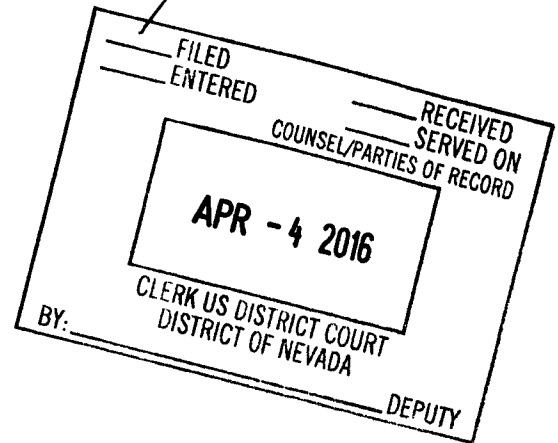


MICHAEL SCHAEFER
9509 Sundial Dr.
Las Vegas, NV 89134
Tel.. 702 466-5407
Plaintiff Pro Se



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL SCHAEFER

Case No. 2:16-cv-4-JAD-VCF

Plaintiff

v

APPLICATION FOR PROMPT
HEARING FOR INJUNCTION &
FOR PRELIMINARY INJUNCTION
(FRCP 65) (VERIFIED)

BARBARA CEGAVSKE, etc.

Defendant

TO THE HONORABLE JENNIFER A DORSEY, UNITED STATES JUDGE:

COMES NOW Plaintiff making application for prompt setting of hearing for issuance of a preliminary injunction, and the injunction itself, respectfully alleging as follows:

1. First amended complaint filed April 4, 2016 is incorporated herein by reference.
2. This application is filed pursuant to FRCP 65 and in the public interest to mitigate or eliminate additional costs or delay in the conduct of federal election

for U.S. House of Representatives set for June 14, 2016 in Nevada District 4.

3. Plaintiff seeks to advance trial on the merits and consolidate it with the Hearing, plaintiff then waiving trial by jury for said Hearing and seeking closure as to this issue far enough in advance of the election so as to not disrupt defendants carrying out her responsibilities in the 17 counties wherein she serves as Chief Election Official.

4. Plaintiff requests setting of security at \$1.00 as there is no private interest involved herein, just the rights of candidates and voters to a level-playing-field as is more fully discussed in First Amended Complaint reference above.

5. CONTENTS to be set forth in preliminary injunction to include:

(A) Reason why it is issued is to free the federal election, US House, Nevada District 4, from legal disability and to prevent election of perhaps the worst of the 8 candidates based primarily on a 20% advantage provided Morse Arberry Jr. over his 7 challengers.

(B) Terms include order that defendant, in consultant with counsel, devise one of many procedures all calculated to give each of the 8 candidates for said office an equal chance of being first-listed; these could include use of a Keno machine with 26 letters being randomly ejected, or utilizing date and time of candidate filing, or use of the alphabet for Clark County and a Reverse Alphabet for each of the other 17 counties, upon finding that population outside Clark County approximates Clark County population.

(C) Act required to be restrained: the design and ballot format listing names of 8 candidates for election to US House District 4, Nevada, pursuant to NRS 293.263, which will assure candidate Arberry, Jr. being First(1st) in a long list of eight(80 and candidate

Plaintiff Schaefer being Seventh(7th) in said long list.

6. PERSONS BOUND consist of Defendant state constitutional officer who determines content and format of ballots used by Nevada's 17 counties, the individual county election officers bound by action of the Secretary of State, and District 4 involving voters, and elections officials in numerous rural counties plus Clark County.

7. It is likely that plaintiff will prevail on the merits at trial, if preliminary relief denied, but that the entire June 14, 2016 election will be subject to constitutional challenge, possible being repeated with all candidates and not just US House District 4 and their supporters being entitled to a level playing field.

WHEREFORE, plaintiff prays for setting of Hearing for issuance of a preliminary injunction injoining and restraining defendant Secretary of State from approving ballot format for candidates in US House election, Nevada District 4, unless the ballot order of the 8 qualified candidates appear on a randomly-selected order giving each candidate an equal opportunity to be First on said list.

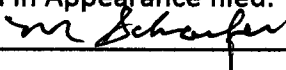
Dated: April 4, 2016



MICHAEL SCHAEFER
Plaintiff Pro Se


PROOF OF SERVICE:

Copy of this pleading, per agreement, served 4/4/16 on defendant by e-mail, addressed: lstory@ag.nv.gov and dwright@ag.nv.gov, and hard copy by US Mail to address of record in Appearance filed.



VERIFICATION:

Plaintiff declares under penalty of perjury the foregoing to be true of his personal knowledge and belief. Executed 4/4/16 at Las Vegas. NV.



LOCAL RULE 7-5

1. NATURE OF THE EMERGENCY:

The elections set for June 14, 2016 statewide, including federal elections, and District 4 US House involving several counties, require ballots to be formatted, as to how names are listed (by alphabet, or randomly) far enough ahead of time to permit the Defendant to meet schedules for mailing of sample ballots, and sending absentee ballots to military and others.

Plaintiff believes, after consultation with Joseph P. Gloria, Clark County Elections Registrar, that any change in the ballot format will inconvenience his official duties, but that any change within a week or so can probably be adjusted, but after that, not. Said Registrar has expressed opinions fully supportive of the premises that alphabet listing is prejudicial, but is bound by Nevada law until the legislature or a court decides otherwise.

Plaintiff does not think this Court can effect constitutional justice in 2016 unless it acts by the 2nd week in April, thus asks setting not later than April 14, 2016.

2. AFFECTED/RELEVANT PARTIES:

Michael Schaefer, 9509 Sundial Dr. Las Vegas, NV 89134 Tel. 702 466 5407
Email: oz.bluelman@yahoo.com

Lori M. Story, Sr. Deputy Attorney General, 100 North Carson St. Carson City, NV. 89701. Email: lstory@ag.nv.gov Tel. 774 684-1114

7 candidates, other than Plaintiff, have been sent the Complaint on file so if they have an interest in the issue they are aware of it fully.

Date: 4/4/16

