



NEVADA LEGISLATURE
LEGISLATIVE COMMISSION'S SUBCOMMITTEE
TO STUDY THE BENEFITS, COSTS, AND FEASIBILITY OF
THE IMPLEMENTATION OF COURTS OF CHANCERY
(Assembly Concurrent Resolution No. 35, File No. 109, *Statutes of Nevada 2007*)

SUMMARY MINUTES AND ACTION REPORT

The fourth meeting of the Legislative Commission's Subcommittee to Study the Benefits, Costs, and Feasibility of the Implementation of Courts of Chancery was held on May 28, 2008, at 9 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and Room 137 of the High Tech Center, Great Basin College, 1500 College Parkway, Elko, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at www.leg.state.nv.us/74th/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

SUBCOMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator Bob Beers, Chairman
Senator Terry Care
Senator Barbara K. Cegavske
Assemblyman William C. Horne
Assemblyman Tick Segerblom

SUBCOMMITTEE MEMBER ABSENT:

Assemblyman John C. Carpenter

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Jennifer Chisel, Senior Research Analyst, Research Division
Kevin C. Powers, Senior Principal Deputy Legislative Counsel, Legal Division
Lucinda Benjamin, Senior Research Secretary, Research Division

OPENING REMARKS

Senator Bob Beers, Chairman, welcomed members, presenters, and the public to the fourth meeting of the Legislative Commission's Subcommittee to Study the Benefits, Costs, and Feasibility of the Implementation of Courts of Chancery.

APPROVAL OF THE "SUMMARY MINUTES AND ACTION REPORT" OF THE MEETING HELD ON APRIL 29, 2008, IN LAS VEGAS

- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

SENATOR CEGAVSKE MOVED TO APPROVE THE MINUTES OF THE APRIL 29, 2008, MEETING IN LAS VEGAS, NEVADA. THE MOTION WAS SECONDED BY SENATOR CARE, WHICH PASSED UNANIMOUSLY.

DISCUSSION REGARDING FISCAL IMPACT TO ENHANCE NEVADA'S BUSINESS COURTS

- The Honorable Elizabeth Goff Gonzalez, District Court Judge, Department 11, Eighth Judicial District Court of Nevada, stated the Court docket contains business court cases and explained the methodology used to create the data estimating the fiscal impact on the Clark County Business Court Department of the Eighth Judicial District Court. Judge Gonzalez compared the current Court's costs to those that would be incurred if the business court assumed 100 percent of the business court's caseload in a model business court scenario. She estimated the current annual Court costs to be \$532,736 and \$1,406,235 for the model business court. Judge Gonzalez provided a breakdown of the model court costs, which included ongoing salaries, courtroom and facility costs, and one-time costs for caseload reassignment, which included the Jefferson Audio Video Systems, Inc. or JAVS program, used for digital audio-video court recording and documentation for court operations, computer hardware, software, and professional services for website development. She provided a current Cost-Per-Disposition (CPD) of \$4,969 for each case based on 107 business court dispositions in 2007 and projected a \$6,381 CPD based on 200 dispositions in the model business court. Judge Gonzalez explained to the Subcommittee that the Time-to-Disposition (TTD) is currently 13 months and is projected to be 12 months for the model court.

In conclusion, Judge Gonzalez submitted detailed cost information on personnel and benefits for the current and model business courts and a breakdown and comparison of costs between general civil, business court, and construction defect cases. Please see [Exhibit B](#).

Responding to a question from Chairman Beers, Judge Gonzalez explained that the Eighth Judicial District Court of Nevada has experienced rapid growth in its business court

caseload over the last 18 months. She said her time spent on handling business cases has increased from 50 to 65 percent since the information was reported to the Subcommittee at the January 29, 2008, meeting, and the caseload continues to grow.

- Chairman Beers referred to [Exhibit B](#) and surmised that 107 cases disposed in 2007 would presumably increase if 100 percent of the model business court judge's time were used for business court cases, which would reduce the annual cost per disposition.
- Judge Gonzalez agreed that there are variables linked to the time estimate which include complexity of the case and the positions of the parties involved. She explained that the 107 business court dispositions is an average based on actual data for 2007 and explained that the number of business cases filed, as well as their complexity, has steadily increased. She attributed the rise to increased marketing, support received from the Nevada Supreme Court, and a reduced caseload assignment of nonbusiness cases.

Continuing, Judge Gonzalez reviewed the detailed cost information presented for the model business court for Fiscal Year (FY) 2010 and explained that the figures represented a dedicated judicial department which included judicial opinion writing. She noted that the significant difference between the model business court and the current business court would be the increased attorney costs and courtroom clerk time required to support a full time business court. Judge Gonzalez stated the total personnel cost would be \$1,114,235.

- Judge Gonzalez responded to a question from Senator Cegavske and explained that currently no written opinions are published and with the current caseload and staff, opinions cannot be completed. She added that in order to have written opinions that were of publication and citation quality, a law clerk and a permanent attorney position would be required to ensure the continuity of knowledge of the law. She explained that the Nevada Bar Association and the business community have stated that citable written opinions would assist in attracting businesses to Nevada and would provide additional predictability for litigation.
- The Honorable Mark R. Denton, Department 13, Eighth Judicial District Court of Nevada, explained that he and Judge Gonzalez issue orders and written decisions that provide guidance to the parties and counsel involved, but they are not published opinions.
- Senator Care clarified that if Nevada is to attract capitalization from businesses that might incorporate in Nevada, the businesses would desire a forum with predictability based on court opinion in the event of complex business litigation; thus, they would want to see published decisions to determine the direction of the court.

Responding to a question from Assemblyman Segerblom, Judge Gonzalez explained that in order for Nevada business court opinions to have precedential authority, a modification to a

current Nevada Supreme Court rule would be required to allow the citation of decisions among the business courts.

- Judge Gonzalez referenced [Exhibit B](#) and the cost comparison of the types of cases and the dispositional costs associated with the District Court and explained that all civil cases, business court cases, and construction defect cases were examined, along with a cost breakdown for the judges assigned to the cases. She further discussed the TTD and CPD for the various cases and noted that the estimated numbers reflect the current business court caseload. In addition, she noted that a proposed change to the Eighth District Court Rule (EDCR) 1.61 is before the Nevada Supreme Court and, if the rule is approved, the jurisdictional limit would be changed for certain types of cases assigned to the business court. She stated that if the rule is changed then the TTD and CPD would also change.
- In summary, Judge Gonzalez said that the business court has had a positive impact on business litigation and recommended that a request for additional business court judges in the Eighth Judicial District Court of Nevada be included if an overall request for additional general, civil, and specialty court division judges is approved by the Subcommittee.

Responding to a question from Chairman Beers, Judge Gonzalez stated that cases which were settled at the preliminary injunction stage prior to a trial were included in the statistical information as a business court disposition.

- The Honorable James W. Hardesty, Associate Justice, Nevada Supreme Court, provided information regarding his participation as a co-chair of the business court study committee that started the current Nevada business court in November 2000 and has operated for eight years. He referred to objectives of a business court as presented to the Subcommittee in previous meetings that include: (1) case management for district courts; and (2) a specialization by judges hearing business court cases on complex legal questions. Justice Hardesty discussed written opinions and referred to the memorandum provided to the Subcommittee prepared by Kevin C. Powers, Senate Legal Counsel and Bill Drafting Adviser, Legal Division, Legislative Counsel Bureau (LCB), at the April 29, 2008, meeting. Justice Hardesty explained that subsequent to the *Nevada Constitution*, only published opinions from the Nevada Supreme Court carry legal precedent that can be cited. He stated that one of the objectives of a business court is to attract businesses which could be accomplished by establishing precedent and predictability for Nevada's judicial system through opinions published by the Nevada Supreme Court.

Continuing, Justice Hardesty discussed the legal case *Nanopierce Tech. v. Depository Trust*, 123 Nevada Advance Opinion No. 38 (2007), a highly complex case involving the National Registry System for the stock-borrow program. The case addresses the right of those who participate in the trading of securities throughout the country to file misrepresentation claims in state cases rather than in federal court and provoked the

exemption doctrine of whether the Securities Exchange Act of 1934 would preempt state law tort claims. He mentioned the case to demonstrate to the Subcommittee the existing precedent and caseload burden of the primary appellate court in Nevada. Justice Hardesty urged the Subcommittee to consider supporting and advancing the intermediate appellate court that was proposed to the Legislature in 2007. He noted that the study provided by the Nevada Supreme Court reflected the cost for implementing an intermediate appellate court with three appellate judges for a cost of \$1.2 million, with no facility costs, to be located in the Regional Justice Center in Clark County. Further, he said the objective was to download 900 to 1,000 cases to the appellate court from the Nevada Supreme Court in order to increase the capability to deal with the more complex cases, which would include business court appeals.

- Justice Hardesty recommended that a business court be supported, along with the intermediate appellate court by the 2009 Legislature. In his view, the appellate court is a key component to the judiciary's effort to work with the Legislature to advance the business court as a successful specialty court within the existing overall system and to: (1) increase the capability of the Nevada Supreme Court to issue opinions that establish precedent; (2) provide written opinions that could be cited by attorneys in Nevada and in other states; and (3) demonstrate precedence and stability in the Nevada judicial system in the critical business area.

Justice Hardesty responded to a comment posed by Chairman Beers and explained that Senate Joint Resolution No. 9 (File No. 69, *Statutes of Nevada*) passed the 2007 Legislative Session and would return to the 2009 Legislative Session and, if passed, would be on the 2010 Ballot. Justice Hardesty stated the Nevada Supreme Court had four times the number of cases filed in the Delaware Supreme Court in FY 2006. He said in order for the Nevada Supreme Court to be more responsive, the judicial petitions for judicial review of driver's license cases, writ petitions, and error-correction type cases could be directed to the intermediate appellate court, which would allow the Nevada Supreme Court to deal with more complex business cases such as the *Nanopierce Tech. v. Depository Trust* case.

- In conclusion, Justice Hardesty commented that the creation of the intermediate appellate court would be a cost effective expenditure and would secure the types of opinions that would benefit the overall business community and attract stability to the State. He added that according to the *Nevada Constitution* district court opinions cannot be cited as precedent and other district courts could not be required to follow opinions written by another district court judge.

DISCUSSION BY NEVADA LEGAL COMMUNITY REPRESENTATIVES REGARDING IMPLEMENTING A COURT OF CHANCERY IN NEVADA AND THE BUSINESS COURT DOCKET IN NEVADA

- John Valery White, Dean, William S. Boyd School of Law, University of Nevada, Las Vegas, was not present.

- Robert C. Kim, Esq., Chair, Business Law Section, Nevada Bar Association (NBA), stated he is the chairman of the Executive Committee that oversees business-related initiatives presented to the NBA. Mr. Kim is also a partner of Ballard, Spahr, Andrews & Ingersoll, LLP, and has practiced for 11 years in the area of corporate and securities law. He discussed the need for uniformity and predictability in Nevada business law and jurisprudence and stated that currently it is a challenge to research interpretation of Nevada law since most corporate jurisprudence is largely based on federal decisions. Mr. Kim has performed comparison work on behalf of public companies, which involves companies contemplating a change to their domicile, location of incorporation, or a move to Nevada or from Nevada, primarily to Delaware. In his view, Nevada law is comparable to the laws of other jurisdictions; however, he noted that the absence of predictability in decision making is cited by many companies as the reason for moving from Nevada to another state.
- Mr. Kim also noted the trend has been to move business cases to federal court for disposition but said the business community is recognizing the value of the Eighth Judicial District business court department and are utilizing the courts more often. He said the Executive Committee of the Bar, comprised of 15 attorneys from small and large firms located in northern and southern Nevada, shared concerns about business courts and supported the need for opinion writing that could be cited, which would give guidance to clients.
- In conclusion, Mr. Kim recommended the following be established: (1) a procedure for high-quality written opinions that develop Nevada case law and the judges' expertise in specific issues; (2) general criteria for qualifications of judges; and (3) clarification of the court's jurisdiction, which would enhance case management.

Responding to a question from Chairman Beers, Mr. Kim explained that there are fewer public companies nationwide, and based on his experience, only a few public companies move each year. He said companies must disclose the reasons for a move from one state to another and added some companies incorporated in Nevada have no operations in the State, so the impact of a move would be minimal.

- Mr. Kim responded to a question from Senator Cegavske and stated his practice includes businesses that range from sole proprietorship businesses to publicly-traded corporations and the issues related to those businesses.
- Senator Cegavske commented that as a small business owner, her company could not afford to pay the charge for utilizing the business court. In her view, there could be an inequity created between smaller businesses that could not afford the model-court fees and the larger corporations that could afford to use the proposed business court.
- D. Neal Tomlinson, Esq., Snell & Wilmer LLP, Las Vegas, has represented many small business owners and said the cost of litigation is currently a barrier for small

businesses because it is very expensive to litigate cases. He presented information on how to limit costs for litigation for small business owners and said that small business issues would likely not be assigned to a business court; therefore, the cost would not be an issue. In his view, small business issues would remain in civil court and the more complex business matters such as injunctions or temporary restraining orders that require emergent handling would be assigned to the business court. Consequently, civil cases could be handled more expeditiously.

- Senator Cegavske commented that small business owners need help and expressed concern as to whether the business court would benefit the small business community since the filing fees for the business court could be prohibitive. She indicated there are different types of claims and arbitration alternatives.
- Mr. Tomlinson, previously identified, provided information on the filing fee schedule for federal court and said the cost of arbitration could be prohibitive to businesses, as well. He added the cost of arbitration depends on the complexity of the case, but small businesses also have the option to utilize local private arbitration for small and large disputes. He discussed the American Arbitration Association (AAA) and estimated the cost of arbitration to be approximately \$50,000. Concluding, Mr. Tomlinson stated litigation is costly and said he advises clients to fully understand what is involved and to search for an alternative, if possible.
- Justice Hardesty, previous identified, said the main purpose for starting the business court was to address the needs of the small business owner. He clarified that one of the primary objectives of a business court judge is to effectuate case management and early resolution of disputes. He further explained that the filing fees are much lower than the cost of arbitration, and the expense to the litigants is in legal fees for discovery and other preparation costs. Justice Hardesty said it is critical for business judges to intervene in cases early so small business owners are not overwhelmed by an entity with an economic advantage. He added a business court judge can intervene quickly, sometimes within days after a case is filed, and schedule a case management conference to determine what is actually needed by the parties to resolve the case, reduce the issues and discovery, and set the parties in a position to discuss settlement early in the process. Justice Hardesty stated the intervention by the judge can actually save money and allow small businesses to accomplish resolution of their disputes rather than incurring large legal costs, which would be the biggest service the business court could provide. In his view, the duties of the business court judge should include: (1) case management and settlement conferences for speedy resolution of disputes; (2) setting discovery; and (3) writing opinions.

Continuing, Justice Hardesty referred to the proposed changes to the EDCR 1.61 pending before the Nevada Supreme Court that would place business franchise transactions and relationships within the scope of the business court; therefore, franchise businesses could have matters resolved much quicker than if they were forced to go through the general civil system. Also, he pointed out that business court cases

have an average TTD of 13 months while other cases still take 39 months, which underscored the need for judicial resources, particularly in Clark County. He reiterated the objective of the business court was to put a judge in place that has the expertise to help large and small businesses reach quick resolution to a dispute by having a judge meet with the parties and lawyers to determine what discovery is actually needed, rather than incurring the high cost for unneeded discovery.

- Senator Care informed the Subcommittee that a simple contract dispute that is under \$50,000 could be assigned to the Court Annexed Arbitration Program and could be handled expeditiously with the option to go to trial if the parties did not agree with the arbitration award.

In response to a comment from Assemblyman Segerblom, Mr. Kim stated the preference of the NBA was to allow district court judges to issue opinions that are citable to improve the current judicial framework, but said the NBA has not examined the issue of whether district court opinions would be citable or would establish precedents under the *Nevada Constitution* and offered assistance on the issue.

- Mr. Tomlinson reiterated the importance of the business court judge's guidance early in a case to help parties resolve disputes quickly, which is a key function of the business court. In addition, he stated he would submit to the Subcommittee a memorandum summarizing the AAA fees and a comparison of other filing fees.
- Daron Dorsey, Esq., Snell & Wilmer LLP, Las Vegas, stated that the business community supports the development of a chancery court or the enhancement of the current business court to help Nevada in the competitive business environment. He referred to discussions on the family court model held at previous Subcommittee meetings and how the family court's separate designation within the district courts after being approved on the 1990 General Election Ballot. Mr. Dorsey commented that a separate business court or chancery court established by constitutional amendment would take some time to develop and would require approval by Nevada voters. He referred to the current business courts established by district court rule and S.J.R. 9 passed by the 2007 Legislature that proposes creation of an appellate court.

OVERVIEW OF JUDICIAL PRECEDENT AND THE PUBLICATION OF JUDICIAL DECISIONS

(As directed by Chairman Beers, this agenda item was taken out of order.)

- Kevin C. Powers, previously identified, explained that the order of the judge in a district court case was binding on the parties involved. He said the question was whether the written explanation of that order, or the written opinion, would be a binding precedent on other courts or could be cited as persuasive authority in other courts. Mr. Powers explained there are two types of written opinions issued by the Supreme Court: published and unpublished. He indicated a published or reported

decision, also referred to as a written opinion, is reported in the *Nevada Reports*, a case reporter that is a hard bound volume, published by the Nevada Supreme Court, which contains all of the published and reported written opinions of the Court. He said written and published opinions were also available on electronic databases such as Westlaw, the official Nevada Law Library, LexisNexis, and other publicly accessible databases. Mr. Powers further explained that an opinion reported from the Nevada Supreme Court could be cited in the lower courts and in the Nevada Supreme Court itself, and the opinion would be a binding precedent on the lower courts, including the district courts of this State.

Mr. Powers stated that the Nevada Supreme Court also issues unpublished orders or opinions under Supreme Court Rule 123, which states that unpublished opinions shall not be regarded as precedent and not cited as legal authority, except under a few limited circumstances that are not relevant to the issue before the Subcommittee.

Continuing, Mr. Powers explained that at the district court level, under the *Nevada Constitution*, district courts have equal and concurrent jurisdiction, so an opinion or order from one district court was not binding on another district court because the courts have equal and concurrent jurisdiction. Therefore, the Legislature through statute, or the Nevada Supreme Court through court rule, cannot require one district court to follow an order or opinion of another district court. He said, however, an order or opinion of one district court could be considered persuasive authority by another district court, but the court is not bound to follow the other district court's decision. Further, as a general practice, citation to other district court opinions was not an accepted practice within the current judicial structure. He indicated there was no specific rule prohibiting citation to a district court opinion but the difficulty occurs because: (1) the other district court opinions are not published and are difficult to find; and (2) the practice was generally discouraged.

Further, Mr. Powers noted the Legislature through statute, or the Supreme Court through court rule, could consider providing for the publication of business court orders and allowing for the citation of orders through a rule of the Supreme Court. He indicated another item previously discussed was the importance of staff attorneys when a district court or an appellate court deals with providing publication quality written opinions. Based on his experience, Mr. Powers said typically there were two staff attorneys for each judge on the court of appeals and each staff attorney generated 80 to 100 written opinions per year; therefore, each judge was responsible for writing approximately 200 written opinions. In his view, it would not be possible for a judge to perform all the necessary legal research and preliminary drafting involved in writing opinions of publication quality without staff attorneys; they are absolutely necessary.

In response to comments from Senator Cegavske, Mr. Powers stated that published opinions of a business court would save parties time and money over the long-term because opinions could be cited; therefore, business attorneys would not have to engage in legal research and re-argue issues that had already been decided in a prior opinion.

He explained that if there were no prior published opinions, each time an issue came up attorneys would start anew, conduct the same research, expand the research to other jurisdictions, and define the authority to cite to the court. He also mentioned that if attorneys could cite to Nevada case law from the district courts then there would be persuasive authority to make an argument to the court; therefore, the attorneys would not have to engage in the same level of extensive legal research which, in theory, would save the parties time and money.

Mr. Powers responded to a question from Assemblyman Segerblom and presented an analogy of the federal court system and stated that currently the federal district courts issue published and nonpublished decisions. He said in federal district court attorneys could cite to the published decisions of other federal district courts; however, they are not binding on those federal district courts but are persuasive authority, which helps to make the case. He pointed out the business community could refer to the decisions to determine how a Nevada court might possibly rule on an issue. In conclusion, Mr. Powers stated that when making a legal argument to the court, having at least one other court rule that supports the argument would help the case.

DISCUSSION BY NEVADA BUSINESS COMMUNITY REPRESENTATIVES REGARDING IMPLEMENTING A COURT OF CHANCERY IN NEVADA AND THE BUSINESS DOCKET IN NEVADA

- Chairman Beers disclosed for the record that Stephen Brock is an employer of Senator Beers as reflected on the Chairman's Financial Disclosure Report.
- Stephen Brock, Chief Executive Officer, Public Company Management Corporation (PCMC), Las Vegas, provided information on the differences between Nevada's business court and business courts in other states and explained: (1) the revenue potential of an institutionalized business court; and (2) the costs that would be incurred for development of a court. In his view, a business court in Nevada would provide businesses with predictability, which is critical to the formation of capital; the minimization of business risk; and the maximization of revenue, profit, and shareholder value. Please see [Exhibit C](#) and [Exhibit D](#).

Continuing, Mr. Brock provided an analysis of the projected revenue stream that the Commercial Recordings Division, Nevada's Office of the Secretary of State, could potentially generate from each registered business entity in Nevada. Based on his research, during FY 2007 each registrant in Nevada generated \$260 annually, or approximately \$82 million in total revenue. In his view, a business court would provide predictability that would assist in attracting large capitalized companies to Nevada and, consequently, generate higher fees. Please see [Exhibit E](#) and [Exhibit F](#).

- A. Somer Hollingsworth, President and Chief Executive Officer, Nevada Development Authority (NDA). He said there is a need for additional business court judges in Clark County and referred to the amount of time spent on business cases by the current

business court judges in the Eighth Judicial District Court. In his view, State laws are researched by businesses contemplating a move to Nevada, and the State ranks number two for passing pro-business legislation when compared with other states. Providing an overview of the NDA over the last five years, Mr. Hollingsworth stated the NDA has assisted 263 companies to locate in Nevada, helped with the expansion of 49 local companies, realized \$5.2 billion in employee economic impact, and created 22,330 jobs. He said the local taxes generated over five years amount to \$263 million to local government, \$70 million to the State, and a cumulative total payroll of approximately \$1.4 million. In conclusion, Mr. Hollingsworth expressed support for the creation of a business court.

- Chuck Alvey, President and Chief Executive Officer, Economic Development Authority of Western Nevada (EDAWN), said EDAWN asks businesses what their needs are and attempts to meet those needs but has not dealt with many large public companies, which, in his view, are more frequently subject to legal challenges. He estimated EDAWN works with approximately 200 client companies on average. Mr. Alvey surmised that publicly-traded companies would have in-house counsel to provide advice on Nevada law and said the most important issue for a company contemplating a move to Nevada is predictability, reliability, and the assurance of a business-friendly environment. He supported development of a chancery court for handling business litigation matters. Please see [Exhibit G](#).

In response to a question from Chairman Beers, Mr. Alvey explained that a company stays active as an EDAWN client in their Business Builders program, which is a retention and expansion program and is monitored continually on an annual basis. He said mergers and acquisitions are generally the reason businesses leave Nevada.

- Mr. Hollingsworth stated the NDA stays in close contact with companies after they locate to Nevada and with those businesses that have been in Nevada for some time. He stated that Nevada's business environment is comparable to states nationwide.

DISCUSSION OF SCHEDULING AND WORK PLAN OF WORK SESSION

- Jennifer Chisel, Senior Research Analyst, Research Division, LCB, provided tentative dates for the work session for the Subcommittee members. The Subcommittee set Monday, June 23, 2008, at 10:30 a.m. for the work session. Chairman Beers stated that no public testimony would be taken at that meeting.

PUBLIC COMMENT

- No public testimony was presented.

ADJOURNMENT

There being no further business to come before the Subcommittee, the meeting was adjourned at 11:02 a.m.

Respectfully submitted,

Lucinda Benjamin
Senior Research Secretary

Jennifer Chisel
Senior Research Analyst

APPROVED BY:

Senator Bob Beers, Chairman

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Jennifer Chisel, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B](#) is the written testimony of the Honorable Elizabeth Goff Gonzalez, District Court Judge, Department 11, Eighth Judicial District Court of Nevada, with attachment titled, “Estimated Fiscal Impact of Clark County Business Courts—First Amended Analysis,” dated May 27, 2008.

[Exhibit C](#) is the written testimony of Stephen Brock, Chief Executive Officer, Public Company Management Corporation (PCMC), Las Vegas.

[Exhibit D](#) is a Microsoft PowerPoint presentation presented by Stephen Brock, Chief Executive Officer, PCMC, Las Vegas.

[Exhibit E](#) is a document titled “Chancery Court for Nevada: Definition, Costs, and Benefits,” which was submitted by Stephen Brock, Chief Executive Officer, PCMC, Las Vegas.

[Exhibit F](#) is a document titled “State of Delaware Summary of Judicial Budgets, Fiscal Years 2006 through 2009,” which was submitted by Stephen Brock, Chief Executive Officer, PCMC, Las Vegas.

[Exhibit G](#) is the written testimony of Chuck Alvey, President and Chief Executive Officer, Economic Development Authority of Western Nevada.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.