

# **EXHIBIT 3**

# **EXHIBIT 3**

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8 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
9 IN AND FOR CARSON CITY

10 DAVID & CARLY HELD individually and  
11 on behalf of their minor child N.H.;  
12 VERONICA BERRY individually and on  
13 behalf of her minor child J.B.; RED AND  
14 SHEILA FLORES individually and on behalf  
15 of their minor child C.F.; JAOUAD AND  
16 NAIMI BENJELLOUN, individually and on  
17 behalf of their minor children N.B.1, N.B.2,  
18 and N.B.3; KIMBERLY AND CHARLES  
19 KING individually and on behalf of their  
20 minor children L.K.1 and L.K.2; NEVADA  
21 CONNECTIONS ACADEMY,

22 Plaintiffs,

23 v.

24 STATE OF NEVADA, ex rel. STATE  
25 PUBLIC CHARTER SCHOOL  
26 AUTHORITY, a political subdivision of the  
27 State of Nevada, and PATRICK GAVIN, in  
28 his official capacity as Director of the State  
Public Charter School Authority,

Defendants.

Case No. 16-OC 00249-1B.

Dept. No. I

**DECLARATION OF DAVID HELD IN  
SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

I, David Held, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary

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Injunction.

2. My son is a 9<sup>th</sup> grade student at Nevada Connections Academy (“NCA”).

3. Nevada Connections Academy has and continues to be an amazing resource for our son’s education. He has always enjoyed learning. In a typical brick-and-mortar school he often ran into trouble due to the fact that he would understand a lesson quickly and needed to wait sometimes as long as a week or two for the rest of the class to understand before they would move on. By that point he was so bored that he was talking and disrupting the class and becoming a problem. His GATE (Gifted and Talented Education) teacher told us that he would most likely thrive in a homeschool and/or online environment and that is exactly what has happened with his online schooling at NCA. The first year we used NCA he was able to work at his own pace with challenging work always being provided for him. He was able to make friends that were like-minded and get to know them in online chats and on field trips that NCA offers.

4. In my son’s second year with NCA he was continuing to receive straight A’s and he requested to learn Japanese. In his brick-and-mortar school he was not able to choose his language, Spanish was the only one available, and it was his least favorite class. Nevada Connections Academy went out of their way to make it possible and, ultimately we decided to wait one more year and at that time they provided him with a Japanese language class, which is now his favorite class. He has an A in the class and is looking forward to a trip to Japan next year where he will be able to use what he has learned.

5. By this time we were already very much in love with Nevada Connections Academy and the educational opportunities it was providing for our son. We would have fought for this continued school choice even then, but where NCA became even more critical to us was about halfway through his second year with them. At that point our son was diagnosed with a

1 brain condition called Chiari Malformation and we found out later that he also has two other  
2 conditions, Hydrocephalus and Syringomyelia. We were told that he was going to need brain  
3 surgery. The school bent over backwards and did everything to make sure that he was able to get  
4 his work done.

5  
6 6. My son had five brain surgeries in the second semester of the sixth grade year -  
7 March 10, April 21, May 15, May 19 and May 22. In a typical brick-and-mortar school he  
8 would not have been released by his doctor to attend. He would have ended up missing almost  
9 the entire second half of his sixth grade year. Because Nevada Connections Academy was able  
10 to work so well with my son and his needs, even with needing five surgeries he still graduated  
11 with straight A's rather than falling a semester behind.

12  
13 7. Unfortunately my son has required three more surgeries since then. Again his  
14 doctor would not have released him to attend a brick and mortar school, he was not cleared to be  
15 in an environment where we could not control the germs he would be exposed to. Because of the  
16 flexibility and the amazing staff at Nevada Connections Academy my son has managed to get  
17 through all eight brain surgeries and still have his absolute love for school and education.


18  
19 8. So just to recap, in an ordinary brick-and-mortar school my son would now be a  
20 full year behind and I can tell you heartbroken over that. Instead, he is well ahead of schedule,  
21 speaking a second language, and a straight A Honor student who is eager to get to his school  
22 work every single day. That is not something that comes from just any online school, that is a  
23 direct result of the amazing teachers and management that helped take care of him through all of  
24 it with understanding and compassion.

25  
26 9. For my son this is our only school choice to serve his needs and provide his  
27 education that is so critically important to him and all of us. Interference with NCA's ongoing  
28 operations would cause my son irreparable harm by interfering with his education and our school

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choice. On behalf of my son and my family and the more than 3,000 students served by NCA, I ask that this Court stop the State Public Charter School Authority from interfering with the continued operations of Nevada Connections Academy.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct and was executed this 26<sup>th</sup> day of October, 2016, in NV, Nevada.



\_\_\_\_\_  
DAVID HELD

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7 *Attorney for Plaintiffs*

8  
9  
10 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
11 IN AND FOR CARSON CITY

12 DAVID & CARLY HELD individually and  
13 on behalf of their minor child N.H.;  
14 VERONICA BERRY individually and on  
15 behalf of her minor child J.B.; RED AND  
16 SHEILA FLORES individually and on behalf  
17 of their minor child C.F.; JAOUAD AND  
18 NAIMI BENJELLOUN, individually and on  
19 behalf of their minor children N.B.1, N.B.2,  
20 and N.B.3; KIMBERLY AND CHARLES  
21 KING individually and on behalf of their  
22 minor children L.K.1 and L.K.2; NEVADA  
23 CONNECTIONS ACADEMY,

24 Plaintiffs,

25 v.

26 STATE OF NEVADA, ex rel. STATE  
27 PUBLIC CHARTER SCHOOL  
28 AUTHORITY, a political subdivision of the  
State of Nevada, and PATRICK GAVIN, in  
his official capacity as Director of the State  
Public Charter School Authority,

Defendants.

Case No. 16-OC 00249-1B.

Dept. No. F

**DECLARATION OF N. HELD IN  
SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

I, N. Held, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this  
declaration in support of the Plaintiffs' Motion for Temporary Restraining Order/Preliminary  
Injunction.

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2. I have been a student at Nevada Connections Academy for approximately four years now. I want to explain the amazing experience I have had and how devastating it would be if there was any interference or interruption with my school's ongoing operations. I went to a traditional brick-and-mortar public school for grades 1-3 and my experience was plagued with issues. I was a very fast learner and was far ahead of many of the kids in the class and as a result I rarely paid attention in class. My grades began to slip and I was on the verge of becoming a social outcast. I cared little about playing games and spent my time buried in books which left me without many friends. As time went on, even the Gifted and Talented ("GT") classes proved to be a little slow for me. If not for the fact that the teachers were very caring, I would have simply slipped away and become a social outcast.

3. After 3rd Grade, I was homeschooled for two years. I grew a somewhat social life thanks to my friends who lived across the street and I was finally challenged by my curriculum. It was in 6th grade that I began with Nevada Connections Academy. I was quickly put into the GT Literature, GT Language Arts, and GT Science and given the freedom I needed to work at my own pace. My first semester was an amazing experience. I spent only as much time as I needed on each subject before I moved on to the next and I got to choose the order of lessons I worked on day by day. This freedom quickly payed off and my grades skyrocketed to straight A's.

4. By the end of my first year I had completely earned the trust and respect of my teachers and was given even more freedom including the ability to complete the entire week in any order I chose. I had kept my straight A status as well. It was during the second year however that Nevada Connections Academy changed my life. The year began normally however, about 3-4 months into the school year I was diagnosed with Chiari, a medical issue caused by a part of the brain hanging out of the skull. My surgery was set for March 2014, so my grandparents set

1 up a trip to Hawaii beforehand.

2 5. After the second semester started, I began to push ahead and complete school  
3 work before it was due in order to nullify the amount of work I would have to do after the  
4 vacation and surgery. My teachers helped out as much as they could giving me the help I needed.  
5 Because of their helping hands, I completed my curriculum and ended the year as an "A"  
6 student.  
7


8 6. The first surgery was followed by what can only be described as a medical  
9 disaster. I was diagnosed with numerous other conditions and was forced into a chain of eight  
10 surgeries that lasted up until this summer. Each surgery would stop my work for at least 2 weeks  
11 and if I had still been in a traditional brick-and-mortar public school it would have been 6 weeks  
12 lost. My teachers were always helpful and would ease the workload to help my recovery and  
13 since I never needed to move much I could resume work faster. Despite the many complications  
14 however, I managed to excel in school. I've maintained my "A" status since joining and have  
15 also earned the right to participate in all Honors classes. Most impressively though, I picked up  
16 Japanese and am exceling in my second year as of now. I owe so much to Nevada Connections  
17 Academy, both about my education and even my daily life.  
18

19 7. I would be devastated if my right to choose this exceptional school to receive my  
20 education was taken away from me. I believe it would cause me irreparable harm and I do not  
21 know of any other option available in Nevada that could provide me the educational opportunity  
22 that Nevada Connections Academy provides. I ask that this Court stop any efforts to close my  
23 school or interfere with its operations.  
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I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct and was executed this 28<sup>th</sup> day of October, 2016, in NV, Nevada.

 *N. Held*  
N. HELD

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*Attorney for Plaintiffs*

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,  
  
Plaintiffs,  
  
v.  
  
STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,  
  
Defendants.

Case No. 16 OC 00249 1B  
Dept. No. I

**DECLARATION OF VERONICA BERRY IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

I, Veronica Berry, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary

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Injunction.

2. My son was diagnosed with Asperger’s syndrome when he was in the 3rd grade. Elementary school went pretty smoothly, although each year became harder for him to be accepted by his peers because he was “different” and as the others progressed, he did not. There was some bullying and teasing, and it increased through the years. Because his diagnosis is Asperger’s, he struggles with certain social skills. The teachers and counselors told me that it was very important to keep him in school because he needed to be around other children to develop his social skills. So, despite the fact that I wanted to take him out of school because of the bullying and teasing, I went against my better judgement and kept him in school because the teachers and counselors told me that was best for him.

3. Junior High was an entirely different story. I drove him to school, he ran in as the bell rang because he did not want to give anyone any extra time to pick on him, and I picked him up after school for the same reason. It was breaking my heart more and more every day, but I had to do what they told me was the right thing for him. I felt like I was sending him to the wolves every day. The bullying started within a month of the start of the school year.

4. In the locker room before PE class is where the worst of it was, boys throwing water bottles and other things at him. I asked the PE teacher if he saw any of this, because at the beginning of the year he assured me he watched the boys through his window. Their solution to this was to move Jesse to a row of lockers by himself, so he was away from everyone else, separating him even more from the group that already treated him as an outcast. He missed several days of school after this incident because he was scared. But I sent him back to this school because I was told he “needed” to be around other children for his socialization.

5. The harassing continued, I went back and forth with the Dean and Principal for months. My son was then cornered in the locker room by a boy who told him he was going to

1 "Slit his throat and feed his head to his dog." He came out of school hysterical. I called the Dean  
2 the next morning and the Superintendent who told me I had to schedule a meeting with the  
3 Principal, so I did. I also called the Clark County School District Police and had an officer meet  
4 me at the school for the meeting. The Principal did not seem to take this incident seriously, so I  
5 filed a police report. I was told the boy who threatened my son would be removed from the class,  
6 but he was not. I called the Dean who had my son spend the next few days sitting in her office or  
7 the library during PE class, so once again he was treated as the outcast. When the semester was  
8 over, my son moved to Health class, and that same boy was in his health class too. My concern  
9 increased at this apparent disregard for his safety.  
10

11 6. There were many, many more incidents, all mishandled. So I decided to pull my  
12 son from his zoned public school because his life depended on it. Suicide was in his thoughts as  
13 the only way out. I enrolled him with Nevada Connections Academy for his 7th grade year. He  
14 is now in 11th grade, and his life from day one at Nevada Connections Academy has been  
15 nothing but positive. He is excelling in school, he has a social life, he is not afraid on a daily  
16 basis, like he was at his zoned school, and he found a best friend, something he never had before.  
17

18 7. The Nevada Connections Academy staff is amazing. My son is not afraid to go to  
19 school anymore. The effects from what happened to him in 6th grade are still with him, he has  
20 panic attacks every time we drive past that school, and he still talks about it and gets very  
21 anxious. I have to keep reminding him that we have Nevada Connections Academy now, so that  
22 will NEVER happen again. Pulling out of the zoned public school and enrolling him in Nevada  
23 Connections Academy was the best thing I have ever done for him. He will graduate next year,  
24 and that will be a great accomplishment for him, something that wouldn't have been possible  
25 without Nevada Connections Academy. For him, there is no other option.  
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27 8. I believe my son would be irreparably harmed if there was any interference with  
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his chosen school's operations. Nevada Connections Academy is serving a critical educational need in our state to thousands of students and any interference with the school continuing to do so would cause irreparable harm to our youth and our state. I ask that this Court issue an immediate order to stop any such interference and to allow the school to continue serving the students of Nevada.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct and was executed this 26 day of October, 2016, in Las Vegas, Nevada.

  
**VERONICA BERRY**

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7 *Attorney for Plaintiffs*

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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,

Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF N. BENJELLOUN  
IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

I, N. Benjelloun, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order/ Preliminary

1 Injunction.

2 2. I am a 7th grade student at Nevada Connections Academy (NCA).

3 3. Unlike most brick and mortar schools, Nevada Connections Academy lets their  
4 students work at their own pace. I can do more school after my daily assignments. This comes in  
5 handy when I have an event coming up, and I cannot do school that day, or when I feel I can do  
6 better, by doing more school and studying more. If NCA shuts down, I would lose all the  
7 advantages of going to this online school. In a brick and mortar school I would be forced to work  
8 at a certain pace, and lose the ability to work ahead and study my future lessons, when my  
9 assignments are graded. In a brick and mortar school my teachers will not tell me what I did  
10 wrong and try to help walk me through the question(s) I missed. I would lose this anti-bullying  
11 environment, and I will lose all the friends I made here at NCA.  
12

13 4. My education would be deeply negatively affected, in an irreparable way, by  
14 losing all the caring teachers, and the ability to take time to study my lesson, without being  
15 rushed by a teacher. At a brick and mortar school I would not be able to be as independent when  
16 it comes to my lesson schedule. Thanks to NCA, I do not have to worry about ever missing  
17 lessons due to a doctor appointment or an important event, I can do them when I am home or the  
18 day before I am busy. Nevada Connections Academy also has teachers who care about their  
19 students and their jobs, they are there for you if you get stuck on a lesson or you need to submit  
20 a correction for an assignment. NCA helped me in so many ways I cannot explain, and it is still  
21 helping me further my education. If Nevada Connections Academy was to be shut down, I would  
22 not be the only student negatively affected, hundreds of other students will lose their school,  
23 their friends, and all the advantages they get with Connexus. My family has been with Nevada  
24 Connections Academy for about ten years, three of my siblings graduated high school here, and  
25 hopefully soon my two other siblings and I will graduate high school here too.  
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5. I am glad to be going to NCA and ask that this Court stop the threatened closure proceedings against my school and order that Nevada Connections Academy be allowed to continue serving all of its students. Our school choice should not be taken away from us.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and corrected and was executed this 28 day of October, 2016, in Las Vegas Nevada.

[Redacted] Benjelloun  
N. BENJELLOUN



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Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF N. BENJELLOUN  
IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

I, N. Benjelloun, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary

1 Injunction.

2 2. I am a 7th grade student at Nevada Connections Academy ("NCA"). NCA  
3 provides its students with very flexible hours and caring teachers, they give you the ability to be  
4 independent with your schedule and studies. If Nevada Connections Academy was to be shut  
5 down, many of the students would lose all their friends and all the advantages that are here at our  
6 school. I would not be the only student irreparably harmed if my school were to be shut down. I  
7 do not believe that the students would be able to find a school with such caring teachers, and a  
8 schedule as independent as this one.

10 3. Most kids come here to NCA because it is an anti-bullying environment. In  
11 traditional brick-and-mortar public school a lot of the kids get bullied and picked on so their best  
12 option is to come to Nevada Connections Academy which has a very good anti-bullying  
13 environment.

15 4. Unlike any other school Nevada Connections Academy has a somewhat stress  
16 free environment due to the independent schedule they offer. Let's say a student had an event or  
17 doctor appointment coming up, they will not have to worry about being late for class – they  
18 would be able to do their school whenever they come home or even the next day.

19 5. During my 6<sup>th</sup> grade school year in Nevada Connections Academy I had a very  
20 caring teacher who cared about his students very much. If we did not understand something he  
21 would try his best to explain it to us. He had empowering quotes in every live-lesson. Even  
22 though NCA is an online school it is not always behind a computer screen - they host many  
23 events and field trips that you can use as an opportunity to meet your teachers and hang out with  
24 your friends. Teachers of NCA host some events where they help the student with something  
25 they do not understand like a portfolio and they try their best to help you with it.

27 6. Nevada Connections Academy also offers stuff that you cannot get at any other  
28

1 online school. They offer many different clubs such as: chess club, robotic club, pen pal club,  
2 and many more different clubs.

3 7. If Nevada Connections Academy were to be shut down it would not only cause  
4 me irreparable harm by taking away my school and my education of choice, it would do impose  
5 this harm on many other students. I do not believe there is any other option available in Nevada  
6 that is comparable to the education Nevada Connections Academy is providing me. Other  
7 schools do not allow students to work at an independent pace, allow flexible hours, or provide as  
8 caring teachers as NCA does.  
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10 8. I am asking that this Court order that the attempt to close my school be stopped so  
11 that my family and others in Nevada can continue to have this important option for our  
12 education.  
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14 I declare under penalty of perjury under the laws of the State of Nevada that the  
15 foregoing is true and corrected and was executed this 28 day of October, 2016, in Las Vegas  
16 Nevada.  
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19 N. Benjelloun  
20 **N. BENJELLOUN**  
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DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,

Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF D. BENJELLOUN  
IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

I, D. Benjelloun, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make

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this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order/  
Preliminary Injunction.

2. Enlightened by my parents and former classmates, it has come to my attention that Nevada Connections Academy is being threatened with closure. My time has been completely consumed by the great academic responsibilities demanded of me by the UNLV Honors College and duties to my team on the nation-wide home-building competition, the Solar Decathlon. Despite this, I find it important to find the time to do what I can to make sure that this school continues to function and complete its duty of preparing young minds to be competent and intelligent adults.

3. I attended Nevada Connections Academy my entire undergraduate life, for the most part here in Nevada. This school is the reason that I have been able to prosper and achieve academic success. That may sound like an overstatement but the challenges that this school provided for me forced me to reach levels of determination and competence that I thought were impossible and unachievable. Now, let-alone the rigorous and difficult courses that the school provides, I was encouraged by my mentors, parents and teachers to complete the average four-year high-school journey in a matter of two years. This was not easy. I studied as the days passed into the nights, I refused to take breaks; and as soon as I finished one grade of high-school, I was immediately met with another semester to complete. It was my perseverance and determination, along with the great support of my parents and teachers that let me accomplish this goal; but it was Nevada Connections Academy that served as the catalyst. Without this school, I would have never accomplished anything despite my determination.

4. Nevada Connections Academy has, and always will, serve as the greatest catalyst

1 for young minds and upcoming adults to become influential world-leaders. It has always  
2 done this, ever since my older brother graduated high-school seven years ago (at the age  
3 of 14, and who now serves as the CEO of Tech-Start, a start-up company that prepares  
4 young children for their future world of technology and computers) until now, when my  
5 younger sister strives to finish her high-school journey in a single year.  
6

7 5. To shut down a school that has charted many journeys, and produced many  
8 intelligent adults, is to not only kill the future of hundreds of children, but to further the  
9 devastating decline of the United States' school system. The closure of this school is not  
10 only detrimental to the immediate students and teachers here in Nevada (which already  
11 has one of the worst education systems in the U.S.), but also to the nation as a whole.  
12 This is the first step in many that will lead us to a chaos-ravaged nation of ignorance; and  
13 ultimately, the down-fall of the United States all-together. Why take that step? Why not  
14 continue to let Nevada Connections Academy prosper and nurture young-genius and  
15 students of all abilities? The fact that I am writing this concerns me greatly as it means  
16 that we are already headed down a path that we will never recover from, and the  
17 destination of this path will make the struggle that our ancestors and forefathers faced  
18 200 years ago pointless – do not shut down this school.  
19  
20

21 6. Closure of Nevada Connections Academy would impose irreparable harm on the  
22 students it is serving and all of Nevada's and our Nation's youth. I ask this Court to stop  
23 this from happening and require that Nevada Connections Academy be allowed to  
24 continue providing this critical education choice to all of our youth here in this great  
25 State.  
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28 I declare under penalty of perjury under the laws of the State of Nevada that the

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foregoing is true and corrected and was executed this 27 day of October, 2016, in Las Vegas  
Nevada.

  
\_\_\_\_\_  
**D. BENJELLOUN**

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DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,

Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF Z. BENJELLOUN  
IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

I, Z. Benjelloun, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make



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this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order/  
Preliminary Injunction.

2. I graduated from Nevada Connections Academy in 2013 2 years ahead of  
schedule. My brothers/sisters currently attend Nevada Connections Academy.

3. Nevada Connections Academy helps students succeed by preparing them for life  
after school -- especially during the high school years. The curriculum is challenging for  
students allowing them to reach their fullest potential. While I was at Nevada  
Connections Academy I was able to complete my school work at any time of the day  
allowing me to pursue hobbies and talents that other school systems would prevent me  
from doing. Nevada Connections Academy has given my family the opportunity to spend  
quality time with each other and become involved in each other's lives. It has also given  
me the opportunity to finish my senior year within one semester so that I could start  
college sooner. Though the curriculum is very challenging, it is well monitored with  
experienced teachers. This school reduced my stress level with academics because I  
could just log on to class, so if I felt overwhelmed I could just take a break or complete  
my assignments in the evening.

4. Nevada Connections Academy has helped me succeed academically as well as  
socially, even though they are primarily an online school system. Students and teachers  
within the same city would meet weekly at park events hosted by the school and often  
had field trips that we could attend every month. Nevada Connections Academy allows  
students to work at their own pace, relieving them of the stress and anxiety of homework  
and assignment deadlines which greatly improves our ability to derive logical solutions to  
any problem in both schoolwork and real life situations. The optimal curriculum

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challenges students, however does not overwhelm students. Throughout nearly the entire duration of my attendance at Nevada Connections Academy, I have overcome tedious problems through the logical reasoning that the school has taught me to perform. I do not have any trouble balancing school, jobs, and other life activities due to the occupational preparation that has been given to me from Nevada

5. I believe Nevada Connections Academy is a critical option for students in Nevada and that there is no other opportunity like this in Nevada. Any interference with the school's ongoing operations, I believe, would cause irreparable harm to students and families in Nevada who should have this important school choice for their education.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct and was executed this 27<sup>th</sup> day of October, 2016, in Las Vegas, Nevada.



**Z. BENJELLOUN**

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7 *Attorney for Plaintiffs*

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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,

Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF ALEXANDRA M. CASTILLO IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

I, Alexandra M. Castillo, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary

1 Injunction.

2 2. My family moved to Nevada in June of 2015. My daughter, [REDACTED],  
3 was a student at a traditional brick and mortar public school, and she was excluded from  
4 classroom study groups because of her ethnicity. My daughter also suffers from general and  
5 social anxiety, as well as social phobia, and depression, as a result of bullying when we lived in  
6 Washington State.  
7

8 3. Records show that my daughter is in 10th grade, because she was held back and  
9 had to recover .5 credits because of circumstances that occurred during our time in Washington.  
10 We are thankful for Nevada Connections Academy which welcomed us even with [REDACTED]'s  
11 challenges and has worked with us to get [REDACTED] back on track to graduate on-time.  
12

13 4. Working with Nevada Connections Academy, we understand that as long as  
14 [REDACTED] passes everything this year at Nevada Connections Academy, and because she is  
15 taking all 11th grade classes this year, that she will be pushed to 12th grade next year and  
16 graduate on time.

17 5. It is very important to our family and my daughter that she graduate on-time if at  
18 all possible. If this school closes or there is interference with the school's operations, I am  
19 concerned this will eliminate [REDACTED]'s best option and our choice of schools for her.  
20

21 I declare under penalty of perjury under the laws of the State of Nevada that the  
22 foregoing is true and corrected and was executed this \_\_\_ day of October, 2016, in \_\_\_\_\_,  
23 Nevada.  
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26 ALEXANDRA M. CASTILLO  
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*Attorney for Plaintiffs*

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,

Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF DAWN STARRETT IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER/ PRELIMINARY INJUNCTION**

I, Dawn Starrett, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order/Preliminary

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Injunction.

2. During her senior year, my daughter, C. Fletcher, had difficulties with the public school she had been in. My daughter is battling an eating disorder and had been in treatment and had returned two weeks late into the semester. Being behind and added to the stress of a traditional school had only made her condition worse. She was failing all but one of her classes, missing school, and her health was steadily declining. I spoke to the school counselor who did not offer any viable solutions and instead told me that "failure was a great lesson." Transfer to the Clark County School District online school would not have helped my daughter because still being within the same school system would have resulted in a punitive outcome for my daughter. I felt like no one within the Clark County School District could offer a solution with a potential for a positive outcome.

3. At that point, I believed that Nevada Connections Academy was our ONLY option.

4. Fast forward to graduation less than 8 months later – my daughter walked in June 2016 with an Honors Diploma, 4.28 weighted GPA and 4th in her class of 204 students. My daughter decided to take a gap year to address her eating disorder. She has planned to apply to Wellesley for Fall 2017 admission.

5. I credit NCA with saving my daughter's life by being her only option to succeed in her education and in life. Just by being open and accepting students – with whatever issues they brought, Nevada Connections Academy made the difference for her as she had a place to go to receiver a quality education that worked for her – and saved her life. My daughter thrived at NCA and did better than she ever had before. She later told me, "I'm glad you made me walk at graduation. I did not think I was going to be alive today, much less graduating." I credit NCA with that and believe that closing NCA would irreparably harm our youth and our State by

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depriving Nevadans of this important school choice for our children.

6. I ask this Court to stop the threatened closure proceedings and allow NCA to continue providing this important educational choice for Nevadans who, like my daughter, have no other viable option for their education.

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7.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and corrected and was executed this 26 day of October, 2016, in Las Vegas Nevada.

  
\_\_\_\_\_  
DAWN STARRETT



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7 *Attorney for Plaintiffs*

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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,

Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF PAULINE CAREY  
IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

I, Pauline Carey, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary

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Injunction.

2. I do not want Nevada Connection Academy to close as I believe it is a critical school choice for Nevadans. I pulled my son from the traditional Nevada public schools because my experience was that the teachers do not care. If you dare ask the teacher how to help raise your child's grade in a subject, they look at you like you are stupid and try to down talk you as if you insulted their teaching ways. The middle school I am zoned for has one star out of five – what is that telling me as a parent about my choice if Nevada Connections Academy is taken away from us?

3. I want what is best for my son - a good education - and Nevada traditional public schools are not giving that to him. If we are still here when my youngest son starts kindergarten he will be going to Nevada Connections Academy, too. We are a military family. We need a good school and Nevada Connections Academy is it. My son has learned more in the six-seven weeks at Nevada Connection Academy than he has in two years in Nevada traditional public school. His grades and his academic progress prove it.

4. I believe closing Nevada Connections Academy would harm Nevada's youth and the entire state in an irreparable way by depriving us all of a critical choice in public education. I ask that this Court stop the threatened closure proceedings and order that our school be allowed to continue serving us and other Nevada students without interference.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and corrected and was executed this 27 day of October, 2016, in Las Vegas Nevada.

  
PAULINE CAREY

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7 *Attorney for Plaintiffs*

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9  
10 IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
11  
12 IN AND FOR CARSON CITY

13 DAVID & CARLY HELD individually and  
14 on behalf of their minor child N.H.;  
15 VERONICA BERRY individually and on  
16 behalf of her minor child J.B.; RED AND  
17 SHEILA FLORES individually and on behalf  
18 of their minor child C.F.; JAOUAD AND  
19 NAIMI BENJELLOUN, individually and on  
20 behalf of their minor children N.B.1, N.B.2,  
21 and N.B.3; KIMBERLY AND CHARLES  
22 KING individually and on behalf of their  
23 minor children L.K.1 and L.K.2; NEVADA  
24 CONNECTIONS ACADEMY,

25 Plaintiffs,

26 v.

27 STATE OF NEVADA, ex rel. STATE  
28 PUBLIC CHARTER SCHOOL  
AUTHORITY, a political subdivision of the  
State of Nevada, and PATRICK GAVIN, in  
his official capacity as Director of the State  
Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B

Dept. No. I

**DECLARATION OF MICHELLE  
NELSON IN SUPPORT OF MOTION  
FOR TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION**

I, Michelle Nelson, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this  
declaration in support of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary

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Injunction.

2. I am a lifetime resident of this great state of Nevada. I am very concerned about the State Public Charter School Authority’s misguided decision to try and disrupt operations of Nevada Connections Academy. Our state has continued issues with education, consistently ranking near the bottom of all sorts of polls. Numbers don’t really matter to me – what does matter to me is my child and the education she is receiving.

3. My daughter Tara is 16 years old. In 2014, she fell ill with what we thought was epilepsy. What has gone on for the past two years can only be described as every parent’s worst nightmare. My once very active daughter has become a slave to a yet undiagnosed disorder that has robbed her of many things – bodily functions, a pain free existence, a normal teen life, and a lot of her friends. When we had to pull her from her traditional public school in the Clark County School District (“CCSD”) mid-semester due to her extreme health issues, the CCSD option for online school refused to enroll her and told us that she should just fail the current semester, start with them second semester, and take remedial/makeup courses in the summer. That is ridiculous, would be expensive, and it would make it difficult to impossible for her to catch up. Who on earth would expect someone to pass 2nd semester Geometry after failing the first half?

4. My daughter was an honors student before all of this began, and I was adamant that I would not let the disease rob her of one more thing. We researched and found Nevada Connections Academy, who was willing to take her, work with her 504, and help her succeed.

5. My daughter IS succeeding through Nevada Connections Academy and is currently on pace to graduate next year with the rest of her peers, despite severe medical issues. She has also maintained a 4.0 GPA and entered Honor Society. This would not have been possible at her CCSD school due to her health issues. This program is extremely structured and she is in most cases learning more than she would have from in-person classes at her zoned

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school. Her teachers are responsive to her educational needs and make themselves available to her when she needs help. They are also accommodating of her health issues and help her strive to do her best, giving extra time where needed.

6. Our experience at Nevada Connections Academy has been good and eliminating or interfering with this option for our daughter to receive her education would cause her (and us) and we believe other students in the state irreparable harm.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and corrected and was executed this 21<sup>ST</sup> day of October, 2016, in Henderson, Nevada.

  
MICHELLE NELSON

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IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

DAVID & CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,

Plaintiffs,

v.

STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,

Defendants.

Case No. 16 OC 00249 1B  
Dept. No. I

**DECLARATION OF SHEILA FLORES  
IN SUPPORT OF MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

I, Sheila Flores, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge.

If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order and Preliminary

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Injunction.

2. My daughter, C.F., enrolled at Nevada Connections Academy ("NCA") halfway through the 2014-15 school year having left Centennial High School in the Clark County School District where she accumulated only 4.5 credits over her freshmen and first half of her sophomore year after experiencing difficulty in class and with attendance because of her need for medical treatment and monitoring for her diabetes. After being told by her prior school that it was impossible for her to graduate on time, she enrolled at NCA and in 1.5 school years has accumulated 8.0 credits with NCA and is now back on track to graduate on time or even early.

3. Nevada Connections Academy has provided my daughter a highly individualized education and the chance to graduate on-time that the traditional public school was unable to provide her. NCA is our school of choice and it is critical it remain an available option for my daughter and all students in Nevada. Any interference in NCA's operations would interfere with my daughter's education and the educational opportunity and choice to all Nevadans which I believe would cause irreparable harm to my daughter and all of Nevada's youth – some of whom find NCA to be their only option to complete their high school education because their prior schools have failed them.

4. I respectfully request that this Court stop the State Public Charter School Authority from going forward with closure proceedings against NCA or attempting to interfere with NCA's ongoing operations. My daughter is among those students who was behind in school and would have become part of a "drop-out" statistic. I understand that by enrolling her, NCA risked having a lower graduation rate, but they took us with open arms and have helped her get on-track, catching up so she can graduate on time. Penalizing schools for serving students like my daughter who have not been well served by the traditional public schools is bad policy and harmful to our youth and our State. I urge this Court and the State of Nevada's public agencies

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to put our youth before politics and look at the students' lives behind this single number of focus  
- the four-year cohort graduation rate.

I declare under penalty of perjury under the laws of the State of Nevada that the  
foregoing is true and corrected and was executed this 2 day of November, 2016, in  
LAS VEGAS, Nevada.

  
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SHEILA FLORES



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*Attorney for Plaintiffs*

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR CARSON CITY

<p>DAVID &amp; CARLY HELD individually and on behalf of their minor child N.H.; VERONICA BERRY individually and on behalf of her minor child J.B.; RED AND SHEILA FLORES individually and on behalf of their minor child C.F.; JAOUAD AND NAIMI BENJELLOUN, individually and on behalf of their minor children N.B.1, N.B.2, and N.B.3; KIMBERLY AND CHARLES KING individually and on behalf of their minor children L.K.1 and L.K.2; NEVADA CONNECTIONS ACADEMY,</p>	<p>Case No. 16 OC 00249 1B</p>
<p>Plaintiffs,</p>	<p>Dept. No. I</p>
<p>v.</p>	<p><b>DECLARATION OF BEVERLY CATHER IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION</b></p>
<p>STATE OF NEVADA, ex rel. STATE PUBLIC CHARTER SCHOOL AUTHORITY, a political subdivision of the State of Nevada, and PATRICK GAVIN, in his official capacity as Director of the State Public Charter School Authority,</p>	
<p>Defendants.</p>	

I, Beverly Cather, do certify under penalty of perjury as follows:

1. The matters set forth in this declaration are based on my own personal knowledge. If called upon to testify, I am competent to testify to the matters set forth herein. I make this declaration in support of the Plaintiffs' Motion for Temporary Restraining Order/Preliminary Injunction.

2. My daughter attends Nevada Connections Academy and is in the ff grade.

3. I believe the school is a great benefit to my family and others because of the structure how the students can work at their own pace. We do not have bullying issues as we would in public schools. In my opinion the faculty and staff support is very beneficial. The teachers have gone above and beyond normal teacher duties by being there for the students after normal working hours and care enough for the students to help them not just with school difficulties but

with personal ones also, by messaging and/or calling to make sure the students are doing okay and help them when and if they need help in anyway.

4. Because of the structure of the school, my daughter can work any hours of the day or night leaving us free to schedule other activities pertaining to school or personal reasons. Because of this my daughter is able to graduate a year early.

5. We have been with this school for 4 years, and yes there has been a few problems but, I haven't seen anything that hasn't been able to be resolved. This school has helped many students with all types of learning levels including disabilities and advanced abilities, I think more so than traditional brick and mortar public school could have resources or time for.

6. I don't know what we will do if this school is closed. I will not place my daughter back into the traditional brick and mortar public school systems with all the problems they have.

Therefore, I believe any interference with her school's continued operations would cause her and other students in Nevada irreparable harm by interfering with her education and our school choice. I ask that this Court issue an order to stop any attempt to close Nevada Connections Academy or interfere with its ongoing operations – and require that NCA be allowed to continue serving the thousands of Nevada students it is educating.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and corrected and was executed this 26 day of October, 2016, in RENO, Nevada.

  
BEVERLY CATHER

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