

LOBBYIST SERVICES PROPOSAL FOR NEVADA STATE BOARD OF MASSAGE THERAPY



SUBMITTED BY

Flynn Giudici Government Affairs, LLC



FLYNN | GIUDICI

October 26, 2022

**STATE OF NEVADA STATE BOARD OF MASSAGE THERAPY
LOBBYIST CONSULTING SERVICES PROPOSAL**

Flynn Giudici Government Affairs, LLC

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July 7, 2022

Nevada State Board of Massage Therapy
Attn: Sandra J. Anderson
1755 E. Plumb Lane, #252
Reno, NV 89502

RE: Proposal for Lobbying Services

Dear Ms. Anderson,

As you are aware, the actions of the Nevada Legislature have broad and far-reaching impacts. Therefore, obtaining respected and competent representation at the Nevada State Legislature is critical to the future success of public and private entities. Likewise, government representation is a specialty that requires experience, expertise, tested ability, well-developed personal contacts, and a solid reputation. Flynn Giudici Government Affairs, LLC, a government relation, and lobbying firm with collectively more than 30 years of experience, understands the needs and expectations of each client.

The Flynn Giudici Government Affairs team is pleased to provide this proposal for lobbying and government relations services to the . Our team consists of highly skilled negotiators and legislative advocates with extensive experience representing associations, businesses, economic development organizations, housing authorities, education, financial services, health care, local government, manufacturing, and non-profits.

We offer our clients a wide array of services, including public policy, regulatory communications, mediation, and contract negotiations. Our services are integrated and reflect a comprehensive understanding of every facet of government affairs. Indeed, our seasoned team of professionals can assist in quickly and efficiently helping clients strategize and focus on obtaining the results they are looking for.

Our firm has assembled a team of individuals with a strong background in housing and a deep understanding of the complexities that the State is currently working through. Our team is consistently recognized as one of the go-to firms for identifying potential public policy issues and solutions. Mendy Elliott and Omar De la Rosa's years of public policy work and intimate knowledge of Nevada's rules and regulations, along with Nick Vander Poel's deep understanding of federal and administrative policies have earned them praise from clients, legislators, and business leaders. As a result, our firm is uniquely positioned to handle the lobbying affairs of the Nevada State Board of Massage Therapy.

This letter constitutes a representation that Flynn Giudici Government Affairs, LLC, is willing and able to perform the commitments contained throughout this proposal. We appreciate the opportunity to submit this proposal. We trust you will find that our qualifications and experience as lobbyists before the Nevada Legislature and other government and local agencies meet your expectations.

Should you have questions or comments, please contact us. Thank you.

Sincerely,

Shamus Flynn
Principal
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Daniel Giudici
Principal
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Nick Vander Poel
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[Governmental Affairs Advocates in Reno and Las Vegas | Flynn Giudici](#)

PRINCIPALS

Shamus Flynn

Having worked for some of the biggest law and consulting firms in the country, and having led Marines in combat, Shamus operates best when the stakes are high. He provides clients “big firm” results with the personal touch found only at a boutique firm. By leveraging his litigation and transactional experience, Shamus helps clients navigate complex regulatory and commercial concerns; employment disputes; environmental, land use, and energy matters; general tax issues and controversies; and appeals.

As a notable lawyer in the emerging cannabis industry, clients turn to Shamus as a trusted advisor to assist in acquiring and transferring licenses, drafting and negotiating contracts and agreements, and navigating the dizzying cannabis compliance rules and regulations. And given his tax background, Shamus boasts an acute understanding of section 280E and the challenges associated with it.

Prior to co-founding Flynn Giudici, Shamus served as an attorney at Baker Botts, a leading global law firm. While there, his practice focused on litigating complex regulatory matters involving energy, land use, protected species, mining, infrastructure development, sensitive business concerns, and appeals.

Drawing on his experience as a former judicial law clerk to the Honorable Johnnie B. Rawlinson of the United States Court of Appeals for the Ninth Circuit, Shamus has a deep understanding of the federal courts and the appellate process in general. He has experience drafting dispositive trial court and appellate briefs in both state and federal courts.

Before clerking for Judge Rawlinson, Shamus received a taxation LLM from NYU School of Law and subsequently served as a mergers and acquisitions associate at the global consulting firm PricewaterhouseCoopers (PwC) in its Silicon Valley office. In this position, Shamus helped multinational clients navigate complex corporate and tax laws.

Prior to attending law school, Shamus served as an officer in the United States Marine Corps, where his tour of duty included a one-year combat deployment to Helmand Province, Afghanistan. His combat decorations include, among others, a Purple Heart and Combat Action Ribbon.

Shamus is licensed to practice in Nevada and California.

Daniel Giudici

Daniel brings a unique blend of experience from both the public and private sectors. He has worked in multiple arenas, from the Capitol in Washington D.C. to flower rooms in Nevada cannabis operations. He counsels businesses and entrepreneurs, helping guide them from entry- to-exit, whether it be starting a business, dealing with regulators, selling a company, and anything in between.

A third generation Nevadan, Daniel was born and raised in Reno and attended Bishop Manogue Catholic High School and the University of Nevada, Reno. While attending high school and college, Daniel worked for his family's business where he learned first hand the skills needed to successfully run a company. After graduating from UNR, he worked in Washington D.C. and Nevada for United States Senator Dean Heller and in various other government and political positions.

He left politics to attend law school and graduated from Loyola Law School in Los Angeles. After graduating, he continued his legal education and received an LLM in taxation from the University of San Diego.

Daniel then began working in the newly formed medical cannabis market in Nevada. A sought after and trusted cannabis advisor, he possesses vast administrative and operational experience in all legal cannabis operations. Daniel is also a thought leader in the cannabis industry and routinely publishes articles analyzing important cannabis-related issues, especially those that touch on tax concerns such as section 280E. His experience and unique skill set also extend to administrative law, startup and business matters, construction, and estate planning.

Daniel is licensed to practice in Nevada and California.

Nick Vander Poel

Long considered a trusted advisor to private industry, entrepreneurs, nonprofits, commerce organizations, and much more, Nick brings decades of experience serving as a government affairs expert and lobbyist. Clients turn to Nick because he routinely draws on his deep political and regulatory connections in Nevada and abroad to help advance legislation, navigate red tape, and facilitate positive outcomes for his clients. Maneuvering within the legislative and bureaucratic process—at the federal, state, and local levels—requires skill, grit, and resilience. This is precisely where Nick thrives.

Nick's background speaks for itself. From 2015 to 2021, he worked as a lobbyist at a Nevada-based lobbying firm, where he spent 6 years building and working with a diverse portfolio of clients. Before that, Nick worked for a national nonprofit where he focused on grassroots and political education. In this capacity, he broadened his relationships well beyond Nevada. Indeed, Nick served as a trusted advisor and resource for the nonprofit where he led a variety of successful campaigns across the United States.

Prior to his work with the nonprofit, Nick received an appointment to serve in the Nevada Governor's office working on legislative issues. In 2008 he was responsible for oversight of the Governor's 200+ Boards and Commissions, including board appointments and community outreach.

Nick's professional career began on Capitol Hill in 2003, interning for a Nevada Congressman until a Nevada U.S. Senator recruited him to work on a variety of issues. He then returned to

Northern Nevada, accepting a position in a Congressional district office as a regional representative focusing on military, veterans' affairs, transportation, and public safety issues.

After growing up in Northern Nevada and Northern California, Nick graduated from Fresno State University with a bachelor of science in agriculture economics.

FLYNN GIUDICI GOVERNMENT AFFAIRS TEAM

Mendy Elliott

Mendy Elliott is a seasoned lobbyist and government affairs advocate. A fixture in Nevada—and the country more broadly—government affairs circles, clients seek her counsel to provide solutions to complex regulatory, legislative, and political issues.

Mendy's background includes decades of both public and private sector experience, as illustrated by her extensive career in community, corporate, and government relations. For the past ten years, Mendy served as partner at a Nevada-based lobbying firm. Prior to that, she served the State of Nevada when she was appointed by Governor Jim Gibbons to serve as Director of Business and Industry in 2007, a post she held until July 2008 when the governor promoted her to serve as his Deputy Chief of Staff.

Mendy's foray into government affairs and lobbying began 30 years ago when she served as the Community and Government Affairs Officer for First Interstate Bank, Norwest Bank and Wells Fargo. She retired after a 30-year career in the financial services industry, making her keenly knowledgeable in policies and regulations governing the financial services industry. Among her various positions, she served as a Personal Banking Officer, Branch Manager, and Commercial Loan Officer. Her most recent posts included Senior Vice President of Wells Fargo Bank, N.A., and Private Banking Manager. Additionally, she served in the capacity of Senior Vice President, Community and Government Relations Department at Wells Fargo where she oversaw all aspects of the bank's government relations and community relations/foundation programs including serving as the main liaison with the Nevada legislature and the state's University System.

A stalwart in the community, Mendy has been active in numerous nonprofits and charities, including the RSCVA, where she served as the Chairman; Reno Sparks Chamber of Commerce; WIN; United Way of Northern Nevada; Nevada Women's Fund; KNPB Public Broadcasting; APT's; Community Foundation of Western Nevada; American Heart Association; Girl Scouts of Northern Nevada and the Sierra; and the Nevada Humane Society. She also served as a member of the Athletic Association of the University of Nevada, Reno; Reno Chamber Orchestra; Community Service Agency; Nevada Gear-Up; and Nevada Schools to Careers Chair. In addition, she was a founding member of the Washoe County School District Foundation.

Omar De La Rosa

A fixture in Nevada government affairs circles, Omar has over 14 years of experience handling legislative, regulatory, and political matters. Omar provides valuable Capitol Hill experience to Nevada's growing metropolis. While primarily based in Southern Nevada, his practice extends to

the entire state of Nevada. With his deep knowledge of Nevada's government affairs and lobbying landscape, coupled with his extensive political and regulatory connections, Omar's able to help clients navigate complex and thorny issues. Considered a policy expert, clients, politicians, and stakeholders alike turn to Omar as a trusted advisor to help analyze and make sense of existing and prospective legislation.

For the last six years, Omar has been the Policy Director for the Assembly Republican Caucus, which focused on developing and implementing effective policy strategy for legislative members, as well as leveraging partnerships and working with state and federal agencies, lobbyists, and stakeholders. Prior to that, he worked national political organizations and the U.S. Senate Committee on Health, Education, Labor and Pensions on Capitol Hill where he worked daily with staff on health care policy.

Omar graduated from Baylor University with a degree in economics.

Justice Bill Maupin (Ret.)

Former Nevada Supreme Court Chief Justice William "Bill" Maupin serves as Of Counsel at Flynn Giudici and focuses on trial litigation and appellate matters. Since leaving the Nevada Supreme Court, he has practiced law with the Lionel Sawyer & Collins, Maupin Naylor and Braster, and Clark Hill firms.

Justice Maupin's 50-year legal career includes significant public and private sector experience. Elected to two terms to the Nevada Supreme Court from 1997 to 2009, he served three years as Chief Justice. While on the bench, Justice Maupin served on the Supreme Court Committee tasked with re-drafting the Nevada Rules of Civil Procedure and revising the Nevada Code of Judicial Conduct. He also spearheaded the Nevada Court Annexed Arbitration system, one of the most comprehensive alternative dispute resolution programs in the United States. Additionally, Justice Maupin was associated with the Supreme Court Commission concerning preservation and access to court records, the Supreme Court Indigent Defense Commission, as well as forming the Nevada Chief Justice's Task Force on Mental Health Courts in conjunction with the National Council for State Governments.

Prior to serving as a Nevada Supreme Court justice, Justice Maupin served as a district judge for the Eighth Judicial District Court in Las Vegas from 1993 to 1997, appointed by Governor Robert Miller in 1993. During his time as a sitting trial judge, Justice Maupin initiated a mediation program in which he mediated numerous civil litigation settlements for other district court judges. The project resulted in over \$20 million in total resolutions over a one-and-a-half-year period. In addition to his judicial career, Justice Maupin has more than 34 years of private practice experience, including serving as a shareholder at two of Nevada's premiere law firms: Lionel Sawyer & Collins and Thorndal Backus Maupin & Armstrong.

Justice Maupin has received numerous awards in recognition of his service and accomplishments, including the Nevada Attorneys for Criminal Justice Defense of the Sixth Amendment Award (2009), Clark County Bar Liberty Bell Award (2008), Nevada Press Association "First

Amendment Champion” Award (2008), and Clark County Bar Association Roger D. Foley Professionalism Award (1997).

Justice Maupin obtained his bachelor’s degree from the University of Nevada, Reno, in 1968, and his J.D. from the University of Arizona College of Law in 1971, finishing top ten in his class.

FIRM QUALIFICATIONS

Though recently formed by Shamus Flynn, Daniel Giudici, and Nick Vander Poel, Flynn Giudici Government Affairs has collectively more than 30 years of legislative experience and has a proven reputation for utilizing strategy and relationships to achieve results for our clients. With a driven and diverse team, Flynn Giudici Government Affairs has the ability to navigate Nevada's political landscape and provide clients a real-time pulse. With a total staff of nine individuals, Flynn Giudici Government Affairs has positioned itself to be an excellent resource and reliable team to monitor, track, engage, and deliver for our clients. Additionally, our diverse client portfolio is what attracts clients to Flynn Giudici Government Affairs as we are engaged and knowledgeable on a wide range of issues within Nevada.

During the 2021 Nevada Legislative session, we were engaged by a finance firm out of Texas to amend Nevada Revised Statute related to Commercial PACE (Property Assessed Clean Energy). The result was Senate Bill 283, sponsored by Senator Chris Brooks. Senate Bill 283 involved working with local governments and private sector representatives to craft a bill that implemented CPACE financing in Nevada. During the legislative process, we worked diligently to have thoughtful discussions and educate legislators of the legislation. Senate Bill 283 was passed by a bipartisan vote in both the Senate and Assembly and ultimately signed into law by Governor Sisolak. Local counties and cities are now in the process of implementing Senate Bill 283 with support from the diverse groups involved in its drafting.

Our firm stresses that education is the key to being successful. Therefore, it is our commitment to engage and educate candidates and legislators on the priorities and concerns of our clients. As you are aware the housing industry is extremely complex. Our firm is currently working with the private sector, non-profit organizations and government agencies at both the state and local level to support and advocate for policies and legislation that will have long lasting impacts on housing in the state.

CURRENT CLIENTS

American AVK
City of Fernley
Italian Capital
Nevada Rural Housing Authority
Nevada Housing Coalition
Northern Nevada Development Authority
Immunacor
State of Nevada – Board of Examiners for Social Workers
State of Nevada – Governor’s Office of Economic Development
PBS Northern NV
Nevada Donor Network
Truckee Meadows Community College

Board of Massage, but should one arise, we will consult with the Executive team of the Board on how to proceed.

SCOPE OF WORK

Flynn Giudici Government Affairs will provide support services for political advocacy, regulatory affairs, lobbying, and analyzing legislation that will impact the Nevada State Board of Massage Therapy. All services will be provided at the direction of Nevada State Board of Massage Therapy.

- Assemble a monthly summary of meetings and topics that occur during the legislative session.
- A in depth summary of the legislative session and the issues addressed, including any Bill Draft Requests and recommendations related therein.
- Provide a summary report before and after the close of the legislative session
- Prepare the Nevada State Board of Massage Therapy for the next steps after session.
- Strategize on legislative priorities and proposed legislation during the 2023 legislative session.
- Support and introduce the Nevada State Board of Massage Therapy executive team to the Nevada political landscape and identify key individuals that one-on-one meetings need to be held prior to the 2023 session both at a state and local level.
- Identify unique opportunities to introduce elected officials and interested stakeholders to the Nevada State Board of Massage Therapy as well as continue to work with other industry lobbyists to coordinate and collaborate for the benefit of housing in Nevada.

- Draft memoranda, letters and talking points on pending legislation at the direction of the Executive team.
- Attend and testify at hearings in front of the legislative and interim legislative committees as requested by the Executive team.
- Represent the Nevada State Board of Massage Therapy with the Governor’s Office, Attorney General’s Office, or any other state agency, board, commission, local government, or other groups as required.

REFERENCES

City of Fernley
Mayor Roy Edgington

redgington@cityoffernley.org

Nevada Rural Housing Authority
Bill Brewer, Executive Director

wbrewer@nvrural.org

Petros PACE
Michael Yaki, General Counsel
(415) 601-4008
myaki@petrospartners.com

FEE PROPOSAL

A fee of \$2,000 per month beginning November 1, 2022 through December 31, 2022, and \$3,500 per month from January 1, 2023 until July 31, 2023, and \$2,000 per month beginning August 1, 2023 until December 31, 2023. This Agreement may be terminated without cause by either party by providing written notice of termination at least thirty (30) days in advance of the termination date. The Agreement may be extended upon mutual consent of the parties.