
27 business activities by Plaintiffs.

1 62. The Court finds the Press Release was made in a public forum. The Court looks to
2 precedent recently set forth by the Nevada Supreme Court in *Kosor v. Olympia Companies*,
3 regarding the issue of what constitutes a public forum. In making this determination, the Court first
4 analyzed traditional characteristics of public forums, specifically: whether the site was compatible
5 with expressive activity, and the extent to which the site allowed free interaction between the poster
6 and constituent commentators.

7 63. In the instant case, the Court finds that the Press Release undoubtedly allowed for
8 this interaction as the Press Release, on its face, was indicative of its aim to promote and protect the
9 LGBTQ community. *See Kosor v. Olympia Companies*, 136 Nev. 705, 478 P.3d 390 (2020).

10 64. An excerpt from the Press Release reads as follows:

11 For 40 years, Las Vegas PRIDE has fostered strong working relationships with local
12 and national community-serving organizations. Las Vegas PRIDE takes direct
13 threats to our Board Members and attacks on our organization by Mr. Davin and Mr.
14 Harder seriously. Bullying actions of these individuals will not be tolerated, and we
15 encourage the community and our allies to assess their relationships and partnerships
16 through the lens of integrity and professionalism. These are the criteria by which our
17 current and future partnerships will be evaluated. We encourage our community to
18 adopt a zero-tolerance for bullying and violence, no matter the source.

19 Las Vegas PRIDE exists to uplift our community and celebrate our achievements. This
20 Board feels strongly that we must offer our help, love, and support to others who work
21 within the organization(s) represented by both Mr. Davin and Mr. Harder. While we
22 have no direct knowledge or contact with others within these organization(s), Las
23 Vegas PRIDE maintains an open line for communication and resolution for others
24 who wish to discuss this topic.

25 65. Here, the Court, following *Olympia*, was careful to tailor the scope of the public
26 forum in question narrowly. The Court used the same traditional public forum principles, and finds
27 that the website of the Press Release, as well as its respective social media accounts were an
28 interactive space recognized by law as a public forum. The Court makes this finding considering the
website itself included an invitation to discuss, included a contact to a Las Vegas Pride
representative's email address, and provided direct links for an individual to share the content. This
supported the conclusion that the post at issue created a forum for citizen involvement by
automatically allowing one to add one's own insight and directly interact with others. The Court
finds the social media websites allowed interactive commentary and engagement. *See Knight First
Amendment Inst. at Columbia Univ. v. Trump*, 302 F. Supp. 3d 541, 574 (S.D.N.Y. 2018). See also

1 *City of Madison Joint Sch. Dist. No. 8 v. Wis. Emp't Relations Comm'n*, 429 U.S. 167, 175, 97 S.Ct.
2 421, 50 L.Ed.2d 376 (1976); See also *Page v. Lexington Cty. Sch. Dist. One*, 531 F.3d 275, 284-85
3 (4th Cir. 2008).

4 66. Accordingly, the Court finds Defendants have met the first prong. Thus, the burden
5 shifts to Plaintiffs to demonstrate, with prima facie evidence, a probability of prevailing on the
6 claim.

7 67. As to the second prong, the Court finds Plaintiffs have failed to provide sufficient
8 evidence to meet this burden. The Court finds the allegations in the Complaint are largely
9 unsupported and rely on speculation, rather than concrete evidence.

10 68. Furthermore, and perhaps most significant to the Court's ruling, is the fact Plaintiffs
11 have not demonstrated that the statements in the Press Release were false or made with knowledge
12 of their falsehood.

13 69. Based on the foregoing analysis, the Court finds Defendants have met their burden
14 under Nevada's Anti-SLAPP statutes by showing by a preponderance of the evidence that the
15 communications at issue were made in good faith and in furtherance of the right to free speech on
16 matters of public concern. In contrast, Plaintiffs have failed to demonstrate a probability of
17 prevailing on their claims.

18 70. If any finding of fact is better designated as a conclusion of law, or vice versa, the
19 same is so designated.

20 **ORDER**

21 Based on the foregoing, IT IS HEREBY ORDERED:

- 22 1. The Golden Rainbow anti-SLAPP Motion is HEREBY GRANTED. All claims by
23 Plaintiffs Christopher Davin, Trevor Harder, and Henderson Equality Center against
24 Defendants Gary Costa and Golden Rainbow of Nevada, Inc. are dismissed pursuant to
25 NRS 41.635 *et seq.*
- 26 2. The Pride anti-SLAPP Motion is HEREBY GRANTED. All claims by Plaintiffs
27 Christopher Davin, Trevor Harder, and Henderson Equality Center against Defendants
28 Southern Nevada Association of Pride, Inc. dba Las Vegas Pride, Brady McGill, and

Sean Vangorder are dismissed pursuant to NRS 41.635 *et seq.*

3. If any of the moving Defendants pursue an award for attorneys' fees and costs pursuant to NRS 41.670, such request shall require separate motion practice.

IT IS SO ORDERED this ____ day of _____ 2024.

Dated this 22nd day of May, 2024

DISTRICT COURT JUDGE

Respectfully submitted by:

149 F00 E420 2F44
Danielle Pieper
District Court Judge

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Joel Z. Schwarz

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Approved by:

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Nevada, Inc. and Gary Costa*

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By: /s/ Joseph T. Nold

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Tel: 702.262.1651

Attorneys for Defendant Sean Vangorder

From: Joseph Nold <noldj@cox.net>
Sent: Friday, May 17, 2024 2:41 PM
To: Ashley Olson; Alex Shepard; Schwarz, Joel
Cc: Peter R. Pratt; Awe, Susan; Marc Randazza; Brittani Holt; 903a4502e+matter1581750170@maildrop.clio.com; Janet Terrazas
Subject: RE: [EXT] Re: Davin v. So. Nev. Ass'n of Pride, et al.: Draft Findings of Fact, Conclusions of Law, and Order



You have my permission to electronically affix my signature to the FFCL & Order.

Joseph T. Nold, Esq.

On 05/17/2024 2:12 PM PDT Ashley Olson <aolson@ocgattorneys.com> wrote:

You may affix my electronic signature to the FFCL & Order.

Ashley Olson, Esq.

OLSON CANNON & GORMLEY

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aolson@ocgattorneys.com

****Please be advised our firm's email addresses currently aolson@ocgas.com will expire.**

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From: Alex Shepard <ajs@randazza.com>
Sent: Friday, May 17, 2024 2:10 PM
To: Schwarz, Joel <Joel.Schwarz@lewisbrisbois.com>
Cc: Ashley Olson <aolson@ocgattorneys.com>; Peter R. Pratt <ppratt@ocgas.com>; Joseph Nold <noldj@cox.net>; Awe, Susan <Susan.Awe@lewisbrisbois.com>; Marc Randazza <mjr@randazza.com>; Brittani Holt <bmh@randazza.com>; 903a4502e+matter1581750170@maildrop.clio.com
Subject: Re: [EXT] Re: Davin v. So. Nev. Ass'n of Pride, et al.: Draft Findings of Fact, Conclusions of Law, and Order

You have authorization to affix my electronic signature.

On Fri, May 17, 2024 at 2:02 PM Schwarz, Joel <Joel.Schwarz@lewisbrisbois.com> wrote:

Thanks Alex, I have accepted all redlines, which are fine by me, and attached is a clean draft with those changes.

All: please confirm we are authorized to affix your electronic signatures and submit to the Court this afternoon.



Joel Z. Schwarz
Partner
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From: Alex Shepard <ajs@randazza.com>
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To: Schwarz, Joel <Joel.Schwarz@lewisbrisbois.com>
Cc: Ashley Olson <aolson@ocgattorneys.com>; Peter R. Pratt <ppratt@ocgas.com>; Joseph Nold <noldj@cox.net>; Awe, Susan <Susan.Awe@lewisbrisbois.com>; Marc Randazza <mjr@randazza.com>; Brittani Holt <bmh@randazza.com>; 903a4502e+matter1581750170@maildrop.clio.com
Subject: [EXT] Re: Davin v. So. Nev. Ass'n of Pride, et al.: Draft Findings of Fact, Conclusions of Law, and Order

Joel,

I've reviewed the proposed order and made a few, mostly non-substantive, revisions in the attached redline version. The only substantive change I made was to ¶ 30 to more closely track the language of the minute order.

-Alex

On Thu, May 16, 2024 at 5:26 PM Schwarz, Joel <Joel.Schwarz@lewisbrisbois.com> wrote:

Alex,

Attached please find the draft Findings of Fact, Conclusions of Law, and Order on the anti-SLAPP motions heard April 16, 2024 in this matter. This form has been approved by Ashley Olson and Joe Nold, so please let us know if you have any suggested revisions. As we discussed this evening, if you will require additional time to review, please let us know and we will contact chambers tomorrow.

Thanks and have a nice evening.



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--

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Thank you,

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1 **CSERV**

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5	
6 Christopher Davin, Plaintiff(s)	CASE NO: A-23-879938-C
7 vs.	DEPT. NO. Department 7
8 Southern Nevada Association of	
9 Pride, Inc, Defendant(s)	

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Findings of Fact, Conclusions of Law and Order was served via the
14 court's electronic eFile system to all recipients registered for e-Service on the above entitled
15 case as listed below:

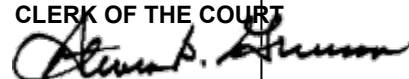
16 Service Date: 5/22/2024

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NTSO

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Attorneys for Plaintiffs

Christopher Davin, Trevor Harder,

and Henderson Equality Center

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHRISTOPHER DAVIN, et. al.,

Plaintiffs,

v.

**SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS
PRIDE**, et. al.,

Defendants.

Case No. A-23-879938-C

Dept. VII

**NOTICE OF ENTRY OF STIPULATION
AND ORDER**

PLEASE TAKE NOTICE that on July 19, 2024, the Court entered an Order granting the Stipulation for Dismissal of Claims Against Defendants Gary Costa and Golden Rainbow and Waiver of Claims for Costs and Attorneys' Fees, which is attached hereto as **Exhibit 1**.

Dated: July 22, 2024.

Respectfully submitted,

/s/ Alex J. Shepard

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Christopher Davin, Trevor Harder,

and Henderson Equality Center

Case No. A-23-879938-C

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was electronically filed on July 22, 2024, and served via the Eighth Judicial District Court's Odyssey electronic filing system.

/s/ Alex J. Shepard

ALEX J. SHEPARD

EXHIBIT 1

Order Granting Stipulation
for Dismissal

**NOTICE OF ENTRY OF ORDER
RE: STIPULATION AND ORDER
FOR DISMISSAL OF GARY COSTA
AND GOLDEN RAINBOW**

STIP

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHRISTOPHER DAVIN, et. al.,

Plaintiffs,

v.

**SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS
PRIDE**, et. al.,

Defendants.

Case No. A-23-879938-C

Dept. VII

**STIPULATION FOR DISMISSAL OF
CLAIMS AGAINST DEFENDANTS
GARY COSTA AND GOLDEN
RAINBOW AND WAIVER OF CLAIMS
FOR COSTS AND ATTORNEYS' FEES**

Plaintiffs Christopher Davin, Trevor Harder, and Henderson Equality Center ("Plaintiffs"),
and Defendants Gary Costa ("Costa") and Golden Rainbow of Nevada, Inc. ("Golden Rainbow")
(collectively, the "Parties"), by and through their respective undersigned counsel, HEREBY
STIPULATE to dismiss all claims asserted against Costa and Golden Rainbow with prejudice, with
all parties to bear their own fees and costs, and for Costa and Golden Rainbow to waive any claim to
costs, attorneys' fees, or other amounts under NRS 41.670.

1 **IT IS SO STIPULATED.**

2 Dated: 19th day of July, 2024.

Dated: 19th day of July, 2024.

3 RANDAZZA LEGAL GROUP, PLLC

OLSON CANNON & GORMLEY

4 By: /s/ Alex J. Shepard

By: /s/ Ashley Olson

5 Marc J. Randazza, NV Bar No. 12265

James R. Olson (NV Bar No. 116)

6 Alex J. Shepard, NV Bar No. 13582

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Tel: 702-384-4012

8 *Attorneys for Plaintiffs,*
9 *Christopher Davin, Trevor Harder,*
10 *and Henderson Equality Center*

Attorneys for Defendants,
Golden Rainbow of Nevada, Inc. and Gary
Costa

11 **Dated this 19th day of July, 2024**

12 

13
14
15 **835 0F4 C665 F546**
16 **Danielle Pieper**
17 **District Court Judge**



Brittani Holt <bmh@randazza.com>

Davin v. Las Vegas PRIDE | Settlement Proposal

Alex Shepard <ajs@randazza.com>

Fri, Jul 19, 2024 at 10:06 AM

To: Ashley Olson <aolson@ocgattorneys.com>

Cc: Brittani Holt <bmh@randazza.com>, Jim Olson <jolson@ocgattorneys.com>, Marc Randazza <mjr@randazza.com>, Staff <staff@randazza.com>, "903a4502e+matter1581750170@maildrop.clio.com" <903a4502e+matter1581750170@maildrop.clio.com>

Ashley,

For the sake of getting the district court to move quickly on the stipulation regarding fee motion deadlines, I was thinking it makes more sense for there to be a stipulation for dismissal and waiver of claims to costs and fees rather than a unilateral stip. for dismissal. If that makes sense to you, here's a draft stipulation.

-Alex

[Quoted text hidden]



2024.07.19 - Costa Golden Rainbow Stip. for Dismissal.docx
52K



Brittani Holt <bmh@randazza.com>

Davin v. Las Vegas PRIDE | Settlement Proposal

Ashley Olson <aolson@ocgattorneys.com>

Fri, Jul 19, 2024 at 10:45 AM

To: Alex Shepard <ajs@randazza.com>

Cc: Brittani Holt <bmh@randazza.com>, Jim Olson <jolson@ocgattorneys.com>, Marc Randazza <mjr@randazza.com>, Staff <staff@randazza.com>, "903a4502e+matter1581750170@maildrop.clio.com" <903a4502e+matter1581750170@maildrop.clio.com>

Alex,

That sounds fine to me. You may affix my electronic signature to the stipulation for dismissal and waiver of claims to costs and fees.

Thank you,

Ashley Olson, Esq.

OLSON CANNON & GORMLEY

[9950 W. Cheyenne Ave.](#)[Las Vegas, Nevada 89129](#)

Ph: (702) 384-4012 | F: (702) 383-0701

aolson@ocgattorneys.com****Please be advised our firm's email addresses currently aolson@ocgas.com will expire.****New email address:** aolson@ocgattorneys.com

This email, including attachments, is intended for the person(s) or company named and may contain confidential and/or legally privileged information. Unauthorized disclosure, copying or use of this information may be unlawful and is prohibited. This email and any attachments are believed to be free of any virus or other defect that might affect any computer into which it is received and opened, and it is the responsibility of the recipient to ensure it is virus free, and no responsibility is accepted by Olson Cannon Gormley & Stoberski for any loss or damage arising in any way from its use. If you have received this communication in error, please immediately notify the sender at 702-384-4012, or by electronic email.

From: Alex Shepard <ajs@randazza.com>**Sent:** Friday, July 19, 2024 10:06 AM**To:** Ashley Olson <aolson@ocgattorneys.com>**Cc:** Brittani Holt <bmh@randazza.com>; Jim Olson <jolson@ocgattorneys.com>; Marc Randazza <mjr@randazza.com>; Staff <staff@randazza.com>; 903a4502e+matter1581750170@maildrop.clio.com**Subject:** Re: Davin v. Las Vegas PRIDE | Settlement Proposal

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4	
5	
6 Christopher Davin, Plaintiff(s)	CASE NO: A-23-879938-C
7 vs.	DEPT. NO. Department 7
8 Southern Nevada Association of	
9 Pride, Inc, Defendant(s)	

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Stipulation and Order was served via the court's electronic eFile system
to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 7/19/2024

15 Joseph Nold	noldj@cox.net
16 Janet Terrazas	algparalegal@cox.net
17 Alex Shepard	ecf@randazza.com
18 James Olson	jhollingsworth@ocgattorneys.com
19 Theresa Amendola	tamendola@dennettwinspear.com
20 Meredith Holmes	mholmes@dennettwinspear.com
21 Susan Awe	susan.awe@lewisbrisbois.com
22 Ashley Marchant	amarchant@dennettwinspear.com
23 Ashley Olson	aolson@ocgattorneys.com
24 Tony Amendola	aamendola@dennettwinspear.com
25 Joel Schwarz	Joel.Schwarz@lewisbrisbois.com

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Michael Maupin	Mmaupin@halljaffe.com
Shayna Ortega-Rose	srose@halljaffe.com
Erika Parker	Eparker@halljaffe.com
Bradley Combs	Bradley.Combs@lewisbrisbois.com
Michelle Soto	msoto@halljaffe.com

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

CHRISTOPHER DAVIN, AN INDIVIDUAL;
TREVOR HARDER, AN INDIVIDUAL; AND
THE HENDERSON EQUALITY CENTER, A
NEVADA NON-PROFIT CORPORATION,
Appellants,

vs.

SOUTHERN NEVADA ASSOCIATION OF
PRIDE, INC. D/B/A LAS VEGAS PRIDE, A
NEVADA NON-PROFIT CORPORATION;
BRADY MCGILL, AN INDIVIDUAL; SEAN
VANGORDER, AN INDIVIDUAL; GARY
COSTA, AN INDIVIDUAL; AND GOLDEN
RAINBOW OF NEVADA, INC., A NEVADA
NON-PROFIT CORPORATION,
Respondents.

Supreme Court No. 88906

District Court Case No. A879938

NOTICE OF ASSIGNMENT TO NRAP 16 SETTLEMENT PROGRAM

TO: Randazza Legal Group, PLLC \ Marc J. Randazza
Randazza Legal Group, PLLC \ Alex J. Shepard
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas \ Joel Z. Schwarz
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas \
Bradley Christian William Combs
Accelerated Law Group \ Joseph Timothy Nold
Olson, Cannon, Gormley, & Stoberski \ James R. Olson
Olson, Cannon, Gormley, & Stoberski \ Ashley N. Olson
Olson, Cannon, Gormley, & Stoberski \ Peter R. Pratt

Pursuant to NRAP 16, this matter is assigned to the Settlement Program. Any questions regarding scheduling should be directed to the assigned settlement judge:

Israel Kunin
10161 Park Run Dr., Suite 150
Las Vegas, NV 89145
Phone: (702) 438-8060

- > Unless the settlement judge directs otherwise, each party shall submit a confidential settlement statement directly to the Settlement Judge within 14 days from the date of this notice. A settlement statement is limited to 10 pages, shall not be served on opposing counsel or submitted to the Supreme Court. See NRAP 16(d).
- > All counsel shall participate in a premediation telephone conference initiated by the settlement judge within 30 days of this Notice. See NRAP 16(b).

> All papers or documents filed with the Supreme Court while a case is in the settlement program shall be served on all parties and the settlement judge. See NRAP 16(a)(3).

> Additional information regarding the settlement program is available on the court's website: https://nvcourts.gov/Settlement_Program/Overview/

DATE: July 11, 2024

Elizabeth A. Brown, Clerk of Court

By: Jan Scott
Settlement Program Officer

Notification List

Electronic

Randazza Legal Group, PLLC \ Marc J. Randazza

Randazza Legal Group, PLLC \ Alex J. Shepard

Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas \ Joel Z. Schwarz

Accelerated Law Group \ Joseph Timothy Nold

Olson, Cannon, Gormley, & Stoberski \ James R. Olson

Israel Kunin, Settlement Judge

Paper

Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas \

Bradley Christian William Combs

Olson, Cannon, Gormley, & Stoberski \ Ashley N. Olson

Olson, Cannon, Gormley, & Stoberski \ Peter R. Pratt

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN
INDIVIDUAL; TREVOR HARDER, AN
INDIVIDUAL; AND THE HENDERSON
EQUALITY CENTER, A NEVADA NON-
PROFIT CORPORATION,

Appellants,

vs.


SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. D/B/A LAS VEGAS
PRIDE, A NEVADA NON-PROFIT
CORPORATION; BRADY MCGILL, AN
INDIVIDUAL; AND SEAN
VANGORDER, AN INDIVIDUAL,

Respondents.

No. 88906

FILED

AUG 02 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER PARTIALLY DISMISSING APPEAL

Pursuant to the stipulation filed on July 31, 2024, this appeal is dismissed as to appellants and respondent Sean Vangorder only. Each party shall bear their own costs and attorney fees. NRAP 42(b). The clerk of this court shall remove respondent, Sean Vangorder, from the caption of this appeal.

It is so ORDERED.


CLERK OF THE SUPREME COURT
ELIZABETH A. BROWN

BY: 

cc: Hon. Danielle K. Pieper, District Judge
Israel Kunin, Settlement Judge
Randazza Legal Group, PLLC
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Accelerated Law Group
Eighth District Court Clerk

SUPREME COURT
OF
NEVADA

CLERK'S ORDER

(O) 1947 

24-27200

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN
INDIVIDUAL; TREVOR HARDER, AN
INDIVIDUAL; AND THE HENDERSON
EQUALITY CENTER, A NEVADA NON-
PROFIT CORPORATION,

Appellants,

vs.


SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. D/B/A LAS VEGAS
PRIDE, A NEVADA NON-PROFIT
CORPORATION; AND BRADY
MCGILL, AN INDIVIDUAL,

Respondents.

No. 88906

FILED

AUG 20 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

Pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42.

It is so ORDERED.

CLERK OF THE SUPREME COURT
ELIZABETH A. BROWN

BY: 

cc: Hon. Danielle K. Pieper, District Judge
Israel Kunin, Settlement Judge
Randazza Legal Group, PLLC
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN
INDIVIDUAL; TREVOR HARDER, AN
INDIVIDUAL; AND THE HENDERSON
EQUALITY CENTER, A NEVADA NON-
PROFIT CORPORATION,

Appellants,

vs.

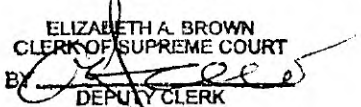
SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. D/B/A LAS VEGAS
PRIDE, A NEVADA NON-PROFIT
CORPORATION; BRADY MCGILL, AN
INDIVIDUAL; SEAN VANGORDER, AN
INDIVIDUAL; GARY COSTA, AN
INDIVIDUAL; AND GOLDEN
RAINBOW OF NEVADA, INC., A
NEVADA NON-PROFIT
CORPORATION,

Respondents.

No. 88906

FILED

JUL 24 2024


ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER PARTIALLY DISMISSING APPEAL

Pursuant to the stipulation filed on July 22, 2024, this appeal is dismissed as to appellants and respondents Gary Costa and Golden Rainbow of Nevada, Inc. only. Each party shall bear their own costs and attorney fees. NRAP 42(b). The clerk of this court shall remove these respondents from the caption in this appeal.

It is so ORDERED.

CLERK OF THE SUPREME COURT
ELIZABETH A. BROWN

BY: 

cc: Hon. Danielle K. Pieper, District Judge
Israel Kunin, Settlement Judge
Randazza Legal Group, PLLC
Olson, Cannon, Gormley, & Stoberski
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Accelerated Law Group
Eighth District Court Clerk

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN INDIVIDUAL;
TREVOR HARDER, AN INDIVIDUAL; AND
THE HENDERSON EQUALITY CENTER, A
NEVADA NON-PROFIT CORPORATION,
Appellants,
vs.
SOUTHERN NEVADA ASSOCIATION OF
PRIDE, INC. D/B/A LAS VEGAS PRIDE, A
NEVADA NON-PROFIT CORPORATION;
BRADY MCGILL, AN INDIVIDUAL; SEAN
VANGORDER, AN INDIVIDUAL; GARY
COSTA, AN INDIVIDUAL; AND GOLDEN
RAINBOW OF NEVADA, INC., A NEVADA
NON-PROFIT CORPORATION,
Respondents.

No. 88906

Electronically Filed
Jul 22 2024 09:31 AM
Elizabeth A. Brown
Clerk of Supreme Court

SETTLEMENT PROGRAM **EARLY CASE ASSESSMENT REPORT**

After conducting a premediation conference with counsel pursuant to NRAP 16(b), I make the following recommendation to the court regarding this appeal:

☐ This case is appropriate for the program and a mediation session will be scheduled/has been scheduled for:

☐ This case is not appropriate for mediation and should be removed from the settlement program.

☒ The premediation conference has not been conducted or is continued because:

A zoom early case conference was held and the parties discussed settlement potential and all

agree to a follow-up early case zoom on July 31, 2024 to determine whether a settlement

conference should be set. The early case conference was held on July 18.



Settlement Judge

cc: All Counsel

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN INDIVIDUAL;
TREVOR HARDER, AN INDIVIDUAL; AND
THE HENDERSON EQUALITY CENTER,
A NEVADA NON-PROFIT CORPORATION,
Appellants,
vs.
SOUTHERN NEVADA ASSOCIATION OF
PRIDE, INC. D/B/A LAS VEGAS PRIDE, A
NEVADA NON-PROFIT CORPORATION;
BRADY MCGILL, AN INDIVIDUAL; AND
SEAN VANGORDER, AN INDIVIDUAL,
Respondents.

No. 88906

Electronically Filed
Jul 31 2024 12:50 PM
Elizabeth A. Brown
Clerk of Supreme Court

SETTLEMENT PROGRAM
EARLY CASE ASSESSMENT REPORT

After conducting a premediation conference with counsel pursuant to NRAP 16(b), I make the following recommendation to the court regarding this appeal:


☐ This case is appropriate for the program and a mediation session will be scheduled/has been scheduled for:

☐ This case is not appropriate for mediation and should be removed from the settlement program.

☒ The premediation conference has not been conducted or is continued because:

After a status check zoom this day, July 31, 2024, I will be submitting a Stip to Dismiss for signatures as to Respondent Sean Vangorder. Negotiations continue with the remaining party and

I believe that another status check is appropriate as to the remaining parties before setting a conference date is set. The next status check zoom is set for August 8, 2024 at 9:00 am.



Settlement Judge

cc: All Counsel

IN THE SUPREME COURT OF THE STATE OF NEVADA

FIRST PECOS, LLC; AND LEON A.
GREENBLATT, III,
Appellants,
vs.
MICHAEL V. SHUSTEK; VESTIN REALTY
MORTGAGE II, INC.; AND BRIGHTON
HOLDINGS, LLC,
Respondents.

No. 88681

Electronically Filed
Jul 11 2024 10:54 AM
Elizabeth A. Brown
Clerk of Supreme Court

SETTLEMENT PROGRAM
EARLY CASE ASSESSMENT REPORT


After conducting a premediation conference with counsel pursuant to NRAP 16(b), I make the following recommendation to the court regarding this appeal:

- ☒ This case is appropriate for the program and a mediation session will be scheduled/has been scheduled for:

The mediation date is TBD pending the attorney's fees judgment being appealed.

- ☐ This case is not appropriate for mediation and should be removed from the settlement program.

- ☐ The premediation conference has not been conducted or is continued because:


Settlement Judge

cc: All Counsel

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN INDIVIDUAL;)
TREVOR HARDER, AN INDIVIDUAL; AND)
THE HENDERSON EQUALITY CENTER, A)
NEVADA NON-PROFIT CORPORATION,)
Appellants,)

vs.)

SOUTHERN NEVADA ASSOCIATION OF)
PRIDE, INC. D/B/A LAS VEGAS PRIDE, A)
NEVADA NON-PROFIT CORPORATION;)
BRADY MCGILL, AN INDIVIDUAL; SEAN)
VANGORDER, AN INDIVIDUAL; GARY)
COSTA, AN INDIVIDUAL; AND GOLDEN)
RAINBOW OF NEVADA, INC., A NEVADA)
NON-PROFIT CORPORATION,)
Respondents.)

Electronically Filed
Jul 22 2024 10:41 AM
Elizabeth A. Brown
Clerk of Supreme Court

No. 88906

STIPULATION TO DISMISS APPEAL AS TO
GARY COSTA AND GOLDEN RAINBOW OF NEVADA, INC.
PURSUANT TO SETTLEMENT

The parties to this appeal stipulate that this appeal shall be dismissed. Costs and attorney fees on appeal are to be paid as follows:

Each party shall bear their own attorney fees and costs of this appeal.

DATED this 19th day of July, 2024.



Alex Shepard, Esq.
Attorney for Appellants



Ashley N. Olson, Esq.
Attorney for Respondents Gary Costa
and Golden Rainbow of Nevada, Inc.

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN INDIVIDUAL;
TREVOR HARDER, AN INDIVIDUAL; AND
THE HENDERSON EQUALITY CENTER,
A NEVADA NON-PROFIT CORPORATION,
Appellants,

vs.

SOUTHERN NEVADA ASSOCIATION OF
PRIDE, INC. D/B/A LAS VEGAS PRIDE, A
NEVADA NON-PROFIT CORPORATION;
BRADY MCGILL, AN INDIVIDUAL; AND
SEAN VANGORDER, AN INDIVIDUAL,
Respondents.

No. 88906

Electronically Filed
Jul 31 2024 04:34 PM
Elizabeth A. Brown
Clerk of Supreme Court

STIPULATION TO DISMISS APPEAL AS TO
SEAN VANGORDER
PURSUANT TO SETTLEMENT

The parties to this appeal stipulate that this appeal shall be dismissed. Costs and attorney fees on appeal are to be paid as follows:

Each party shall bear their own attorney fees and costs of this Appeal.

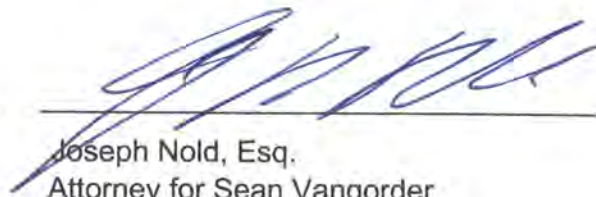
DATED this 31 day of July, 2024.

COUNSEL FOR APPELLANT(S)



Alex Shepard, Esq.
Attorney for Appellants

COUNSEL FOR RESPONDENT(S)



Joseph Nold, Esq.
Attorney for Sean Vangorder

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER DAVIN, AN INDIVIDUAL;
TREVOR HARDER, AN INDIVIDUAL; AND
THE HENDERSON EQUALITY CENTER,
A NEVADA NON-PROFIT CORPORATION,
Appellants,

vs.

SOUTHERN NEVADA ASSOCIATION OF
PRIDE, INC. D/B/A LAS VEGAS PRIDE, A
NEVADA NON-PROFIT CORPORATION;
AND BRADY MCGILL, AN INDIVIDUAL,
Respondents.

No. 88906

Electronically Filed
Aug 14 2024 01:19 PM
Elizabeth A. Brown
Clerk of Supreme Court

STIPULATION TO DISMISS APPEAL
PURSUANT TO SETTLEMENT

The parties to this appeal stipulate that this appeal shall be dismissed.
Costs and attorney fees on appeal are to be paid as follows:

Each party shall bear their own attorney fees and costs of this appeal.

DATED this 14th day of August, 2024.

COUNSEL FOR APPELLANT(S)



Alex Shepard, Esq.
Attorney for Appellants

COUNSEL FOR RESPONDENT(S)



Joel Schwarz, Esq.
Attorney for Respondents Brady McGill
and Southern Nevada Association of Pride, Inc.