Agenda Item 3



MINUTES of the meeting of the PERSONNEL SUBCOMMITTEE OF THE NEVADA COMMISSION ON ETHICS

The Commission on Ethics held a public meeting on Wednesday, April 19, 2023, at 12:00 p.m. at the following location:

State Bar of Nevada 3100 West Charleston Boulevard, Suite 100 Las Vegas, NV 89102

Zoom Meeting Information

https://us06web.zoom.us/j/84205495222?pwd=RXVLeEFLeFdaR0IDS3RvT3dRZjZjQT09

Zoom Meeting Telephone Number: 720-707-2699

Meeting ID: 842 0549 5222

Passcode: 124668

These minutes constitute a summary of the above proceedings of the Nevada Commission on Ethics. A recording of the meeting is available for public inspection at the Commission's office.

1. Call to Order and Roll Call.

Chair Kim Wallin, CPA, CMA, CFM appeared in-person at the State Bar of Nevada in Las Vegas and called the meeting to order at 12:00 p.m. Also appearing in-person were Vice-Chair Brian Duffrin and Commissioner James Oscarson. Present for Commission staff in Las Vegas were Executive Director Ross E. Armstrong, Esq., and Executive Assistant Kari Pedroza. Deputy Attorney General Laena St-Jules, Esq. also appeared in person in Las Vegas.

2. Public Comment.

There was no public comment.

- 3. <u>Interviews and consideration of candidates for the Commission Counsel position, and possible referral to the Commission potential candidates for the Commission Counsel position. Under NRS 241.020(2)(d)(4), the Commission may consider the character and professional competence of the following candidates for the Commission Counsel position:</u>
 - 1.) Oscar Peralta
 - 2.) Stephen Titzer
 - 3.) Michael Matuska

NOTE: It is anticipated that the Subcommittee may take one or more breaks during this ltem to allow Staff to prepare requested documents and for other matters, at the discretion of the Chair. Chair Wallin introduced the agenda item, outlined the interview process, and stated that the Personnel Subcommittee would be interviewing 2 applicants for the Commission Counsel position as Mr. Titzer withdrew his application following the agenda posting. She explained that upon completion of the interviews, the Subcommittee would deliberate and determine whether it would refer either or both candidates to the full Commission for final interviews.

The Personnel Subcommittee then interviewed each candidate in the following order: Oscar Peralta and Michael Matuska.

Chair Wallin expressed her gratitude to each of the applicants. Her fellow Subcommittee members echoed her comments.

The Personnel Subcommittee members discussed the merits of each candidate and the options of continuing with accepting applications for the position or referring one or both interviewees to the full Commission for final interviews.

Vice-Chair moved to table the referral of either candidate to the full Commission for final interviews and continue accepting applications for the position. Commissioner Oscarson seconded the motion and noted that the motion in no way was a reflection on the quality of or intended to be disparaging to the interviewees. The Motion was put to a vote and carried unanimously.

4. Public Comment.

There was no public comment.

5. Adjournment.

Vice-Chair Duffrin made a motion to adjourn the public meeting. Commissioner Oscarson seconded the motion. The Motion was put to a vote and carried unanimously.

The meeting was adjourned at 3:21 p.m.

Minutes prepared by:	Minutes approved May 17, 2023:
/s/ Kari Pedroza	
Kari Pedroza	Kim Wallin, CPA, CMA, CFM
Executive Assistant	Chair
/s/ Ross Armstrong	
Ross Armstrong, Esq.	Brian Duffrin
Executive Director	Vice-Chair

Agenda Item 4

Brandi Jensen

Commission Counsel Submission











Brandi Jensen

Experience

March 2010 — Present
City Attorney • City of Fernley

- Served in an advisory role for all Boards and Commissions at the City of Fernley including the City Council, Planning Commission, and the Senior Citizen Advisory Board
- Legal advisor for all City ordinances, resolutions, and regulations.
- Served as the legal advisor for the Executive, Legislative, and Judicial branches at the City serving all three branches to ensure a legally compliant and successful municipality.
- Supervised all City municipal legal affairs, including but not limited to employment issues, legal documents, contracts, Council agenda reports, Open Meeting Law, Ethics, land use, etc.
- Lead the City attorney's office team by overseeing the day-to-day and strategic efforts of administrative staff and the deputy prosecutor.
- Developed previously non-existent internal policies and procedures.
- Worked cohesively internally with City Council members, Department Heads, Mayors, Law Enforcement and Municipal Court Judges over a span of 12 years.
- Collaborated without outside agencies including NDOT, NHP, LYSO, Lyon County, and various departments within the State.
- Managed over 700 cases annually in prosecution, prepared individuals for testimony including law enforcement, officers, expert witnesses, and adult and juvenile victims.
- Handled or managed outside legal in lawsuits both for and against the City;
- Served as the legal advisor through contract for North Lyon Fire District

2006-March 2010

Deputy District Attorney • Lyon County District Attorney's Office

- Collaborated with law enforcement, CPS, judicial entities, school officials, and private citizens to effectively prosecute cases arising out of the Fernley area within Lyon County.
- Advised law enforcement personnel on critical legal requirements including reasonable search and seizure, updates on new and evolving laws and statutory requirements.



- Vertical prosecution of cases from charging to trial including Jury and Bench trials.
- Handled all felonies, gross misdemeanors, and misdemeanor cases.

October 2003-2006

Deputy District Attorney • Churchill County District Attorney's Office

- Vertical Prosecution of Misdemeanor and Felony Criminal Cases within Churchill County.
- Numerous Jury Trials, Preliminary Hearings, and Misdemeanor trials.
- Experience ranging from Lead Prosecutor on Murder Case to Traffic Offenses - Primarily focused on Property Crimes and Animal Abuse

September 2001-September 2003

Law Clerk • Third Judicial District Court

- Conduct legal research, draft bench memorandums on issues of criminal, civil, administrative, and appellate law.
- * Assist in drafting Court Orders and Opinions.
- Perform Bailiff duties for all court proceedings.

May 1999-September 1999

Student Law Clerk • Ninth Judicial District Court The Honorable Howard McKibben

 Conducted legal research and drafted memorandums and orders on issues of federal law

Education

University of Nevada, Las Vegas, Nevada

Juris Doctorate May 2001

- Law Review
- Student Bar Association, Vice-President
- Founder/Director, Student Ambassador Program
- Boyd School of Law Community Service Program assisted Pro Se Litigants on family law issues

University of Nevada, Las Vegas, Nevada

Bachelor of Arts Criminal Justice, May 1998

- Student Ambassador
- Student Athletic Advisory Board
- UNLV Rodeo Team
- UNLV Scholar Athlete

Volunteer/Community Service

Lincoln Lessons

Started a program at Fernley High School teaching students on various



topics such as resumes, job interviews, taxes, banking/bills, applying for an apartment, buying a car, etc. Brought in local experts as guest speakers.

References

Here I offer references who have agreed to be contacted:

Senior Judge Third Judicial District Court Drug Court Archie Blake

City of Fernley City Engineer Derek Starkey

Justice of the Peace - Canal Township And Fernley Municipal Court Judge Lori Matheus

North Lyon Fire Department - Fire Chief Jason Nicholl

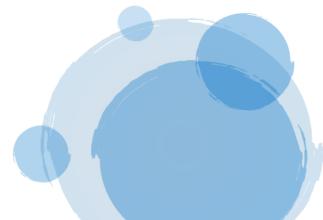
Attorney Rebecca Bruch

Former Supervising Criminalist - Washoe Co. Crime Lab Suzanne Harmon

Former Sergeant - Nevada Highway Patrol Michael Zolyniak

Churchill County Sheriff





Jill Greiner

Commission Counsel Submission

May 1, 2023

Kari Pedroza, Executive Assistant Nevada Commission on Ethics Via email: ncoe@ethics.nv.gov

Re: Letter of Interest for Commission Counsel Position

Dear Nevada Commission on Ethics,

I would like to be considered for the position of Commission Counsel for the Nevada Commission on Ethics. I have attached my resume. A letter of recommendation from Robert Dotson, Esq. will be forthcoming.

I have been practicing administrative law since 1998, serving as a hearing officer and judge for numerous agencies and entities, including the State of Nevada Department of Administration, the Nevada State Board of Medical Examiners, the Nevada State Board of Osteopathic Medicine, the Nevada Division of Human Resource Management, the Reno-Sparks Indian Colony, and the City of Reno. Moreover, I also have experience as an attorney in the areas of administrative law and public regulations, serving as legal counsel for Grill Concepts, Inc. and CNM, Inc., and most recently, as associate legal counsel for a firm that represents school districts in administrative proceedings. In addition to my employment experience, I have attended numerous training courses and conferences in relevant areas, including administrative law, legislative updates, judicial skills, and dispute resolution. This includes courses and conferences at the Harvard University School of Law Program on Negotiation, the National Judicial College, the Nevada Supreme Court Settlement Program, the United States Equal Employment Opportunity Commission, the American Bar Association, the Nevada Department of Education, and the Nevada Department of Administration. Therefore, the Nevada Commission on Ethics would benefit from my skills in the areas of legal research and writing, oral presentation, litigation, interpersonal communications, open meeting law, and administrative law procedures.

My references are as follows:

Robert Dotson, Esq., Dotson Law:	From 2016 to 2021, I worked as an associate for
Dotson Law, a civil litigation firm specializin	g in complex business and employment law.

Claude Cognian, Chief Executive Officer, Grill Concepts, Inc. ("GCI") and CNM, Inc.:

As in-house counsel for GCI and CNM, Inc., I worked directly with CEO Claude Cognian in areas that included real estate law, government regulations, and employment law.

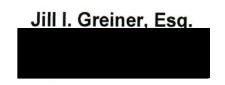
The Honorable Peter I. Breen, Retired Washoe County District Judge: I have known Judge Breen since 1992, when he served as a mentor for me while I was working as a law clerk at Washoe County District Court. He was also the judge handling a number of the appeals I filed while I served at the Appellate Legal Defender for the City of Reno.

Jill Greiner, Esq. Page 2 of Cover Letter

I heard about this position on the state of Nevada Unclassified Job website. Please let me know if you would like me to provide writing samples or any other relevant information. I look forward to hearing from you.

Sincerely

Jill I. Greiner, Esq.



PROFESSIONAL SUMMARY

- · Experienced administrative hearing officer, mediator, arbitrator and attorney
- · Licensed to practice law in the State of Nevada and the State of California

EXPERIENCE

APPEALS OFFICER State of Nevada Department of Administration Preside over disciplinary and whistleblower hearings; draft orders and decisions	2022-Present
ASSOCIATE LEGAL COUNSEL McArthur and Levin, LLP Legal representation of school districts in administrative proceedings	2021-Present
ADMINISTRATIVE HEARING OFFICER City of Reno Preside over business licensing, building permits, zoning, and code enforcement hearings	2015-Present
HEARING OFFICER Nevada State Board of Medical Examiners Preside over disciplinary hearings; draft orders, findings, and conclusions	2007-Present
APPELLATE COURT JUSTICE Inter-Tribal Court of Appeals of Nevada (ITCA) Preside over criminal and civil appeals from tribal courts; draft orders and decisions	2007-Present
SETTLEMENT JUDGE Nevada Supreme Court Settlement Conference Program Conducted settlement conferences for appeals pending before the Nevada Supreme Court	2007-2022
IN-HOUSE LEGAL COUNSEL Grill Concepts, Inc. ("GCI") and CNM, Inc. General in-house counsel work that included drafting contracts, real estate law, government regulations, and employment law	2019-2022
ASSOCIATE Dotson Law Civil litigation firm, specializing in complex business and employment law	2016-2021
ADMINISTRATIVE HEARING OFFICER Washoe County Human Services Agency Presided over appeals from Agency findings of abuse or neglect; drafted decisions	2016-2020
INDEPENDENT CONTRACT MEDIATOR Department of Business and Industry, Real Estate Division, State of Nevada Mediation of common interest community disputes	2014-2016
MEDIATOR United States Equal Employment Opportunity Commission (EEOC) Mediation of employment disputes arising under Title VII, the Age Discrimination in Employment Act (ADEA), and the Americans with Disabilities Act (ADA)	2009-2016

HEARING OFFICER Nevada Department of Administration, Division of Human Resource Management	2012-2014	
ARBITRATOR Court Annexed Arbitration Program, Second Judicial District Court	2006-2012	
ADMINISTRATIVE CODE ENFORCEMENT HEARING OFFICER Washoe County	2010-2014	
MEDIATOR State of Nevada Foreclosure Mediation Program	2009-2011	
DUE PROCESS HEARING OFFICER Nevada Department of Education and Douglas, Clark, and Washoe County School Districts	1998-2012	
ASSOCIATE TRIBAL JUDGE Reno-Sparks Indian Colony	2002-2006	
PRIVATE PRACTICE Civil and Criminal litigation	1996-2004	
APPELLATE LEGAL DEFENDER City of Reno	1996-2002	
DEPUTY CITY ATTORNEY, RENO Criminal and Civil Divisions	1992- 1996	
DEPUTY DISTRICT ATTORNEY, WASHOE COUNTY Civil Division	1991-1992	
JUDICIAL CLERK The Honorable Judge James Stone, Washoe County District Court	1991	
JUDICIAL CLERK The Honorable Justice John Code Mowbray, Nevada Supreme Court	1989-1990	
COMMUNITY INVOLVEMENT		
Board Member and Vice-Chair, Washoe CASA (Court Appointed Special Advocates) Foundation Commissioner, Nevada State Board of Post-Secondary Education Commissioner, Nevada Indian Commission, State of Nevada Northern Nevada Disciplinary Board, State Bar of Nevada Northern Nevada Women Lawyers Association	2015 - 2019 2015 - 2017 2013 - 2015 2006 - 2018 1996 - Present	

SPECIALIZED TRAINING

- HARVARD UNIVERSITY SCHOOL OF LAW: Civil Mediation Seminar
- NATIONAL JUDICIAL COLLEGE: Civil Mediation, Handling Domestic Violence Cases, Essential Skills for Tribal Appellate Judges, Essential Skills for Tribal Court Judges
- ABA SECTION OF DISPUTE RESOLUTION: Advanced Mediation and Advocacy Skills Institute
- EEOC MEDIATOR TRAININGS

EDUCATION

- Santa Clara University School of Law, Juris Doctor, Emory Scholarship recipient
- University of California, Berkeley, Bachelor of Arts, Social Science

Chris Davis

Commission Counsel Submission

April 26, 2023

Kim Wallin Chair of the Nevada Ethics Commission 704 W. Nye Lane, Suite 204 Carson City, Nevada 89703

Dear Ms. Wallin,

I deem it a privilege to apply for the position of Ethics Commission Counsel, which I found posted on nvjobs.nv.gov. As the majority of my career as an attorney has been devoted to public service, I would welcome the opportunity to further serve the citizens of State of Nevada.

Currently, I serve as a Senior Deputy Attorney General for the State of Nevada, representing the Public Safety Division. I am responsible for providing legal advice to the Nevada Department of Corrections and defending the Department against federal civil rights actions. I took the position at this stage in my career because of my desire to return to public service, and to serve as a mentor to the younger attorneys in our department. As Senior Deputy Attorney General, I have further developed my skills as an effective manager which should serve me well as Commission Counsel.

While I have had many rewarding and challenging opportunity throughout my career, serving as an Attorney Law Clerk for both the Ninth Circuit Court of Appeals and the United States District Court was a defining point in my career. My six years working for the federal courts has provided me with extensive experience in hearing arguments and drafting opinions with findings of fact and conclusions of law. I have been repeatedly praised for my writing ability and my ability to correctly analyze complex issues, including those involving ethics.

Previously, I served as Associate General Counsel for the Sahara Las Vegas. When the Meruelo Group purchased the Sahara, they offered me the position to serve as the only attorney at the property. I functionally served as general counsel for the property by providing strategic and proactive legal advice on every issue faced by management of the new enterprise. I advised the Sahara on gaming compliance, human resource operations, proper security procedures, construction issues, and contract negotiations, just to name a few. I also served as the primary litigator for the Sahara, along with supervising outside counsel. My experience at the Sahara will be invaluable to the Ethics Commission as I was required to provide advice on how to navigate the strict and complex regulations faced by Nevada casinos, which are at least as intricate as those faced by the Ethics Commission.

I was offered the position at the Sahara because the Meruelo Group was my client when working at the firm Cohen|Johnson|Parker|Edwards. The Group was intimately familiar with my abilities as I had just prevented class certification of a multi-million-dollar wage complaint against the Grand Sierra Resort, one of the premier hotels in Reno owned by the Meruelo Group. While at Cohen Johnson, I litigated complex civil and appellate matters before Nevada and federal courts.

I also served as a Deputy City Attorney for the City of North Las Vegas. I performed many of the important functions the Ethics Commission is seeking from Commission Counsel including advising the City Council on important legal and policy issues, representing the City as a member on intergovernmental commissions, managing the City's litigation, and negotiating contracts critical to the operation of the City, with private and other government entities. My duties also included defending police officers against civil rights action, and the City in employment discrimination matters. One of my proudest accomplishments was developing a strategy for successfully arguing that the Nevada's Notice of Claim Statute was still in force despite Nevada Supreme Court precedent finding the statute to be unconstitutional. This strategy allowed the City of North Las Vegas to avoid meritless claims with minimal expense.

My commitment to public service has continued even while pursuing private practice. I have served as a member of the Functional Equivalency Committee for the Nevada State Bar. As a committee member, I take part in hearings to determine whether applicants to the Nevada State Bar, that have not graduated from ABA accredited law schools, have an education that is functionally equivalent to an ABA law school education. Part of my responsibility is to draft recommendations to the Nevada Supreme Court as to the merit of the applicants' petitions, which routinely involves ethical considerations. My unique experience should prove to be an asset to the Ethics Commission.

During my career, I have had the opportunity to associate and learn from the best. In addition to the Honorable Johnnie B. Rawlinson, I served with the Honorable Lloyd D. George, and the Honorable Kris Pickering, prior to her becoming a justice with the Nevada Supreme Court. Throughout my life and career, I have always endeavored to uphold the highest principles of ethics and integrity. I have been consistently tasked with the most difficult cases involving many of the issues that will be faced by Commission Counsel. I urge you to contact any of my previous employers, who will provide you with an accurate assessment of my legal abilities.

My experience and commitment to public service has provided me with the right qualifications to be successful as Commission Counsel. Please contact me if you need any additional information.

Sincerely,

Chris Davis, Esq.

Education

B. A., Political Science, Brigham Young University, Provo, Utah, August 1992.

Juris Doctor, University of Utah College of Law, Salt Lake City, Utah, May 1995.

- Class Rank: Top 25%
- William H. Leary Scholar

Affiliations

Utah State Bar, admitted October 1995; State Bar of Nevada, admitted October 1998.

Attorney General Experience

September 2021 - Present

Senior Deputy Attorney General - Office of the Nevada Attorney General, Las Vegas, Nevada.

- Responsible for representing the Nevada Department of Corrections in state and federal courts. Previously represented State of Nevada in post-conviction proceedings.
- Primary duties include analyzing pleadings, preparing legal strategy, drafting legal briefs, legal research, and presenting oral argument in state and federal trial and appellate courts.
- Serves as a mentor for other attorneys in the Public Safety Division of the Office of the Nevada Attorney General.
- Reviews and analyzes policies of Nevada Department of Corrections as necessary to respond to inmate litigation.

Court Experience

September 2020 – September 2021

Attorney Law Clerk - Honorable Johnnie B. Rawlinson, United States Court of Appeals for the Ninth Circuit, Las Vegas, Nevada.

- Assisted Judge Rawlinson with all phases of civil and criminal appellate litigation by evaluating case files, researching applicable law, interpreting constitutional and statutory provisions including criminal and habeas statutes, writing memoranda, making recommendations, and preparing court orders and opinions.
- Reviewed and made recommendations on death penalty cases and cases heard en banc.

General Counsel Experience

April 2018 - September 2020

Associate General Counsel - Las Vegas Resort Holdings, LLC dba Sahara Las Vegas, Las Vegas, Nevada.

- As the only attorney on property, functionally served as general counsel by providing strategic and proactive legal advice on every issue faced by the Sahara Las Vegas.
- Served as primary litigator and appellate counsel, and personally litigated cases involving the Internet Tax Freedom Act, Covid regulations, Las Vegas Monorail covenants, employment discrimination, intellectual property infringement, along with various personal injury and contract disputes.
- Advised management on gaming compliance, human resource operations, proper security procedures, construction issues, and contract negotiations.
- Supervised outside counsel.

March 2015 - April 2018

Attorney - Cohen Johnson Parker Edwards, Las Vegas, Nevada

- Civil and Appellate practice before Nevada and United States Courts focusing on complex commercial litigation.
- Defended employers in wage, employment and discrimination matters.
- Litigated civil rights actions.
- Served as an arbitrator and short trial judge.

July 2012 - March 2015

Chris Davis, Esq. - Las Vegas, Nevada.

- Litigation and Appellate practice before Nevada and United States Courts.
- Represented clients in criminal and habeas appeals.
- Served as an arbitrator and short trial judge.

City Attorney Experience

March 2006 - July 2012

Deputy City Attorney - City of North Las Vegas, Nevada.

- Senior litigator and appellate counsel for the City's Civil Division.
- Advised the City Council on important legal and policy issues, including issues involving ethics, appropriate use of City funds, and Nevada's Open Meeting Law.
- Represented the City during many important contract negotiations, including negotiating a new franchise agreement with Nevada Power Company.
- Represented the City when negotiating a new charter with the member agencies of the Southern Nevada Water Authority.
- Defended the City, its detention and corrections facility, and its police department in almost all civil rights actions involving 42 U.S.C. § 1983, discrimination action under Title VII, actions under the Americans with Disabilities Acts ("ADA"), and actions under the Age Discrimination in Employment Act ("ADEA").
- Ultimately charged with litigating all employment cases under Nevada's Local Government Employee-Management Relations Act before the Local Government Employee-Management Relations Board.
- Defended the City against almost all of the personal injury actions filed against the City.
- Supervised outside counsel in eminent domain cases brought against the City.
- Reviewed and managed all subpoenas served on the City, both civil and criminal.
- As the litigator with the most experience in the civil division, acted as a mentor to other attorneys in preparing and executing litigation strategy.

September 2002 - March 2006

Attorney - Morris Pickering, Las Vegas, Nevada.

- Civil and Appellate practice focusing on complex commercial litigation.
- Litigated multi-million dollar cases for clients that included Nevada Power Company, MGM Resorts International and Harrah's Entertainment Inc.
- Worked closely with Steve Morris and Kris Pickering, now a justice with the Nevada Supreme Court.

Court Experience

September 1998 - September 2002

Senior Attorney Law Clerk - Honorable Johnnie B. Rawlinson, United States Court of Appeals for the Ninth Circuit, Las Vegas, Nevada.

- Assisted Judge Rawlinson with all phases of civil and criminal litigation before the Appellate and District Courts.
- Served as a mentor to other law clerks which included assigning cases to law clerks, ensuring that assignments were timely completed, and by reviewing proposed opinions drafted by other law clerks before final review by Judge Rawlinson.
- Assisted with creating and implementing chamber policies and procedures on both the circuit and district court levels after Judge Rawlinson was newly appointed.

August 1997 - September 1998

Attorney Law Clerk - Honorable Lloyd D. George, United States District Court for the District of Nevada, Las Vegas, Nevada.

- Assisted Judge George with all phases of civil and criminal litigation for the District Court.
- Worked on a broad range of civil, criminal, and evidentiary issues brought before the District Court, which consistently required interpreting constitutional and statutory provisions including criminal and habeas statutes.
- Evaluated case files, researched applicable law, drafted memoranda, made recommendations, and prepared court orders.

December 1992 - August 1997

Attorney - McMurray, McMurray, Dale and Parkinson, in Salt Lake City, Utah.

- Civil and Appellate practice focusing on complex commercial litigation.
- Defended civil rights actions.

Volunteer Experience

October 2003 - Present

Committee Member - Functional Equivalency Committee for the Nevada State Bar.

 Participates in hearings before the Committee and makes recommendations to the Nevada Supreme Court as to whether applicants to the Bar, that have not graduated from an ABA law school, have obtained an education that is the functional equivalent of an ABA education.

August 1997 - December 2019

Volunteer - Boy Scouts of America.

• Served in a broad range of positions from an assistant Bear Den Leader to the Chartered Organization Representative.

Personal

Health excellent, age 62, height 6'3", weight 220 lbs., married. Fluent in Spanish. Eagle Scout.

References

Aaron Ford

Nevada Attorney General

Office of the Attorney General

Honorable Johnnie B. Rawlinson

United States Court of Appeals for the Ninth Circuit

Honorable Kristina Pickering Supreme Court of Nevada

Mario Tapanes General Counsel

Meruelo Group LLC

Paul Hobson General Manager Sahara Las Vegas

Steve Cohen, Esq. H. Stan Johnson, Esq.

Cohen & Johnson