

AG candidate fights to block 'scary and intimidating' disciplinary proceeding

Posted by **Benjamin Spillman**

Wednesday, Jun. 02, 2010 at 07:10 AM

Republican candidate for attorney general Jacob Hafter wants a federal court to step in and block the State Bar of Nevada from proceeding with an attempt to issue him a letter of reprimand.

Late Tuesday, Hafter, one of two Republicans seeking to challenge Democratic incumbent Catherine Cortez Masto, [filed an emergency motion](#) in United States District Court saying the bar infringed on his right to free speech by seeking to discipline him for statements in a campaign press release.

"The Bar is hiding their persecution of Mr. Hafter under the 'need' to regulate attorneys," Hafter wrote in the 16-page filing. "However, the disciplinary rules of the State Bar are not narrowly tailored to regulate or limit political speech -- they are tailored to regulate the practice of law."

The filing Tuesday follows a move last week by Hafter to ask the state supreme court to halt the bar proceeding to continue.

In a decision announced Tuesday, the supreme court denied Hafter's writ of prohibition, prompting him to go back to the federal court.

The dispute between Hafter and the bar stems from statements Hafter made in April criticizing Masto for declining requests from Gov. Jim Gibbons to lead the state's legal fight to block the Patient Protection and Affordable Care Act.

Shortly after Hafter went public with criticism of Masto he learned the bar was investigating him for alleged false statements about whether Masto was under investigation. He says a disciplinary panel of the bar subsequently decided to issue him a letter of reprimand.

Hafter says the investigation and pending reprimand are a violation of his right to speak freely on political matters.

"Now, in this action, Plaintiff must defend his political speech before a formal hearing in order to prevent having his license marred with a disciplinary reprimand," Hafter wrote in his latest filing. "This is a significant cost for engaging in political speech. In fact, it is downright scary and intimidating."

**Find this article at:**

[http://www.lvrj.com/blogs/politics/AG\\_candidate\\_fights\\_to\\_block\\_scary\\_and\\_intimidating\\_disciplinary\\_proceeding.html?ref=099](http://www.lvrj.com/blogs/politics/AG_candidate_fights_to_block_scary_and_intimidating_disciplinary_proceeding.html?ref=099)

Check the box to include the list of links referenced in the article.

