

1 Laura K. Granier, Esq. (NSB 7357)  
2 [laura.granier@dgsllaw.com](mailto:laura.granier@dgsllaw.com)  
3 50 W. Liberty Street, Suite 950  
4 Reno, Nevada 89501  
5 (775) 229-4219 (Telephone)  
6 (775) 403-2187 (Fax)

7 *Attorneys for Plaintiffs*

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

**SUBPOENA DUCES TECUM AND FOR  
DEPOSITION TESTIMONY – STEVE  
CANAVERO**

**SUBPOENA DUCES TECUM AND FOR DEPOSITION TESTIMONY**

24 TO: Steve Canavero  
25 700 E. Fifth Street  
26 Carson City, NV 89701  
27 Phone: 775-687-9221

28 WE COMMAND YOU, that all and singular, business and excuses being set aside, you  
appear at **8:30 AM on the 29<sup>th</sup> day of November, 2016**, at Davis Graham & Stubbs LLP, 50

1 West Liberty Street, Suite 950, Reno, NV 89501, for the taking of your deposition, upon oral  
2 examination, pursuant to Rule 26 of the Nevada Rules of Civil Procedure, before a Notary  
3 Public, or before some other officer authorized by law to administer oaths. Oral examination  
4 will continue from day to day until completed.

5  
6 YOU ARE FURTHER COMMANDED to provide on the date stated above, and at the  
7 stated time and place, any and all copies of any and all documentation (including emails and text  
8 messages and information stored on computer hard drives, mobile devices or copied onto  
9 microfilm) pertaining to the above-referenced case, including but not limited to the following  
10 issues/subjects:

- 11 1. Any discussions or consideration related to the State Public Charter  
12 School Authority (“Authority”) decision in March 2016 not to issue a  
13 notice of closure to Nevada Connections Academy (“NCA”), and the  
14 Authority Board’s directive that NCA work with the Authority Staff on a  
15 graduation rate improvement plan.
- 16  
17 2. Any discussions or consideration about accountability standards for  
18 Nevada public high schools including, but not limited to, qualitative  
19 information on a school’s performance, implementation of the Every  
20 Student Succeeds Act, and also with respect to graduation rates.
- 21  
22 3. Any discussions or consideration regarding the Authority’s actions related  
23 to NCA, Nevada Virtual Academy or Beacon Academy.
- 24  
25 4. Any discussions or consideration on NCA’s graduation rate improvement  
26 plan.
- 27  
28 5. The Authority’s decision to require that NCA convert from a charter to a  
contract, and the decision to require that NCA waive its rights to judicial

1 review of a final decision of the Authority to appoint a receiver or  
2 reconstitute NCA's entire K-12 school board if NCA missed one of its  
3 targets for improvement of its four-year cohort graduation rate for the high  
4 school.

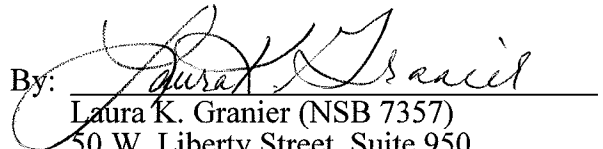
- 5  
6 6. The Authority's decision on September 23, 2016, including but not limited  
7 to the decision to issue the Notice of Intent to Revoke Written Charter to  
8 Nevada Connections Academy.

9 Failure by any person without adequate excuse to obey a subpoena served upon that  
10 person may be deemed a contempt of the court from which the subpoena issued. [Nevada Rules  
11 of Civil Procedure, Rule 45(e)].

12 The undersigned affirms that the foregoing does not contain the social security number of  
13 any person.  
14

15 Signed this 16<sup>th</sup> day of November, 2016.

16 DAVIS GRAHAM & STUBBS LLP

17  
18 By:   
19 Laura K. Granier (NSB 7357)  
20 50 W. Liberty Street, Suite 950  
21 Reno, Nevada 89501  
22 (775) 229-4219 (Telephone)  
23 (775) 403-2187 (Fax)

24 *Attorneys for Plaintiffs*

1 **NEVADA RULES OF CIVIL PROCEDURE, RULE 45(c) and 45(d)**

2 (c) **PROTECTION OF PERSONS SUBJECT TO SUBPOENA**

3 (1) A party or an attorney responsible for the issuance and service of a subpoena shall take  
4 responsible steps to avoid imposing undue burden or expense on a person subject to that subpoena. The  
5 court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or  
6 attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost  
7 earnings and a reasonable attorney's fee.

8 (2)(A) A person commanded to produce and permit inspection and copying of designated books,  
9 papers, documents or tangible things, or inspection of premises need not appear in person at the place of  
10 production or inspection unless commanded to appear for deposition, hearing or trial.

11 (B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit  
12 inspection and copying may, within 14 days after service of the subpoena or before the time specified for  
13 compliance if such time is less than 14 days after service, serve upon the party or attorney designated in  
14 the subpoena written objection to inspection or copying of any or all of the designated materials or of the  
15 premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy  
16 the materials or inspect the premises except pursuant to an order of the court by which the subpoena was  
17 issued. If objection has been made, the party serving the subpoena may, upon notice to the person  
18 commanded to produce, move at any time for an order to compel the production. Such an order to  
19 compel production shall protect any person who is not a party or an office of a party from significant  
20 expenses resulting from the inspecting and copying commanded.

21 (3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the  
22 subpoena if it

23 (i) fails to allow reasonable time for compliance;  
24 (ii) requires a person who is not a party or an office of a party to travel to a place  
25 more than 100 miles from the place where that person resides, is employed or regularly transacts business  
26 in person, except that such a person may in order to attend trial be commanded to travel from any such  
27 place with the state in which the trial is held, or

28 (iii) requires disclosure of privileged or other protected matter and no exception or  
waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development,  
or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not  
describing specific events or occurrences in dispute and resulting from the expert's study made not at the  
request of any party, the court may, to protect a person subject to or affected by the subpoena, quash or  
modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for  
the testimony or material that cannot be otherwise met without undue hardship and assures that the person  
to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or  
production only upon specified conditions.

(d) **DUTIES IN RESPONDING TO SUBPOENA**

(1) A person responding to a subpoena to produce documents shall produce them as they are  
kept in the usual course of business or shall organize and label them to correspond with the categories in  
the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or  
subject to protection as trial preparation materials, the claims shall be made expressly and shall be  
supported by a description of the nature of the documents, communications, or things not produced that is  
sufficient to enable the demanding party to contest the claim.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

STATE OF NEVADA )  
COUNTY OF \_\_\_\_\_ ) ss.

I hereby certify that I am over 18 years of age and not a party to nor interested in the proceeding in which this service is made. I received this Subpoena on the \_\_\_\_\_ day of November, 2016, and personally served the same by delivering a copy to the witness at (state address) \_\_\_\_\_

\_\_\_\_\_ on this \_\_\_\_\_ day of November, 2016.

\_\_\_\_\_  
Signature of person making service

\_\_\_\_\_  
Print name here

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

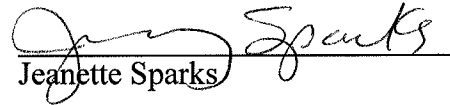
**CERTIFICATE OF SERVICE**

Pursuant to N.R.C.P. 5(b), I certify that I am an employee of Davis Graham & Stubbs LLP and not a party to, nor interested in, the within action; that on November 17, 2016, a true and correct copy of the foregoing document was enclosed in a sealed envelope, and served as listed below:

Gregory D. Ott, Esq.  
Deputy Attorney General  
100 N. Carson Street  
Carson City, NV 89701

**VIA U.S. MAIL**

*Attorneys for Defendants*

  
Jeanette Sparks