

Heather S. Smith

CLERK OF THE COURT

FFCO
LEWIS BRISBOIS BISGAARD & SMITH LLP

JOEL Z. SCHWARZ

Nevada Bar No. 9181

Joel.Schwarz@lewisbrisbois.com

BRADLEY C.W. COMBS

Nevada Bar No. 16391

Bradley.Combs@lewisbrisbois.com

6385 S. Rainbow Boulevard, Suite 600

Las Vegas, Nevada 89118

Telephone: 702.893.3383

Facsimile: 702.893.3789

Attorneys for Defendants Southern Nevada

Association of Pride, Inc. dba Las Vegas Pride

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.

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

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

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

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

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

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

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

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

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

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

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

CONCLUSIONS OF LAW

25. The Court has considered the Golden Rainbow anti-SLAPP Motion and the Pride 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 LGBTQIA2+ 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

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.

Dated this 22nd day of May, 2024

RICT COURT JUDGE

149 F00 E420 2F44
Danielle Pieper
District Court Judge

By: /s/ Joel Z. Schwarz
JOEL Z. SCHWARZ
6385 S. Rainbow Boulevard, Suite 600
Las Vegas, Nevada 89118
Telephone: 702.893.3383
Facsimile: 702.893.3789
*Attorneys for Defendants Southern Nevada
Association of Pride, Inc. dba Las Vegas
Pride and Brady McGill*

OLSON CANNON & GORMLEY

By: /s/ Ashley Olson
 JAMES R. OLSON
 Nevada Bar No. 000116
 ASHLEY OLSON
 Nevada Bar No. 15448
 PETER PRATT
 Nevada Bar No. 6458
 9950 West Cheyenne Ave.
 Las Vegas, NV 89129
 Tel: 702-384-4012
*Attorneys for Defendants Golden Rainbow of
 Nevada, Inc. and Gary Costa*

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ACCELERATED LAW GROUP

By: /s/ Joseph T. Nold

JOSEPH T. NOLD

Nevada Bar No. 8210

3030 South Jones Blvd., Ste. 105

Las Vegas, Nevada 89146

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

9950 W. Cheyenne Ave.

Las Vegas, Nevada 89129

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

aolson@ocgattorneys.com

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New email address: aolson@ocgattorneys.com

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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
Joel.Schwarz@lewisbrisbois.com

T: 702.693.4380 F: 702.366.9563

6385 South Rainbow Blvd., Suite 600, Las Vegas, NV 89118 | LewisBrisbois.com

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From: Alex Shepard <ajs@randazza.com>
Sent: Friday, May 17, 2024 1:34 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: [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.



Joel Z. Schwarz
Partner
Joel.Schwarz@lewisbrisbois.com

T: 702.693.4380 F: 702.366.9563

6385 South Rainbow Blvd., Suite 600, Las Vegas, NV 89118 | LewisBrisbois.com

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Alex James Shepard* | **Randazza Legal Group, PLLC**
[4974 S. Rainbow Blvd. | Suite 100 | Las Vegas, NV 89118](#)
Tel: 702-420-2001 | Email: ajs@randazza.com

* Licensed to practice law in California and Nevada

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Alex James Shepard* | **Randazza Legal Group, PLLC**
[4974 S. Rainbow Blvd. | Suite 100 | Las Vegas, NV 89118](#)
Tel: 702-420-2001 | Email: ajs@randazza.com

* Licensed to practice law in California and Nevada

Thank you,

Accelerated Law Group, Inc.

3030 South Jones Blvd., Ste. 105

Las Vegas, Nevada 89146

702-262-1651

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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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
case as listed below:

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16	Joseph Nold	noldj@cox.net
17	Janet Terrazas	algpalegal@cox.net
18	Alex Shepard	ecf@randazza.com
19	James Olson	jhollingsworth@ocgas.com
20	Theresa Amendola	tamendola@dennettwinspear.com
21	Meredith Holmes	mholmes@dennettwinspear.com
22	Michelle Soto	msoto@halljaffe.com
23	Susan Awe	susan.awe@lewisbrisbois.com
24	Ashley Marchant	amarchant@dennettwinspear.com
25	Ashley Olson	aolson@ocgas.com
26		
27		
28		

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27
28

Tony Amendola	aamendola@dennettwinspear.com
Joel Schwarz	Joel.Schwarz@lewisbrisbois.com
Michael Maupin	Mmaupin@halljaffe.com
Shayna Ortega-Rose	srose@halljaffe.com
Erika Parker	Eparker@halljaffe.com
Bradley Combs	Bradley.Combs@lewisbrisbois.com