

Informational Statement

The information required by NRS 233B.066 is provided below:

1. A clear and concise explanation of the need for the adopted regulation.

NRS 293.124 provides the Secretary of State, as the Chief Officer of Elections for the State of Nevada, the authority to adopt such regulations as are necessary to carry out the provisions of title 24 of NRS. The purpose of the proposed amendment is to codify standards and procedures for various election functions. Specifically revising certain procedures of election officers after voting is completed during the period for early voting and on election day; revising various provisions related to the preparation and distribution of elections materials by the county or city clerk; and providing other matters properly relating thereto.

2. A description of how public comment was solicited, a summary of the public response and an explanation of how other interested persons may obtain a copy of the summary.

The Office of the Secretary of State solicited comment on the proposed amendment by posting a notice with links to the full text of the proposed amendment to the LCB Administrative Regulation Notices website, Secretary of State's website, and Nevada Public Notice website as well as posting notices and agendas in numerous public locations pursuant to NRS 233B. The notices were also distributed through the agencies 'eNotifier' application which sent them to approximately 670 individual email addresses.

The Office of the Secretary of State also posted links to all notices and proposed text on the agency Twitter page for both the Secretary of State (@NVSOS) and Elections Division (@NVElect). All 17 county clerks and registrars were given a copy of all notices and proposed text along with the guidance to distribute to anyone who may be interested.

A workshop was held regarding this regulation on January 19, 2022 and February 4, 2022, and the adoption hearing was held on February 22, 2022. The notices, proposed text, and link to the video of the workshop and adoption hearing are posted at the following website:

<https://www.nvsos.gov/sos/elections/election-information/elections-regulations>

Written comments received prior to each adoption hearing are available upon request.

There was limited public response about this unique regulation. Comments received generally called for the elimination of all proposed regulations including this one.

3. The number of persons who: (1) Attended each hearing; (2) Testified at each hearing; and (3) Submitted to the agency written statements.

Workshop date: January 19, 2020

(a) Number in attendance: 25

(b) Number testifying: 19

(c) Written statements submitted: 60

Workshop date: January 20, 2020 *While this regulation was not addressed during this workshop, most written statements covered numerous regulations including this one.

- (a) Number in attendance: 31
- (b) Number testifying: 18
- (c) Written statements submitted: 33

Workshop date: January 21, 2020 *While this regulation was not addressed during this workshop, most written statements covered numerous regulations including this one.

- (a) Number in attendance: 19
- (b) Number testifying: 17
- (c) Written statements submitted: 26

Adoption Hearing date: February 2, 2020 *While this regulation was not addressed during this adoption hearing, most written statements covered numerous regulations including this one.

- (a) Number in attendance: 23
- (b) Number testifying: 17
- (c) Written statements submitted: 162

Adoption Hearing date: February 3, 2020 *While this regulation was not addressed during this adoption hearing, most written statements covered numerous regulations including this one.

- (a) Number in attendance: 20
- (b) Number testifying: 13
- (c) Written statements submitted: 164

Workshop date: February 4, 2022

- (a) Number in attendance: 20
- (b) Number testifying: 13
- (c) Written statements submitted: 164

Adoption Hearing: February 22, 2022

- (a) Number in attendance: 16
- (b) Number testifying: 3
- (c) Written statements submitted: 75

- 4. For each person identified in subparagraphs (2) and (3) of paragraph (c), the following information if provided to the agency conducting the hearing: (1) Name; (2) Telephone number; (3) Business address; (4) Business telephone number; (5) Electronic mail address; and (6) Name of entity or organization represented.**

Please see the attached spreadsheet for details.

- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.** Written comments were not solicited from businesses as the proposed regulation does not affect businesses.
- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Comments generally called for the elimination of all proposed regulations or the elimination of elections above the precinct level. Other suggestions recommended mandating tri-partisan observation instead of bi-partisan and the elimination of the phrase 'when practicable'. This suggestion requires further analysis during the 2022 election cycle and may not be possible across the state. Other feedback encouraged increases in the information made available to the public, which is under consideration and further analysis during the 2022 election cycle before codification through future regulations.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include: (1) Both adverse and beneficial effects; and (2) Both immediate and long-term effects.

These regulations do not create an economic effect on either Nevada businesses or the public. These regulations relate to the conduct of Nevada elections and, as such, do not create an adverse or beneficial economic impact in either the immediate or long-term.

8. The estimated cost to the agency for enforcement of the proposed regulation.

There is no anticipated cost related to the enforcement of the proposed regulation.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

The proposed regulation does not overlap or duplicate any other regulations of another state or government agency.

10. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

This regulation does not include provisions which are more stringent than a federal regulation which regulates the same activity.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide a new fee or increase an existing fee.

Workshop January 19, 2022 Mark Wlaschin - SOS (Host)	Workshop January 20, 2022 Mark Wlaschin - SOS (Host)	Workshop January 21, 2022 Mark Wlaschin - SOS (Host)	Adoption Hearing February 2, 2022 Mark Wlaschin - SOS (Host)	Adoption Hearing February 3, 2022 Mark Wlaschin - SOS (Host)	Workshop February 4, 2022 Mark Wlaschin - SOS (Host)	Adoption Hearing February 22, 2022 Mark Wlaschin - SOS (Host)
Tracey Thomas	Tracey Thomas	Tracey Thomas	Tracey Thomas	Tracey Thomas	Tracey Thomas	Elizabeth Hammick
Robert Beadles Election Integrity Chair Washoe County GOP Central Committee, robertbeadles@proton.com Oscar Williams, osc.williams@mail.com, 775-240-2456	Robert Beadles Election Integrity Chair Washoe County GOP Central Committee, robertbeadles@proton.com Oscar Williams, osc.williams@mail.com, 775-240-2456	Robert Beadles Election Integrity Chair Washoe County GOP Central Committee, robertbeadles@proton.com Oscar Williams, osc.williams@mail.com, 775-240-2456	Robert Beadles Election Integrity Chair Washoe County GOP Central Committee, robertbeadles@proton.com Oscar Williams, osc.williams@mail.com, 775-240-2456	Robert Beadles Election Integrity Chair Washoe County GOP Central Committee, robertbeadles@proton.com Oscar Williams, osc.williams@mail.com, 775-240-2456	Robert Beadles Election Integrity Chair Washoe County GOP Central Committee, robertbeadles@proton.com	Pauline Lee
Jim Hindle, Vice Chair of NV Republican Party	Jim Hindle, Vice Chair of NV Republican Party	Jim Hindle, Vice Chair of NV Republican Party	Teresa Kolesnick	Jim Hindle, Vice Chair of NV Republican Party	George Lee	Kerry Durmick Cathy Reyes (written) 446 Salo Ct Sparks, NV 89431 cathy4wcb@gmail.com
Mark Kampf, Candidate for Nye County Clerk	Mark Kampf, Candidate for Nye County Clerk	Mark Kampf, Candidate for Nye County Clerk	Mark Kampf, Candidate for Nye County Clerk	Mark Kampf, Candidate for Nye County Clerk	Debbie Silva	Cathryn Kotler (written) 1503 Deseret Dr Minden, NV 89423 cathryn1945@gmail.com
Valerie White, valerieleier@gmail.com	Valerie White, valerieleier@gmail.com	Valerie White, valerieleier@gmail.com	Valerie White, valerieleier@gmail.com	Valerie White, valerieleier@gmail.com	Valerie White, valerieleier@gmail.com	George Carey (written) 1380 Eldorado Way Pahrump, NV 89048 gcarey@live.com
Alida Bensen Political Director Nevada Republican Party, alida@nevadagop.org, 626-808-7924	Alida Bensen Political Director Nevada Republican Party, alida@nevadagop.org, 626-808-7924	Cindy Martinez, Vice Chair, Washoe County Republican Party, vice-chair@washoegop.org	Cindy Martinez, Vice Chair, Washoe County Republican Party, vice-chair@washoegop.org	Cindy Martinez, Vice Chair, Washoe County Republican Party, vice-chair@washoegop.org	Cindy Martinez, Vice Chair, Washoe County Republican Party, vice-chair@washoegop.org	Benjamin Lemburg (written) 5265 Hilltop St Las Vegas, NV 89120 benjaminlemburg@gmail.com
Jim Hamilton	Sandy Tibbet	Bianca Garnes	Penny Brock	Robert Moore	Robert Moore	Natalie Cortez (written) 6615 Brick House Ave Las Vegas, NV 89122 msnataleee@yahoo.com
Jeanne Johnson	Cindy Martinez	Mathilda Guerrero	Kerry Durmick	Mathilda Guerrero	Mathilda Guerrero	Patricia Read Kelly (written) 735 Mesa Vw Mesquite, NV 89027 patriciakelly708@sol.com
Shannon Meredith	Ralph Sacrison (written), 320 Poplar Drive Elko, NV 89801-4508, rsacrison@frontier.net	Ralph Sacrison (written), 320 Poplar Drive Elko, NV 89801-4508, rsacrison@frontier.net	Elko, NV 89801-4508, rsacrison@frontier.net	James Benthin, jamesbenthin@gmail.com	James Benthin, jamesbenthin@gmail.com	Ray Williams Jr. (written) PO Box 111 Austin, NV 89310 toyabe1@gmail.com
Terri Williams	Terri Williams	Bradley Schragger	Mathilda Guerrero	Mathilda Guerrero	Mary Janet Ramos	Robin Brodsky (written) 2251 Wigwam Pkwy Apt. 1013 Henderson, NV 89074 Robro721@gmail.com
Alex Watson, RNC Election Integrity Director	Alex Watson, RNC Election Integrity Director	Alex Watson, RNC Election Integrity Director	Mathilda Guerrero	Mathilda Guerrero	Jeff Smith	Philip Dahlheimer (written) 2097 Dakota Lodge Ave Las Vegas, NV 89123 8u2469@gmail.com
Bruce Parks, Chairman of Washoe County Republican Party	Bruce Parks, Chairman of Washoe County Republican Party	Bruce Parks, Chairman of Washoe County Republican Party	Bruce Parks, Chairman of Washoe County Republican Party	Bruce Parks, Chairman of Washoe County Republican Party	Bruce Parks, Chairman of Washoe County Republican Party	Jonathan Maxham (written) 2156 Fountain Springs Dr Henderson, NV 89074 jonmaxham@protonmail.com

Workshop January 19, 2022	Workshop January 20, 2022	Workshop January 21, 2022	Adoption Hearing February 2, 2022	Adoption Hearing February 3, 2022	Workshop February 4, 2022	Adoption Hearing February 22, 2022
Jim De Graffenreid, Republican National Committee	Jim De Graffenreid, Republican National Committee	Jim De Graffenreid, Republican National Committee	Elaine St. John	Darla Lee (written), da_lee@fastmail.com	Darla Lee, da_lee@fastmail.com	Dawn Cooper (written) 9610 Aidan Way Reno, NV 89521 coopard@surewest.net Betty Thiessen (written) 255 Shetland Cir Reno, NV 89508 nevadacountrygirl@protonmail.com
Ken Hansen	Pauline Lee	Zachary Hayes	Cliff Nellis	Cathy Reyes	Tammi Tiger	Christine Saunders (written) Policy Director, Progressive Leadership Alliance of Nevada mobile: (503)413-0130 office: (775)348-7557 address: 1475 Terminal Way, Ste. C, Reno, Nevada 89502
Reva Krump, unolabrat@gmail.com	Mary Fisher	Reva Krump, unolabrat@gmail.com	Reva Krump, unolabrat@gmail.com		George Lee	Alyson Jasper (written) 3983 S McCarran Blvd Apt 182 Reno, NV 89502 jaspactct@yahoo.com
Susan Vaness		Mary Fisher	Susan Vaness	James Simpson	Buddy Manuel	Louise Ladd-Whitson (written) 4556 Denaro Dr Las Vegas, NV 89135 louiselwt@me.com
Greg Ott, Asst. Attorney General for SOS	Greg Ott, Asst. Attorney General for SOS	Greg Ott, Asst. Attorney General for SOS	Greg Ott, Asst. Attorney General for SOS	Greg Ott, Asst. Attorney General for SOS	Greg Ott, Asst. Attorney General for SOS	Carol Sievers (written) 4711 Stoneham St Pahrump, NV 89061 carolsievers88@gmail.com Linda Hoffman (written) 5758 River Birch Dr Reno, NV 89511 lhoffsk@icloud.com
Linda Kay Jensen (written), 6488 Bluff Dwellers Avenue, LV 89131, lyndajensen@cox.net	Alexander Loglia (written), alexander.loglia@gmail.com	Darla Lee (written), da_lee@fastmail.com	Robert Klockiemi (written) 3232 Jericho St Unit C Las Vegas, NV 89102 robertklockiemi@outlook.com	Robert Johnson (written) 750 E Stillwater Ave Spc 180 Falls, NV 89406 papa1bob@yahoo.com	Tom Lang (written), 488 Waternwheel Falls Dr Henderson, NV 89015 ic4cyber@yahoo.com	Carol Sievers (written) 4711 Stoneham St Pahrump, NV 89061 carolsievers88@gmail.com Linda Hoffman (written) 5758 River Birch Dr Reno, NV 89511 lhoffsk@icloud.com
Martin Wilner (written), orcinasnv@yahoo.com	Susan Hansen (written), sjhbrit@saber.net	Ken Paxton (written), paxton3x@att.net	Doug Jalen (written), douglash@aol.com	Susan Whitaker (written)9340 Stonebury Ct Reno, NV 89523 sue.whitaker43@gmail.com	2164 Ruddy Way Sparks, NV 89441 mesazs@yahoo.com	TJ Long (written) 4205 Raven Dr Fallon, NV 89406 longtj70@gmail.com
Mark Brackelsburg (written), markbrack@gmail.com, 702-d3bb13m@sbcglobal.net	Carol Morris (written), morris.cm@outlook.com	Kevin Forbes (written), kforbes19@outlook.com	West Guffey Dr. Washoe Valley, NV, jimmiejb@hotmail.com	Nancy Pence (written) 5179 Silver Sage Dr Carson City, NV 89701 1nancypence@gmail.com	Laura Crafts (written) 3414 Overo Ct North Las Vegas, NV 89032 crafts07@gmail.com	TJ Long (written) 4205 Raven Dr Fallon, NV 89406 longtj70@gmail.com
Deborah Mardon (written), d3bb13m@sbcglobal.net	Carolyn Keezer (written), 4cak4@cox.net	Karl and Ann Sweder (written), karlsweder@sbcglobal.net	Dina Cosart (written), dcosart@gmail.com	Robin Talacon (written) 1140 Sticklebract Dr Sparks, NV 89441 robinatalancon@yahoo.com	Tami Miller (written) 1445 Stonelake Cove Ave Apt 7204 Henderson, NV 89074 tammiller072@gmail.com	Ian Hickman (written) 371 Orchard Ct Henderson, NV 89014 ianhcdt@gmail.com
Laura Turner (written), ltidstf@gmail.com	Terri Martinetti (written), tmartinetti@yahoo.com	Zachary Hayes (written), Campaign Migr for John Kovacs for Congress, 323-919-0191, zach@kovacsforcongress.com	Tracey Smith (written), tracysmith@me.com	Norma Anton (written) 8220 Mount Logan Ct Las Vegas, NV 89131 normaanton@yahoo.com	Pamela Pierson (written) 2304 Sun Cliffs St Las Vegas, NV 89134 ppiersom65@gmail.com	Sherry Angell (written) 2536 La Cara Ave Las Vegas, NV 89121 uwritemom@yahoo.com
Alexander Loglia (written), alexander.loglia@gmail.com	Debra Luddy (written), dluddy62@gmail.com	Marlene Drozd (written), 2185 Paterno Ave Las Vegas, NV 89123, (702) 301-7377, marlenedrozd@cox.net	C.J. Hadley (written), cjnotorbike@gmail.com	Evelyn Schultz (written) 2495 Greensboro Pt Reno, NV 89509 evieskis@gmail.com	B. Long (written) 11800 Veterans Pkwy Unit 203 Reno, NV 89521 blongtgv@yahoo.com	Nancy Pence (written) 5179 Silver Sage Dr Carson City, NV 89701 1nancypence@gmail.com

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Marlene Drozd (written), (702) 301-7377, marlinedrozd@cox.net	Margie Witt (written), mwitt@glaisdells.com	Michelle Monkarsh (written), 10001 Park Run Drive Las Vegas, NV 89145, 702.942.2137, mmonkarsh@maclaw.com	Margaret Spatz (written), peggy.spatz@gmail.com	Ivette Duffy (written) 3333 Crawford St North Las Vegas, NV 89030 ivetteduffy@gmail.com	Gretchen Jones (written) 7100 Dundee Ln Fallon, NV 89406 dundeelane@cccomm.net	Jason Orcutt (written), jdorcutt44@yahoo.com
Karl Sweder (written), karlsweder@sbcglobal.net	Saundra Beretta (written), saundraberetta@gmail.com	Janice Jones (written), janice_n_jones@yahoo.com	Debra Jalen (written), dhjalen@aol.com	Margaret Beal (written) 4751 Cobra Ct Sparks, NV 89436 peg.beal@gmail.com	Sandra Cilborne (written) 818 Bobcat Run Mesquite, NV 89034 jsc4013@gmail.com	Peter Fall (written) 13745 Chamy Dr Reno, NV 89521 FALLMARTRENO@GMAIL.COM
Aaron Ford (written), fordfornevada@gmail.com	Daria Lee (written), da_lee@fastmail.com	Ben Stenehjeu (written), outlook_8BEBCCF4D9B9882@outlook.com	Craig Woodhouse (written), craigwoodh85@gmail.com	Glenn Duppenhaler (written)1270 Creech Haven Cir Reno, NV 89509 gduppenhaler@gmail.com	Kelli Robertson (written) 241 Pinnacle Ct Mesquite, NV 89027 kelliilustravel@yahoo.com	Patricia Toone (written) patty.toone@gmail.com
Bill Carmody (written), 2504 Desert Sparrow Ave. North Las Vegas, NV. 89084, bill.florine@gmail.com	Sonya Dickinson (written), 2570 Musket Rd Reno, NV 89521, sonya.dickinson@yahoo.com	Ariel Van Cleve (written), ariel.vancleve@gmail.com	Thomas Gargus (written), tomgargus@sbcglobal.net	Leslie Callanmo (written)31 Lily Grove Rd Las Vegas, NV 89148 leslicallanmo@yahoo.com	Pat Berg (written) 3025 Oreana Dr Reno, NV 89509 essefaith@aol.com	Celine Nugent (written) 520 Country Club Dr Incline Village, NV 89451 canuge@icloud.com
Chandra Peterson (written), bal92345@gmail.com, 10220 Imperial Pointe Ave Las Vegas NV 89134	Elizabeth Parsons-Lenz (written), srw.eplenz@gmail.com	Dianne Wagner-Robak (written), 775-225-3011, diannewr@gmail.com	Mark Carstens (written), mctencaris@gmail.com	Michael Sekerak (written) msekerak_75@msn.com	Jacqueline De Villa (written) 1617 Lefty Garcia Way Henderson, NV 89002 jd4010111@icloud.com	Carol Perry (written), cperry2000@sbcglobal.net
Sandee Tibbett (written), sanshelly1@charter.net	Michelle Monkarsh (written), 10001 Park Run Drive Las Vegas, NV 89145, 702.942.2137	Maxine Bradshaw (written), mpdbradshaw@gmail.com	Lynn Nielsen (written), 1565 Meridian Ranch Dr. Reno, NV 89523, nielsens@nielsenreno.onmicrosoft.com	Linda Shannon (written) 1164 Waterfall Vw Mesquite, NV 89034 FandL@Reagan.com	christina mconnell (written) 10619 San Bellacova Ct Las Vegas, NV 89141 kaygreen7@yahoo.com	Duane Richardson (written) 596 Via Baglioni Henderson, NV 89011 duaner6556@gmail.com
Michael Mecca (written), mmecca00@yahoo.com	William Lithrow (written), 9191 Graycliff Lane Reno, NV 89523, lithgow129bs@aol.com	Carol Morris (written), 120 West Laval Drive Henderson, NV 89015 District G, morris.cm@outlook.com	Holly Cortez (written), 12025 Mystic Sands Dr. Sparks, NV 89441, acortez014@outlook.com	Sandra Kester (written) 1296 Heritage Trl Mesquite, NV 89034 sandykester1@gmail.com	Judi Kleidon (written) 13365 Goldpan Dr Reno, NV 89511 judik19@sbcglobal.net	Jorge Martinez (written) 3828 Hazelwood St Apt 29 Las Vegas, NV 89119 scooppooplv@yahoo.com
Celine Nugent (written), canuge@icloud.com	Natalie Thomas (written), natalieemair@icloud.com	William Lithgow (written), 9191 Graycliff Lane Reno, NV 89523, lithgow129@aol.com	Walt Murphy (written), 7636 Bareback Dr Sparks, NV 89436, waltmurphy@charter.net	Vicki Richardson (written) 9850 Gainsborough Ln Reno, NV 89521 vickiricha@yahoo.com	Roger Edwards (written) 3405 War Paint Cir Reno, NV 89506 nvedwards47@gmail.com	Carole Fineberg (written) 9325 Copper Mountain Circle Reno, NV 89523
Peggy Gray (written), 775-575-4058, plgray@sbcglobal.net	Janice Jones (written), janice_n_jones@yahoo.com	Patricia J. Moser-Morris (written), pmosermorris@gmail.com	Renee Collier (written), deweyll@cox.net	Judith Moss (written) 10000 Thomas Creek Rd Reno, NV 89511 judy_moss@sbcglobal.net	Dan Starr (written) 1312 S 8th St Las Vegas, NV 89104 dlstarr@cox.net	Nathan Rivera (written) 3880 Villeroy Ave Las Vegas, NV 89141 VegasNateDogg@gmail.com
Dianne Wagner-Roback (written), 775-225-3011, diannewr@gmail.com	Deborah Mardon (written), d3bb13m@sbcglobal.net	Robby Williams (written), robby.williams@sbcglobal.net	Stan Jolliffe (written), oldslj@gmail.com	Alyssa Ball (written) 7479 Lassen Peak Cir Las Vegas, NV 89149 lily4911@cox.net	Leah Macario (written) 8714 Larkhaven Ct Reno, NV 89523 kay@norcal.org	Mark Collier (written), markcollier1941@icloud.com
Karl Nickoley (written), 720-933-5929, www.FrequencyPictures.com	Susanne Arona (written), aronasuzanne@gmail.com	Melody Hernandez (written), 702.334.4657, 2620 Regatta Dr #102 Las Vegas, NV 89128, uniquepropertieslv@yahoo.com	Ronald Smith (written), 2335 Pioneer Dr. Reno, NV 89509, 775.742.2296, lindad4reno@gmail.com	Norm Peterson (written) 63 Chesney Dr Henderson, NV 89074 norm7652@hotmail.com	Bonnie Kiggins (written) 1116 Prairie Schooner Ct Mesquite, NV 89034 rbkiggins@mac.com	Diana Phillips (written), eawe99@hotmail.com
William Lithgow (written), 9191 Graycliff Lane Reno, NV 89523, lithgow129bs@aol.com	Cody Hamm (written), codyhamm321@gmail.com	Christina Sherbrook (written), 805-975-6493, csherbrook@yahoo.com	David Smith (written) 221 E Desert Rose Dr Henderson, NV 89015 ds4po@cox.net	David Knight (written) 401 Quail Run Ct Fernley, NV 89408 denise1206@pm.me	Denise Vaughn (written) 635 Beckwourth Dr Reno, NV 89506 denise1206@pm.me	David England (written) 2450 Chukar Dr Washoe Valley, NV 89704

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Patricia Morris (written), pmosermorris@gmail.com	Toni Farkas (written), farkasmissy@gmail.com	Erik Schomick (written), schumick@sbcglobal.net	Thimas Sutherland (written) 4899 Stagecoach Dr Silver Springs, NV 89429 stagecoach4899@me.com	Denise Cope (written) 1709 Kiltie Way Las Vegas, NV 89102 dcope1965@yahoo.com	Deborah Mardon (written), d3bb13m@sbcglobal.net	Linda Shannon (written) 1164 Waterfall Vw Mesquite, NV 89034 fandl@reagan.com
Bev Stenehieu (written), outlook_885EBCF4D9882@o utlook.com	Bob Jensen (written), fed20405@yahoo.com	Alyson Jasper (written), jasptacct@yahoo.com	Francis Monastero (written), 8597 Timaru Trail Reno, NV 89523, monasterofc@gmail.com	Donna Blackmore (written) 1595 Wheatgrass Dr Reno, NV 89509 dbrnro@att.net	Pamela Ildéfono (written) 6313 Bristol Way Las Vegas, NV 89107 plidelfonso903@gmail.com	Matthew Hennager (written) 903 Walnut Dr Boulder City, NV 89005 matthennager@gmail.com
Laron Thomsen (written), 777 Court Street Elko, NV 89801, 775-753-8203, lavon.thomsen@gmail.com	Charles Rodman (written), char1428@icloud.com	Alida Bensen Political Director Nevada Republican Party, alida@nevadagop.org, 626-808-7924	Susan Long (written), 2440 La Mancha Drive Sparks, NV 89441, susanlong134@gmail.com	Maria Coulson (written) 2050 Blue Spruce Rd Reno, NV 89511 maria.coulson@me.com	Charlene Kavanagh (written) 708 Sir James Bridge Way Las Vegas, NV 89145 kavanagh.kate@yahoo.com	Mary K Denney Richard R Denney (written), marythedc@gmail.com
Andrea Aguilar (written), Anlinz@outlook.com	Christine McCoy (written), mescuttier@yahoo.com	Deborah Mardon (written), d3bb13m@sbcglobal.net	Charla Pagano (written), Charla.Pagano.520193479@p2 a.co	Lorena Tanasescu (written) 4515 S Durango Dr Apt 1031 Las Vegas, NV 89147 oceandream792000@gmail.com	Gerald Sudderth (written) 9625 Glen Ridge Dr Reno, NV 89521 gsudderth@aol.com	Kevin Njus (written) 3556 Willow Springs Dr Las Vegas, NV 89103 krnjus@aol.com
Adrienne Monarrez (written), adrienne.monarrez@sbcglobal.n et	Patricia St. John (written)	Toni Farkas (written), farkasmissy@gmail.com	Saloman Rapalo (written), Salomon.Rapalo.345229690@p 2a.co	Norma Stephenson (written) 8305 Sedona Flats St Las Vegas, NV 89131 stephenson512@aol.com	Patrick Paine (written) PO Box K Virginia City, NV 89440 trikpony@aol.com	Ronda Strothman (written) 1033 Via Gandalfi Henderson, NV 89011 rstro7303@yahoo.com
Roger Pearson (written), roger@pearsontranching.com	Christina Sherbrook (written), 805- 975-6493, csherbrook@yahoo.com	Ralph Stephen Coppola (written), stephencoppola@aol.com	Mona Garrison (written), Mona.Garrison.465103731@p2 a.co	Adrienne Monarrez (written) 5330 Ambrose Dr Reno, NV 89519 adrienne.monarrez@gmail.com	Paul Dutcher (written) 12245 Ocean View Dr Sparks, NV 89441 info4pdc@gmail.com	Sylvia DeHart (written), 1141 Cortez Ln Gardnerville, NV 89410 Joseph P Emanuele (written) 10316 Profeta Ct Las Vegas, NV 89135-2539 702-248-0496 (H) 702-592-5042 @
Danny Hamilton (written), 504 Sand Sage Ave North Las Vegas, NV 89030, 817- 597-1716, hamint16@gmail.com	Elaine Pasto (written), epasto@ymail.com	Joy Trusherski (written), truejoy927@att.net	Vinodkumar Gadley (written), vinodkumar.Gadley <vinodkumar.Gadley.37295992 4@p2a.co>	Nancy Ryan (written) 2450 Lymbery St Apt 109 Reno, NV 89509 nanphx@gmail.com	Jerry Sudderth (written) 1790 Ornelalia Way Reno, NV 89521 jsuds2014@aol.com	
Michelle Monkash (written), 10001 Park Run Drive Las Vegas, NV 89145, 702.942.2137	Alyson Jasper (written), jasptacct@yahoo.com	Reva Krump, unolabrat@gmail.com	Vicki Schabel (written), vickschnabel@charter.net	Robert Kulik (written) 4320 Kings Canyon Rd Carson City, NV 89703 rkulk4320@sbcglobal.net	Karen Stephens (written), karensweetie@sbcglobal.net	Susan Hansen (written), sjhbrit@saber.net
Le Boydston (written), leb@hermco-inc.com	Thomas Lenz (written), tom@kk.ee	Debbie Cutsaw (written), debbie.cutsaw@frontier.com	Harlan Burris (written), Harlan Burris <Harlan.Burris.344912115@p2 a.co>	Micahel Deeb (written) 3377 Dilday Dr the povertybuster@gmail.com Carson City, NV 89701	Carol Sutterlin (written) 1004 Angels Landing Trl Mesquite, NV 89034 cos523@reagan.com	Jeffery R Murray (written) 1027 Gordon Ave. Reno, NV. 89509
Alexander Loggia (written), alexander.loggia@gmail.com	Betty Thiessen (written), Nevadacountrygirl@protonmail.com		Patricia Thomas (written), <Patricia.Thomas.520208788@ p2a.co>	Michael Ringo (written) 7525 Gold Ct, Reno, NV 89506 ring68cal@gmail.com Reno, NV 89506	Kenneth Leslie (written) 1805 N Carson St Apt 95 Carson City, NV 89701 Kennethleslie53@gmail.com	Nicolò Herris (written), Nicol.Herris@cbselectre.com
Lawrence Baty (written), 9472 Mustang Trail Dr Reno, NV. 89506, lawrencebaty@gmail.com	Reva Krump, unolabrat@gmail.com		Ingeborg Glier (written), Ingeborg.Glier.425623873@p 2a.co>	Lynda Neill Baassir (written) 220 Camelback Ridge Ave Henderson, NV 89012 Lynda.Baassir@gmail.com Henderson, NV 89012	J. M. Libke (written), jmichaellibke@gmail.com	Lawrence W. Baty II (written), lawrencebaty@gmail.com
Kiya Krivickas (written), (702)858- 8600, chicontractor@yahoo.com	Aniko Kovac (written), ani_kovac@hotmail.com		Derek Gendvil (written), Derek Gendvil <Derek.Gendvil.344293212@p 2a.co>	Eugene Gerscovich (written) 9320 Hidden Park Dr Reno, NV 89523 latenten2@yahoo.com	Thomas Hurd (written) 223 Buena Adventura Ln Henderson, NV 89012 hurd-tl@msn.com	Dianne Wagner-Robak (written), 775-225-3011, diannewr@gmail.com

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Bud Broomhead (written), 1200 Riverside Drive #1263 Reno, NV 89503, budbroomhead@yahoo.com	Elaine St. John (written), Elaine@caltel.com		Victoria Schneider (written), (808) 265-4873, victoriaschneidermd@gmail.com	Menanie Picconi (written) 36 Brookridge Dr Henderson, NV 89052 mpness@me.com	Kim Fergus (written) 1940 Faywood St Las Vegas, NV 89134 kimersellshomes@gmail.com	E. Gerscovich (written) Reno, NV 89523
Christina Sherbrook (written), 805-975-6493, csherbrook@yahoo.com	Kevin Fobes (written), kforbes19@outlook.com		Gordon McGregor (written), Gordon McGregor.384031317 <Gordon.McGregor.384031317 @p2a.co>	James Coyne (written) 36 Brookridge Dr Henderson, NV 89052 jigcoyne@gmail.com	Steven Stough (written), steve@cuestaoledad.com	Holly Downing (written), holly.downing7259@gamil.com Teri Kolesnick (written)
Roger Smith (written), autoangst@hotmail.com	Chris Mullins (written), chrismullins@zohomail.com		P. Sturm (written), P. Sturm <P.Sturm.520242834@p2a.co>	Rachael Rakaczky (written) Rachel Rakaczky <Rachel.Rakaczky.373305603@p2a .co>	Linda Hoy (written) 1705 Navarre Ln Henderson, NV 89014 linda@hoyco.net	294 brooksky ln Reno NV, 89509 775-530-7606 terisia11@gmail.com
Stacey Hernandez (written), acemanhattan@hotmail.com	Ty Olsen (written), tydolsen@gmail.com		Richard Nichols (written)	Elizabeth Hammack (written) 784 Valley Rise Dr Henderson, NV 89052 execdva@gmail.com	russell gronert (written) 4240 Settler Dr Reno, NV 89502 russgron@att.net	Janis Green (written), laffjoy@aol.com
Alyson Jasper (written), jasptaact@yahoo.com			Stephanie Phillips (written), smphillips702@gmail.com	Sue Courts (written) 6120 Venus St Wimmemucca, NV 89445 couthissue@yahoo.com	Evelyn Waldick (written) 2408 Indigo Valley St Las Vegas, NV 89134 ewaldick@aol.com	Linda L Stillman (written) 114 Lucky Lane Reno, NV 89502 llirish2@yahoo.com
Suzanne Arona (written), aronasuzanne@gmail.com			Bob Snellgrove (written), nvsnugget@charter.net	Craig Hill (written) 1204 Searchlite Ct Reno, NV 89503 renohills@live.com	Linda James 1330 Whisper Rock Way Reno, NV 89523 ljamesh3@gmail.com (written)	Urreketari (written), urreketari@protonmail.com
Linda Duncan (written), 775 990 2597, broncobum@att.net			Lucas Foletta (written), t_luzier@msn.com	Phil Harrison (written) 1250 Sticklebract Dr Sparks, NV 89441 iamphihl@sbglobai.net	Tashanna Thaxton (written) 237 Ventana Village Ln Henderson, NV 89074 tashanna26@protonmail.com	Terry Luzier (written), t_luzier@msn.com Mesquite NV
Wendy Merrill (written), 702-541- 4828, wendy@iwerrill.com			Terry Luzier (written)	Melinda Henderson (written) 113 Kathy Ct Las Vegas, NV 89145 melhen1@hotmail.com	Clinton Bostwick (written) 1322 Springdale Ln Mesquite, NV 89034 cabostwick@comcast.net	Dorothy Mcdonald (written), dotinreno@gmail.com Reno
Morgan Liddick (written), 1230 Barn Owl Dr. Sparks, NV 89436, (970) 389- 0534, mliddick@hotmail.com K. White (written), 11003 Lamour Lane Reno, NV 89521, Kaymwhite2014@gmail.com			Roger Smith (written), autoangst@hotmail.com	Buddy Manwill (written) PO Box 90884 Henderson, NV 89009 bsm715@gmail.com	Paul D'Aura (written) 1027 Laurel Ave Las Vegas, NV 89104 lytw84k4@yahoo.com	Pamela Pierson (written), ppiereson65@gmail.com Las Vegas, Nevada Sean Gallagher (written) Incline Village, NV 9163960218 seang5180@yahoo.com
			Gayle Lee (written) Gayle.07lee@charter.net	Gail Betz (written) 1800 Hunter Creek Rd Reno, NV 89519 Bdaca@gmail.com	Wilma Ehrens (written), 0922wase@gmail.com	

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Robert Crandall (written), robearcc@yahoo.com			Ned Randolph (written) nedrandolph@gmail.com	J.S. McElhinney (written) 1181 University Ridge Dr Reno, NV 89512 renoskopdoc@yahoo.com	IAN F WALTON (written) 250 Remuda Ln Reno, NV 89508 ianfwalton@aol.com	Steve and Linda Mantoani (written) 3980 Desert Fox Drive, Sparks, NV 89436 Mailing address: 9732 Pyramid Way #325, Sparks, NV 89441 steve@arivada.com<mailto:steve &arivada.com>
Toni Farkas (written), farkasmissy@gmail.com	Lorena Portillo (written), 965 Trade Drive, Suite A North Las Vegas, NV 89030, 702-455-0136, lpo@clarkcountynv.gov		Lorena Portillo (written), 965 Trade Drive, Suite A North Las Vegas, NV 89030, 702-455-0136, lpo@clarkcountynv.gov	Mike Paul (written) 9529 Delivery Ave Las Vegas, NV 89148 paul.mike90@yahoo.com	Marilyn Lee (written) 7617 Wingspread St North Las Vegas, NV 89084 marilynlee4re@cox.net	Pat and Jerry Lowery (written), pintwater@gmail.com
Carol Evans (written), 565 Calle Bonito Ct. Sparks NV 89441, crowdnest@prodigy.net			Lois Choate (written), lachoate65@gmail.com	Jannae Michaux-Sykes (written) 325 Redstone St Las Vegas, NV 89145 jemsas@yahoo.com	Pamela Fay (written) 8455 Offenhauser Dr Apt 818 Reno, NV 89511 asterlingday@yahoo.com	Gail Pfeiffer (written) 4619 Thorpe Court Sparks, NV 89436 775-229-8221
Sallie Haws (written), quantum.spirit.books@gmail.co m			Nicol Herris (written), Nicol.Herris@cbselectre.com	Charla Baubei (written) 840 Regalia Ct Gardnerville, NV 89410 charla.benner@gmail.com	Jonathan Loffredo (written) 10434 Calico Pines Ave Las Vegas, NV 89135 Jon.Loffredo@gmail.com	Judith M-Avilla (written), judith@avil.la
Vernon Hatch (written), sales@tren.net			Dianne Robak (written), 775- 225-3011, diannew@gmail.com	Risa Sykes (written) 1624 Palm St Unit 105 Las Vegas, NV 89104 sykeslink@cox.net	Robert Manis (written), cosmiciguana@gmail.com	David Haskins (written) Nevada Real Estate Corp. Broker, Property Manager Gunn Investment Services, Inc. 775-329-4030
Lorraine Dougherty (written), dougherty152@gmail.com			E. Gerssovich (written), latentn2@yahoo.com	Bruce Stanton (written) 368 Royal Oak Dr Spring Creek, NV 89815 a7e-pilgrim@gmail.com	David Haskins (written) Nevada Real Estate Corp. Broker, Property Manager Gunn Investment Services, Inc. 775-329-4030 www.gisrentals.com	Patricia Toone (written) patty.toone@gmail.com
Wesley Griffin (written), 4701 Wedekind Road Sparks, NV, 775-722-0724, wesleyGriffin@msn.com			Holly Downing (written), holly.downing7295@gmail.co m	Natalie Thomas (written) 371 Orchard Ct Henderson, NV 89014 Natalieemairce@gmail.com	Cy Nelson (written) 6380 N Brinkerhoff Ct Winnemucca, NV 89445 cyjohn90@gmail.com	Joseph P Emanuele (written), jpemanuele@cox.net 10316 Profeta Ct Las Vegas, NV 89135-2539 702-248-0496 (H) 702-592-5042 @
Shanty T. (written), 010344sdt@gmail.com			Terri Kolesnick (written), 294 brooksby ln Reno NV, 89509, 775-530- 7606, terisia11@gmail.com	Alan Vincent (written) 6701 Amarinta Ave Unit 103 Las Vegas, NV 89108 gotoexpert@gmail.com	William Lithgow (written) 9191 Graycliff Lane Reno, NV 89523	Rod and Lindsay Moser (written), lindseymoserpa@gmail.com
Darla Lee (written), da_lee@fastmail.com			Linda Le Doc (written)	Janice Warzin (written) 1610 Hoyt St Reno, NV 89509 j_warzin@yahoo.com	Heather Seitz (written) 1156 Red Sea St Henderson, NV 89002 vegaskitca@gmail.com	Susan Hansen (written), sjhbrit@saber.net
James Benthin (written), 1515 Big Smokey Drive reno, Nevada 89521, jamesbenthin@gmail.com			Steve Gaylord (written) 1385 E 4th St Silver Springs, NV 89429 snakebellysg@gmail.com	Eric Brock (written) 11630 Overland Rd Reno, NV 89506 ericbrock391@yahoo.com	Dawn Hover (written) 757 Bridle Path Ln Mesquite, NV 89034 hover.dawn@gmail.com	John Vettel (written), John@ryansdad.com

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Michael Meyers (written), msmmtm@aol.com			Murray Kane (written), mkane2020@protonmail.com Linda Stillman (written), 114 Lucky Lane Reno, NV 89502, llirish2@yahoo.com	David Smith (written) 221 E Desert Rose Dr Henderson, NV 89015 ds4pol@cox.net Craig Ullery (written) 1617 Broadmoor Cir Boulder City, NV 89005 craigu@comcast.net Rose Schiavone (written) 1912 Sierra Oaks Ln Las Vegas, NV 89134 roseegobblue@gmail.com Richard Wagner (written) 535 Duran St Henderson, NV 89015 rawrealtor@hotmail.com	Doretta Brown (written) 20645 Parc Foret Dr Reno, NV 89511 doretta.brown@gmail.com Cody Hamm (written) 811 E Bridger Ave Apt 255 Las Vegas, NV 89101 codyhamm321@gmail.com Jill Ramar (written) 1774 Laurel Ridge Dr Reno, NV 89523 ramard@aol.com Aniko Kovacs (written) 9529 Delivery Ave Las Vegas, NV 89148 ani_kovacs@hotmail.com	David Yochum (written), magoo52@charter.net Gary Bowman (written), bowmhangary@frontier.com Dawn Rickabaugh (written), dawn@rural-mail.us Shirley Martin (written), jackshirley89@hotmail.com
Thoma Tom (written), thomatom559@yahoo.com			Daria Lee (written), da_lee@fastmail.com	Barbara Decker (written) 680 Bowles Ln Gardnerville, NV 89460 bv6decker@aol.com	Craig Grismanauskas (written) 1425 Heavenly Ct Henderson, NV 89002 craig.griz@yahoo.com	
Caroline Smith (written)			kellie Valentine (written), valentine.k@sbcglobal.net	Terri Garrett (written) 11630 Overland Rd Reno, NV 89506 terrigarrett74@gmail.com	Betty Ball (written) 8051 W Charleston Blvd Apt 30 Las Vegas, NV 89117 askbjib@yahoo.com	
Urreketari (written), urreketari@protonmail.com			Don Gregory (written), mustang1356@charter.net	Anthony Mudd (written) 21 Wisteria Ct Reno, NV 89511 TonyLMudd@iCloud.com Pamela Madera (written) 4670 Noche Ln Reno, NV 89502 pmadera@sbcglobal.net	Ralph R. Sacrison (written) 320 Poplar Drive Elko, NV 89801-4508 USA Mob: 775-397-2683 Office: 775-777-7455 rsacrison@frontiernet.net	Dennis Eric O'Meara (written), Irishgreen35@protonmail.com Lori McKimney, Douglas County Democrats 1st Vice Chair (wrlmckimney@hotmail.comitten ,)
Tanya Steele (written), Tanya@mobilerdh.com			Tera Chuck (written), terale123@yahoo.com	Larry Guerrero (written) 4158 Lepire Dr Carson City, NV 89701 larrguer@gmail.com Ian Kostman (written) 231 W Horizon Ridge Pkwy Apt 2723 Henderson, NV 89012 ian.kostman@gmail.com John Rando (written) 600 Campbell Dr Las Vegas, NV 89107 jayrando@sbcglobal.net Glenn Burud (written) 4725 Blazer Cir Washoe Valley, NV 89704 burudglenn@gmail.com	Michael Lollar 5900 Sky Pointe Dr Las Vegas, NV 89130 lollar81@yahoo.com Adam LaRosa (written) 4651 Bridlewood Ct Las Vegas, NV 89119 i3lackhawkey@gmail.com Lynda Frieden (written) 10416 Palladium Mine Dr Reno, NV 89521 lyndafri@yahoo.com Larz Mettler (written) 5959 N Butler St Las Vegas, NV 89149 l.mettler3@outlook.com Judy Leslie (written) 4909 Churchhill Ave Las Vegas, NV 89107 judy.leslie@gmail.com	
J.S. McElhinney III (written), renoskidoc@yahoo.com, 1181 University Ridge Dreive , Reno NV 89512						
E. Gerscovich (written), latentent2@yahoo.com			Janine Smith (written), designerdame@hotmail.com			
Tom Lang (written), ic4cyber@yahoo.com			Ann Orcutt (written), orcad39@aol.com			
Suzanne Luce (written), 949-310- 7374, suzanneluce@gmail.com			Rikki Davis (written), omernik1@gmail.com			
John Pflina (written), 702-465- 1245, jprflina@gmail.com			Lynne Litzenberg (written), lynmeltzenberg@icloud.com			
Gary Smith (written), 775-683- 3360, mail4mrrsmith@gmail.com			Dan Spadino (written), drspadino@gmail.com			
			Patricia Leonard (written)			

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			Louise Lintz (written), llintz82@gmail.com	Linda Wagner (written) 7146 Schulz Dr Carson City, NV 89701 jwfam@aol.com	Sarah C. Parker (written), sarahc811@cox.net Michelle Monkash (written), 10001 Park Run Drive Las Vegas, NV 89145 t 702.942.2137 f 702.382.5816 mmonkash@maclaw.com maclaw.com	
			Carole Averkin (written), gcsierra@yahoo.com	Eugene Mortara (written) Forest Henry (written) 3700 Rock Glen Ln North Las Vegas, NV 89032 catsanddogs1911@gmail.com		
			Karen Aiazzi (written), kaiazzi86@gmail.com	Denise Madden (written) 2378 Thayer Ave Henderson, NV 89074 dgmadd@cox.net	Lori Teakle (written), inriislife@yahoo.com	
			Joesph Nowak (written) Tara Kezar (written) Tara Kezar <Tara.Kezar.520299607@p2a.c o>	Jacquelyn McCloskey (written) 9350 Double R Blvd Apt 1716 Reno, NV 89521 aphs62@yahoo.com	Monica Stephenson (written), 08monicastephenson@gmail.co m	
			Sean Gallagher (written) 9163960218, seang518@yahoo.com	Eric Pride (written) 1160 Broken Hills Dr Henderson, NV 89011 ericpryde@yahoo.com	Diana DeGarimore (written) 8342 Silverdale Ave Las Vegas, NV 89113 ddegarimore@gmail.com	
			Mary Walters (written) 4 Woodshole Ct. Henderson, 89052, MLWALTERS@msn.com	Susan Howell (written) 1445 McKinley Dr Reno, NV 89509 susiebulldog@sbcglobal.net Tracey Mitchusson (written) 3520 Five Pennies Ln Las Vegas, NV 89120 tracy.mitchusson@gmail.com	Mary Santomauro (written) 8070 Iroquois Trl Stagecoach, NV 89429 ma1vimary@aol.com	
			Caroline Smith (written) kathydoyle@me.com	Roblyn Williams (written) 2712 Corning Ct Apt Reno Reno, NV 89523 robby.williams@sbcglobal.net Molly Mills (written) 1945 4th St Apt 21 Sparks, NV 89431 mmills7907@gmail.com	Beverly Burnett (written) 2505 Wimbledon Dr Las Vegas, NV 89107 bwburnett@gmail.com Suzanne Luce (written) 10940 Wonder Hills St Las Vegas, NV 89141 suzanneluce@gmail.com	
			Steve Mantoani (written), steve@arivada.com, 9732 Pyramid Way #325, Sparks, NV 89441	Patricia White (written)504 Merganser Ln Sparks, NV 89436 jopa4144@hotmail.com Marilyn Shane (written) 2604 Solera Sky Dr Henderson, NV 89044 mfejshane@gmail.com	Stephan Lower (written) 2825 Deer Run Dr Reno, NV 89509 lowersvn@aol.com Thaddeus Zyka (written) 6508 Forza Ct Las Vegas, NV 89131 tzyka@cs.com	
			Pat and Jerry Lowery (written) pintwater@gmail.com	Patricia White (written)504 Merganser Ln Sparks, NV 89436 jopa4144@hotmail.com	Michael Jones (written) 10008 Madison Walk Ave Las Vegas, NV 89149 royaltones@yahoo.com	
			Janet Gould (written) gould22256@gmail.com	Marilyn Shane (written) 2604 Solera Sky Dr Henderson, NV 89044 mfejshane@gmail.com	Mike Duncan (written) 945 Lasso Way Fernley, NV 89408 Patriotmike63@gmail.com	
			Karl Sweder (written) karlsweder@sbcglobal.net			

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			Renee Collier (written) deweyjll@cox.net	Karen Burger (written) karenburger29@gmail.com	Derold Cornell (written) 11085 Mount Cass St Las Vegas, NV 89141 gxscom@yahoo.com	
			Brian Hardy (written) 10001 Park Run Drive Las Vegas, NV 89145, 702.207.6097, bhardy@maclaw.com	Stephen Lewis (written) 4647 Bradford Ct Reno, NV 89519 steve@sterlingam.com	Dale Smith (written) 3825 Doc Olena Ct Washoe Valley, NV 89704 bearair70@yahoo.com	
			Gail Pfeiffer (written), 4619 Thorpe Court Sparks, NV 89436, 775-229- 8221	Ariel Van Cleve (written) 3130 Show Jumper Ln Reno, NV 89521 ariel.vandleve@gmail.com	David Harrison (written) 1168 Brander Ct Reno, NV 89509 dosirrah@gmail.com	
			Robin Lovelace (written) raginrocketsgarden@gmail.com	Lisa Durgin (written) 605 Tranquil Dr Sparks, NV 89441 lisa.durgin@gmail.com	Barbara Fleming (written) 50 N Sierra St Ste 610 Reno, NV 89501 barbara-fleming@sbcglobal.net	
			Brian Kunkel (written) 3220 Jevonda Ave Henderson, NV 89044, brian.kunkel24@gmail.com	Mary Ann Jamieson (written) 2752 Pala Dura Dr Henderson, NV 89074 mjamieson828@gmail.com	LAVON Thomsen (written) 777 Court St Elko, NV 89801 lavon.thomsen@gmail.com	
			Lory Jones (written) 9650 Moonlit Sky Ave Las Vegas, NV 89147, Lorvaj2000@yahoo.com	Christine Monroe (written) 1230 Comstock Dr Las Vegas, NV 89106 Feralindeed@yahoo.com	Ron Brown (written) 8132 Chestnut Hollow Ave Las Vegas, NV 89131 simplemanly@cox.net	
			Daniel Ilija (written), PO Box 32045 Las Vegas, NV 89173, danielilija1962@gmail.com	Michael Ross, Sr (written) 1706 Darin Ct Carson City, NV 89701 mycoros@aol.com	Peggy Heglar (written) 1746 Cavern Dr Reno, NV 89521 paulheglar@yahoo.com	
			Mike Avilla (written) mike@avilla	Ralph Saerison (written) 320 Poplar Drive Elko, NV 89801-4508 USA, 775- 777-7455, rsacrison@frontiernet.net	Florence Frandsen (written) PO BOX 19280 RENO, NV 89511 margefrandsen@gmail.com	
			George Spatz (written) 2456 Burtin Dr Sparks, NV 89436, george@spatzhome.com	Mary Lou Banks (written) 5901 Balzar Ave Las Vegas, NV 89108 blackandpink1969@gmail.com	Robert Brendle (written) 52 Berneri Dr Las Vegas, NV 89138 rbhb5052@gmail.com	
			Linda Baretto (written) 2739 SUNRIDGE HEIGHTS PKWY HENDERSON, NV 89052, linbaretto@gmail.com	Richard Burns (written) 5430 Tierra Faith Ave Las Vegas, NV 89139 ricbur1@earthlink.net	Eileen kaplan (written) 2220 Storkspur Way Las Vegas, NV 89117 eileenkap@cox.net	
			Lev Schneiderman (written) 9929 Whalers Landing Ct Las Vegas, NV 89117, odjob34@cox.net	Jerry Moore (written) 1062 Rocky Terrace Dr Gardnerville, NV 89460 484jd46@gmail.com	Davis Nieves (written) 368 Free Fall Ave North Las Vegas, NV 89084 davisnieves30@gmail.com	
			Linda Powers (written) 1704 Bayonne Dr Las Vegas, NV 89134, lindap.nv@gmail.com	Mike Lynch (written) 5602 Trilling Bird Dr Las Vegas, NV 89135 mplmatrix@gmail.com	Kathleen Lewis (written) 820 Van Diest Rd Wimmucca, NV 89445 kathylewis61@gmail.com	

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	Bill Laub (written) 1000 Rancho Cir Las Vegas, NV 89107, bill- laub@msn.com	Elain Grimes (written) 5025 Wine Cellar Dr Sparks, NV 89436 egrimes@grimesonline.com	Shane Smith (written) 8132 Chestnut Hollow Ave Las Vegas, NV 89131 s1800smith@gmail.com				
	Trudy Hernandez (written) 5150 Jewel Canyon Dr Las Vegas, NV 89122, trudycakes67@yahoo.com	Patricia Vincent (written) 3560 Aspen Holw Reno, NV 89511 pattimvincent@gmail.com	Belinda Miller (written) 1525 Honey Vista Ln North Las Vegas, NV 89032 belinda.miller86@yahoo.com				
	Janice Warzin (written) 1610 Hoyt St Reno, NV 89509, j_warzin@yahoo.com	Joseph Romeo (written) 9755 Silver Sky Pkwy Reno, NV 89506 wjvrfm3762@yahoo.com	Kim Fergus (written) 1940 Faywood St Apt 89134 Las Vegas, NV 89134 kfergus@kimersellshomes.com				
	Stacey Piro (written) 3142 Minino Ct Sparks, NV 89436, sjo.piro@yahoo.com	Holly Dewar (written) 4675 Rio Encantado Ln Reno, NV 89502 hollyinreno@yahoo.com	JK Harrison (written) 1914 Ardilea St Las Vegas, NV 89135 jcrewave@hotmail.com				
	Ryan West (written) 5447 Salmon River Ct Reno, NV 89511, rwest11@gmail.com	Lura Weaver (written) 59 Rowntree Ln Smith, NV 89430 nevadalu@yahoo.com	Janice Jones (written) 12405 Ocean View Dr Sparks, NV 89441 janice_n_jones@yahoo.com				
	Jeff Cruess (written) PO Box 20602 Sun Valley, NV 89433 thesurveyor1951@aol.com	Nancy Bond (written) 6240 Stratus St Winnemucca, NV 89445 nan3155bond@gmail.com	Joseph Poston (written) 1005 Wigwam Pkwy Apt 27101 Henderson, NV 89074 gordontfan242499@gmail.com				
	Sharian Connell (written) 1564 Siboney Dr Las Vegas, NV 89123 Sharianlv@gmail.com	Vicki Martinez (written) vickimartinez@sbcglobal.net	Michelle Ives (written) 1382 Campagni Ln Carson City, NV 89706 mandniives@yahoo.com				
	Eileen Starling (written) 305 James Ave Dayton, NV 89403 eileenstarling@gmail.com	William Lithgow (written) 9191 Graycliff Lane Reno, NV lithgow129bs@aol.com	Venus Lovetere (written) 746 Apple Tree Ct Henderson, NV 89014 venuslovetere@yahoo.com				
	Nardos Level (written) 18312 36th Ave S Seatac, WA 98188 eyaeln@gmail.com	Victoria Myer (written) vwmyer@gmail.com	Teri Martinetti (written) 9449 Long River Dr Reno, NV 89506 tmartinetti@yahoo.com				
	Kim Vargus (written) 1940 Faywood St Apt 89134 Las Vegas, NV 89134 kfergus@kimersellshomes.com	Mark Brakeisberg (written) 95 Shade Tree Ln Unit C Mesquite, NV 89027 markpbrack@gmail.com	Monica Tullar (written) 3648 Crestview Dr Las Vegas, NV 89120 motullar@gmail.com				
	Ben Heksch (written) 12255 Avalon Canyon Ct Las Vegas, NV 89138 bencorreallv@cox.net	Dawnee Olson (written) dawnee.olson@yahoo.com	Ruth Taggart Clute (written) 1285 Tarleton Way Reno, NV 89523 rtaggartclute@gmail.com				
	Charla Baubel (written) 840 Regalia Ct Gardnerville, NV 89410 charla.benner@gmail.com	Margaret Admann (written) 7521 Mystic Stream St Las Vegas, NV 89131 peggybog04@yahoo.com	John Willman (written) 5794 Tannerwood Dr Reno, NV 89511 willmanjohn@yahoo.com				

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	Steven Smoke (written) 5611 Summer Splash Ct Las Vegas, NV 89131 Colonelcs@outlook.com		Daniel Stevenson (written) 2822 Wrangler Cir Elko, NV 89801 spyderpix@gmail.com	Paul Grim (written) 121 Lily Ln Fernley, NV 89408 pgrim35@hotmail.com		
	Richard Melvoin (written) 17 Desert Dawn Ln Henderson, NV 89074 yenuf73@gmail.com		Julie Stevenson (written) 2822 Wrangler Cir Elko, NV 89801 dnjs@citlink.net	Chandra Peterson (written) 10220 Imperial Pointe Ave Las Vegas, NV 89134 bal92345@aol.com		
	Paul Bottari (written) PO Box 368 Wells, NV 89835 paul@bottariREALTY.com		Jeanne Quintang (written) jquintana87@msn.com	PAMELA DARR (written) 1553 Cloud Peak Dr Sparks, NV 89436 dandpdarr@att.net		
	Ingrid Lubbers (written) 14180 Saddlebow Dr Reno, NV 89511 ingridandreed@gmail.com		Bernard Horton (written) 2368 Blooming Valley Ct Henderson, NV 89052 berniehorton@gmail.com	Perry Ossian (written) 6901 E Lake Mead Blvd Apt 1152 Las Vegas, NV 89156 ossianperry@yahoo.com		
	Esther Gaudiello (written) 1359 Bear Brook Ave Henderson, NV 89074 ChrisGaudiello@aol.com		Penny Holmbee (written) 11 Grand Miramar Dr Henderson, NV 89011 pennyholmboe@icoud.com	Pamela Heland 4450 Solias Rd Fallon, NV 89406 phetlandfallon@yahoo.com		
	Bonnie Groenert (written) 6121 Casper Sands Ct North Las Vegas, NV 89031 bgroenert@icloud.com		Michelle Monkash (written) 10001 Park Run Drive Las Vegas, NV 89145, 702.942.2137, mmonkarsh@maclaw.com	John Regan (written) 130 S Pointe Way Henderson, NV 89074 oregan18@icloud.com		
	Marsha Miller (written) 7921 Mariner Cove Dr Reno, NV 89506 mlegmiller@aol.com		Cindy Olivieri (written) (775) 220- 8186, ceolivieri@sbcglobal.net	Corena Wickett (written) 420 Davenport Ln Las Vegas, NV 89107 HlanHeart@aol.com		
	Jennie Bear (written) 2287 Ridgeview Dr Reno, NV 89519 j.bearinreno@gmail.com		Jed Peeler (written) 201 Ogden Ave Ely, NV 89301 jedp@generaldentalusa.com	Jill Douglass (written) 2932 Sunstone St Las Vegas, NV 89128 jd4ins@cox.net		
	Stephie Hohlt (written) 4311 Soda Lake Rd Fallon, NV 89406 irishhorsegri@gmail.com		William Douglas (written) 4145 Guthrie Dr Winnemucca, NV 89445 yonit051@yahoo.com	Ingrid Lubbers (written) 14180 Saddlebow Dr Reno, NV 89511 ingridandreed@gmail.com		
	Gail Betz (written) 1800 Hunter Creek Rd Reno, NV 89519 Bdacac@gmail.com		Karl Sweder (written) 225 Hercules Dr Sparks, NV 89441 karlsweder@sbcglobal.net	Sandee Tibbett (written) 2230 Pawnee Way Reno, NV 89506 sanshelly1@charter.net		
	David Helsing (written) 635 Occidental Dr Dayton, NV 89403 dheising704@gmail.com		Jeffrey Nelson (written) njnelson@centurylink.net	William Revere (written) 6808 Regency Crest Ave Las Vegas, NV 89148 wreverez23@yahoo.com		
	Gladys Taylor (written) 91 E Agate Ave Unit 403 Las Vegas, NV 89123 marlene8@sbcglobal.net		David Chamberlain (written) 5351 Simons Dr Reno, NV 89523 david.s.chamberlain@gmail.com	Dennis Lytle (written) 4525 Allenford Dr Las Vegas, NV 89147 parrish10@cox.net		

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			Eugene Gerscovich (written) 9320 Hidden Park Dr Reno, NV 89523 latentten2@yahoo.com	Mark Schnabel (written) 2530 Portsmouth Creek Ave Henderson, NV 89052, markschnabel@hotmail.com	Janet Odonnell (written) 1813 S 14th St Las Vegas, NV 89104 jaoddlife@yahoo.com	
			Robert Kulik (written) 4320 Kings Canyon Rd Carson City, NV 89703 rkulik4320@sbcglobal.net	Vince Craig (written) 242 Courtney Ln Reno, NV 89523 vic6875@yahoo.com	Michael Kirkpatrick (written) 7026 Woodward Rd Sparks, NV 89436 michael.b.kirkpatrick@gmail.com	
			Jason Booth (written) 5320 Denali Peak Dr Sparks, NV 89436 jrb4jazz@gmail.com	Rebecca Harmon (written) 6654 Indian Hills Dr Elko, NV 89801 rwad39@yahoo.com	Linda Park (written) 3115 Knight Rd Reno, NV 89509 lindaempark@yahoo.com	
			Toni Farkas (written) 7848 Blue Lake Peak St Las Vegas, NV 89166 farkasmissy@gmail.com	Curtis Blake (written)	Candace Graham (written) 1968 Pray Meadow Rd Glenbrook, NV 89413 candace@cgpropertygroup.com	
			Sonya Dickinson (written) 2570 Musket Rd Reno, NV 89521 sonya.dickinson@yahoo.com	Paul Bodine (written) 3160 Castle Canyon Ave Henderson, NV 89052 pabodine@gmail.com	Terri Garrett (written) 11630 Overland Rd Reno, NV 89506 terrigarrett74@gmail.com	
			Barbara Cowan (written) 1875 Evergreen Ridge Way Reno, NV 89523 elainatt@datt.net	Bill Harenbuth (written) 2116 Sawtooth Mountain Dr Henderson, NV 89044 wharenburg@aol.com	James Miller (written) PO Box 3041 Incline Village, NV 89450 jamesmiller14@msn.com	
			April Girusu (written)	Lawrence Larmore (written) 8343 Hidden Hills Dr Las Vegas, NV 89123 funfin777@gmail.com	Heidi Clingen (written) 8984 Medway Valley Ln Henderson, NV 89074 heidi.clingen@gmail.com	
			Bonnie Macon (written) 525 Merganser Ln Sparks, NV 89436 bon.m@sbcglobal.net	Jani Lopez (written) PO Box 95502 Las Vegas, NV 89193 lasvegasjanie@aol.com	Mitchell Johnson (written) 9716 Heirloom Ct Las Vegas, NV 89134 johnsma@cox.net	
			Barbara Fleming (written) 50 N Sierra St Ste 610 Reno, NV 89501 barbara- fleming@sbcglobal.net	Donna Maahs (written) 1834 High Mesa Dr Henderson, NV 89012 candygramma@cox.net	Carolyne Brain (written) 8530 W Sahara Ave Apt 104 Las Vegas, NV 89117 jzygrinvegas@gmail.com	
			Kerry Durmick (written), (775) 225-9135, kerry@alivotingisocial.org	Susan Perample (written) 2305 W Horizon Ridge Pkwy Apt 823 Henderson, NV 89052 susan.perample@cox.net	Mary Johnson (written) 9716 Heirloom Ct Las Vegas, NV 89134 johnsonmb@cox.net	
			Doug Eames (written) 7862 Harbour Towne Ave Las Vegas, NV 89113 voiceman@jennika.com	Peggy Wilkey (written) 207 Alexandrite Ct Sun Valley, NV 89433 tvlangel@icloud.com	Carrie Byron (written) 1350 Grand Summit Dr Apt 12 Reno, NV 89523 cabyron@charter.net	
			Jill Ransom (written) 2161 Vale St Reno, NV 89509 sierramoon@sbcglobal.net	Melissa Towbin (written) 3035 Lawndale St Las Vegas, NV 89121 missey524@gmail.com	Vincent Craig (written) 6865 Diamond Glen Dr Reno, NV 89523 amm54reno@gmail.com	

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			Bruce Berwager (written) 967 Chipmunk Dr Incline Village, NV 89451 bberwager1@gmail.com	Greg Randles (written) 9050 W Tropicana Ave Unit 1175 Las Vegas, NV 89147 grandles@icloud.com	Norman Ross (written) 2221 Pampa Ave Pahrump, NV 89048 rossno@yahoo.com	
			Judy Knapton (written) 1604 Singing Bird Ln North Las Vegas, NV 89031 knaptom415@yahoo.com	Vanessa Gomez (written) 2352 Belvedere Dr Henderson, NV 89014 v6cp3sg@gmail.com	Gerald Swanson (written) PO BOX 735 LOGANDALE, NV 89021 geraldswanson2@gmail.com	
			B. Long (written) 11800 Veterans Pkwy Unit 203 Reno, NV 89521 blongnv@yahoo.com	Julia Holek (written) 378 Glockler Ct Henderson, NV 89012 desertpals@cox.net	Barbara Queen (written) 2455 Burtin Dr Sparks, NV 89436 bobbieqt@sbcglobal.net	
			Stanley Barnes 1478 Kathy Way Gardnerville, NV 89460 stanbarnes0@gmail.com	Edward Morgan (written) 470 Cedarlawn Dr Spring Creek, NV 89815 Clay054414@gmail.com	Forrest Henry (written) 3700 Rock Glen Ln North Las Vegas, NV 89032 catsanddogs1911@gmail.com	
			David Bergholz (written) 1858 Mountain Ranch Ave Henderson, NV 89012 roadkingclassicroider@yahoo.com	Lester Jew (written) 11012 Rusty Ray Dr Las Vegas, NV 89135 lesterleapsin@cox.net	Jeffrey Peters (written) 8695 Eaglenest Rd Sparks, NV 89436 litejp@charter.net	
			Melissa Clement (written) 7900 Rusty Rd Reno, NV 89511 mtc3785@sbcglobal.net	Jean Heatherly (written) 9032 Graying Drive Las Vegas, NV 89134	Sharian Connel (written) 1564 Siboney Dr Las Vegas, NV 89123 Sharianlv@gmail.com	
			Marilyn Lee (written) 7617 Wingspread St North Las Vegas, NV 89084 marilynlee4re@cox.net	Sandee Tibbett (written) 2230 Pawnee Way Reno, NV 89506 sanshelly1@charter.net	Barbee Eckenrode (written) 2898 La Cresta Cir Minden, NV 89423 banne@reagan.com	
			Suzaane Arnona (written) 2405 Black River Falls Dr Henderson, NV 89044 arnonasuzanne@gmail.com	Keith Hanly (written) 2230 Pawnee Way Reno, NV 89506 siderman01@sbcglobal.net	Linda Dougan (written) 5748 Taj Mahal Dr Las Vegas, NV 89130 lrdougan.nv49@gmail.com	
			Alisha Nilson Swritten) 1581 Equestrian Dr Henderson, NV 89002 ali.brady@yahoo.com	Muriel Weidemann (written) 2526 Rockbridge Dr Carson City, NV 89706 murielw@nvbell.net	Inessa Kazaryan (written) 2784 Botticelli Dr Henderson, NV 89052 inessakaz@yahoo.com	
			Richard Westrup (written) 2225 Putnam Dr Reno, NV 89503 rcwfortruth@gmail.com	George Carey (written) 1380 Eldorado Way Pahrump, NV 89048 gcarey@live.com	Diane Nohr (written) 625 Manzanita Ln Reno, NV 89509 dnohr28@gmail.com	
			Janet Ripso (written) 10550 W Alexander Rd Unit 1040 Las Vegas, NV 89129 ocean_breeze01@hotmail.com	Rex Beishline (written) 1322 Settlers Way Mesquite, NV 89034 rexbeish@icloud.com	Kara Harvey (written) 401 Cheryl St Silver Springs, NV 89429 karaharvey34@gmail.com	
			Michael Ringo (written) 7525 Gold Ct Reno, NV 89506 ring68cal@gmail.com	Katherine Brodie (written) 909 S Arlington Ave Reno, NV 89509 katherine.brodie@yahoo.com	Gail Betz (written) 1800 Hunter Creek Rd Reno, NV 89519 Bdacac@gmail.com	

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	Brenda Whiteman (written) 452 E Silverado Ranch Blvd Las Vegas, NV 89183 fairbanks@yahoo.com		Mary Miya (written) 837 Crescent Moon Bnd Mesquite, NV 89034 kitty.miya@yahoo.com		Valerie Stasiak (written) 2624 Ridgewater Cir Henderson, NV 89074 valeriestasiak@yahoo.com	
	FRANK Luna (written) 8204 Cedar Mesa Ave Las Vegas, NV 89149 feluna69@gmail.com		Dawn Maahs (written) 1124 Fairbury St Henderson, NV 89052 blueeyes620@aol.com		David Morton (written) 4399 Ponderosa Dr Carson City, NV 89701 david.morton@charter.net	
	Richard Louth (written) 430 Jeanell Dr Apt 202 Carson City, NV 89703 odeskull@gmail.com		Roben Hopkins (written) 1108 Cold Stream Dr Las Vegas, NV 89110 arsf49ers@cox.net		Gregory Quinn (written) 209 Mazatlan St Henderson, NV 89074 Greg.q@hotmail.com	
	Co Drydeb (written) PO Box 96061 Las Vegas, NV 89193 cpdryden@gmail.com		Lavon Thomsen (written) 777 Court St Elko, NV 89801 lavon.thomsen@gmail.com		Tary Woodward (written) PO Box 33846 Las Vegas, NV 89133 c0mm0ns3ns3@hotmail.com	
	Michelle Murlin (written) 2055 Sugar Hill St Henderson, NV 89052 mmurlin@yahoo.com		Dulcie Crawford (written) 1681 Santa Anita Dr Las Vegas, NV 89119 dulciecrawford@gmail.com		Laura Turner (written) 9404 Water Flow Ct Las Vegas, NV 89134 ltdst@cox.net	
	Perry Ossian (written) 6901 E Lake Mead Blvd Apt 1152 Las Vegas, NV 89156 ossianperry@yahoo.com		Eva Busch (written) 452 E Silverado Ranch Blvd Apt 354 Las Vegas, NV 89183 pineapple1962@gmail.com		eugene gerscovich (written) 9320 Hidden Park Dr Reno, NV 89523 latenten2@yahoo.com	
	Dennis Cope (written) 1709 Kiltie Way Las Vegas, NV 89102 dcope1965@yahoo.com		Ruth Longcore (written) 1479 Hogadon Way Reno, NV 89523 mutie9@yahoo.com		Marina Colacicchi (written) 2017 Arbor Forest St Las Vegas, NV 89134 marinacolacicchi@gmail.com	
	Jennifer Allen (written) 8020 S Rainbow Blvd Las Vegas, NV 89139 JALLEN711@YAHOO.COM		Bob Russo (written) 1020 Sierra Vista Ct Gardnerville, NV 89460 peacefulwalk@verizon.net		Denise Cope (written) 1709 Kiltie Way Las Vegas, NV 89102 dcope1965@yahoo.com	
	Steve Maahs (written) 1124 Fairbury St Henderson, NV 89052 sm@asilv.com		Martin Wilner (written) 10624 S Eastern Ave Ste A-433 Henderson, NV 89052 Orcinasnv@yahoo.com		Bonnie Humes (written) 237 Rue de la Chartreuse Sparks, NV 89434 bk0814@gmail.com	
	Allen Sherbrook (written) 4790 Caughlin Pkwy Apt 773 Reno, NV 89519 asherbrook@yahoo.com		Marti Deputy (written) 1744 Reed Cir Minden, NV 89423 deputymarti@gmail.com		Cheryl Lange (written) 10497 Miners Gulch Ave Las Vegas, NV 89135 clange1946@gmail.com	
	Suzie Griego (written) 1435 E Guffey Dr Washoe Valley, NV 89704 suzieanddave@att.net		Mary Kapner (written) 18124 Wedge Pkwy Reno, NV 89511 mitzimitzi19@yahoo.com		Teodora Buda-Gordon (written) 2842 Bassano Ct Henderson, NV 89052 toria111@hotmail.com	
	Christina Sherbrook (written) 4734 Village Green Pkwy Reno, NV 89519 cssherbrook@yahoo.com		Darlene DeLancey (written) 7730 Autumn Ridge Cir Reno, NV 89523 darlene@seashots.com		Michelle Johnson 708 Altamira Rd Las Vegas, NV 89145 drnichelleiv@gmail.com (written)	

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			David Dwyer (written) dwyervegas@gmail.com	Chandra Peterson (written) 10220 Imperial Pointe Ave Las Vegas, NV 89134 bail92345@aol.com	Charlotte Liszka 8315 Tribute Ln Las Vegas, NV 89147 charich@juno.com (written)	
			Linda Trevino (written) 24826 N Point Pl Katy, TX 77494 lindatrevino32@comcast.net	Elaine St John (written) 201 La Costa Ave Dayton, NV 89403 Elaine@caltel.com	Lester Jew (written) 11012 Rusty Ray Dr Las Vegas, NV 89135 lesterleapsin@cox.net	
			Andrew schaub (written) 5581 Lenox Hill Ct Las Vegas, NV 89135 schaub35@yahoo.com	James Padgett (written) 8690 W Fisher Ave Las Vegas, NV 89149 padgettjp@hotmail.com	Jaimee Shepler (written) 1094 Saffron Woods Ct Sparks, NV 89441 jaimeeolson23@gmail.com	
			Ray Williams Jr. (written) PO Box 111 Austin, NV 89310 toyabe1@gmail.com	Alyson Jasper (written) 3983 S McCarran Blvd Apt 182 Reno, NV 89502 jasptacct@yahoo.com	Melinda Terry (written) 1495 Serendipity Ct Sparks, NV 89436 1955m1dt@gmail.com	
			Roger Pearson (written) 8625 Edmond St Las Vegas, NV 89139 roger@pearsontrenching.com	Lynda Jensen (written) 6488 Bluff Dwellers Ave Las Vegas, NV 89131 lyndajensen@cox.net	James Stuhler 1495 Serendipity Ct Sparks, NV 89436 jrstuhler@yahoo.com (written)	
			Andrew Fanizzi (written) 1150 Pandora Canyon St Henderson, NV 89052 funeasy456@gmail.com	Mary Schaub (written) 5581 Lenox Hill Ct Las Vegas, NV 89135 maryschaub@mac.com	Glen Duppenhaller (written) 1270 Creek Haven Cir Reno, NV 89509 gduppenhaller@gmail.com	
			Suzanne Scavo (written) 2820 Via Bel Mondo St Henderson, NV 89074 suzyqss2003@yahoo.com	Betty Thiessen (written) 255 Shetland Cir Reno, NV 89508 Nevadacountrygirl@protonmail.com	Thom Collins (written) 3035 Oreana Dr Reno, NV 89509 thomacollins@gmail.com	
			Kadey Pearson (written) 8625 Edmond St Las Vegas, NV 89139 kady@embarqmail.com	Clinton Jensen (written) 6488 Bluff Dwellers Ave Las Vegas, NV 89131 clintjensen@cox.net	Della Frank (written) 7814 Jessamy St North Las Vegas, NV 89084 dfrank429@gmail.com	
			Nicole MacDonald (written) 597 Saint Croix St Henderson, NV 89012 nicole.macdonald@sbcglobal.net	Vince Craig (written) 242 Courtney Ln Reno, NV 89523 vj6875@yahoo.com	Pamela Lee (written) 6420 E Tropicana Ave Spc 177 Las Vegas, NV 89122 twladyinlv@gmail.com	
			Ree Brinderhoff (written) 51 Penrose Ln Yerington, NV 89447 reeb@hdiss.net	Melody Solton (written) mlmkd@earthlink.net	Jessica Starcher (written) 1571 Gray Fox Way Pahrump, NV 89048 jstarcher1378@gmail.com	
			Michelle Nun (written) 10529 Early Heights Ct Las Vegas, NV 89129 michellenunlv@gmail.com	Shawn Bautista (written) 10758 Marathon Bell Ln Las Vegas, NV 89129 bautista.shawn729@gmail.com		
			Carolyn Espil (written) 2200 Westergard Rd Lovelock, NV 89419 carolynespil@gmail.com	Ryan Simpson (written) 1291 White Cedar Ct Reno, NV 89511 ryansmpsn1986@gmail.com		

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	Leslie Calianno (written) 31 Lily Grove Rd Las Vegas, NV 89148 lesliecalianno@yahoo.com	Larry Aynesmith (written) 11565 Old Virginia Rd Apt B444 Reno, NV 89521 larryayne@gmail.com	Larry Aynesmith (written) 11565 Old Virginia Rd Apt B444 Reno, NV 89521 larryayne@gmail.com			
	Casey Kasten (written) 337 L St Sparks, NV 89431 kcatreno@yahoo.com Sandra Stitt (written) 2620 Tumble Brook Dr Las Vegas, NV 89134 silverbelle@reagan.com	Nancy Wooff (written) 9212 Empire Rock St Las Vegas, NV 89143 nancywooff@yahoo.com Akahi Pinkerton (written) 350 Raleigh Ln Indian Springs, NV 89018 akahi58@gmail.com	Nancy Wooff (written) 9212 Empire Rock St Las Vegas, NV 89143 nancywooff@yahoo.com Akahi Pinkerton (written) 350 Raleigh Ln Indian Springs, NV 89018 akahi58@gmail.com			
	Darrell Wood (written) 2711 W Windmill Ln Apt 421 Las Vegas, NV 89123 dw@asilv.com Kathleen Stephens (written) 703 Greenway Rd Henderson, NV 89002 kathystephens@gmail.com	Joseph Reed (written) 4955 Saguaro Dr Sun Valley, NV 89433 olddodge25@yahoo.com Kathryn Kelly (written) 1001 S Meadows Pkwy #1017 Reno, NV 89521, kkelly@schools.us Cris Johnson (written) 1820 Beringer Way Reno, NV 89521 thepoomom@gmail.com David Stella (written) 654 Cobblestone Way Mesquite, NV 89027 dcstella@comcast.net	Joseph Reed (written) 4955 Saguaro Dr Sun Valley, NV 89433 olddodge25@yahoo.com Kathryn Kelly (written) 1001 S Meadows Pkwy #1017 Reno, NV 89521, kkelly@schools.us Cris Johnson (written) 1820 Beringer Way Reno, NV 89521 thepoomom@gmail.com David Stella (written) 654 Cobblestone Way Mesquite, NV 89027 dcstella@comcast.net			