REC'D & FILEU 1 CASE NO. 16 OC 00249 1B DEPT. NO. I 2017 MAR 28 AM 11: 10 2 SUS AM MERRIWETHER 3 DEPUTY 4 5 6 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR CARSON CITY 7 8 DAVID & CARLY HELD individually and on behalf of their minor child N.H.: 9 VERONICA BERRY individually and on S behalf of her minor child J.B.; RED AND 10 SHEILA FLORES individually and on ORDER DENYING PLAINTIFFS' behalf of their minor child C.F.; MOTION FOR TEMPORARY JAOUAD AND NAIMI BENJELLOUN, 11 RESTRAINING ORDER/ individually and on behalf of their minor PRELIMINARY INJUNCTION children L.K.1 and L.K.2.; NEVADA 12 CONNECTIONS ACADEMY, 13 Plaintiffs, 14 15 STATE OF NEVADA, ex rel., STATE PUBLIC CHARTER SCHOOL 16 AUTHORITY, a political subdivision of the STATE OF NEVADA, and PATRICK 17 GAVIN, in his official capacity as Executive Director of the STATE 18 PUBLIC CHARTER SCHOOL AUTHORITY. 19 Defendants 20 On November 1, 2016, Plaintiffs filed a Motion for Temporary Restraining Order/ 21 22 Preliminary Injunction and Errata to same on November 10, 2016. Defendants filed an Opposition on November 17, 2016 and Plaintiffs filed their Reply on November 22, 2016. 23 24 The hearing on the Motion for a Temporary Restraining Order and Preliminary Injunction was held on November 30, 2016 before the Honorable James T. Russell in 25 26 Department One of the First Judicial District Court. The State Public Charter School 27 Authority and Patrick Gavin were represented by Deputy Attorney General Gregory D. 28 Ott and Chief Deputy Attorney General C. Wayne Howle. Plaintiffs were represented by 1

1 Attorney Laura K. Granier. 2 111 This Court having reviewed the Motions and pleadings on file, having heard 3 testimony from witnesses and argument from counsel for both parties and having 4 reviewed the applicable law, finds that the basis for issuing a preliminary injunction has 5 not been demonstrated. The hearing that Plaintiffs have asked this Court to enjoin is 6 clearly within the authority of the administrative agency to conduct under state law. 7 8 NRS 388A.330 (3). The court will not insert itself into the proceedings until the administrative agency has made a determination at its hearing. Thus, the issues raised 9 in Plaintiffs' Motion for Preliminary Injunction are not ripe. 10 The court further declines to rule on the Motion to Dismiss in this matter, holding 11 12 it in abeyance at this time. IT IS HEREBY ORDERED that Plaintiffs' Motion for Temporary Restraining 13 Order/ Preliminary Injunction is DENIED. 14 DATED this <u>Z</u>8 day of March, 2017. 15 16 JUDGE 17 18 19 20 Submitted by: ADAM PAUL LAXALT 21 Attorney General GREGORY D. OTT 22 Deputy Attorney General Nevada State Bar No. 10950 100 North Carson Street 23 Carson City, NV 89701 (775) 684 - 122924 Attorneys for the State of Nevada 25 26

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CERTIFICATE OF MAILING

Pursuant to NRCP 5(b), I certify that I am an employee of the First Judicial District Court, and that on this 28 day of March, 2017, I deposited for mailing at Carson City, Nevada, a true and correct copy of the foregoing Order addressed as follows:

Gregory D. Ott, Esq.
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