

## **EXHIBIT 2**

## **EXHIBIT 2**

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4 **VOLUME VI – FILED UNDER SEAL**

5 **This Volume is filed under seal pursuant to the Stipulated Protective Order**  
6 **entered on August 27, 2012 by the district court (2 App. 347-357) and by**  
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12	<b>order of the district court during trial (19 App. 3948:12-13).</b>	
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**VOLUME XII – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

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**VOLUME XIII – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

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**VOLUME XIV – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

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**VOLUME XV – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

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**VOLUME XVI – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

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**VOLUME XVII – FILED UNDER SEAL**

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**VOLUME XVIII – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

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**VOLUME XIX – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

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**VOLUME XX – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

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**VOLUME XXI –FILED UNDER SEAL**

7 **This Volume is filed under seal pursuant to the Stipulated Protective Order**  
8 **entered on August 27, 2012 by the district court (2 App. 347-357) and by**  
9 **order of the district court during trial (19 App. 3948:12-13).**

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7	Trial Exhibit 25	
8	Frank DeCarlo's sent email	
	(ATL 0492).....	App. 4401-4402
9	Trial Exhibit 26	
10	Frank DeCarlo's deleted email	
	(ATL 0321).....	App. 4403-4404
11	Trial Exhibit 27	
12	Frank DeCarlo's sent email	
	(ATL 0462).....	App. 4405-4406
13	Trial Exhibit 28	
14	Frank DeCarlo's deleted email	
	(ATL 0298).....	App. 4407-4408
15	Trial Exhibit 29	
16	Frank DeCarlo's deleted email	
	(ATL 0347).....	App. 4409-4410
17	Trial Exhibit 30	
18	Frank DeCarlo's deleted email	
	(ATL 0339).....	App. 4411-4412
19	Trial Exhibit 31	
20	GSR Rated Players of Sumona Islam prepared by The	
21	Financial Planning and Analysis Group and GSR Guest	
	Reports regarding Sumona Islam	
	(ATL 1001 – 1004).....	App. 4413-4417
22	Trial Exhibit 32	
	Expert report and CV of Jeremy A. Aguero.....	App. 4418-4450
23	Trial Exhibit 33	
24	Spreadsheet for offer dated April 1-23	
	(GSR-AMBROSE 0052-0061).....	App. 4451-4461
25	Trial Exhibit 34	
26	Spreadsheet for offer dated April 24-May 23	
	(GSR-AMBROSE 0001-0015).....	App. 4462-4477
27	///	
28	///	

1	Trial Exhibit 35	
2	Spreadsheet for offer dated April 24- May 23	
3	Non-Locals Duplicates	
4	(GSR-AMBROSE 0016-0018).....	App. 4478-4481
5	Trial Exhibit 36	
6	Spreadsheet for offer dated May 24 – June 19 Non-locals	
7	(GSR-AMBROSE 0092-0121).....	App. 4482-4512
8	<b><u>VOLUME XXII – FILED UNDER SEAL</u></b>	
9	<b>This Volume is filed under seal pursuant to the Stipulated Protective Order</b>	
10	<b>entered on August 27, 2012 by the district court (2 App. 347-357) and by</b>	
11	<b>order of the district court during trial (19 App. 3948:12-13).</b>	
12	Trial Exhibit 37	
13	Spreadsheet for offer dated June20 – July17 Non-Locals	
14	(GSR-AMBROSE 0062-0091).....	App. 4513-4543
15	Trial Exhibit 38	
16	Spreadsheet for offer dated April 1- 23 Locals	
17	(GSR-AMBROSE 0032-0051).....	App. 4544-4564
18	Trial Exhibit 39	
19	Spreadsheet for offer dated April 24- May 23	
20	(GSR-AMBROSE 0019-0026).....	App. 4565-4573
21	Trial Exhibit 40	
22	Spreadsheet for offer dated May 24 – Jun 19 Locals	
23	(GSR-AMBROSE 0027-0031).....	App. 4574-4579
24	Trial Exhibit 41	
25	Ambrose Emails	
26	(GSR-AMBROSE 0122-0159).....	App. 4580-4618
27	Trial Exhibit 42	
28	Revenue Spreadsheets	
29	(GSR-Singh 0001-0007).....	App. 4619-4626
30	Trial Exhibit 43	
31	Harrah’s June 26, 2008 letter to Islam	
32	(ATL 0266 – 0279).....	App. 4627-4641
33	Trial Exhibit 44	
34	Harrah’s October 22, 2009 letter to Islam	
35	(ATL 0280, ATL 0283 and ATL 0283a).....	App. 4642-4645
36	Trial Exhibit 45	
37	Email from Tomelden 1/19/12 and from	
38	DeCarlo to Finn 1/20/12 and privileged emails	
39	(ATL 0281 – 0282).....	App. 4646-4648
40	Trial Exhibit 46	
41	Correspondence between Atlantis and counsel	
42	for Fitzgeralds related to Chau non-compete	
43	(ATL 0604–0625).....	App. 4649-4671

1	Trial Exhibit 47	
2	Harrah's Employment Agreement provided	
	to Atlantis by Sumona Islam	
3	(ATL 0628-0638).....	App. 4672-4683
4	Trial Exhibit 48	
5	Emails between Shelly Hadley to Sumona Islam	
6	(GSR 01932 – 01934).....	App. 4684-4687
7	Trial Exhibit 49	
8	GSR Free Play Adjustments and Comps	
9	GSR 1935 - 1981 .....	App. 4688-4735
10	Trial Exhibit 50	
11	Hadley emails	
12	GSR 2029 – 2033.....	App. 4736-4741
13	<b><u>VOLUME XXIII – FILED UNDER SEAL</u></b>	
14	<b>This Volume is filed under seal pursuant to the Stipulated Protective Order</b>	
15	<b>entered on August 27, 2012 by the district court (2 App. 347-357) and by</b>	
16	<b>order of the district court during trial (19 App. 3948:12-13).</b>	
17	Trial Exhibit 51	
18	Hadley emails	
19	GSR 1982 - 2028 .....	App. 4742-4789
20	Trial Exhibit 52	
21	Grand Sierra Resort Employee Handbook	
22	(GSR 02034 – 2064).....	App. 4790-4821
23	Trial Exhibit 53	
24	Resume of Abraham Pearson .....	App. 4822-4824
25	Trial Exhibit 54	
26	Concierge Lounge Schedules	
27	(ATL 0137 – 0151).....	App. 4825-4840
28	Trial Exhibit 55	
29	March 12, 2010 memo re Host Internet Access Agreement	
30	(ATL 0153).....	App. 4841-4842
31	Trial Exhibit 56	
32	Network Access Requests signed by Sumona Islam	
33	(ATL 0154-0165).....	App. 4843-4855
34	Trial Exhibit 57	
35	Online System User Agreement signed by Sumona Islam	
36	(ATL 0166 – 0169).....	App. 4856-4860
37	Trial Exhibit 58	
38	Grand Sierra Flyer	
39	(ATL 0626 – 0627).....	App. 4861-4863
40	Trial Exhibit 59	
41	Plaintiff's Seventeenth Supplemental	
42	NRCP 16.1 Disclosure.....	App. 4864-4899



1	Trial Exhibit 60	
2	Resume of Brandon C. McNeely	
3	(ATL 0992 – 0994) .....	App. 4900-4903
4	Trial Exhibit 61	
5	Atlantis Customer Lifetime Value calculations	
6	and Harvard Business Review case study	
7	(ATL 0973 – 0990) .....	App. 4904-4922
8	Trial Exhibit 62	
9	Black’s Law Dictionary and Webster’s	
10	Dictionary definition of “sabotage”	
11	(ATL 0995 – 1000) .....	App. 4923-4929
12	Trial Exhibit 63	
13	Guest contact list prepared by Frank DeCarlo	
14	at the direction of Debra Robinson	
15	(ATL 1609) .....	App. 4930-4931
16	Trial Exhibit 64	
17	Email string dated 4/5/12 regarding guest Arsenault	
18	(ATL 1617 – 1618) .....	App. 4932-4934
19	Trial Exhibit 65	
20	Email string dated 4/10/12 regarding guest Davidson	
21	(ATL 1619 – 1620) .....	App. 4935-4937
22	Trial Exhibit 66	
23	Email dated 4/17/12 regarding guest Scheider	
24	(ATL 1621) .....	App. 4938-4939
25	Trial Exhibit 67	
26	Portions of David Law’s personnel file,	
27	redacted as to Social Security number	
28	(ATL 1667 – 1681) .....	App. 4940-4955
29	Trial Exhibit 68	
30	Portions of Lilia Santos’ personnel file,	
31	redacted as to Social Security number	
32	(ATL 1682 – 1695) .....	App. 4956-4970
33	<b><u>VOLUME XXIV – FILED UNDER SEAL</u></b>	
34	<b>This Volume is filed under seal pursuant to the Stipulated Protective Order</b>	
35	<b>entered on August 27, 2012 by the district court (2 App. 347-357) and by</b>	
36	<b>order of the district court during trial (19 App. 3948:12-13).</b>	
37	Trial Exhibit 69	
38	Concierge Desk Schedules	
39	(ATL 1740 – 1766) .....	App. 4971-4998
40	Trial Exhibit 70	
41	Emails regarding Ramon Mondragon	
42	(ATL 1776 – 1785) .....	App. 4999-5009
43	///	

1	Trial Exhibit 71	
2	IT Help Desk Notes for Frank DeCarlo's email	
3	(ATL 1786 – 1798).....	App. 5010-5023
4	Trial Exhibit 72	
5	Internet Authorization Form signed by Sumona Islam	
6	(ATL 0152).....	App. 5024-5025
7	Trial Exhibit 73	
8	Transcript of May 3, 2012 GSR Investigatory Interview	
9	Recording with Sumona Islam	
10	(GSR02130 – GSR02133).....	App. 5026-5030
11	Trial Exhibit 74	
12	Demonstrative exhibit	
13	List of emails prepared by Mark Wray	
14	(Deposition Exhibit 53) .....	App. 5031-5036
15	Trial Exhibit 75	
16	Islam's Book of Trade produced to Atlantis	
17	with notes from Atlantis	
18	(ATL 0213 – 0265).....	App. 5037-5090
19	Trial Exhibit 76	
20	Sumona Islam's Hallmark card .....	App. 5091-5092
21	Trial Exhibit 77	
22	Compilation of GSR/Islam	
23	Emails in chronological order.....	App. 5093-5220
24	<b><u>VOLUME XXV – FILED UNDER SEAL</u></b>	
25	<b>This Volume is filed under seal pursuant to the Stipulated Protective Order</b>	
26	<b>entered on August 27, 2012 by the district court (2 App. 347-357) and by</b>	
27	<b>order of the district court during trial (19 App. 3948:12-13).</b>	
28	[Continued] Trial Exhibit 77	
29	Compilation of GSR/Islam Emails	
30	in chronological order.....	App. 5221-5428
31	Trial Exhibit 78	
32	Additional signature pages to Trade Secret	
33	Agreement and Business Ethics policy	
34	and Code of Conduct Agreement	
35	(ATL 0100 - 0101, 0103, 0128 - 0130).....	App. 5429-5435
36	Trial Exhibit 80	
37	Full handwritten client list produced by Islam	
38	(ISLAM 1- 276).....	App. 5436-5470
39	///	
40	///	
41	///	
42	///	

**VOLUME XXVI – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

[Continued] Trial Exhibit 80

Full handwritten client list produced by Islam

(ISLAM 1- 276).....App. 5471-5712

Trial Exhibit 81

Letter to Mark Wray, Esq. from

Angela Bader, Esq. dated 10/15/12 .....App. 5713-5718

**VOLUME XXVII – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

Trial Exhibit 82

Email from Frank DeCarlo filed 2/22/11

and Declining Player Report as of 12/21/11.....App. 5719-5729

Trial Exhibit 83

Copy of handwritten client list

produced by Islam with notations

made during review on July 6-7, 2013 .....App. 5730-5968

**VOLUME XXVIII – FILED UNDER SEAL**

**This Volume is filed under seal pursuant to the Stipulated Protective Order entered on August 27, 2012 by the district court (2 App. 347-357) and by order of the district court during trial (19 App. 3948:12-13).**

[Continued] Trial Exhibit 83

Copy of handwritten client list

produced by Islam with notations

made during review on July 6-7, 2013 .....App. 5969-6020

Trial Exhibit 84

Defendant's Responses to Plaintiff's

First Set of Request for Admission to Defendant

Nav-Reno-GS, LLC dba Grand Sierra Resort.....App. 6021-6049

Trial Exhibit 85

Handwritten note of Lilia Santos.....App. 6050-6052

## **EXHIBIT 1**

## **EXHIBIT 1**

**FILED**

Electronically  
08-27-2012:04:52:36 PM  
Joey Orduna Hastings  
Clerk of the Court  
Transaction # 3178377

3370

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12 Attorneys for Plaintiff

13 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

14 IN AND FOR THE COUNTY OF WASHOE

15 GOLDEN ROAD MOTOR INN, INC., a  
16 Nevada Corporation, d/b/a ATLANTIS  
17 CASINO RESORT SPA

18 Plaintiff,

19 vs.

20 SUMONA ISLAM, an individual; NAV-  
21 RENO-GS, LLC, a Nevada limited liability  
22 company, d/b/a GRAND SIERRA RESORT;  
23 ABC CORPORATIONS; XYZ  
24 PARTNERSHIPS; AND JOHN DOES I  
25 through X, inclusive.

26 Defendants.

Case No.: CV12-01171

Dept No.: B7

27 **STIPULATED PROTECTIVE ORDER**

28 IT IS HEREBY STIPULATED, AGREED, AND UNDERSTOOD by the parties to this  
action, by and through their undersigned counsel of record, that in the course of this litigation a  
party may produce documents and information that are claimed to be confidential and/or  
proprietary, and may be subject to confidentiality limitations on disclosure due to federal laws,  
state laws, and privacy rights. Public disclosure of such information could be detrimental to the  
producing party's and/or a non-producing party's interests. Similarly, such confidential may be  
disclosed by written discovery, deposition testimony, or in other filings with the Court. The

1 parties accordingly submit this Stipulated Protective Order for the approval and enforcement of  
2 the Court and hereby stipulate as follows:

3 1. In this Stipulated Protective Order, the words set forth below shall have the  
4 following meanings:

5 a. "Court" means this Court, and any judge to which this Proceeding may be  
6 assigned, including Court staff participating in such proceedings.

7 b. "Confidential" means any Information that the Designating Party believes  
8 in good faith is entitled to confidential treatment under applicable law.

9 c. "Confidential Materials" means any Documents, Testimony or  
10 Information designated as "Confidential" or "Highly Confidential-Attorneys' Eyes Only"  
11 pursuant to the provisions of this Stipulated Protective Order.

12 d. "Designating Party" means the Party or non-party that designates  
13 materials as "Confidential."

14 e. "Disclose" or "Disclosed" or "Disclosure" means to reveal, divulge, give,  
15 or make available Materials, or any part thereof, or any information contained therein.

16 f. "Documents" includes written, reported, or graphic matter, however  
17 stored, produced, or reproduced, including, but not limited to, testimony at depositions upon oral  
18 examination or upon written questions, answers to interrogatories, information obtained from the  
19 inspection of premises, tangible objects, or documents, answers to requests for admission, and  
20 anything that is a "writing" under applicable rules of evidence, and includes information set forth  
21 in responses to discovery requests, and deposition testimony, any material produced during  
22 discovery or otherwise, and any copies, reproductions, or summaries of all or any part of the  
23 foregoing.

24 g. "Highly Confidential-Attorneys' Eyes Only" means any Information that  
25 the Designating Party believes in good faith is entitled to confidential treatment under applicable  
26 law and that constitutes or discloses extremely sensitive competitive business information whose  
27 disclosure to another party or non-party to this Proceeding would create a substantial risk of  
28 serious injury that could not be avoided by less restrictive means.

1 h. "Information" means the content of Documents or Testimony.

2 i. "Proceeding" means the above-entitled proceeding Case No. CV02-05602.

3 j. "Testimony" means all depositions, declarations or other testimony taken  
4 or used in this Proceeding.

5 2. Any party or non-party shall have the right to designate as "Confidential" or  
6 "Highly Confidential-Attorneys' Eyes Only" (by stamping the relevant page or as otherwise set  
7 forth herein) any Document, response to discovery, Testimony or Information which the  
8 Designating Party considers in good faith to contain non-public information that is entitled to  
9 confidential treatment under applicable law ("Confidential Materials" as defined above). Where  
10 a document or response consists of more than one page, the first page and each page on which  
11 Confidential Material appears shall be so designated. For Confidential Materials produced in  
12 some form other than Documents, and for any other tangible items, including, without limitation,  
13 compact discs or DVDs, the Designating Party must affix in a prominent place on the exterior of  
14 the container or containers in which the Confidential Materials or items are stored the legend  
15 "Confidential" or "Highly Confidential-Attorneys' Eyes Only." If only portions of the  
16 information or item warrant protection, the Designating Party, to the extent practicable, shall  
17 identify the "Confidential" portions.

18 3. A party or non-party shall have the right to designate portions or the entirety of  
19 the Testimony at the deposition as "Confidential" or "Highly Confidential-Attorneys' Eyes  
20 Only" (before the deposition is concluded) with the right to identify more specific portions of the  
21 Testimony as to which protection is sought within 30 days following receipt of the deposition  
22 transcript, and to request the preparation of a separate transcript of such Confidential Materials.  
23 Any other party may object to such designation in writing or on the record. Upon such  
24 objection, the parties shall follow the procedures described in paragraph 10 below. After any  
25 designation made according to the procedure set forth in this paragraph, the designated  
26 documents or information shall be treated according to the designation until the matter is  
27 resolved according to the procedures described in paragraph 10 below, and counsel for all parties

28

1 shall be responsible for marking all previously unmarked copies of the designated material in  
2 their possession or control with the specified designation.

3 4. All Confidential Materials produced or exchanged in the course of this case (other  
4 than information that is publicly available) shall not be used for any purpose other than the  
5 prosecution or defense of this case.

6 5. Except with the prior written consent of other parties, or upon prior order of this  
7 Court obtained upon notice to opposing counsel, materials designated as "Confidential" shall not  
8 be disclosed to any person other than the following persons:

9 a. the Court and Court personnel as allowed or directed by the Court, as well  
10 as any mediator or settlement judge that may be retained by the parties or assigned by the Court;  
11 provided however, that a party seeking to file "Confidential Materials" in connection with any  
12 motion must file a motion to seal pursuant to applicable rules;

13 b. the parties, including any officer or employee of a party, to the extent  
14 deemed necessary by legal counsel for the prosecution or defense of this litigation;

15 c. outside legal counsel for the parties, and those attorneys' respective  
16 employees and agents as necessary for the preparation of this action for trial;

17 d. certified court reporters and videographers transcribing or filming  
18 depositions or testimony involving such Confidential Materials;

19 e. experts or consultants retained for the prosecution or defense of this  
20 litigation, provided that each such person shall execute a copy of the Certification annexed to this  
21 Order as Exhibit "1" (which shall be retained by counsel to the party so disclosing the  
22 Confidential Materials and made available for inspection by opposing counsel during the  
23 pendency or after the termination of the action upon good cause shown and order of the Court)  
24 before being shown or given any Confidential Materials; and

25 f. a non-party witness who may be examined and may testify concerning  
26 such Confidential Material if (1) it appears on its face or from other documents that the witness  
27 is the author or recipient of the Confidential Material or (2) the witness had access to the  
28 Confidential Material during his or her former employment.



1           6.     Except with the prior written consent of other parties, or upon prior order of this  
2 Court obtained upon notice to opposing counsel, material designated as "Highly Confidential-  
3 Attorneys' Eyes Only" shall only be disclosed to the persons described in subsections (a), (c),  
4 (d), (e) and (f) of Paragraph 5.

5           7.     Any persons receiving Confidential Materials shall not reveal or discuss such  
6 information to or with any person who is not entitled to receive such information, except as set  
7 forth herein.

8           8.     Unless otherwise permitted by statute, rule or prior court order, papers filed with  
9 the court under seal shall be accompanied by a contemporaneous motion for leave to file those  
10 documents under seal, and shall be filed consistent with the court's electronic filing procedures.

11          9.     A party may designate as "Confidential" or "Highly Confidential-Attorneys' Eyes  
12 Only" documents or discovery materials produced by a non-party by providing written notice to  
13 all parties of the relevant document numbers or other identification within thirty (30) days after  
14 receiving such documents or discovery materials. Any party or non-party may voluntarily  
15 disclose to others without restriction any information designated by that party or non-party as  
16 Confidential Materials," although a document may lose its confidential status if it is made public.

17          10.    If a party contends that any material is not entitled to confidential treatment, such  
18 party may at any time give written notice to the party or non-party who designated the material.  
19 The party or non-party who designated the material shall have twenty-five (25) days from the  
20 receipt of such written notice to apply to the Court for an order designating the material as  
21 confidential. The party or non-party seeking the order has the burden of establishing that the  
22 document is entitled to protection. Notwithstanding any challenge to the designation of material  
23 pursuant to this Stipulated Protective Order, all documents shall be treated as Confidential  
24 Materials and shall be subject to the provisions hereof unless and until one of the following  
25 occurs: (a) the Designating Party withdraws the designation in writing; (b) the Designating Party  
26 fails to apply to the Court for an order designating the material "Confidential" or "Highly  
27 Confidential-Attorneys' Eyes Only" within the time period specified above after receipt of a  
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1 written challenge to such designation; or (c) the Court rules the material does not qualify as  
2 Confidential Material.

3 11. The terms of this Order do not preclude, limit, restrict, or otherwise apply to the  
4 use of documents at trial. The parties shall meet and confer regarding the procedures for use of  
5 Confidential Materials at trial and shall move the Court for entry of an appropriate order.

6 12. The inadvertent production by any of the undersigned Parties or non-Parties to the  
7 Proceeding of any Document, Testimony or Information during discovery in this Proceeding  
8 without a designation of "Confidential" or "Highly Confidential-Attorneys' Eyes Only" shall be  
9 without prejudice to any claim that such item constitutes "Confidential Material" and such Party  
10 shall not be held to have waived any rights by such inadvertent production. In the event that any  
11 Document, Testimony or Information that is subject to a "Confidential" or "Highly Confidential-  
12 Attorneys' Eyes Only" designation is inadvertently produced without such designation, the Party  
13 that inadvertently produced the document shall give written notice of such inadvertent  
14 production within twenty (20) days of discovery of the inadvertent production, together with a  
15 further copy of the subject Document, Testimony or Information designated as "Confidential" or  
16 "Highly Confidential-Attorneys' Eyes Only" (the "Inadvertent Production Notice"). Upon  
17 receipt of such Inadvertent Production Notice, the Party that received the inadvertently produced  
18 Document, Testimony or Information shall promptly destroy the inadvertently produced  
19 Document, Testimony or Information and all copies thereof, or, at the expense of the producing  
20 Party, return such together with all copies of such Document, Testimony or Information to  
21 counsel for the producing Party and shall retain only the designated Materials. Should the  
22 receiving Party choose to destroy such inadvertently produced Document, Testimony or  
23 Information, the receiving Party shall notify the producing Party in writing of such destruction  
24 within ten (10) days of receipt of written notice of the inadvertent production. This provision is  
25 not intended to apply to any inadvertent production of any Information protected by attorney-  
26 client or work product privileges. In the event that this provision conflicts with any applicable  
27 law regarding waiver of confidentiality through the inadvertent production of Documents,  
28 Testimony or Information, such law shall govern.

1           13.     If any person subject to this Stipulated Protective Order who has custody of any  
2 Confidential Materials receives a subpoena or other process ("Subpoena") from any government  
3 or other person or entity demanding production of Confidential Materials, the recipient of the  
4 Subpoena shall promptly give notice of the same by electronic mail transmission within 7  
5 calendar days to counsel of record for the Designating Party, and shall furnish such counsel with  
6 a copy of the Subpoena. Upon receipt of this notice, the Designating Party may, in its sole  
7 discretion and at its own cost, move to quash or limit the Subpoena, otherwise oppose production  
8 of the Confidential Materials, and/or seek to obtain confidential treatment of such Confidential  
9 Materials from the subpoenaing person or entity to the fullest extent available under law. The  
10 recipient of the Subpoena may not produce any Confidential Materials pursuant to the Subpoena  
11 prior to the date specified for production on the Subpoena; provided, however, that nothing  
12 herein shall be construed as requiring the recipient of the Subpoena to challenge or appeal any  
13 order requiring production of Confidential Materials protected by this Order, or to subject itself  
14 to any penalties for noncompliance with any legal process or order, or to seek any relief from this  
15 Court.

16           14.     The entry of this Stipulated Protective Order does not alter, waive, modify, or  
17 abridge any right, privilege or protection otherwise available to any Party with respect to the  
18 discovery of matters, including but not limited to any Party's right to assert the attorney-client  
19 privilege; the attorney work product doctrine, or other privileges, or any Party's right to contest  
20 any such assertion. Nothing herein shall affect the ability of a party to seek relief for an  
21 inadvertent disclosure of material protected by privilege or work product protection.

22           15.     All provisions of this Order restricting the communication or use of Confidential  
23 Materials shall continue to be binding after the conclusion of this action, unless otherwise agreed  
24 or ordered. Upon conclusion of the litigation, a party in the possession of Confidential Materials,  
25 other than that which is contained in pleadings, correspondence, and deposition transcripts, shall  
26 either (a) return such documents no later than thirty (30) days after conclusion of this action to  
27 counsel for the party or non-party who provided such information, or (b) destroy such documents  
28

1 within the time period upon consent of the party who provided the information and certify in  
2 writing within thirty (30) days that the documents have been destroyed.

3 16. Any party to the Proceeding who has not executed this Stipulated Protective  
4 Order as of the time it is presented to the Court for signature may thereafter become a party to  
5 this Stipulated Protective Order by its counsel's signing and dating a copy thereof and filing the  
6 same with the Court, and serving copies of such signed and dated copy upon the other parties to  
7 this Stipulated Protective Order.

8 17. Any witness or other person, firm or entity from which discovery is sought may  
9 be informed of and may obtain the protection of this Order by written notice to the parties'  
10 respective counsel or by oral advice at the time of any deposition or similar proceeding.

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Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated: 8/17, 2012

ROBERT A. DOTSON  
ANGELA M. BADER  
LAXALT & NOMURA

By: 

ANGELA M. BADER

Attorneys for Plaintiff

Dated: 8/17, 2012

LAW OFFICE OF MARK WRAY

By: 

MARK WRAY

Attorneys for Defendant Sumona Islam

Dated: 8-10, 2012

STEVEN B. COHEN  
STAN JOHNSON  
COHEN/JOHNSON

By: 

STAN JOHNSON

Attorneys for Defendant  
Nav-Reno-GS, LLC d/ba Grand Sierra Resort

IT IS SO ORDERED.

This \_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
DISTRICT COURT JUDGE

Affirmation Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated: 8/27, 2012

ROBERT A. DOTSON  
ANGELA M. BADER  
LAXALT & NOMURA

By: 

ANGELA M. BADER

Attorneys for Plaintiff

Dated: 8/17, 2012

LAW OFFICE OF MARK WRAY

By: 

MARK WRAY

Attorneys for Defendant Sumona Islam

Dated: 8-10, 2012

STEVEN B. COHEN  
STAN JOHNSON  
COHEN/JOHNSON

By: 

STAN JOHNSON

Attorneys for Defendant  
Nav-Reno-GS, LLC d/ba Grand Sierra Resort

IT IS SO ORDERED.

This 27 day of August, 2012.

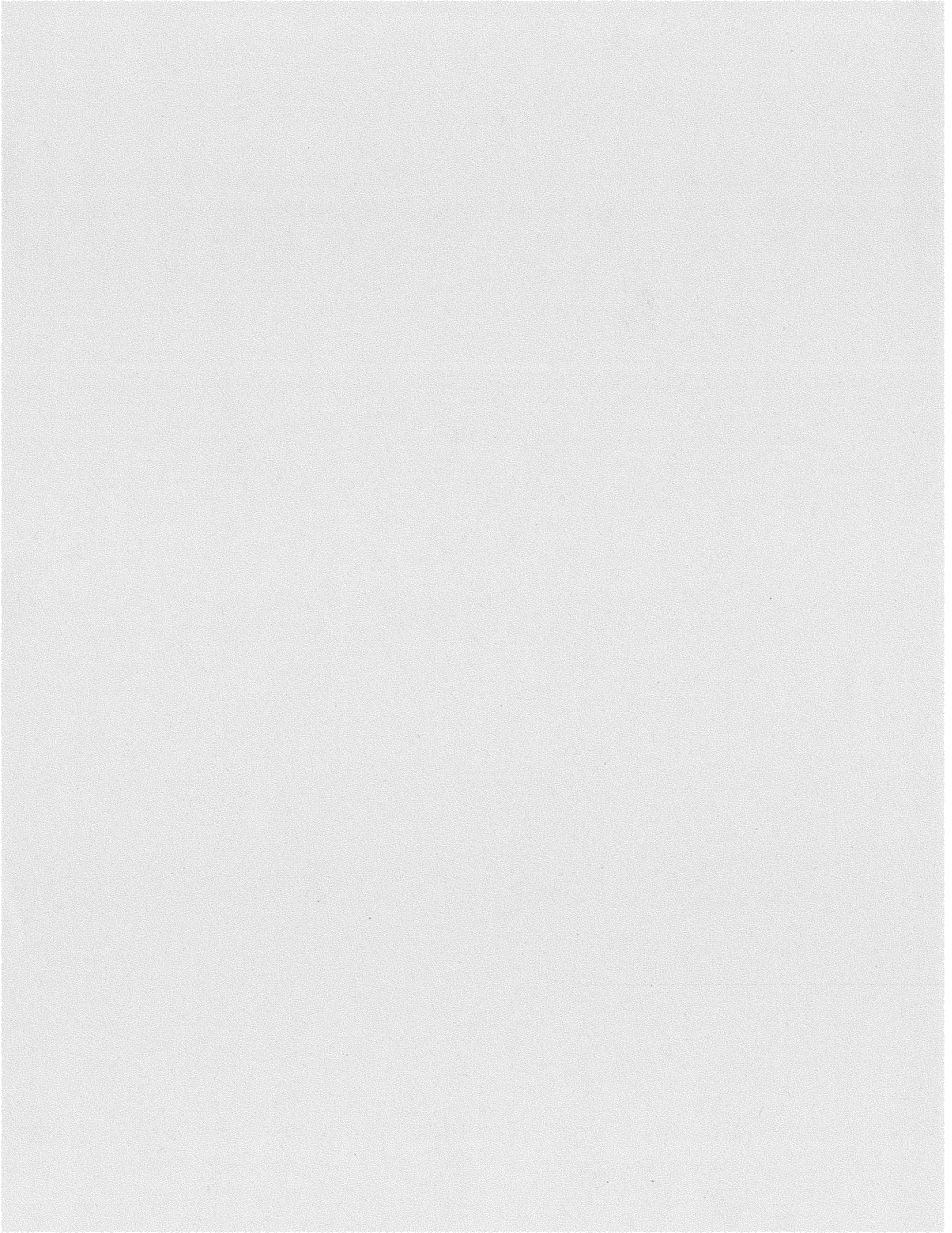
  
DISTRICT COURT JUDGE

EXHIBIT 1  
CERTIFICATION

I hereby certify my understanding that Confidential Information is being provided to me pursuant to the terms and restrictions of the Protective Order dated \_\_\_\_\_, in the matter of *Golden Road Motor Inn, Inc. d/b/a Atlantis Casino Resort Spa, Plaintiff vs. Sumona Islam and NAV-Reno-GS, LLC d/b/a Grand Sierra Resort, Defendants*, Case No. CV12-01171, now pending in the Second Judicial District Court of the State of Nevada in and for the County of Washoe. I have been given a copy of that Order and read it. I agree to be bound by the Order. I will not reveal the Confidential Information to anyone, except as allowed by the Order. I will maintain all such Confidential Information – including copies, notes, or other transcriptions made therefrom – in a secure manner to prevent unauthorized access to it. No later than thirty (30) days after the conclusion of this action, I will return the Confidential Information – including copies, notes or other transcriptions made therefrom – to the counsel who provided me with the Confidential Information. I hereby consent to the jurisdiction of the Second Judicial District Court of the State of Nevada in and for the County of Washoe for the purpose of enforcing the Protective Order.

DATED: \_\_\_\_\_

\_\_\_\_\_





1 4185  
2 STEPHANIE KOETTING  
3 CCR #207  
4 75 COURT STREET  
5 RENO, NEVADA

6 IN THE SECOND JUDICIAL DISTRICT COURT  
7 IN AND FOR THE COUNTY OF WASHOE  
8 THE HONORABLE PATRICK FLANAGAN, DISTRICT JUDGE

9 --oOo--

10	GOLDEN ROAD MOTOR INN,	)	
	INC, a Nevada corporation	)	
11	dba ATLANTIS CASINO	)	
	RESORT SPA,	)	
12		)	Case No. CV12-01171
	Plaintiffs,	)	
13		)	Department 7
	vs.	)	
14		)	
	SUMONA ISLAM, an	)	
15	individual; NAV-RENO-GS,	)	
	LLC, a Nevada limited	)	
16	liability company, dba	)	
	GRAND SIERRA RESORT, et	)	
17	al,	)	
		)	
18	Defendant.	)	
		)	

19  
20 PARTIAL TRANSCRIPT OF PROCEEDINGS

21 TRIAL

22 July 12th, 2013

23 2:00 p.m.

24 Reported by: STEPHANIE KOETTING, CCR #207, RPR  
Computer-Aided Transcription

1           Now, from there, it's sort of -- it's outside the  
2 control of this Court. I have entered a protective order  
3 designating this information to be attorneys eyes only. What  
4 I can do and I have in my power is the ability to sanction  
5 attorneys who violate this order or any order of the Court.  
6 We have good lawyers here. I don't expect any problems in  
7 this case.

8           However, if either side or any party here feels  
9 that that order has been violated or compromised in any way,  
10 I expect to hear about it immediately and I will address it  
11 immediately. And that's what I think is the best way to  
12 approach this. I'll just seal the entire transcript and we  
13 don't end with an abbreviated and annotated transcript. And  
14 I'll make the appropriate finding on the record at the  
15 conclusion of the trial that will comply with the Nevada  
16 Supreme Court Rule and we should be covered. That's how I  
17 would handle it. Mr. Cohen.

18           MR. COHEN: On behalf of GSR, we certainly would  
19 agree to the sealing of the entire transcript.

20           THE COURT: Mr. Wray.

21           MR. WRAY: Yes, of course.

22           MR. DOTSON: Of course, your Honor. There were  
23 two witnesses' testimony that the court reporter had already  
24 provided and I would just ask that that information in those

1 transcripts be included within the order, which I know is  
2 your intent.

3 THE COURT: Certainly. And it's one of the  
4 reasons I didn't want to have these transcripts entered in as  
5 exhibits and floating around in the evidence room in the  
6 basement of this Courthouse.

7 MR. DOTSON: Thank you, your Honor.

8 THE COURT: All right. Ladies and gentlemen, have  
9 a good weekend. Court's in recess.

10 --oOo--

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3 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

Electronically Filed  
Sep 02 2014 04:30 p.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

4 GOLDEN ROAD MOTOR INN, INC., a  
5 Nevada Corporation d/b/a ATLANTIS  
6 CASINO RESORT SPA,

7 Appellant/Cross-Respondent,  
8 vs.

9 SUMONA ISLAM, an individual,  
10 Respondent/Cross-Appellant  
11 and

12 MEI-GSR HOLDINGS LLC, a Nevada  
13 limited liability company d/b/a GRAND  
14 SIERRA RESORT which claims to be  
15 the successor in interest to NAV-RENO-  
16 GS, LLC,

17 Respondent.

18 SUMONA ISLAM, an individual,  
19 Appellant

20 vs.

21 GOLDEN ROAD MOTOR INN, INC., a  
22 Nevada Corporation d/b/a ATLANTIS  
23 CASINO RESORT SPA,

24 Respondent.

25 MEI-GSR HOLDINGS LLC d/b/a  
26 GRAND SIERRA RESORT,

27 Appellant/Cross-Respondent,  
28 vs.

GOLDEN ROAD MOTOR INN, INC., a  
Nevada Corporation d/b/a ATLANTIS  
CASINO RESORT SPA,

Respondent/Cross-Appellant.

Case No.: 64349

Case No.: 64452

Case No.: 65497

**MOTION TO MAINTAIN TREATMENT**  
**OF PORTIONS OF APPENDIX AS SEALED**

Appellant Golden Road Motor Inn, Inc. d/b/a Atlantis Casino Resort Spa  
("Appellant" and/or "Atlantis"), by and through its counsel, Robert A. Dotson of  
Laxalt & Nomura, Ltd., hereby files this Motion seeking authority to file

1 designated portions of the Joint Appendix under seal, thus maintaining the  
2 treatment and Orders of the district court below with regard to certain evidence and  
3 testimony.

4 In order to preserve confidentiality and secrecy of the information at the  
5 heart of this dispute, during the litigation and trial of this matter certain evidence  
6 and testimony was protected from public disclosure by Order of the district court.  
7 These Orders were issued by the district court pretrial, pursuant to stipulation of  
8 the parties, including a Stipulated Protective Order entered August 27, 2012 and  
9 the issue was again addressed during the trial through stipulation of the parties and  
10 the Order of the district court. As a consequence certain evidence, including  
11 documentary evidence and trial testimony, was treated as confidential and  
12 proprietary and was sealed from public disclosure.<sup>1</sup>

13 The evidence in the Court record including most of the exhibits and much of  
14 the trial testimony includes information which is claimed to be confidential,  
15 proprietary and trade secret information belonging to the involved parties. Thus, it  
16 is appropriate to continue the protection provided to this information below as it is  
17 included in the record as it is supplied to this Court on appeal. Appellant requests  
18 the order of this Court continuing to maintain the designated portions of the  
19 Appendix as sealed.<sup>2</sup> This request is consistent with the statutory scheme of the  
20 Uniform Trade Secret Act as adopted and set forth in Nevada law at NRS  
21 600A.010, *et seq.* and in particular NRS 600A.070(3). The Appendix has been  
22 prepared as directed by the Nevada Supreme Court Clerk's Office, identifying the  
23 portions of the record which have been sealed and which should be treated as  
24 sealed by this Court and those parts have been paper filed.

25 ///

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27 <sup>1</sup> See 2 App. 347-357 and 19 App. 3948:2-3949:6. Attached hereto as Exhibit 1.

28 <sup>2</sup> The sealed parts of the record are indicated on the table on context of the Appendix also attached hereto as Exhibit 2.

1 Dated this 29 day of August, 2014.

2 LAXALT & NOMURA, LTD.

3 

4 ROBERT A. DOTSON

5 Nevada State Bar No. 5285

6 ANGELA M. BADER

7 Nevada State Bar No. 5574

8 9600 Gateway Drive

9 Reno, Nevada 89521

10 (775) 322-1170

11 Attorneys for Appellant

**CERTIFICATE OF SERVICE**

I certify that on this date, I served a copy of the foregoing document upon all counsel of record by:

☒ Mail on all parties in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At the Law Offices of Laxalt & Nomura, mail placed in that designated area is given the correct amount of postage and is deposited that same date in the ordinary course of business, in a United States mailbox in the City of Reno, County of Washoe, Nevada.

☒ By electronic service by filing the foregoing with the Clerk of Court using the E-Flex system, which will electronically mail the filing to the following individuals at the email addresses set for the below.

☒ By email to the email addresses below.

Steven B. Cohen, Esq.  
Stan Johnson, Esq.  
Terry Kinnally, Esq.  
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[rle@lge.net](mailto:rle@lge.net)

Dated this 29 day of August, 2014.

  
L. MORGAN BOGUMIL