

October 18, 2014

VIA E-MAIL (DonK@Juravin.com) AND U.S. MAIL

Mr. Don Juravin
P.O. Box 5939
Sarasota, Florida 34227

Re: Senator Justin C. Jones/Nevada Public Integrity Unit Complaint

Dear Mr. Juravin:

This office represents Senator Justin C. Jones. It has come to my attention that, on October 13, 2014, you submitted to the State of Nevada Office of the Attorney General Nevada Public Integrity Unit a Complaint Form (the "Public Integrity Complaint").

The Public Integrity Complaint contains numerous blatantly false and/or reckless accusations that do not enjoy First Amendment protection. See *United States v. Alvarez*, 638 F.3d 666 (9th Cir. 2011) (false statements and statements made with reckless disregard for the truth are not protected by the First Amendment). In addition, these statements are not protected by Nevada's anti-SLAPP statutes (NRS 41.637 protects only good faith communications that are "truthful" or "made without knowledge of its falsehood").

The numerous false statements contained in the Public Integrity Complaint include the following:

- That Senator Jones "may have accepted a bribe for the introduction and passage of Senate Bill 286...."
- That "Nevada Attorney Mark Randazza may have promised Senator Jones campaign contributions in exchange for sponsoring and passing the law."
- That Mr. Randazza admitted to "bribing a public official under NRS 197.010 and 197.020...."
- That "Mr. Randazza promised to reward the Senator with votes and campaign contributions with the intent to influence the Senator with respect to Senate Bill 286."
- That Mr. Randazza and Senator Jones "are intertwined in what appears to be a *quid pro quo* relationship."

Holland & Hart LLP Attorneys at Law

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Aspen Billings Boise Boulder Carson City Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C.

- “It appears that Senator Jones only became interested in the SLAPP law because of the campaign contribution promise by Mr. Randazza.”
- “It appears that Senator Jones is only concerned about SLAPP laws because of his relationship with Mr. Randazza and his promise of funds and votes.”
- That Senator Jones and Mr. Randazza have a “nefarious relationship” that involves an “apparently admitted bribe.”

The timing of this Public Integrity Complaint has not gone unnoticed. The anti-SLAPP statute upon which you claim involved a “bribe” was enacted in 2013, more than one year ago. Yet, you waited until just a few days before the commencement of early voting in Nevada to file your Public Integrity Complaint. The timing of this Public Integrity Complaint has left Mr. Jones no time to respond and no chance to have these false claims adjudicated prior to the commencement of voting. Moreover, you have apparently engaged two Internet-based public relations firms (www.prlog.org and www.techdirt.com) in an attempt to gain media traction and exposure for your Public Integrity Complaint. These actions demonstrate actual malice on your part. See *Obsidian Finance Group, LLC v. Cox*, 740 F.3d 1284, 1289 (9th Cir. 2014), citing *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964).

Senator Jones, as the sponsor of S.B. 286 and a practicing attorney himself, certainly respects and appreciates the right of a citizen to petition government. The complaint process is a vital component that is meant to keep government honest and accountable. However, the accusations made in the Public Integrity Complaint are simply and unequivocally wrong. Neither the First Amendment nor the democratic process justify the publication of false and reckless accusations made without personal knowledge.

It is my understanding that you are currently involved in a bitter personal dispute with Mr. Randazza which has nothing to do with Senator Jones. In your misguided zeal to attack Mr. Randazza, you have attempted to drag Senator Jones into your dispute without considering the consequences of your actions. And while you may not be a Nevada resident and may not care about who is elected to the Nevada State Senate, many people in Senate District 9 do care, and they are entitled to an election that is free from last-minute election shenanigans.

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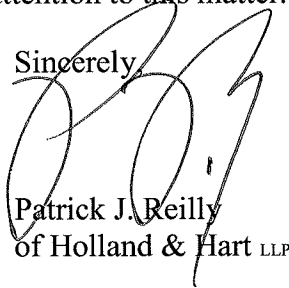
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I am enclosing herewith a draft Complaint (without attachments) for your review. Please be advised that this office will file the draft Complaint in the Eighth Judicial District Court in Clark County, Nevada if you do not (1) provide **by 5:00 p.m. PDT on Sunday, October 19, 2014**, a written statement fully and completely withdrawing all allegations contained in the Public Integrity Complaint; and (2) remove or cause for the removal from any Internet web site any posting concerning the Public Integrity Complaint.

Thank you for your prompt attention to this matter.

Sincerely,



Patrick J. Reilly
of Holland & Hart^{LLP}

PJR
Enclosure

cc: Floor64, Inc. d/b/a Techdirt (w/enclosure)
PRNewswire d/b/a PRLog (w/enclosure)

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7 *Attorneys for Plaintiff*

8
9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 JUSTIN C. JONES,
12
13 Plaintiffs,

Case No.
Dept. No.

13 vs.

COMPLAINT

14 DON KARL JURAVIN; DOES I through X;
15 and ROES XI through XX,
16 Defendants.

**Arbitration Exemption Claimed:
Declaratory and Injunctive Relief Sought**

17 Plaintiff Justin C. Jones ("Senator Jones"), by and through his attorneys of record,
18 Holland & Hart LLP, for their Complaint against the above-named Defendant, state and allege
19 as follows:

20 **PARTIES, JURISDICTION, AND VENUE**

21 1. Senator Jones is an individual and a resident of Clark County, Nevada. He is an
22 attorney licensed to practice law in the State of Nevada and an elected member of the Nevada
23 State Senate.

24 2. Defendant Don Karl Juravin is an individual and a resident of the State of
25 Florida.

26 3. Defendants Does I through X and Roe Corporations XI through XX are persons
27 or entities whose acts, activities, misconduct or omissions at all times material hereto make
28 them jointly and severally liable under the claims for relief set forth herein. The true names

1 and capacities of the Doe Defendants and Roe Corporate Defendants are presently unknown,
2 but when ascertained, Plaintiffs request leave of the Court to amend the Complaint to substitute
3 their true names and capacities.

4 4. This Court has subject matter jurisdiction pursuant to Article VI of the Nevada
5 Constitution, and personal jurisdiction over the Defendants in accordance with NRS 14.065, on
6 the grounds that such jurisdiction is not inconsistent with the Nevada Constitution or the
7 United States Constitution.

8 5. Venue is proper in the Eighth Judicial District Court in accordance NRS 13.040.

9 **GENERAL ALLEGATIONS**

10 6. On or about October 13, 2014, Defendant Juravin submitted to the State of
11 Nevada Office of the Attorney General Public Integrity Unit a complaint against Senator Jones.
12 A true and correct copy of the Complaint with attachments (the "Complaint") is attached
13 hereto as **Exhibit "1"**.

14 7. The Public Integrity Complaint contains numerous blatantly false and/or
15 reckless accusations that do not enjoy First Amendment protection. Nor are these statements
16 protected by Nevada's anti-SLAPP statutes (*see* NRS 41.637), which protect only good faith
17 communications that are "truthful" or "made without knowledge of its falsehood".

18 8. The numerous false statements contained in the Public Integrity Complaint
19 include the following:

- 20 a. That Senator Jones "may have accepted a bribe for the introduction and passage
21 of Senate Bill 286...."
- 22 b. That "Nevada Attorney Mark Randazza may have promised Senator Jones
23 campaign contributions in exchange for sponsoring and passing the law."
- 24 c. That Mr. Randazza admitted "to bribing a public official under NRS 197.010
25 and 197.020...."
- 26 d. That Mr. Randazza and Senator Jones "are intertwined in what appears to be a
27 *quid pro quo* relationship."
28

1 e. “It appears that Senator Jones only became interested in the SLAPP law because
2 of the campaign contribution promise by Mr. Randazza.”

3 f. “It appears that Senator Jones is only concerned about SLAPP laws because of
4 his relationship with Mr. Randazza and his promise of funds and votes.”

5 g. That Senator Jones and Mr. Randazza have a “nefarious relationship” that
6 involves an “apparently admitted bribe.”

7 9. The Public Integrity Complaint has absolutely no basis in fact, and contains
8 numerous over-the-top accusations that have been made with no personal knowledge.

9 10. Defendant Juravin has additionally retained two Internet-based public relations
10 firms (www.prlog.org and www.techdirt.com) to publish these unfounded allegations and the
11 existence of the Public Integrity Complaint on the Internet.

12 11. Although the anti-SLAPP statute referenced in the Public Integrity Complaint
13 was enacted in 2013—more than one year ago—Defendant Juravin waited until just a few days
14 before the commencement of early voting in Nevada to file his Public Integrity Complaint.
15 The timing of this Public Integrity Complaint has left Mr. Jones no time to respond and little
16 chance to have these false claims adjudicated prior to the commencement of voting.

17 12. Senator Jones is informed and believes, and thereon alleges, that Defendant
18 Juravin has been engaged in a bitter personal dispute with Las Vegas attorney Marc Randazza,
19 and that Duravin has filed the Public Integrity Complaint with the mistaken and misguided
20 belief that his false accusations directed against Senator Jones will somehow collaterally harm
21 Mr. Randazza.

22 13. Defendants have engaged in the conduct with actual malice.

23 **FIRST CLAIM FOR RELIEF**

24 **(Defamation and Defamation Per Se)**

25 14. Plaintiff hereby repeats, realleges, and incorporates all of the allegations
26 contained in the preceding paragraphs as though fully set forth herein.

27 15. Defendants have wrongfully published disparaging statements concerning
28 Plaintiff to third persons.

- 1 16. Said statements are false or made recklessly without regard for the truth.
- 2 17. Said statements are not privileged.
- 3 18. Said statements were made with actual malice.
- 4 19. Plaintiff has been damaged as a result of Defendants' actions.
- 5 20. Plaintiff has been forced to retain the services of Holland & Hart LLP to address
- 6 the conduct complained of herein and therefore is entitled to all of their attorneys' fees and
- 7 costs associated with bringing this action.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff demands judgment against Defendants as follows:

- 10 1. For a temporary restraining order, preliminary injunction, and permanent
- 11 injunction preventing Defendants from continuing to publish false accusations concerning the
- 12 Plaintiff;
- 13 2. For damages in an amount in excess of \$10,000.00;
- 14 3. For punitive damages;
- 15 4. For an award of Plaintiff's reasonable attorneys' fees and costs incurred in
- 16 prosecuting this matter, including attorney's fees as special damages;
- 17 5. For such other and further relief as the Court deems just and proper.

18 DATED this 18th day of October, 2014.

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20 _____
21 Patrick J. Reilly, Esq.
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26 *Attorneys for Plaintiff*
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