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Michael J. Gottlieb
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Attorneys for Plaintiff Nevada State Democratic Party

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

NEVADA STATE DEMOCRATIC PARTY,

Plaintiff,

v.

NEVADA REPUBLICAN PARTY, DONALD
J. TRUMP FOR PRESIDENT, INC., ROGER J.
STONE, JR., and STOP THE STEAL INC.,

Defendants.

Case No. 2:16-cv-02514-RFB-NJK

**DECLARATION OF
MICHAEL J. GOTTLIEB, ESQ.
PURSUANT TO LOCAL RULE 7-4**

I, Michael J. Gottlieb, am of full age and, upon my oath according to law, hereby certify
as follows:

1. I am a partner in the law firm of Boies, Schiller & Flexner LLP, attorneys for Plaintiff Nevada State Democratic Party in the above-captioned matter. I am familiar with the facts related to this litigation.

2. An emergency notion is necessary because Defendants have deprived and/or conspired to deprive the voting rights of lawful Nevada voters. The allegations set forth in the accompanying Complaint and the materials submitted with the Emergency Motion justify immediate temporary relief in order to prevent irreparable harm. An injunction against Defendants' unfolding planned intimidation tactics is the only way to protect countless lawfully registered voters from harassment, threats, and intimidation that could interfere with their ability to vote in the rapidly approaching election.

3. The office addresses and telephone numbers of the movant and all affected parties are appended below.

4. The nature of the emergency precludes resolution through the meet-and-confer process. Defendants have already taken substantial steps to advance their conspiracy to deprive Nevada voters of their right to vote free from harassment, coercion, and intimidation.

5. As shown in the Complaint and in the accompanying motion, Defendants are engaged in a concerted effort to intimidate, threaten, and coerce lawful voters from exercising their right to vote, targeting in particular minority and Democratic voters. Even if those efforts have not yet achieved success, Defendants have already *attempted* to induce fear and anxiety among minority and Democratic voters in Nevada, and likewise have taken steps designed to prevent such voters from voting. The Trump Campaign is exhorting its supporters to go to Democratic-leaning, majority-minority areas to watch over minority voters. Specifically, Trump has encouraged his supporters to "go down to certain areas" where Democratic-leaning minority

voters are concentrated and “go out and watch,” and “when [I] say ‘watch,’ you know what I’m talking about, right?” Schrager Decl. at Ex. 19 (Erick Trickey, *How Hostile Poll-Watchers Could Hand Pennsylvania to Trump*, Politico Mag., Oct. 2, 2016). And Trump has informed his supporters that “illegals” have been “pour[ing] into this country” to affect the election, and Trump Campaign surrogates have explicitly linked voter fraud to “inner cities” that support “Democrats.” Schrager Decl. at Ex. 13 (Eric Bradner, *Giuliani on Rigged Election: ‘Dead People Generally Vote for Democrats’*, CNN, Oct. 16, 2016). Meanwhile, Defendant Stone is actively recruiting people to engage in “exit polling” in majority-minority areas aimed to intimidate and threaten non-white voters and prevent them from voting. Schrager Decl. at Ex. 4 (Oliver Laughland & Sam Thielman, *Trump Loyalists Plan Own Exit Poll Amid Claims of ‘Rigged’ Election*, The Guardian, Oct. 20, 2016).

6. Counsel for Plaintiff notified Defendant Nevada Republican Party of this motion by email on November 1, 2016.

7. Counsel for Plaintiff notified Defendant Donald J. Trump for President, Inc., of this motion by email to its counsel, Donald F. McGahn II, of Jones Day, 51 Louisiana Avenue NW, Washington, DC 20001, who also agreed to accept service of process on behalf of the Trump Campaign.

8. Defendant Roger J. Stone, Jr., and Defendant Stop the Steal Inc. through Defendant Roger J. Stone, Jr., are aware of this litigation. Defendant Stone has commented on the litigation publically, saying that he is “honored” to be named as a defendant. *See* Gottlieb Decl. at Ex. 1 (Todd Ruger, *Democrats Sue Trump, GOP Amid Concerns of Voter Intimidation*, Oct. 31, 2016).

9. Service of the complaint and summons was attempted this morning on Defendant Stop the Steal Inc. at 3843 South Bristol Street, Suite 312, Santa Ana, California. That address is listed on Stop the Steal's website, *see* <http://stopthesteal.org> (last accessed Nov. 1, 2016), and on file with the IRS as Stop the Steal Inc.'s "business address." *See* Gottlieb Decl. at Ex. 2 (Stop the Steal Inc. IRS Form 8871). When the process server arrived at that address, he discovered that it was a UPS Store, not Stop the Steal Inc.'s place of business, and there was no Stop the Steal Inc. employee present.

10. Service of the complaint and summons was attempted this morning on Defendant Roger J. Stone, Jr., at 3843 South Bristol Street, Suite 312, Santa Ana, California. That address is listed on the website of Stone's organization Stop the Steal Inc. *See* <http://stopthesteal.org> (last accessed Nov. 1, 2016), and is on file with the IRS as the address of Stop the Steal, Inc. *See* Gottlieb Decl. at Ex. 2 (Stop the Steal Inc. IRS Form 8871). When the process server arrived at that address he discovered that it was a UPS Store, not Stop the Steal Inc.'s place of business, and neither Stone nor a Stop the Steal employee was present.

I hereby certify that the foregoing statements made by me are true to the best of my knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ Michael J. Gottlieb

Michael J. Gottlieb
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Attorney for Plaintiff

Dated: November 1, 2016

**ADDRESSES AND TELEPHONE NUMBERS OF MOVANT AND AFFECTED
PARTIES**

MOVANT

Nevada State Democratic Party
6233 Dean Martin Drive
Las Vegas, NV 89118
(702) 737-8683

AFFECTED PARTIES

Nevada Republican Party
500 South Rancho Drive, Suite 7
Las Vegas, NV 89106
(702) 586-2000

Donald J. Trump for President, Inc.
725 Fifth Avenue
New York, NY 10022
(646) 736-1779

Roger J. Stone, Jr.
3843 South Bristol Street, Suite 312
Santa Ana, CA 92704
(*phone number unknown*)

Stop the Steal Inc.
3843 South Bristol Street, Suite 312
Santa Ana, CA 92704
(*phone number unknown*)

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of November, 2016 a true and correct copy of **DECLARATION OF MICHAEL J. GOTTLIEB, ESQ. PURSUANT TO LOCAL RULE 7-4** was served via the United States District Court CM/ECF system on all parties or persons requiring notice, and having access to the electronic filing system referenced.

By: /s/ Dannielle Fresquez

Dannielle Fresquez, an Employee of
WOLF, RIFKIN, SHAPIRO, SCHULMAN &
RABKIN, LLP