

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARGARET COTTER, ELLEN
COTTER, GUY ADAMS,
EDWARD KANE; DOUGLAS
MCEACHERN, JUDY, CODDING,
AND MICHAEL WROTNIAK.,

Petitioners,

v.

THE EIGHTH JUDICIAL
DISTRICT COURT OF THE
STATE OF NEVADA, IN AND
FOR THE COUNTY OF CLARK,
AND THE HONORABLE
ELIZABETH GONZALEZ,
DISTRICT JUDGE, DEPT. 11,

Respondents,

JAMES J. COTTER, JR.
INDIVIDUALLY AND
DERIVATIVELY ON BEHALF
OF, READING
INTERNATIONAL, INC.,
Real Parties in Interest,

Electronically Filed
Feb 07 2017 10:59 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court Case No.: 72261

Dist. Ct. Case No.: A-15-719860-B,
jointly administered with
Case No. P 14-082942-E and
Case No. A-16-735305-B

**RDI'S APPENDIX IN SUPPORT
OF JOINDER TO THE
PETITION FOR WRIT OF
PROHIBITION OR, IN THE
ALTERNATIVE, MANDAMUS**

VOLUME III

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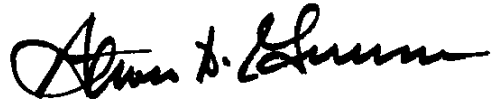
**APPENDIX
JOINDER TO WRIT PETITION
VOLUME III
PGS. 403-521**

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DISTRICT COURT

CLARK COUNTY, NEVADA

FILE WITH
MASTER CALENDAR

11 JAMES J. COTTER, JR., individually and
12 derivatively on behalf of Reading International,
13 Inc.,

Plaintiff,

14 v.

15 MARGARET COTTER, ELLEN COTTER,
16 GUY ADAMS, EDWARD KANE, DOUGLAS
17 McEACHERN, WILLIAM GOULD, JUDY
18 CODDING, MICHAEL WROTNIAK, and
19 DOES 1 through 100, inclusive,

Defendants.

20 and

21
22 READING INTERNATIONAL, INC., a Nevada
23 corporation;

24 Nominal Defendant.

CASE NO. A-15-719860-B
DEPT. NO. XI

Coordinated with:

CASE NO. P-14-082942-E
DEPT. NO. XI

CASE NO. A-16-735305-B
DEPT. NO. XI

Jointly administered

**PLAINTIFF JAMES J. COTTER, JR.'S
MOTION TO QUASH SUBPOENAS
AND DEPOSITIONS DUCES TECUM
ON SHORTENED TIME**

Hearing Date:

Hearing Time:

3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

Lewis Roca
ROTHGERBER CHRISTIE

1 T2 PARTNERS MANAGEMENT, LP, a
2 Delaware limited partnership, doing business as
3 KASE CAPITAL MANAGEMENT, et al.,
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5 Plaintiffs,
6
7 vs.
8
9 MARGARET COTTER, ELLEN COTTER,
10 GUY ADAMS, EDWARD KANE, DOUGLAS
11 McEACHERN, WILLIAM GOULD, JUDY
12 CODDING, MICHAEL WROTONIAK, CRAIG
13 TOMPKINS, and DOES 1 through 100,
14 inclusive,
15 Defendants.
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ORDER SHORTENING TIME

It appearing to the satisfaction of the Court and good cause appearing therefor,

IT IS HEREBY ORDERED, that the hearing on Plaintiff James J. Cotter, Jr.'s Motion To Quash Subpoenas and Depositions *Duces Tecum* On Shortened Time shall be heard before the above-entitled Court in Department XI, before Judge Elizabeth Gonzalez, on the 1 day of Jan, 2017, at 8³⁰ (a.m.) p.m., or as soon thereafter as counsel may be heard, at the Regional Justice Center, 200 Lewis Avenue, Las Vegas, Nevada 89155.

DATED this 28th day of December, 2016.


DISTRICT COURT JUDGE

Respectfully submitted:

LEWIS ROCA ROTHGERBER CHRISTIE LLP

/s/ Mark G. Krum

Mark G. Krum (SBN 10913)

Erik J. Foley (SBN 14195)

3993 Howard Hughes Pkwy, Suite 600

Las Vegas, NV 89169-5958

(702) 949-8200

Attorneys for Plaintiff

James J. Cotter, Jr.

DECLARATION OF MARK G. KRUM IN SUPPORT OF PLAINTIFF JAMES J. COTTER, JR.'S MOTION TO QUASH SUBPOENAS AND DEPOSITIONS *DUCES TECUM* ON ORDER SHORTENING TIME

I, Mark G. Krum, Esq., being duly sworn, deposes and says that:

1. I am a partner with the law firm of Lewis Roca Rothgerber Christie LLP, attorneys for James J. Cotter, Jr. as plaintiff in the captioned action ("Plaintiff").

2. I make this declaration based upon personal knowledge, except where stated to be upon information and belief, and as to that information, I believe it to be true. If called upon to testify as to the contents of this Declaration, I am legally competent to testify to the contents of this Declaration in a court of law.

Reason for Order Shortening Time

3. Pursuant to EDCR 2.26, there is good cause to hear this motion on shortened time.

4. The underlying motion seeks to quash two deposition notices (accompanied by subpoenas for depositions duces tecum), served on counsel for Plaintiffs by counsel for the director defendants other than Gould on or about December 14, 2016. [Notices of Deposition and Subpoenas, Exhibit 5.] Both seek documents and testimony related to documents last produced by the Company on November 2, 2016, but first produced in or about January 2016. Their notice comes immediately before the holidays and seeks depositions immediately after the holidays, on January 10–11, 2017. [*Id.*] This tactic appears to be an attempt to either limit Plaintiff's (and the deponents') ability to respond or to force the same and their counsel to unnecessarily labor over the holiday season.

5. I have made three attempts to meet and confer concerning Defendants' untimely discovery attempts, including the subpoenas, to no avail. I emailed counsel for RDI on November 15, 2016, requesting the purpose of the November 2 production and the reason for its untimeliness. [Correspondence, Exhibit 1] I received no response. On December 21, 2016, I forwarded the same email to counsel for defendants again requesting their basis for contending that the discovery is not untimely, this time also addressing the deposition notices. *Id.* I met with counsel for Defendants (attorneys Searcy and Ferrario) in person, after the December 22, 2016 hearing, where we discussed this issue. We were unable to come to an agreement as to whether

1 such discovery is permitted at this point or whether it even seeks any relevant information. In
2 addition, I attempted to obtain an agreement to postpone the deposition dates to enable time to
3 brief or hear a motion, to no avail, because attorney Searcy insisted that Plaintiff make some
4 concession regarding an unrelated matter, namely, the Court's order regarding advice of counsel
5 documents. I subsequently exchanged emails with counsel for Defendants, but that also did not
6 resolve the disputes that are the subject of the accompanying motion. [Correspondence, Exhibits
7 6-7.]


8 6. Because the depositions are currently scheduled for January 10-11, 2017, the
9 below motion cannot be heard in the normal course. Given the intervening holidays and the
10 Court's schedule, this Motion should be heard on January 9, 2016, to permit the parties and the
11 subpoenaed witnesses time to make appropriate arrangements based on this Court's disposition of
12 the Motion.

13 7. For all of these reasons, Plaintiff respectfully submits that there is good cause for
14 this Motion to be heard on shortened time.

15 8. This Declaration and Motion is made in good faith and not for the purpose of delay.

16 I declare under penalty of perjury under the laws of the State of Nevada that the foregoing
17 is true and correct.

18 Executed this 28th day of December, 2016.

19
20 
21 Mark G. Krum, Esq.
22
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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Well over a year ago, Defendants began discovery, including searches of Plaintiff's work computer, which produced multiple documents and communications to, from, and about the retention of Highpoint Associates and Derek Alderton as consultants. Despite the production of those documents, and even the disclosure of Alderton as a witness in December 2015, Defendants did nothing to obtain testimony or documents from Highpoint Associates or Alderton. Now, after having strenuously attempted to prevent Plaintiff from obtaining discovery on matters this Court ordered disclosed and produced, and after having represented to this Court on multiple occasions that discovery was complete and there were no additional issues upon which discovery should be taken, Defendants issued Notices of Depositions and Subpoenas to Highpoint Associates and Derek Alderton on December 14, 2016, unilaterally seeking discovery from nonparties without seeking relief from the Court and in violation of the Court's orders. The Notices and Subpoenas should be quashed.

II. FACTUAL AND PROCEDURAL HISTORY

As RDI has previously advised this Court, RDI began searches and production of its electronic media in or around October 2015. [See Opposition to Motion to Vacate and Reset Pending Dates and Reopen Discovery, filed October 26, 2016, at 3:13-18.] RDI represented that the fruits of those searches had been retrieved and produced in their entirety through rolling productions that concluded by April 2016. [Id.] Those productions included multiple emails to, from, and concerning Highpoint Associates and Derek Alderton, and Plaintiff's retention of both on behalf of RDI.

In the midst of those disclosures, RDI in or about December 2015 designated Derek Alderton as a potential witness in this Action. [RDI's Sixth Supplemental Disclosures, Exhibit 2.] Less than a month later, RDI produced, among other things, a Letter of Proposal from Highpoint Associates to Plaintiff offering Derek Alderton's services with its seventh supplemental

1 production. [RDI's Seventh Supplemental Disclosures & RDI0021063-21066, Exhibit 3.]¹

2 Therefore, no later than December 2015 and January 2016, Defendants knew of the matters which
3 were the subject of their November 2, 2016 production and the Notices which are the subject of
4 this Motion.

5 In June 2016, this Court entered a scheduling order setting the deadline for non-expert
6 discovery as July 29, 2016. [Stipulation and Order to Amend Deadlines in Scheduling Order,
7 entered June 21, 2016.]

8 On October 10, 2016, Plaintiff filed a motion to reopen discovery to permit production of
9 the documents ordered by the Court on August 30, 2016, expert discovery, and depositions of
10 certain witnesses, among other things. [Motion to Vacate and Reset Pending Dates and to Reopen
11 Discovery, filed October 10, 2016] Defendants strenuously opposed that motion, representing to
12 the Court that "RDI and the other Defendants have been diligent in pursuing and responding to
13 discovery to ensure that the November trial date can go forward." [RDI Opposition to Motion to
14 Vacate and Reset Pending Dates and Reopen Discovery, filed October 26, 2016, at 8:20-21] At
15 no point in their opposition briefs, or during oral argument on the motion the following day,
16 October 27, 2016, did Defendants advise that they needed or disclose that they intended to seek,
17 additional discovery from the nonparties from which they now seek discovery. On the contrary,
18 they affirmatively represented that "We've worked hard to achieve this trial date. There's very
19 little left to be done, quite frankly." [Transcript of Proceedings, October 27, 2016, at 50:11-12.]

20 The Court granted the motion to reopen discovery for the specified purposes of production
21 of the attorney-client communications and offer-related communications ordered produced on
22 August 30, 2016, as well as completing then identified outstanding fact and expert depositions.
23 [Transcript of Proceedings, October 27, 2016, at 51:20-52:1.]

24 Six days later, on November 2, 2016, without explanation, Defendant RDI submitted a
25 24th Supplemental NRCP 16.1 Disclosure. [RDI's 24th Supplemental Disclosure Statement,
26 Exhibit 4.] The documents disclosed included multiple communications sent between 2014 and
27 2015 between Plaintiff's RDI email account and a consulting firm, Highpoint Associates. Plaintiff

28 ¹ These are just two examples of the multiple documents and disclosures made referencing
Highpoint Associates and/or Alderton produced between November 2015 and February 2016.

1 by email dated November 15, 2016 sought an explanation for the reason for the production; but no
2 response was provided. [Correspondence, Exhibit 1]

3 Instead, on November 28, 2016, RDI addressed its late disclosure in a Notice to this Court,
4 stating that “[t]he production has no impact on current discovery and RDI promptly produced
5 documents that appear to have been hidden by Cotter, Jr. before he left RDI.”² [RDI’s Status
6 Report Re: Discovery, filed November 28, 2016, at 3:22-4:1.]

7 Six weeks later, on December 14, 2016, for the first time, the Interested Director
8 Defendants filed Notices of Deposition and Subpoenas for Highpoint Associates and Derek
9 Alderton, to take place in Los Angeles on January 10 and 11, 2017. [Notices of Deposition and
10 Subpoenas, Exhibit 5.] The Notices list the deposition topics as communications with Plaintiff
11 after January 1, 2014, and services Highpoint Associates and Derek Alderton provided to Reading
12 International, Inc. [*Id.*] The Notices also required Highpoint and Alderton to produce documents
13 and communications pertaining to work they performed for Reading International, Inc. and James
14 Cotter on or after January 1, 2014. [*Id.*]

15 On December 21, 2016, Plaintiff again sought explanation for Defendants’ conduct.
16 [Correspondence, Exhibit 1.] Defendants again did not respond until late in the day on December
17 23 when Quinn attorney Helpert provided the same sort of nonsubstantive, unsubstantiated, self-
18 serving, conclusory comments as were provided by the Company in its November 28 pleading.
19 Counsel for RDI responded on December 27, 2016, asserting that documents of the type produced
20 by RDI on November 2, 2016 had not been discovered previously, which is belied by the
21 December 2015 of Derek Alderton as a witness and by the production of such documents in and
22 after January 2016. [*See* RDI’s Status Report Re: Discover, filed Nov. 28, 2016.]

23 **III. DISCUSSION**

24 Rule 16(b), requires this Court to “enter a scheduling order that limits the time . . . [t]o
25 complete discovery.” N.R.C.P. 16(b)(3). “If a party or party’s attorney fails to obey a scheduling
26 or pretrial order . . . the judge, upon motion or the court’s own initiative, may make such orders
27 with regard thereto as are just, including any of the orders provided in Rule 37(b)(2)(B), (C), (D).”

28 ² As discussed below and demonstrated above, Defendants in fact had the documents since 2015.

1 N.R.C.P. 16(f). This includes “[a]n order refusing to allow the disobedient party to support or
2 oppose designated claims or defenses, or prohibiting that party from introducing designated
3 matters in evidence.” N.R.C.P. 37(b)(2)(B).

4 The Notices of Deposition and Subpoenas are in clear violation of this Court’s Scheduling
5 Orders. As noted above, the percipient witness cut-off was set for July 29, 2016. While this Court
6 has granted Plaintiff limited relief from that deadline, this Court limited the scope of discovery at
7 this point in the proceedings. The Notices of Deposition and Subpoenas, and indeed any
8 discovery concerning or from nonparties Highpoint Associates and Alderton, have nothing to do
9 with discovery to be completed. Even by Defendants’ own description: they only pertain to their
10 irrelevant after-the-fact attacks on Plaintiff’s work as President and CEO of RDI.

11 To the extent Defendants believed that late discovery concerning Alderton’s or Highpoint’s
12 activities was necessary or warranted (which it is not), the proper and required procedure under the
13 Rules—and out of respect to this Court’s authority to control discovery and the conduct of this
14 litigation through its scheduling orders—was to file a motion to reopen discovery on that issue,
15 and then issue subpoenas if this Court so permitted. Defendants, however, have done nothing to
16 request relief from the percipient witness cut-off that would permit them to issue the Notices of
17 Deposition and Subpoenas they have issued to Highpoint Associates and Alderton. Instead, they
18 simply took it upon themselves to issue Notices of Deposition and Subpoenas (issued from a
19 California court) four months after the percipient witness cut-off.

20 There is no genuine excuse for Defendants’ late discovery attempts. Defendants were well
21 on notice of Derek Alderton’s and Highpoint Associates’ work with Plaintiff for at least six
22 months prior to the percipient witness discovery cutoff. They had ample opportunity to conduct
23 their discovery within the time set forth in this Court’s orders and failed to do so.³

24 The Notices of Deposition and Subpoenas are untimely and in flagrant disregard of this
25 Court’s authority to control discovery. They therefore must be quashed.

26 ³ In a disingenuous effort to excuse their failure to timely seek the discovery which is the subject
27 of this motion, Defendants suggest that Plaintiff hid hard copy documents. That assertion is
28 erroneous and unsubstantiated. It also is irrelevant, because documents and information sufficient
to put Defendants on notice of HighPoint and Alderton were in Defendants’ possession throughout
discovery.

3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

Lewis Roca
ROTHGERBER CHRISTIE

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IV. CONCLUSION

The Notices of Deposition and Subpoenas are grossly untimely and violate this Court's discovery orders. Defendants should not be permitted to continue to flout this Court's orders. The Notices of Deposition and Subpoenas must be quashed.

DATED this 28th day of December, 2016.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

/s/ Mark G. Krum
Mark G. Krum (Nevada Bar No. 10913)
Erik J. Foley (Nevada Bar No. 14195)
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5958

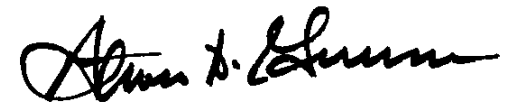
Attorneys for Plaintiff
James J. Cotter, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of December, 2016, I caused a true and correct copy of the foregoing **PLAINTIFF JAMES J. COTTER, JR.'S MOTION TO QUASH SUBPOENAS AND DEPOSITIONS *DUCES TECUM* ON SHORTENED TIME** to be electronically served to all parties of record via this Court's electronic filing system to all parties listed on the E-Service Master List.

/s/ Jessie M. Helm

An employee of Lewis Roca Rothgerber Christie LLP



CLERK OF THE COURT

1 **APEN**

2 Mark G. Krum (SBN 10913)
3 Lewis Roca Rothgerber Christie LLP
3993 Howard Hughes Pkwy, Suite 600
4 Las Vegas, NV 89169-5996
Tel: 702-949-8200
Fax: 702-949-8398
E-mail: mkrum@lrrc.com

5 *Attorneys for Plaintiff*
6 *James J. Cotter, Jr.*

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 JAMES J. COTTER, JR., individually and
10 derivatively on behalf of Reading International,
Inc.,

11 **Plaintiff,**

12 **vs.**

13 MARGARET COTTER, ELLEN COTTER,
14 GUY ADAMS, EDWARD KANE, DOUGLAS
McEACHERN, TIMOTHY STOREY,
15 WILLIAM GOULD, and DOES 1 through 100,
inclusive,

16 **Defendants.**

17 **and**

18 READING INTERNATIONAL, INC., a
19 Nevada corporation,

20 **Nominal Defendant.**

21 T2 PARTNERS MANAGEMENT, LP, a
22 Delaware limited partnership, doing business as
KASE CAPITAL MANAGEMENT, et al.,

23 **Plaintiffs,**

24 **vs.**

25 MARGARET COTTER, ELLEN COTTER,
26 GUY ADAMS, EDWARD KANE, DOUGLAS
McEACHERN, WILLIAM GOULD, JUDY
27 CODDING, MICHAEL WROTONIAK, CRAIG
TOMPKINS, and DOES 1 through 100,
28 inclusive,

Defendants.

CASE NO.: A-15-719860-B
DEPT. NO. XI

Coordinated with:

Case No. P-14-082942-E
Dept. No. XI

Case No. A-16-735305-B
Dept. No. XI

Jointly Administered

Business Court

**APPENDIX OF EXHIBITS TO:
PLAINTIFF JAMES J. COTTER, JR.'S
MOTION TO QUASH SUBPOENAS AND
DEPOSITIONS *DUCES TECUM* ON
SHORTENED TIME**

1
2 and

3 READING INTERNATIONAL, INC., a
4 Nevada corporation,
5
6 Nominal Defendant.

7 **TABLE OF CONTENTS TO APPENDIX**

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| 10 2 | December 31, 2015 Reading International, Inc.'s Sixth Supplemental NRCP 16.1 Disclosures | 4-20 |
| 11 3 | January 22, 2016 Reading International, Inc.'s Seventh Supplemental NRCP 16.1 Disclosures [PAGES 34-37 FILED UNDER SEAL] | 21-37 |
| 12 4 | November 2, 2016 Reading International, Inc.'s Twenty-Fourth Supplemental NRCP 16.1 Disclosures | 38-52 |
| 13 5 | December 14, 2016 Notice of Taking Depositions – Duces Tecum | 53-98 |
| 14 6 | December 23, 2016 Email Chain with Noah Helpert | 99-102 |
| 15 7 | December 27, 2016 Email Communications with Kara Hendricks | 103-105 |

16 DATED this 28th day of December, 2016.

17
18 LEWIS ROCA ROTHGERBER CHRISTIE LLP

19 By: /s/ Mark G. Krum
20 Mark G. Krum (SBN 10913)
21 3993 Howard Hughes Pkwy, Suite 600
22 Las Vegas, NV 89169-5958
23 (702) 949-8200
24 Attorneys for Plaintiff
25 James J. Cotter, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of December, 2016, I caused a true and correct copy of the foregoing **APPENDIX OF EXHIBITS TO: PLAINTIFF JAMES J. COTTER, JR.’S MOTION TO QUASH SUBPOENAS AND DEPOSITIONS *DUCES TECUM* ON SHORTENED TIME** to be electronically served to all parties of record via this Court’s electronic filing system to all parties listed on the E-Service Master List.

/s/ Jessie M. Helm
An employee of Lewis Roca Rothgerber Christie LLP

3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

**Lewis Roca
ROTHGERBER CHRISTIE**

EXHIBIT 1

Helm, Jessica

From: Krum, Mark
Sent: Wednesday, December 21, 2016 4:05 PM
To: christayback@quinnemanuel.com; marshallsearcy@quinnemanuel.com; Noah Helpern (noahhelpern@quinnemanuel.com); ferrariom@gtlaw.com; hendricksk@gtlaw.com
Cc: Ekwan E. Rhow (erhow@birdmarella.com); Shoshana E. Bannett (sbannett@birdmarella.com); Foley, Erik; Story, Kirstin A.; Sodorff, Stephanie
Subject: FW: Secure delivery of package: RDI's 21st Supplemental Production (24th Disclosure)

Counsel,

We have received deposition notices directed at two nonparties, Highpoint Associates and Derek Alderton. Obviously, these follow up on the document production referenced in the email below, to which we received no response. Given that the Company had possessed those documents since the beginning of this case, the production (if any ever was warranted, which we do not acknowledge) was untimely. So too are the deposition notices. This is particularly so given that counsel issuing the subpoena and counsel for the Company have taken the position--repeatedly for months--that such discovery is closed.

Kindly advise on what basis you contend that this discovery is not untimely and ought not be quashed.

Mark

-----Original Message-----

From: Krum, Mark
Sent: Tuesday, November 15, 2016 11:00 AM
To: ferrariom@gtlaw.com; hendricksk@gtlaw.com
Cc: Foley, Erik; Sodorff, Stephanie
Subject: RDI: Secure delivery of package: RDI's 21st Supplemental Production (24th Disclosure)

Mark and Kara,

Please advise why the documents produced on November 2, 2016 pursuant to the email below were produced. Please advise why they were not produced months earlier, when the defendants claimed that their productions were complete. Please advise as to the source of these documents, meaning where they were located or stored. Thank you for your attention to this matter.

Mark

Mark G. Krum
Partner
702.949.8217 office
702.216.6234 fax
mkrum@lrrc.com

Lewis Roca Rothgerber Christie LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169

lrrc.com

-----Original Message-----

From: Sheffield, Megan (Para-NY-LT) [<mailto:sheffieldm@gtlaw.com>]

Sent: Wednesday, November 02, 2016 4:37 PM

To: Krum, Mark

Subject: Secure delivery of package: RDI's 21st Supplemental Production (24th Disclosure)

Sender : Sheffield, Megan (Para-NY-LT)

Link : <https://files.gtlaw.com/bds/Login.do?id=A06113473669&p1=dej255ssbhccefielhkleihkckj20>

Sent To : Amy Bender, hdv@birdmarella.com, jks@birdmarella.com, kmm@birdmarella.com,
mariogutierrez@quinnemanuel.com, marshallsearcy@quinnemanuel.com, mkrum@lrrc.com,
noahhelpen@quinnemanuel.com, seb@birdmarella.com, ssodorff@lrrc.com

Cc : Kara Hendricks, Sheffield, Megan (Para-NY-LT)

Expires : 12/2/16 11:59:59 PM EST

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate such information.

EXHIBIT 2

DDW
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KARA B. HENDRICKS, ESQ.
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hendricksk@gtlaw.com

Counsel for Reading International, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of

JAMES J. COTTER,

Deceased.

Case No. P 14-082942-E

Dept. XI

JAMES J. COTTER, JR., individually and
derivatively on behalf of Reading
International, Inc.

Plaintiff,

Case No. A-15-719860-B

Dept. No. XI

Jointly Administered

v.

MARGARET COTTER, ELLEN
COTTER, GUY ADAMS, EDWARD
KANE, DOUGLAS McEACHERN,
TIMOTHY STOREY, WILLIAM
GOULD, and DOES 1 through 100,
inclusive,

Defendants.

**READING INTERNATIONAL, INC.'S
SIXTH SUPPLEMENTAL NRCP 16.1
INITIAL DISCLOSURES**

///

///

1 Reading International, Inc. ("RDI") by and through its attorneys, and pursuant to Rule
2 16.1 of the Nevada Rules of Civil Procedure, hereby provides its Sixth Supplement to its Initial
3 Disclosures. **Supplemental information can be found in bold font.**

4 These disclosures are based on information reasonably available to RDI as of this date,
5 recognizing that the investigation continues and that discovery has just begun. RDI reserves the
6 right to supplement or modify this supplemental disclosure statement at any time as additional
7 information becomes available during the course of discovery.

8 In making this disclosure, RDI does not purport to identify every individual, document,
9 data compilation, or tangible thing possibly relevant to this lawsuit. Rather, RDI's disclosure
10 represents a good faith effort to identify discoverable information they currently and reasonably
11 believes may be used to support their claims and defenses as required by NRCP 16.1.
12 Furthermore, RDI makes this disclosure without waiving its right to object to the production of
13 any document, data compilations, or tangible thing disclosed on the basis of any privilege, work
14 product, relevancy, undue burden, or other valid objection. This disclosure does not include
15 information that may be used solely for impeachment purposes. While making this disclosure,
16 RDI reserves, among other rights, (1) its right to object on the grounds of competency, privilege,
17 work product, relevancy and materiality, admissibility, hearsay, or any other proper grounds to
18 the use of any disclosed information, for any purpose in whole or in part in this action or any
19 other action and (2) its right to object on any and all proper grounds, at any time, to any
20 discovery request or motion relating to the subject matter of this disclosure.

21 The following disclosures are made subject to the above objections and qualifications.

22 **INITIAL DISCLOSURES**

23 **A.**

24 **LIST OF WITNESSES PROVIDED BY RDI**

25 Based on the information currently available to RDI, the following individuals are
26 identified:

27 ///

1. James J. Cotter, Jr.
c/o Lewis Roca Rothgerber
3993 Howard Hughes Pkwy., Ste. 600
Las Vegas, NV 89169
2. Margaret Cotter
c/o Cohen-Johnson, LLC
255 E. Warm Springs Road, Ste. 100
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And
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And
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7. Tim Storey
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Reno, NV 89519
And
c/o Bird, Maraella, Boxer, Wolpert,
Nessim, Drooks, Lincenberg & Rhow
1875 Century Park East, 23rd Floor
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8. William Gould
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And
c/o Bird, Maraella, Boxer, Wolpert,
Nessim, Drooks, Lincenberg & Rhow
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And
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 Westlake Village, CA 91361
 And
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 c/o Patti, Sgro, Lewis & Roger
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15. PMK of Kase Qualified Fund
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 Westlake Village, CA 91361
 And
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 720 S. 7th Street, 3rd Floor
 Las Vegas, NV 89101
16. PMK of Pacific Capital Management, LLC
 c/o Robertson & Associates, LLP
 32121 Lindero Canyon Road, Ste. 200
 Westlake Village, CA 91361
 And
 c/o Patti, Sgro, Lewis & Roger
 720 S. 7th Street, 3rd Floor
 Las Vegas, NV 89101
17. PMK of T2 Accredited Fund, LP
 c/o Robertson & Associates, LLP
 32121 Lindero Canyon Road, Ste. 200

- 1 Westlake Village, CA 91361
2 And
3 c/o Patti, Sgro, Lewis & Roger
4 720 S. 7th Street, 3rd Floor
5 Las Vegas, NV 89101
6
7 18. PMK of T2 Partners Management Group, LLC
8 c/o Robertson & Associates, LLP
9 32121 Lindero Canyon Road, Ste. 200
10 Westlake Village, CA 91361
11 And
12 c/o Patti, Sgro, Lewis & Roger
13 720 S. 7th Street, 3rd Floor
14 Las Vegas, NV 89101
15
16 20. PMK of T2 Partners Management, LP
17 c/o Robertson & Associates, LLP
18 32121 Lindero Canyon Road, Ste. 200
19 Westlake Village, CA 91361
20 And
21 c/o Patti, Sgro, Lewis & Roger
22 720 S. 7th Street, 3rd Floor
23 Las Vegas, NV 89101
24
25 21. PMK of T2 Qualified Fund, LP
26 c/o Robertson & Associates, LLP
27 32121 Lindero Canyon Road, Ste. 200
28 Westlake Village, CA 91361
And
c/o Patti, Sgro, Lewis & Roger
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26. Susan Villeda
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29. Michael Wrotniak
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31. Jon Glaser
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And

c/o Patti, Sgro, Lewis & Roger
720 S. 7th Street, 3rd Floor
Las Vegas, NV 89101

32. Mark Cuban
Address Unkown

33. **Derek Alderton**
Address Unknown

B.

LIST OF DOCUMENTS PROVIDED BY DEFENDANTS

Based on the information reasonably available, the following categories of documents are in RDI's possession, custody or control and may be used by RDI to support their claims or defenses. The following documents will be sent via secure file transfer:

| Beg. Bates# | Description |
|-----------------------------------|--------------------------------------------------------------------------------|
| RDI0000001- RDI0000095 | RDI's first set of data responsive to expedited discovery requests |
| RDI0000096- RDI0002467 | RDI's second set of data responsive to expedited discovery requests |
| RDI0002468- RDI0004224 | RDI's third set of data responsive to expedited discovery requests |
| RDI0004225- RDI0011216 | RDI's Fourth Supplemental Production |
| RDI0011217- RDI0016091 | RDI's Fifth Supplemental Production |
| | RDI's Privilege Log of Emails, attached hereto as Exhibit 1 |
| | RDI's Privilege Log of Documents and Loose Files, attached hereto as Exhibit 2 |
| | List of Counsel Identified on Privilege Log, attached hereto as Exhibit 3 |
| RDI0016092- RDI0018198 | RDI's Sixth Supplemental Production |

| | |
|--|----------------------------------------------------------------------------|
| | RDI's Supplemental Privilege Log of Craig Tompkins data¹ |
| | RDI's Redaction Log attached hereto as Exhibit 4 |

RDI reserves its right to submit as an exhibit any document, data compilation or tangible item identified by any other party in this action or obtained from any third party. RDI further reserves its right to amend and/or supplement this first supplemental list of documents, data compilations, or tangible items as discovery proceeds and additional documents are produced by parties and third parties.

Further, RDI will provide its production materials as described below whenever possible and requests that all parties provide their productions utilizing the same guidelines:

All electronically stored information ("ESI") shall be produced electronically in a form that maximizes the ability to search the information by the use of search terms and that maximizes the amount of metadata that accompanies the information. Specifically, when available, please provide all ESI as a .DAT file including metadata for the following fields:

| Field Name | Email | Attachment | Loose | Description |
|--------------|-------|------------|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BegBates | x | x | x | First Bates number of native file document/email |
| EndBates | x | x | x | Last Bates number of native file document/email |
| BegAttach | x | x | x | First Bates number of attachment range |
| EndAttach | x | x | x | Last Bates number of attachment range |
| PgCount | x | x | x | Number of pages in native file document/email |
| Custodian | x | x | x | Custodian of file |
| CustodianAll | x | x | x | Custodian of file, followed by all other Custodians that have a duplicate of the record. This list is de-duped within the Custodian names. This will be a multi-choice field. |
| FileType | x | x | x | Application Name field value pulled from metadata of the native file. |
| FileExt | x | x | x | File extension of native file |

¹ Please be advised that this log contains emails sent to or from Craig Tompkins that did not include any non-retained attorneys or other third-party recipients. This log was created after running the agreed upon search terms on data collected from Mr. Tompkins and using a predicative coding model. Due to the volume of data collected from Mr. Tompkins, a manual review of all emails was not completed and as such this log may include documents not relevant to this litigation, but this data was captured by the predicative coding model which assigned these materials a response score of 70 or higher. All attachments to any privileged communications are included on this log. Due to volume, this document will not be served via Wiznet and will be sent via FTP.

| | | | | | |
|----|-----------------|---|---|---|----------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | FileName | x | x | x | Original filename of native file. Contains subject of e-mail for e-mail records |
| 2 | FilePath | x | x | x | Full path to source files (if e-docs or loose e-mail) or folder path contained with a mail store (if NSF or PST) |
| 3 | Subject | x | x | x | Subject field value extracted from metadata of native file; email subject for email, subject field extracted from metadata for loose efiles. |
| 4 | TO | x | | | Recipient(s) of the e-mail; email and friendly name if available in metadata |
| 5 | FROM | x | | | Author of the e-mail |
| 6 | CC | x | | | Recipient(s) of "Carbon Copies" of the e-mail; email and friendly name if available in metadata |
| 7 | BCC | x | | | Recipient(s) of "Blind Carbon Copies" of the e-mail; email and friendly name if available in metadata |
| 8 | DATESENT | x | | | Sent date of an e-mail |
| 9 | TIMESENT | x | | | Time the e-mail was sent |
| 10 | DATERCVD | x | | | Received date of an e-mail |
| 11 | TIMERCVD | x | | | Time the e-mail was received |
| 12 | AUTHOR | | x | x | Author metadata from the loose efile |
| 13 | DATECREATE D | | x | x | Creation Date from the properties of the native file. When not available the file system date. |
| 14 | TIMECREATE D | | x | x | Creation Time of the native file from the properties of the native file. When not available the file system time. |
| 15 | DATELASTM OD | | x | x | Last Modified Date from the properties of the native file. When not available the file system date. |
| 16 | TIMELASTMO D | | x | x | Last Modified Time from the properties of the native file. When not available the file system time |
| 17 | MD5HASH | | x | x | MD5 Hash value of the document. |
| 18 | DOCLINK | x | x | x | Path to Native file in exported data |
| 19 | OCRPATH | x | x | x | Path to Text file corresponding to each document in export |

- The .DAT file must use the following Concordance® default delimiters: Comma ASCII character (020) Quote b ASCII character (254)
- Date fields should be provided in the format: mm/dd/yyyy
- Date and time fields must be two separate fields
- Text must be produced as separate text files, not as fields within the .DAT file.
- The full path to the text file (OCRPATH) should be included in the .DAT file.
- Native file documents must be named per the BegBates number.
- The full path of the native file must be provided in the .DAT file for the DocLink field.
- Black and white images must be 300 DPI Group IV single-page TIFF files.
- File names cannot contain embedded spaces or special characters (including the comma).

- All TIFF image files must have a unique file name, i.e. Bates number.
- Images must be endorsed with sequential Bates numbers in the lower right corner of each image.
- Excel spreadsheets should have a placeholder image named by the Bates number of the file.
- Production should include an Opticon or IPRO image cross-reference file

C.

DAMAGES

RDI will seek to recover the full extent of their damages to which they are entitled as a result of Plaintiff filing this action, including all costs, expert fees and attorney's fees incurred as a result of this dispute. The total computation of RDI's damages cannot be completed as amounts continue to accrue.

RDI reserves its right to supplement this disclosure as additional information becomes available.

DATED this 31st day of December, 2015.

GREENBERG TRAURIG, LLP

/s/ Kara B. Hendricks

MARK E. FERRARIO, ESQ. (NV Bar No. 1625)
KARA B. HENDRICKS, ESQ. (NV Bar No. 7743)
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Counsel for Reading International, Inc.

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Las Vegas, Nevada 89169
Telephone: (702) 792-3773
Facsimile: (702) 792-9002

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b)(2)(D) and E.D.C.R. 8.05, I certify that on this day, I caused a true and correct copy of the forgoing **READING INTERNATIONAL, INC.’S SIXTH SUPPLEMENTAL NRCP 16.1 DISCLOSURES** to be filed and served via the Court’s Wiznet E-Filing system. The date and time of the electronic proof of service is in place of the date and place of deposit in the mail.

DATED this 31st day of December, 2015.

/s/ Megan L. Sheffield
AN EMPLOYEE OF GREENBERG TRAURIG, LLP

EXHIBIT 4

| Item Number | Control Number | ProdBeg | FileName | Date Created | Date Sent | Email Subject | Email From | Email To | Email CC | Email BCC | Reason for Redaction |
|-------------|-------------------|------------|-------------------------------------------------------------|--------------|-----------|-------------------------------------------|----------------------------|-------------------------------------------------------------------------------------------|------------------------|-----------|------------------------------------------------------|
| 1 | 6318 | RDI0016100 | Hard-Copy Documents scanned | | 3/17/2014 | | Dale Short | Susan Villeda William Ellis; James Cotter, Jr.; Ellen Cotter; Margaret Cotter | Andrzej Matyczynski | | Communication with Counsel; Attorney Work Product |
| 2 | 8564 | RDI0016235 | Hard-Copy Documents scanned | | 2/27/2015 | 10-K Risk Factor | Craig Tompkins | | Andrzej Matyczynski | | Communication with Counsel; Attorney Work Product |
| 3 | CTRL-READ-0000019 | RDI0016289 | 2014 01 14 Board of Directors.pdf | 8/12/2015 | | | | | | | Communication with Counsel; Attorney Work Product |
| 4 | CTRL-READ-0000021 | RDI0016300 | 2014 04 29 Board of Directors.pdf | 8/12/2015 | | | | | | | Communication with Counsel; Attorney Work Product |
| 5 | CTRL-READ-0000022 | RDI0016305 | 2014 05 15 Board of Directors.pdf | 8/12/2015 | | | | | | | Communication with Counsel; Attorney Work Product |
| 6 | GT0000000598 | RDI0017524 | Untitled (4).msg | | 7/3/2015 | | Kane <ekane@san.rr.com> | Ellen Cotter <Ellen.Cotter@reading rdi.com> | | | Communication with Counsel; Attorney Work Product |
| 7 | GT00000010376 | RDI0017526 | Breakdown of JIC's Shares - per Computersher records.pdf | 11/8/2014 | | | | | | | Confidential/Protected Personal Information |
| 8 | GT00000068502 | RDI0017542 | Ltr JIC Living Trust 10Jul14.pdf | 7/10/2014 | | | | | | | Confidential/Protected Personal Information |
| 9 | GT00000071708 | RDI0002583 | Breakdown of JIC's Shares - per Computersher records.pdf | 2/17/2015 | | | | | | | Confidential/Protected Personal Information |
| 10 | GT00000072252 | RDI0017544 | Breakdown of JIC's Shares - per Computersher records.pdf | 11/8/2014 | | | | | | | Confidential/Protected Personal Information |
| 11 | GT00000072620 | RDI0017566 | Board Meeting.msg | | 9/16/2014 | Board Meeting | Susan Villeda | Andrzej Matyczynski | | | Communication with Counsel; Attorney Work Product |
| 12 | GT00000081881 | RDI0017568 | Scanned from Bruce_a Xerox Multifunction Device.pdf | 4/16/2015 | | | | | | | Confidential/Protected Personal Information |
| 13 | GT00000086881 | RDI0002972 | FW: Stock Options Payment to Guy Adams.msg | | 4/1/2015 | FW: Stock Options Payment to Guy Adams | Andrzej Matyczynski | Jorge E. Alvarez | | | Confidential/Protected Personal Information |
| 14 | GT00000088063 | RDI0017583 | Breakdown of JIC's Shares - per Computersher records.pdf | 11/8/2014 | | | | | | | Confidential/Protected Personal Information |
| 15 | GT00000093441 | RDI0017585 | Breakdown of JIC's Shares - per Computersher records.pdf | 2/17/2015 | | | | | | | Confidential/Protected Personal Information |
| 16 | GT00000093785 | RDI0017589 | Breakdown of JIC's Shares - per Computersher records.pdf | 11/8/2014 | | | | | | | Confidential/Protected Personal Information |
| 17 | GT00000099574 | RDI0003154 | Breakdown of JIC's Shares - per Computersher records.pdf | 11/8/2014 | | | | | | | Confidential/Protected Personal Information |
| 18 | GT00000101042 | RDI0003172 | Scanned from Bruce_a Xerox Multifunction Device.pdf | 4/16/2015 | | | | | | | Confidential/Protected Personal Information |
| 19 | GT00000101269 | RDI0017611 | Scanned from Bruce_a Xerox Multifunction Device.pdf | 4/16/2015 | | | | | | | Confidential/Protected Personal Information |
| 20 | GT00000106502 | RDI0017626 | Scanned from Bruce_a Xerox Multifunction Device.pdf | 4/16/2015 | | | | | | | Confidential/Protected Personal Information |
| 21 | GT00000108502 | RDI0017642 | Scanned from Bruce_a Xerox Multifunction Device.pdf | 4/16/2015 | | | | | | | Confidential/Protected Personal Information |
| 22 | GT00000117302 | RDI0017657 | Scanned from Bruce_a Xerox Multifunction Device.pdf | 4/16/2015 | | | | | | | Confidential/Protected Personal Information |
| 23 | GT00000117334 | RDI0017673 | Breakdown of JIC's Shares - per Computersher records.pdf | 11/8/2014 | | | | | | | Confidential/Protected Personal Information |

| | | | | | | | | | | |
|----|--------------|--------------------------------------------------------------------------------------------------|------------|-----------|------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|--------------|---------------------------------------------------|
| 24 | GT0000117377 | Scanned from Bruce a Xerox Multifunction Device.pdf | RD00017689 | 4/16/2015 | | | | | | Confidential/Protected Personal Information |
| 25 | GT0000121128 | Ltr CoExecutors_CoTrustees_Templ ate.docx | RD00017705 | 12/9/2014 | | | | | | Confidential/Protected Personal Information |
| 26 | GT0000121440 | Breakdown of JIC's Shares - per Computersher records.pdf | RD00017708 | 11/8/2014 | | | | | | Confidential/Protected Personal Information |
| 27 | GT0000135037 | Scanned from Bruce a Xerox Multifunction Device.pdf | RD00017724 | 4/16/2015 | | | | | | Confidential/Protected Personal Information |
| 28 | GT0000137659 | ****POSTMASTER: R SPAM**** Re: Stomp and Rhythm.msg | RD00017739 | | 4/1/2015 | ****POSTMASTER SPAM**** Re: Stomp and Rhythm | Deborah Watson <debwatsoncpa@aol.com>> | Margaret Cotter | Ellen Cotter | Confidential/Protected Personal Information |
| 29 | GT0000138387 | Scanned from Bruce a Xerox Multifunction Device.pdf | RD00017741 | 4/16/2015 | | | | | | Confidential/Protected Personal Information |
| 30 | GT0000140331 | Ltr CoExecutors_CoTrustees_Templ ate.docx | RD00017756 | 12/9/2014 | | | | | | Confidential/Protected Personal Information |
| 31 | GT0000140662 | Breakdown of JIC's Shares - per Computersher records.pdf | RD00017759 | 11/8/2014 | | | | | | Confidential/Protected Personal Information |
| 32 | GT0000144394 | Scanned from Bruce a Xerox Multifunction Device.pdf | RD00017775 | 4/16/2015 | | | | | | Confidential/Protected Personal Information |
| 33 | GT0000144454 | Breakdown of JIC's Shares - per Computersher records.pdf | RD00017791 | 11/8/2014 | | | | | | Confidential/Protected Personal Information |
| 34 | GT0000144885 | Re: ****POSTMASTER SPAM**** Re: Stomp and Rhythm.msg | RD00017806 | | 4/1/2015 | Re: ****POSTMASTER SPAM**** Re: Stomp and Rhythm | Deborah Watson <debwatsoncpa@aol.com> | | | Confidential/Protected Personal Information |
| 35 | GT0000144886 | The STOMP Co and Rhythm Co.msg | RD00017807 | | 4/1/2015 | The STOMP Co and Rhythm Co | Margaret Cotter | | | Confidential/Protected Personal Information |
| 36 | GT0000146175 | Scanned from Bruce a Xerox Multifunction Device.pdf | RD00017809 | 4/16/2015 | | | | | | Confidential/Protected Personal Information |
| 37 | GT0000150468 | Ltr CoExecutors_CoTrustees_Templ ate.docx | RD00017825 | 12/9/2014 | | | | | | Confidential/Protected Personal Information |
| 38 | GT0000151262 | Ltr CoExecutors_CoTrustees_Templ ate.docx | RD00017827 | 12/9/2014 | | | | | | Confidential/Protected Personal Information |
| 39 | GT0000168047 | FW: Cinemas 123 Renovation- Please Defer Moving Forward Until These Issues Can Be Sorted Out.msg | RD00017829 | | | FW: Cinemas 123 Renovation- Please Defer Moving Forward Until These Issues Can Be Sorted Out | Unspecified Sender | | | Communication with Counsel; Attorney Work Product |
| 40 | GT0000182999 | SKM_224c14082007500.pdf | RD00017836 | 8/20/2014 | | | | | | Confidential/Protected Personal Information |
| 41 | GT0000226585 | FW: Breakfast (William, Jim and Chris).msg | RD00017848 | | 12/19/2014 | FW: Breakfast (William, Jim and Chris) | William Ellis </O=READING INTERNATIONAL INC/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RH/CN=JIM/NTS/CN=JAMESJ.COTTER@readingrdi.com> | James Cotter JR <james.j.cotter@readingrdi.com> | | Communication with Counsel; Attorney Work Product |

SUPP APPENDIX_436

EXHIBIT 3
(PAGES 34-37 FILED UNDER SEAL)

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(NV Bar No. 7743)
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Facsimile: (702) 792-9002
ferrariom@gtlaw.com
hendricksk@gtlaw.com

Counsel for Reading International, Inc.

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of

JAMES J. COTTER,

Deceased.

Case No. P 14-082942-E

Dept. XI

JAMES J. COTTER, JR., individually and
derivatively on behalf of Reading
International, Inc.

Plaintiff,

Case No. A-15-719860-B

Dept. No. XI

Jointly Administered

v.

MARGARET COTTER, ELLEN
COTTER, GUY ADAMS, EDWARD
KANE, DOUGLAS McEACHERN,
TIMOTHY STOREY, WILLIAM
GOULD, and DOES 1 through 100,
inclusive,

Defendants.

**READING INTERNATIONAL, INC.'S
SEVENTH SUPPLEMENTAL NRCP
16.1 INITIAL DISCLOSURES**

///

///

GREENBERG TRAURIG, LLP
3773 Howard Hughes Parkway, Suite 400 North
Las Vegas, Nevada 89169
Telephone: (702) 792-3773
Facsimile: (702) 792-9002

1 Reading International, Inc. ("RDI") by and through its attorneys, and pursuant to Rule
2 16.1 of the Nevada Rules of Civil Procedure, hereby provides its Seventh Supplement to its
3 Initial Disclosures. **Supplemental information can be found in bold font.**

4 These disclosures are based on information reasonably available to RDI as of this date,
5 recognizing that the investigation continues and that discovery has just begun. RDI reserves the
6 right to supplement or modify this supplemental disclosure statement at any time as additional
7 information becomes available during the course of discovery.

8 In making this disclosure, RDI does not purport to identify every individual, document,
9 data compilation, or tangible thing possibly relevant to this lawsuit. Rather, RDI's disclosure
10 represents a good faith effort to identify discoverable information they currently and reasonably
11 believes may be used to support their claims and defenses as required by NRCP 16.1.
12 Furthermore, RDI makes this disclosure without waiving its right to object to the production of
13 any document, data compilations, or tangible thing disclosed on the basis of any privilege, work
14 product, relevancy, undue burden, or other valid objection. This disclosure does not include
15 information that may be used solely for impeachment purposes. While making this disclosure,
16 RDI reserves, among other rights, (1) its right to object on the grounds of competency, privilege,
17 work product, relevancy and materiality, admissibility, hearsay, or any other proper grounds to
18 the use of any disclosed information, for any purpose in whole or in part in this action or any
19 other action and (2) its right to object on any and all proper grounds, at any time, to any
20 discovery request or motion relating to the subject matter of this disclosure.

21 The following disclosures are made subject to the above objections and qualifications.

22 **INITIAL DISCLOSURES**

23 **A.**

24 **LIST OF WITNESSES PROVIDED BY RDI**

25 Based on the information currently available to RDI, the following individuals are
26 identified:

27 ///

1. James J. Cotter, Jr.
c/o Lewis Roca Rothgerber
3993 Howard Hughes Pkwy., Ste. 600
Las Vegas, NV 89169
2. Margaret Cotter
c/o Cohen-Johnson, LLC
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And
Quinn Emanuel Urquhart & Sullivan, LLP
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3. Ellen Cotter
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And
Quinn Emanuel Urquhart & Sullivan, LLP
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LIST OF DOCUMENTS PROVIDED BY DEFENDANTS

Based on the information reasonably available, the following categories of documents are in RDI's possession, custody or control and may be used by RDI to support their claims or defenses. The following documents will be sent via secure file transfer:

| Beg. Bates# | Description |
|-----------------------------------|--------------------------------------------------------------------------------|
| RDI0000001- RDI0000095 | RDI's first set of data responsive to expedited discovery requests |
| RDI0000096- RDI0002467 | RDI's second set of data responsive to expedited discovery requests |
| RDI0002468- RDI0004224 | RDI's third set of data responsive to expedited discovery requests |
| RDI0004225- RDI0011216 | RDI's Fourth Supplemental Production |
| RDI0011217- RDI0016091 | RDI's Fifth Supplemental Production |
| | RDI's Privilege Log of Emails, attached hereto as Exhibit 1 |
| | RDI's Privilege Log of Documents and Loose Files, attached hereto as Exhibit 2 |
| | List of Counsel Identified on Privilege Log, attached hereto as Exhibit 3 |
| RDI0016092- RDI0018198 | RDI's Sixth Supplemental Production |
| | RDI's Supplemental Privilege Log of Craig Tompkins data ¹ |
| | RDI's Redaction Log attached hereto as Exhibit 4 |
| RDI0018199- RDI0022814 | RDI's Seventh Supplemental Production |

RDI reserves its right to submit as an exhibit any document, data compilation or tangible item identified by any other party in this action or obtained from any third party. RDI further reserves its right to amend and/or supplement this first supplemental list of documents, data compilations, or tangible items as discovery proceeds and additional documents are produced by parties and third parties.

Further, RDI will provide its production materials as described below whenever possible

¹ Please be advised that this log contains emails sent to or from Craig Tompkins that did not include any non-retained attorneys or other third-party recipients. This log was created after running the agreed upon search terms on data collected from Mr. Tompkins and using a predicative coding model. Due to the volume of data collected from Mr. Tompkins, a manual review of all emails was not completed and as such this log may include documents not relevant to this litigation, but this data was captured by the predicative coding model which assigned these materials a response score of 70 or higher. All attachments to any privileged communications are included on this log. Due to volume, this document will not be served via Wiznet and will be sent via FTP.

and requests that all parties provide their productions utilizing the same guidelines:

All electronically stored information (“ESI”) shall be produced electronically in a form that maximizes the ability to search the information by the use of search terms and that maximizes the amount of metadata that accompanies the information. Specifically, when available, please provide all ESI as a .DAT file including metadata for the following fields:

| Field Name | Email | Attachment | Loose | Description |
|--------------|-------|------------|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BegBates | x | x | x | First Bates number of native file document/email |
| EndBates | x | x | x | Last Bates number of native file document/email |
| BegAttach | x | x | x | First Bates number of attachment range |
| EndAttach | x | x | x | Last Bates number of attachment range |
| PgCount | x | x | x | Number of pages in native file document/email |
| Custodian | x | x | x | Custodian of file |
| CustodianAll | x | x | x | Custodian of file, followed by all other Custodians that have a duplicate of the record. This list is de-duped within the Custodian names. This will be a multi-choice field. |
| FileType | x | x | x | Application Name field value pulled from metadata of the native file. |
| FileExt | x | x | x | File extension of native file |
| FileName | x | x | x | Original filename of native file. Contains subject of e-mail for e-mail records |
| FilePath | x | x | x | Full path to source files (if e-docs or loose e-mail) or folder path contained with a mail store (if NSF or PST) |
| Subject | x | x | x | Subject field value extracted from metadata of native file; email subject for email, subject field extracted from metadata for loose efiles. |
| TO | x | | | Recipient(s) of the e-mail; email and friendly name if available in metadata |
| FROM | x | | | Author of the e-mail |
| CC | x | | | Recipient(s) of "Carbon Copies" of the e-mail; email and friendly name if available in metadata |
| BCC | x | | | Recipient(s) of "Blind Carbon Copies" of the e-mail; email and friendly name if available in metadata |
| DATESENT | x | | | Sent date of an e-mail |
| TIMESENT | x | | | Time the e-mail was sent |
| DATERCVD | x | | | Received date of an e-mail |
| TIMERCVD | x | | | Time the e-mail was received |
| AUTHOR | | x | x | Author metadata from the loose efile |
| DATECREATED | | x | x | Creation Date from the properties of the native file. When not available the file |

| | | | | |
|-------------|---|---|---|-------------------------------------------------------------------------------------------------------------------|
| | | | | system date. |
| TIMECREATED | | x | x | Creation Time of the native file from the properties of the native file. When not available the file system time. |
| DATELASTMOD | | x | x | Last Modified Date from the properties of the native file. When not available the file system date. |
| TIMELASTMOD | | x | x | Last Modified Time from the properties of the native file. When not available the file system time |
| MD5HASH | | x | x | MD5 Hash value of the document. |
| DOCLINK | x | x | x | Path to Native file in exported data |
| OCRPATH | x | x | x | Path to Text file corresponding to each document in export |

- The .DAT file must use the following Concordance® default delimiters: Comma ASCII character (020) Quote  ASCII character (254)
- Date fields should be provided in the format: mm/dd/yyyy
- Date and time fields must be two separate fields
- Text must be produced as separate text files, not as fields within the .DAT file.
- The full path to the text file (OCRPATH) should be included in the .DAT file.
- Native file documents must be named per the BegBates number.
- The full path of the native file must be provided in the .DAT file for the DocLink field.
- Black and white images must be 300 DPI Group IV single-page TIFF files.
- File names cannot contain embedded spaces or special characters (including the comma).
- All TIFF image files must have a unique file name, i.e. Bates number.
- Images must be endorsed with sequential Bates numbers in the lower right corner of each image.
- Excel spreadsheets should have a placeholder image named by the Bates number of the file.
- Production should include an Opticon or IPRO image cross-reference file

C.

DAMAGES

RDI will seek to recover the full extent of their damages to which they are entitled as a result of Plaintiff filing this action, including all costs, expert fees and attorney’s fees incurred as a result of this dispute. The total computation of RDI’s damages cannot be completed as amounts continue to accrue.

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1 RDI reserves its right to supplement this disclosure as additional information
2 becomes available.

3 DATED this 22nd day of January, 2016.

4 GREENBERG TRAURIG, LLP

5 /s/ Kara B. Hendricks

6 MARK E. FERRARIO, ESQ. (NV Bar No. 1625)
7 KARA B. HENDRICKS, ESQ. (NV Bar No. 7743)
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9 *Counsel for Reading International, Inc.*

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b)(2)(D) and E.D.C.R. 8.05, I certify that on this day, I caused a true and correct copy of the forgoing **READING INTERNATIONAL, INC.’S SEVENTH SUPPLEMENTAL NRCP 16.1 DISCLOSURES** to be filed and served via the Court’s Wiznet E-Filing system. The date and time of the electronic proof of service is in place of the date and place of deposit in the mail.

DATED this 22nd day of January, 2016.

/s/ Andrea Lee Rosehill
AN EMPLOYEE OF GREENBERG TRAURIG, LLP

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EXHIBIT 4

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Counsel for Reading International, Inc.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

JAMES J. COTTER, JR., individually and
derivatively on behalf of Reading
International, Inc.,

Plaintiff,

v.

MARGARET COTTER, et al,

Defendants.

Case No. A-15-719860-B
Dept. No. XI

Coordinated with:

Case No. P 14-082942-E
Dept. XI

Case No. A-16-735305-B
Dept. XI

**READING INTERNATIONAL, INC.'S
TWENTY-FOURTH
SUPPLEMENTAL NRCP 16.1 INITIAL
DISCLOSURES**

In the Matter of the Estate of
JAMES J. COTTER,
Deceased.

JAMES J. COTTER, JR.,
Plaintiff,

v.

READING INTERNATIONAL, INC., a
Nevada corporation; DOES 1-100, and
ROE ENTITIES, 1-100, inclusive,

Defendants.

GREENBERG TRAURIG, LLP
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1 Reading International, Inc. ("RDI") by and through its attorneys, and pursuant to Rule
2 16.1 of the Nevada Rules of Civil Procedure, hereby provides its Twenty-Fourth Supplement to
3 its Initial Disclosures. **Supplemental information can be found in bold font.**

4 These disclosures are based on information reasonably available to RDI as of this date,
5 recognizing that the investigation continues and that discovery has just begun. RDI reserves the
6 right to supplement or modify this supplemental disclosure statement at any time as additional
7 information becomes available during the course of discovery.

8 In making this disclosure, RDI does not purport to identify every individual, document,
9 data compilation, or tangible thing possibly relevant to this lawsuit. Rather, RDI's disclosure
10 represents a good faith effort to identify discoverable information they currently and reasonably
11 believes may be used to support their claims and defenses as required by NRCP 16.1.
12 Furthermore, RDI makes this disclosure without waiving its right to object to the production of
13 any document, data compilations, or tangible thing disclosed on the basis of any privilege, work
14 product, relevancy, undue burden, or other valid objection. This disclosure does not include
15 information that may be used solely for impeachment purposes. While making this disclosure,
16 RDI reserves, among other rights, (1) its right to object on the grounds of competency, privilege,
17 work product, relevancy and materiality, admissibility, hearsay, or any other proper grounds to
18 the use of any disclosed information, for any purpose in whole or in part in this action or any
19 other action and (2) its right to object on any and all proper grounds, at any time, to any
20 discovery request or motion relating to the subject matter of this disclosure.

21 The following disclosures are made subject to the above objections and qualifications.

22 **INITIAL DISCLOSURES**

23 **A.**

24 **LIST OF WITNESSES PROVIDED BY RDI**

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26 identified:

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|-----------------------|--------------------------------------------------------------------------------|
| RDI0000001-RDI0000095 | RDI's first set of data responsive to expedited discovery requests |
| RDI0000096-RDI0002467 | RDI's second set of data responsive to expedited discovery requests |
| RDI0002468-RDI0004224 | RDI's third set of data responsive to expedited discovery requests |
| RDI0004225-RDI0011216 | RDI's Fourth Supplemental Production |
| RDI0011217-RDI0016091 | RDI's Fifth Supplemental Production |
| | RDI's Privilege Log of Emails, attached hereto as Exhibit 1 |
| | RDI's Privilege Log of Documents and Loose Files, attached hereto as Exhibit 2 |
| | List of Counsel Identified on Privilege Log, attached hereto as Exhibit 3 |
| RDI0016092-RDI0018198 | RDI's Sixth Supplemental Production |

| | |
|----------------------------|-----------------------------------------------------------------------------------------------------|
| | RDI's Supplemental Privilege Log of Craig Tompkins data ¹ |
| | RDI's Redaction Log attached hereto as Exhibit 4 |
| RDI0018199- RDI0022814 | RDI's Seventh Supplemental Production |
| | RDI's Supplemental Privilege Log of Emails, attached hereto as Exhibit 5 |
| | RDI's Supplemental Privilege Log of Documents and Loose Files, attached hereto as Exhibit 6 |
| RDI0022815- RDI0025532 | RDI's Eighth Supplemental Production |
| RDI0025533- RDI0029186 | RDI's Ninth Supplemental Production |
| Beg. Bates# | Description |
| | RDI's Supplemental Privilege Log of emails and documents, attached hereto as Exhibit 7 ² |
| RDI0029187- RDI0035423 | RDI's Tenth Supplemental Production |
| RDI0035424- RDI0037096 | RDI's Eleventh Supplemental Production |
| RDI0037097- RDI0043136 | RDI's Twelfth Supplemental Production |
| RDI00430137- RDI0046281 | RDI's Thirteenth Supplemental Production |
| | RDI's Supplemental Privilege Log of emails and documents, attached hereto as Exhibit 8 ³ |
| RDI0046282- RDI0050667 | RDI's Fourteenth Supplemental Production |
| RDI0050668- RDI0054887 | RDI's Fifteenth Supplemental Production |

¹ Please be advised that this log contains emails sent to or from Craig Tompkins that did not include any non-retained attorneys or other third-party recipients. This log was created after running the agreed upon search terms on data collected from Mr. Tompkins and using a predicative coding model. Due to the volume of data collected from Mr. Tompkins, a manual review of all emails was not completed and as such this log may include documents not relevant to this litigation, but this data was captured by the predicative coding model which assigned these materials a response score of 70 or higher. All attachments to any privileged communications are included on this log. Due to volume, this document will not be served via Wiznet and will be sent via FTP.

² Due to volume, this document will not be served via Wiznet and will be sent via FTP.

³ Due to volume, this document will not be served via Wiznet and will be sent via FTP.

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|-----------------|---|---|---|----------------------------------------------------------------------------------------------------------------------------------------------|
| | | | | Custodians that have a duplicate of the record. This list is de-duped within the Custodian names. This will be a multi-choice field. |
| FileType | x | x | x | Application Name field value pulled from metadata of the native file. |
| FileExt | x | x | x | File extension of native file |
| FileName | x | x | x | Original filename of native file. Contains subject of e-mail for e-mail records |
| FilePath | x | x | x | Full path to source files (if e-docs or loose e-mail) or folder path contained with a mail store (if NSF or PST) |
| Subject | x | x | x | Subject field value extracted from metadata of native file; email subject for email, subject field extracted from metadata for loose efiles. |
| TO | x | | | Recipient(s) of the e-mail; email and friendly name if available in metadata |
| FROM | x | | | Author of the e-mail |
| CC | x | | | Recipient(s) of "Carbon Copies" of the e-mail; email and friendly name if available in metadata |
| BCC | x | | | Recipient(s) of "Blind Carbon Copies" of the e-mail; email and friendly name if available in metadata |
| DATESENT | x | | | Sent date of an e-mail |
| TIMESENT | x | | | Time the e-mail was sent |
| DATERCVD | x | | | Received date of an e-mail |
| TIMERCVD | x | | | Time the e-mail was received |
| AUTHOR | | x | x | Author metadata from the loose efile |
| DATECREATE D | | x | x | Creation Date from the properties of the native file. When not available the file system date. |
| TIMECREATE D | | x | x | Creation Time of the native file from the properties of the native file. When not available the file system time. |
| DATELASTM OD | | x | x | Last Modified Date from the properties of the native file. When not available the file system date. |
| TIMELASTMO D | | x | x | Last Modified Time from the properties of the native file. When not available the file system time |
| MD5HASH | | x | x | MD5 Hash value of the document. |
| DOCLINK | x | x | x | Path to Native file in exported data |
| OCRPATH | x | x | x | Path to Text file corresponding to each document in export |

- The .DAT file must use the following Concordance® default delimiters: Comma ASCII character (020) Quote p ASCII character (254)
- Date fields should be provided in the format: mm/dd/yyyy
- Date and time fields must be two separate fields
- Text must be produced as separate text files, not as fields within the .DAT file.

- The full path to the text file (OCRPATH) should be included in the .DAT file.
- Native file documents must be named per the BegBates number.
- The full path of the native file must be provided in the .DAT file for the DocLink field.
- Black and white images must be 300 DPI Group IV single-page TIFF files.
- File names cannot contain embedded spaces or special characters (including the comma).
- All TIFF image files must have a unique file name, i.e. Bates number.
- Images must be endorsed with sequential Bates numbers in the lower right corner of each image.
- Excel spreadsheets should have a placeholder image named by the Bates number of the file.
- Production should include an Opticon or IPRO image cross-reference file

C.

DAMAGES

RDI will seek to recover the full extent of their damages to which they are entitled as a result of Plaintiff filing this action, including all costs, expert fees and attorney's fees incurred as a result of this dispute. The total computation of RDI's damages cannot be completed as amounts continue to accrue.

RDI reserves its right to supplement this disclosure as additional information becomes available.

DATED this 2nd day of November, 2016.

GREENBERG TRAURIG, LLP

/s/ Kara B. Hendricks

MARK E. FERRARIO, ESQ. (NV Bar No. 1625)
KARA B. HENDRICKS, ESQ. (NV Bar No. 7743)
3773 Howard Hughes Parkway
Suite 400 North
Las Vegas, Nevada 89169

Counsel for Reading International, Inc.

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b)(2)(D) and E.D.C.R. 8.05, I certify that on this day, I caused a true and correct copy of the forgoing *Reading International, Inc.'s Twenty-Fourth Supplemental NRCP 16.1 Disclosures* to be filed and served via the Court's Wiznet E-Filing system. The date and time of the electronic proof of service is in place of the date and place of deposit in the mail.

DATED this 2nd day of November, 2016.

/s/ Megan L. Sheffield
AN EMPLOYEE OF GREENBERG TRAURIG, LLP

EXHIBIT 5

**NOTC
COHEN|JOHNSON|PARKER|EDWARDS**

H. Stan Johnson, ESQ.
Nevada Bar No. 00265
sjohnson@cohenjohnson.com
255 East Warm Springs Road, Suite 100
Las Vegas, Nevada 89119
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**QUINN EMANUEL URQUHART & SULLIVAN, LLP
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Los Angeles, CA 90017
Telephone: (213) 443-3000

Attorneys for Defendants Margaret Cotter,
Ellen Cotter, Douglas McEachern, Guy Adams,
Edward Kane, Judy Coddington, and Michael Wrotniak

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA**

JAMES J. COTTER, JR. individually and
derivatively on behalf of Reading International,
Inc.,

Plaintiff,

v.

MARGARET COTTER, ELLEN COTTER, GUY
ADAMS, EDWARD KANE, DOUGLAS
McEACHERN, WILLIAM GOULD, JUDY
CODDINGTON, MICHAEL WROTONIAK, and DOES
1 through 100, inclusive,

Defendants,

and

READING INTERNATIONAL, INC., a Nevada
corporation;

Nominal Defendant.

Case No.: A-15-719860-B
Dept. No.: XI

Case No.: P-14-082942-E
Dept. No.: XI

Related and Coordinated Cases

BUSINESS COURT

**NOTICE OF TAKING DEPOSITIONS
– DUCES TECUM**

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NOTICE OF TAKING DEPOSITIONS – DUCES TECUM

TO: ALL PARTIES; and
TO: THEIR RESPECTIVE COUNSEL

PLEASE TAKE NOTICE that Defendants Margaret Cotter, Ellen Cotter, Douglas McEachern, Guy Adams, Edward Kane, Judy Coddington, and Michael Wrotniak (“Defendants”) will take the following depositions in the above-captioned action on the dates and at the times and locations indicated below.

| Deponent | Date | Time | Location |
|---------------------------------------------------|-----------|-----------|-------------------------------------------------------------------------------------------------------------------|
| Person Most Knowledgeable of HighPoint Associates | 1/10/2017 | 9:00 a.m. | Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10 th Floor Los Angeles, CA 90017 |
| Derek Alderton, Alderton Business Services | 1/11/2017 | 9:00 a.m. | Quinn Emanuel Urquhart & Sullivan, LLP 865 S. Figueroa Street, 10 th Floor Los Angeles, CA 90017 |

///
///

1 The depositions will be upon oral examination before a Notary Public, or before some
2 other officer authorized by law to administer oaths. Said depositions may be videotaped. Copies
3 of the related subpoenas are attached hereto.

4 Dated: December 14, 2016.

5 **COHEN|JOHNSON|PARKER|EDWARDS**

6
7 By: /s/ H. Stan Johnson
8 H. STAN JOHNSON, ESQ.
9 Nevada Bar No. 00265
10 sjohnson@cohenjohnson.com
11 255 East Warm Springs Road, Suite 100
12 Las Vegas, Nevada 89119
13 Telephone: (702) 823-3500
14 Facsimile: (702) 823-3400

15 **QUINN EMANUEL URQUHART &
16 SULLIVAN, LLP**

17 CHRISTOPHER TAYBACK, ESQ.
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20 MARSHALL M. SEARCY, ESQ.
21 California Bar No. 169269, *pro hac vice*
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23 865 South Figueroa Street, 10th Floor
24 Los Angeles, CA 90017
25 Telephone: (213) 443-3000

26 *Attorneys for Defendants Margaret Cotter,*
27 *Ellen Cotter, Douglas McEachern, Guy Adams,*
28 *Edward Kane, Judy Coddington, and Michael*
Wrotniak

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b)(2)(D) and E.D.C.R. 8.05, I hereby certify that on this day, I caused a true and correct copy of the foregoing **Notice of Taking Depositions – Duces Tecum** to be served via the Court’s Wiznet E-Filing system on all registered and active parties.

Dated: December 14, 2016

/s/ C.J. Barnabi
An employee of Cohen|Johnson|Parker|Edwards

Attachment 3

DEFINITIONS

1. COMMUNICATION or COMMUNICATIONS means and includes any disclosure, transfer or exchange of information between two or more persons, whether orally or in writing, including, without limitation, any conversation or discussion by means of meeting, letter, telephone, note, memorandum, telegraph, telex, telecopier, electronic mail, or any other electronic or other medium, including, without limitation, in written, audio or video form.

2. “DOCUMENT” or “DOCUMENTS” means all materials within the full scope of Nev. R. Civ. P. 34, including but not limited to all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise, handwriting, typewriting, printing, image, photograph, photocopy, digital file of any kind, transmittal by (or as an attachment to) electronic mail (including instant messages and text messages) or facsimile, video and audio recordings, and every other means of recording upon any tangible thing, any form of COMMUNICATION or representation, and any record thereby created, regardless of the manner in which the record has been stored, and all non-identical copies of such DOCUMENTS, in the possession, custody, or control of YOU or any other PERSON acting on YOUR behalf.

3. The term READING shall refer to Reading International, Inc.

4. RELATES TO, RELATING TO, or RELATED TO means to refer to, reflect, concern, pertain to or in any manner be connected with the matter discussed.

5. “YOU” or “YOUR” shall mean HighPoint Associates and any of its subsidiaries or affiliates, and any of YOUR present and former attorneys, investigators, agents, and any other individual acting for or on YOUR behalf.

INSTRUCTIONS

1. YOU are required to produce every DOCUMENT requested that is in your possession, custody, or direct or indirect control.
2. In the event YOU object to any Request set forth below on the grounds that the Request is overbroad for any reason, YOU are requested to respond to the Request as narrowed in a way that renders it not overbroad in YOUR opinion, and state the extent to which YOU have narrowed that request for purposes of YOUR response.
3. These Requests shall be deemed to be continuing so as to require supplemental productions as YOU obtain additional DOCUMENTS between the time of the initial production hereunder and the time of trial in this action.
4. These Requests require the production of original tangible things in the same form and in the same order as they are kept in the usual course of business. The titles or other description on the boxes, file folders, bindings, or other container in which tangible things are kept are to be left intact.
5. DOCUMENTS should be produced in their complete and unaltered form. Attachments to DOCUMENTS should not be removed. The DOCUMENTS should not be cut-up, pasted over, redacted or altered in any way for any reason, including alleged irrelevance. If emails are produced that had attachments, the attachments shall be attached when produced.
6. The fact that a DOCUMENT is produced by another party to this action does not relieve YOU of the obligation to produce YOUR copy of the same DOCUMENT, even if the two DOCUMENTS are identical.
7. All DOCUMENTS are to be produced, organized, and labeled to correspond with the categories specified herein.

8. Notwithstanding the assertion of any objections, any purportedly privileged DOCUMENTS containing non-privileged matter must be disclosed, with the purportedly privileged portion redacted. A privilege log shall be produced with the DOCUMENT responsive to these requests listing the privilege which is being claimed and, if the privilege is governed by state law, indicate the state's privilege rule being invoked; and provide the following information: (i) the type of DOCUMENT, *e.g.*, letter or memorandum; (ii) the general subject matter of the DOCUMENT; (iii) the date of the DOCUMENT; and (iv) the author of the DOCUMENT, the addressees of the DOCUMENT, and any other recipients, and, where not apparent, the relationship of the author, addressees, and recipients to each other.

9. In the event that any DOCUMENT called for by these Requests has been destroyed or discarded, that DOCUMENT is to be identified by stating:

- (i) the date and type of the DOCUMENT, the author(s) and all recipients;
- (ii) the DOCUMENT'S date, subject matter, number of pages, and attachments or appendices;
- (iii) the date of destruction or discard, manner of destruction or discard, and reason for destruction or discard;
- (iv) the persons who were authorized to carry out such destruction or discard;
- (v) the persons who have knowledge of the content, origins, distribution and destruction of the DOCUMENT; and
- (vi) whether any copies of the DOCUMENT exist and, if so, the name of the custodian of each copy.

10. Whenever necessary to bring within the scope of these Requests any information that otherwise might be construed to be outside the scope, the present tense shall include the past

tense and future tense, the past tense shall include the present tense and future tense, and the future tense shall include the past tense and present tense.

11. Electronically stored information shall be produced in the form in which it is stored, with all metadata intact.

DOCUMENT REQUESTS

1. All DOCUMENTS RELATING TO READING prepared after January 1, 2014.
2. All DOCUMENTS RELATING TO James J. Cotter, Jr. prepared after January 1, 2014.
3. All bills, invoices, or notes RELATING TO any work YOU completed for READING after January 1, 2014.
4. All bills, invoices, or notes RELATING TO any work YOU completed for James J. Cotter, Jr. after January 1, 2014.
5. All communications between YOU and James J. Cotter, Jr. after January 1, 2014.
6. All communications between YOU and any actual or potential management counselor for James J. Cotter, Jr., including but not limited to Derek Alderton and Tom Bendheim.

Attachment 4

DEPOSITION TOPICS

1. All DOCUMENTS produced pursuant to this subpoena, including but not limited to their history and authenticity.
2. COMMUNICATIONS since January 1, 2014 between YOU and James J. Cotter, Jr.
3. COMMUNICATIONS since January 1, 2014 RELATING TO James J. Cotter, Jr., including but not limited to COMMUNICATIONS between YOU and Derek Alderton or Tom Bendheim.
4. COMMUNICATIONS since January 1, 2014 RELATING TO READING.
5. All charges for any services YOU provided to James J. Cotter, Jr. or READING since January 1, 2014.

Attachment 5

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NESSIM, DROOKS, LINCENBERG & RHOW**
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Telephone: (702) 949-8200

Facsimile: (702) 949-8398

Attorneys for Plaintiff James J. Cotter, Jr.

ATTACHMENT 6

CC03

COHEN|JOHNSON|PARKER|EDWARDS

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Los Angeles, CA 90017

Telephone: (213) 443-3000

*Attorneys for Defendants Margaret Cotter,
Ellen Cotter, Douglas McEachern, Guy Adams,
Edward Kane, Judy Coddling, and Michael Wrotniak*

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JAMES J. COTTER, JR. individually and
derivatively on behalf of Reading
International, Inc.,

Plaintiffs,

MARGARET COTTER, ELLEN COTTER, GUY
ADAMS, EDWARD KANE, DOUGLAS
McEACHERN, WILLIAM GOULD, JUDY
CODDING, MICHAEL WROTNIAK, and DOES
1 through 100, inclusive,

Defendants.

AND

READING INTERNATIONAL, INC., a Nevada
corporation,

Nominal Defendant.

Case No.: A-15-719860-B

Dept. No.: XI

Case No.: P-14-082942-E

Dept. No.: XI

Related and Coordinated Cases

DEPOSITION SUBPOENA
(DUCES TECUM)

(For Personal Appearance and Production of
Documents and Things at Deposition)

1 **THE STATE OF NEVADA TO:**

2 The Custodian of Records or Other Qualified Person at
3 HighPoint Associates
4 100 North Sepulveda Blvd., Ste 620
Los Angeles, CA 90245

5 **YOU ARE ORDERED TO APPEAR AS A WITNESS** and give testimony at the
6 following date, time, and place pursuant to NRS 50.165 and NRCP 30 and 45, UNLESS you
7 make an agreement with the attorney or party submitting this subpoena:

8 January 10, 2017
9 9:00 a.m.
865 S. Figueroa St., 10th Floor
Los Angeles, CA 90017

10 If you are a public or private corporation, partnership, association, or governmental
11 agency, you are ordered to designate one or more officers, directors, managing agents, or other
12 persons who consent to testify on your behalf. The persons you designate will be examined, and
13 are ordered to testify, on the matters set forth below that are known or reasonably available to the
14 organization. NRCP 30(b)(6).

15 **YOUR ARE FURTHER ORDERED** to bring with you at the time of your appearance
16 the books, documents, or tangible things set forth below that are in your possession, custody, or
17 control. All documents shall be produced as they are kept in the usual course of business or shall
18 be organized and labeled to correspond with the categories listed. NRCP 45(d)(1).

19 **WITNESS FEES:** You are entitled to witness fees and mileage traveled, as provided by
20 NRS 50.225. This Subpoena must be accompanied by the fees for one day's attendance and
21 mileage, unless issued on behalf of the State or a State agency. NRCP 45(b).

22 **CONTEMPT:** Failure by any person without adequate excuse to obey a subpoena
23 served upon that person may be deemed a contempt of the court, NRCP 45(e), punishable by a
24 fine not exceeding \$500 and imprisonment not exceeding 25 days, NRS 22.100(2). Additionally,
25 a witness disobeying a subpoena shall forfeit to the aggrieved party \$100 and all damages
26 sustained as a result of the failure to attend, and a warrant may issue for the witness' arrest. NRS
27 50.195, 50.205, and 22.100(3).

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1 Please see the attached Exhibit "A" for information regarding your rights and
2 responsibilities relating to this Subpoena.

3 (This Subpoena must be signed by the Clerk of the Court or an attorney.)

4 Steven D. Grierson, CLERK OF COURT

5 By: _____ (Signature)
6 Deputy Clerk Date:

or

7 By: H. Stan Johnson (Signature)
8 Attorney Name: H. Stan Johnson Date: 12/13/16
Attorney Bar Number: 265

9 Submitted by:

10 /s/ H. Stan Johnson

11 **COHEN|JOHNSON|PARKER|EDWARDS**

12 H. STAN JOHNSON, ESQ.

13 Nevada Bar No. 00265

14 sjohnson@cohenjohnson.com

15 255 East Warm Springs Road, Suite 100

16 Las Vegas, Nevada 89119

17 Telephone: (702) 823-3500

18 Facsimile: (702) 823-3400

19 *Attorneys for Defendants Margaret Cotter,*
20 *Ellen Cotter, Douglas McEachern, Guy Adams,*
21 *Edward Kane, Judy Coddington, and Michael Wrotniak*

MATTERS ON WHICH TESTIMONY WILL BE TAKEN
(for witnesses designated pursuant to NRCP 30(b)(6) only)

1. All DOCUMENTS produced pursuant to this subpoena, including but not limited to their history and authenticity.

2. COMMUNICATIONS since January 1, 2014 between YOU and James J. Cotter, Jr.

3. COMMUNICATIONS since January 1, 2014 RELATING TO James J. Cotter, Jr., including but not limited to COMMUNICATIONS between YOU and Derek Alderton or Tom Bendheim.

4. COMMUNICATIONS since January 1, 2014 RELATING TO READING.

5. All charges for any services YOU provided to James J. Cotter, Jr. or READING since January 1, 2014.

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ITEMS TO BE PRODUCED

DEFINITIONS

1. COMMUNICATION or COMMUNICATIONS means and includes any disclosure, transfer or exchange of information between two or more persons, whether orally or in writing, including, without limitation, any conversation or discussion by means of meeting, letter, telephone, note, memorandum, telegraph, telex, telecopier, electronic mail, or any other electronic or other medium, including, without limitation, in written, audio or video form.

2. "DOCUMENT" or "DOCUMENTS" means all materials within the full scope of Nev. R. Civ. P. 34, including but not limited to all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise, handwriting, typewriting, printing, image, photograph, photocopy, digital file of any kind, transmittal by (or as an attachment to) electronic mail (including instant messages and text messages) or facsimile, video and audio recordings, and every other means of recording upon any tangible thing, any form of COMMUNICATION or representation, and any record thereby created, regardless of the manner in which the record has been stored, and all non-identical copies of such DOCUMENTS, in the possession, custody, or control of YOU or any other PERSON acting on YOUR behalf.

3. The term READING shall refer to Reading International, Inc.

4. RELATES TO, RELATING TO, or RELATED TO means to refer to, reflect, concern, pertain to or in any manner be connected with the matter discussed.

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INSTRUCTIONS

YOU are required to produce every DOCUMENT requested that is in your possession, custody, or direct or indirect control.

1 In the event YOU object to any Request set forth below on the grounds that the Request
2 is overbroad for any reason, YOU are requested to respond to the Request as narrowed in a way
3 that renders it not overbroad in YOUR opinion, and state the extent to which YOU have
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7 hereunder and the time of trial in this action.

8 These Requests require the production of original tangible things in the same form and in
9 the same order as they are kept in the usual course of business. The titles or other description on
10 the boxes, file folders, bindings, or other container in which tangible things are kept are to be left
11 intact.

12 DOCUMENTS should be produced in their complete and unaltered form. Attachments
13 to DOCUMENTS should not be removed. The DOCUMENTS should not be cut-up, pasted
14 over, redacted or altered in any way for any reason, including alleged irrelevance. If emails are
15 produced that had attachments, the attachments shall be attached when produced.

16 The fact that a DOCUMENT is produced by another party to this action does not relieve
17 YOU of the obligation to produce YOUR copy of the same DOCUMENT, even if the two
18 DOCUMENTS are identical.

19 All DOCUMENTS are to be produced, organized, and labeled to correspond with the
20 categories specified herein.

21 Notwithstanding the assertion of any objections, any purportedly privileged
22 DOCUMENTS containing non-privileged matter must be disclosed, with the purportedly
23 privileged portion redacted. A privilege log shall be produced with the DOCUMENT responsive
24 to these requests listing the privilege which is being claimed and, if the privilege is governed by
25 state law, indicate the state's privilege rule being invoked; and provide the following
26 information: (i) the type of DOCUMENT, *e.g.*, letter or memorandum; (ii) the general subject
27 matter of the DOCUMENT; (iii) the date of the DOCUMENT; and (iv) the author of the
28

DOCUMENT, the addressees of the DOCUMENT, and any other recipients, and, where not apparent, the relationship of the author, addressees, and recipients to each other.

In the event that any DOCUMENT called for by these Requests has been destroyed or discarded, that DOCUMENT is to be identified by stating:

- (i) the date and type of the DOCUMENT, the author(s) and all recipients;
- (ii) the DOCUMENT'S date, subject matter, number of pages, and attachments or appendices;
- (iii) the date of destruction or discard, manner of destruction or discard, and reason for destruction or discard;
- (iv) the persons who were authorized to carry out such destruction or discard;
- (v) the persons who have knowledge of the content, origins, distribution and destruction of the DOCUMENT; and
- (vi) whether any copies of the DOCUMENT exist and, if so, the name of the custodian of each copy.

Whenever necessary to bring within the scope of these Requests any information that otherwise might be construed to be outside the scope, the present tense shall include the past tense and future tense, the past tense shall include the present tense and future tense, and the future tense shall include the past tense and present tense.

Electronically stored information shall be produced in the form in which it is stored, with all metadata intact.

DOCUMENT REQUESTS

1. All DOCUMENTS RELATING TO READING prepared after January 1, 2014.
2. All DOCUMENTS RELATING TO James J. Cotter, Jr. prepared after January 1, 2014.
3. All bills, invoices, or notes RELATING TO any work YOU completed for READING after January 1, 2014.
4. All bills, invoices, or notes RELATING TO any work YOU completed for James J. Cotter, Jr. after January 1, 2014.

1 5. All communications between YOU and James J. Cotter, Jr. after January 1, 2014.

2 6. All communications between YOU and any actual or potential management
3 counselor for James J. Cotter, Jr., including but not limited to Derek Alderton and Tom
4 Bendheim.

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AFFIDAVIT/DECLARATION OF SERVICE

STATE OF NEVADA)
) ss.
COUNTY OF _____)

I, *(insert name of person making service)* _____, being duly sworn, or under penalty of perjury, state that at all times herein I was and am over 18 years of age and not a party to or interested in the proceedings in which this Affidavit/Declaration is made; that I received a copy of the **DEPOSITION SUBPOENA (DUCES TECUM)** on *(insert date person making service received Subpoena)* _____; and that I served the same on *(insert date person making service served Subpoena)* _____, by delivering and leaving a copy with *(insert name of witness)* _____ *(insert address where witness was served)* at _____.

Executed on: _____
(Date) *(Signature of Person Making Service)*

SUBSCRIBED AND SWORN to before me this
_____ day of _____, 20_____.

NOTARY PUBLIC in and for the
County of _____, State of _____.

OR ONE OF THE FOLLOWING: Per NRS 53.045

(a) If executed in the State of Nevada: "I declare under penalty of perjury that the foregoing is true and correct."

Executed on: _____
(Date) *(Signature of Person Making Service)*

(b) If executed outside of the State of Nevada: "I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."

Executed on: _____
(Date) *(Signature of Person Making Service)*

EXHIBIT "A"
NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) *Protection of persons subject to subpoena.*

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) *Duties in responding to subpoena.*

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

are all. See rev. 3 & 108. Gov
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1. 在下列各题中, 选择正确的答案, 将字母填入括号内。

3 The persons named above are persons who have been or will be paid for the use of their names and likeness in connection with the sale of the product, and the use of their names and likeness in connection with the sale of the product is a violation of the provisions of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 332, 333, and 335, and the regulations thereunder, 21 C.F.R. 310.1, 310.2, and 310.3.

2. The court finds that, not to reflect the nature and times of the work, of severely rising volume by being sought and need for assistance, the defendant's stated intention to work for the defendant is not a valid basis for the defendant's stated intention to work for the defendant. See Affidavit.

1. The winner is represented by a number of points that the winner gets out of the winner's total possible points.

சென்னை நகராட்சி நிர்வாகப் பேரவைத் துறைமுகக் கட்டிடம் - 84-009 மாவட்ட அலுவல்நிலை இல்லம்

Figure 1. The proposed model.

DEPOSITION, EXHIBITS OR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS, ELECTRONIC FILES OR DATA, INFORMATION, AND THINGS IN ACTION PENDING OUTSIDE CALIFORNIA

Attachment 3

DEFINITIONS

1. COMMUNICATION or COMMUNICATIONS means and includes any disclosure, transfer or exchange of information between two or more persons, whether orally or in writing, including, without limitation, any conversation or discussion by means of meeting, letter, telephone, note, memorandum, telegraph, telex, telecopier, electronic mail, or any other electronic or other medium, including, without limitation, in written, audio or video form.

2. “DOCUMENT” or “DOCUMENTS” means all materials within the full scope of Nev. R. Civ. P. 34, including but not limited to all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise, handwriting, typewriting, printing, image, photograph, photocopy, digital file of any kind, transmittal by (or as an attachment to) electronic mail (including instant messages and text messages) or facsimile, video and audio recordings, and every other means of recording upon any tangible thing, any form of COMMUNICATION or representation, and any record thereby created, regardless of the manner in which the record has been stored, and all non-identical copies of such DOCUMENTS, in the possession, custody, or control of YOU or any other PERSON acting on YOUR behalf.

3. The term READING shall refer to Reading International, Inc.

4. RELATES TO, RELATING TO, or RELATED TO means to refer to, reflect, concern, pertain to or in any manner be connected with the matter discussed.

5. “YOU” or “YOUR” shall mean Derek Alderton and any of YOUR present and former attorneys, investigators, agents, and any other individual acting for or on YOUR behalf.

INSTRUCTIONS

1. YOU are required to produce every DOCUMENT requested that is in your possession, custody, or direct or indirect control.
2. In the event YOU object to any Request set forth below on the grounds that the Request is overbroad for any reason, YOU are requested to respond to the Request as narrowed in a way that renders it not overbroad in YOUR opinion, and state the extent to which YOU have narrowed that request for purposes of YOUR response.
3. These Requests shall be deemed to be continuing so as to require supplemental productions as YOU obtain additional DOCUMENTS between the time of the initial production hereunder and the time of trial in this action.
4. These Requests require the production of original tangible things in the same form and in the same order as they are kept in the usual course of business. The titles or other description on the boxes, file folders, bindings, or other container in which tangible things are kept are to be left intact.
5. DOCUMENTS should be produced in their complete and unaltered form. Attachments to DOCUMENTS should not be removed. The DOCUMENTS should not be cut-up, pasted over, redacted or altered in any way for any reason, including alleged irrelevance. If emails are produced that had attachments, the attachments shall be attached when produced.
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9. In the event that any DOCUMENT called for by these Requests has been destroyed or discarded, that DOCUMENT is to be identified by stating:

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- (ii) the DOCUMENT'S date, subject matter, number of pages, and attachments or appendices;
- (iii) the date of destruction or discard, manner of destruction or discard, and reason for destruction or discard;
- (iv) the persons who were authorized to carry out such destruction or discard;
- (v) the persons who have knowledge of the content, origins, distribution and destruction of the DOCUMENT; and
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11. Electronically stored information shall be produced in the form in which it is stored, with all metadata intact.

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3. All bills, invoices, or notes RELATING TO any work YOU completed for READING after January 1, 2014.
4. All bills, invoices, or notes RELATING TO any work YOU completed for James J. Cotter, Jr. after January 1, 2014.
5. All communications between YOU and James J. Cotter, Jr. after January 1, 2014.
6. All communications between YOU and HighPoint Associates RELATING TO James J. Cotter, Jr., including but not limited to YOUR communications with Sumeet Goel.
7. All communications between YOU and any third parties RELATING TO James J. Cotter, Jr. including but not limited to YOUR communications with Christine Liang, David Grinberg and/or Roberto Moldes.

Attachment 5

COHEN|JOHNSON|PARKER|EDWARDS

H. STAN JOHNSON, ESQ.

Nevada Bar No. 00265

sjohnson@cohenjohnson.com

255 E. Warm Springs Road, Suite 100

Las Vegas, Nevada 89119

Telephone: (702) 823-3500

Facsimile: (702) 823-3400

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SULLIVAN, LLP**

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Los Angeles, CA 90017

Telephone: (213) 443-3000

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4785 Caughlin Parkway

Reno, NV 89519

**BIRD, MARELLA, BOXER, WOLPERT,
NESSIM, DROOKS, LINCENBERG & RHOW**
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ATTACHMENT 6

CC03

COHEN|JOHNSON|PARKER|EDWARDS

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*Attorneys for Defendants Margaret Cotter,
Ellen Cotter, Douglas McEachern, Guy Adams,
Edward Kane, Judy Coddling, and Michael Wrotniak*

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JAMES J. COTTER, JR. individually and
derivatively on behalf of Reading
International, Inc.,

Plaintiffs,

MARGARET COTTER, ELLEN COTTER, GUY
ADAMS, EDWARD KANE, DOUGLAS
McEACHERN, WILLIAM GOULD, JUDY
CODDING, MICHAEL WROTNIAK, and DOES
1 through 100, inclusive,

Defendants.

AND

READING INTERNATIONAL, INC., a Nevada
corporation,

Nominal Defendant.

Case No.: A-15-719860-B

Dept. No.: XI

Case No.: P-14-082942-E

Dept. No.: XI

Related and Coordinated Cases

DEPOSITION SUBPOENA
(DUCES TECUM)

(For Personal Appearance and Production of
Documents and Things at Deposition)

1 **THE STATE OF NEVADA TO:**

2 Derek Alderton at
3 Alderton Business Services
4 4419 Kester Avenue
5 Sherman Oaks, CA 91403

6 **YOU ARE ORDERED TO APPEAR AS A WITNESS** and give testimony at the
7 following date, time, and place pursuant to NRS 50.165 and NRCP 30 and 45, UNLESS you
8 make an agreement with the attorney or party submitting this subpoena:

9 January 11, 2017
10 9:00 a.m.
11 865 S. Figueroa St., 10th Floor
12 Los Angeles, CA 90017

13 If you are a public or private corporation, partnership, association, or governmental
14 agency, you are ordered to designate one or more officers, directors, managing agents, or other
15 persons who consent to testify on your behalf. The persons you designate will be examined, and
16 are ordered to testify, on the matters set forth below that are known or reasonably available to the
17 organization. NRCP 30(b)(6).

18 **YOUR ARE FURTHER ORDERED** to bring with you at the time of your appearance
19 the books, documents, or tangible things set forth below that are in your possession, custody, or
20 control. All documents shall be produced as they are kept in the usual course of business or shall
21 be organized and labeled to correspond with the categories listed. NRCP 45(d)(1).

22 **WITNESS FEES:** You are entitled to witness fees and mileage traveled, as provided by
23 NRS 50.225. This Subpoena must be accompanied by the fees for one day's attendance and
24 mileage, unless issued on behalf of the State or a State agency. NRCP 45(b).

25 **CONTEMPT:** Failure by any person without adequate excuse to obey a subpoena
26 served upon that person may be deemed a contempt of the court, NRCP 45(e), punishable by a
27 fine not exceeding \$500 and imprisonment not exceeding 25 days, NRS 22.100(2). Additionally,
28 a witness disobeying a subpoena shall forfeit to the aggrieved party \$100 and all damages
sustained as a result of the failure to attend, and a warrant may issue for the witness' arrest. NRS
50.195, 50.205, and 22.100(3).

///

1 Please see the attached Exhibit "A" for information regarding your rights and
2 responsibilities relating to this Subpoena.

3 (This Subpoena must be signed by the Clerk of the Court or an attorney.)

4 Steven D. Grierson, CLERK OF COURT

5 By: _____ (Signature)
6 Deputy Clerk Date:

7 or

8 By: H. Stan Johnson (Signature)
Attorney Name: H. Stan Johnson Date: 12/13/16
Attorney Bar Number: 265

9 Submitted by:

10 /s/ H. Stan Johnson

11 **COHEN|JOHNSON|PARKER|EDWARDS**

12 H. STAN JOHNSON, ESQ.

13 Nevada Bar No. 00265

14 sjohnson@cohenjohnson.com

15 255 East Warm Springs Road, Suite 100

16 Las Vegas, Nevada 89119

17 Telephone: (702) 823-3500

18 Facsimile: (702) 823-3400

19 *Attorneys for Defendants Margaret Cotter,*
20 *Ellen Cotter, Douglas McEachern, Guy Adams,*
21 *Edward Kane, Judy Coddington, and Michael Wrotniak*

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MATTERS ON WHICH TESTIMONY WILL BE TAKEN
(for witnesses designated pursuant to NRCP 30(b)(6) only)

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ITEMS TO BE PRODUCED

DEFINITIONS

1. COMMUNICATION or COMMUNICATIONS means and includes any disclosure, transfer or exchange of information between two or more persons, whether orally or in writing, including, without limitation, any conversation or discussion by means of meeting, letter, telephone, note, memorandum, telegraph, telex, telecopier, electronic mail, or any other electronic or other medium, including, without limitation, in written, audio or video form.

2. "DOCUMENT" or "DOCUMENTS" means all materials within the full scope of Nev. R. Civ. P. 34, including but not limited to all writings and recordings, including the originals and all non-identical copies, whether different from the original by reason of any notation made on such copies or otherwise, handwriting, typewriting, printing, image, photograph, photocopy, digital file of any kind, transmittal by (or as an attachment to) electronic mail (including instant messages and text messages) or facsimile, video and audio recordings, and every other means of recording upon any tangible thing, any form of COMMUNICATION or representation, and any record thereby created, regardless of the manner in which the record has been stored, and all non-identical copies of such DOCUMENTS, in the possession, custody, or control of YOU or any other PERSON acting on YOUR behalf.

3. The term READING shall refer to Reading International, Inc.

4. RELATES TO, RELATING TO, or RELATED TO means to refer to, reflect, concern, pertain to or in any manner be connected with the matter discussed.

5. "YOU" or "YOUR" shall mean Derek Alderton and any of YOUR present and former attorneys, investigators, agents, and any other individual acting for or on YOUR behalf.

INSTRUCTIONS

YOU are required to produce every DOCUMENT requested that is in your possession, custody, or direct or indirect control.

In the event YOU object to any Request set forth below on the grounds that the Request is overbroad for any reason, YOU are requested to respond to the Request as narrowed in a way

1 that renders it not overbroad in YOUR opinion, and state the extent to which YOU have
2 narrowed that request for purposes of YOUR response.

3 These Requests shall be deemed to be continuing so as to require supplemental
4 productions as YOU obtain additional DOCUMENTS between the time of the initial production
5 hereunder and the time of trial in this action.

6 These Requests require the production of original tangible things in the same form and in
7 the same order as they are kept in the usual course of business. The titles or other description on
8 the boxes, file folders, bindings, or other container in which tangible things are kept are to be left
9 intact.

10 DOCUMENTS should be produced in their complete and unaltered form. Attachments
11 to DOCUMENTS should not be removed. The DOCUMENTS should not be cut-up, pasted
12 over, redacted or altered in any way for any reason, including alleged irrelevance. If emails are
13 produced that had attachments, the attachments shall be attached when produced.

14 The fact that a DOCUMENT is produced by another party to this action does not relieve
15 YOU of the obligation to produce YOUR copy of the same DOCUMENT, even if the two
16 DOCUMENTS are identical.

17 All DOCUMENTS are to be produced, organized, and labeled to correspond with the
18 categories specified herein.

19 Notwithstanding the assertion of any objections, any purportedly privileged
20 DOCUMENTS containing non-privileged matter must be disclosed, with the purportedly
21 privileged portion redacted. A privilege log shall be produced with the DOCUMENT responsive
22 to these requests listing the privilege which is being claimed and, if the privilege is governed by
23 state law, indicate the state's privilege rule being invoked; and provide the following
24 information: (i) the type of DOCUMENT, *e.g.*, letter or memorandum; (ii) the general subject
25 matter of the DOCUMENT; (iii) the date of the DOCUMENT; and (iv) the author of the
26 DOCUMENT, the addressees of the DOCUMENT, and any other recipients, and, where not
27 apparent, the relationship of the author, addressees, and recipients to each other.
28

1 In the event that any DOCUMENT called for by these Requests has been destroyed or
2 discarded, that DOCUMENT is to be identified by stating:

- 3 (i) the date and type of the DOCUMENT, the author(s) and all recipients;
- 4 (ii) the DOCUMENT'S date, subject matter, number of pages, and
5 attachments or appendices;
- 6 (iii) the date of destruction or discard, manner of destruction or discard, and
7 reason for destruction or discard;
- 8 (iv) the persons who were authorized to carry out such destruction or discard;
- 9 (v) the persons who have knowledge of the content, origins, distribution and
10 destruction of the DOCUMENT; and
- 11 (vi) whether any copies of the DOCUMENT exist and, if so, the name of the
12 custodian of each copy.

13 Whenever necessary to bring within the scope of these Requests any information that
14 otherwise might be construed to be outside the scope, the present tense shall include the past
15 tense and future tense, the past tense shall include the present tense and future tense, and the
16 future tense shall include the past tense and present tense.

17 Electronically stored information shall be produced in the form in which it is stored, with
18 all metadata intact.

19 DOCUMENT REQUESTS

- 20 1. All DOCUMENTS RELATING TO READING prepared after January 1, 2014.
- 21 2. All DOCUMENTS RELATING TO James J. Cotter, Jr. prepared after January 1,
22 2014.
- 23 3. All bills, invoices, or notes RELATING TO any work YOU completed for
24 READING after January 1, 2014.
- 25 4. All bills, invoices, or notes RELATING TO any work YOU completed for James
26 J. Cotter, Jr. after January 1, 2014.
- 27 5. All communications between YOU and James J. Cotter, Jr. after January 1, 2014.
- 28

1 6. All communications between YOU and HighPoint Associates RELATING TO
2 James J. Cotter, Jr., including but not limited to YOUR communications with Sumeet Goel.

3 7. All communications between YOU and any third parties RELATING TO James J.
4 Cotter, Jr. including but not limited to YOUR communications with Christine Liang, David
5 Grinberg and/or Roberto Moldes.

AFFIDAVIT/DECLARATION OF SERVICE

STATE OF NEVADA)
) ss.
COUNTY OF _____)

I, *(insert name of person making service)* _____, being duly sworn, or under penalty of perjury, state that at all times herein I was and am over 18 years of age and not a party to or interested in the proceedings in which this Affidavit/Declaration is made; that I received a copy of the **DEPOSITION SUBPOENA (DUCES TECUM)** on *(insert date person making service received Subpoena)* _____; and that I served the same on *(insert date person making service served Subpoena)* _____, by delivering and leaving a copy with *(insert name of witness)* _____ *(insert address where witness was served)* at _____.

Executed on: _____
(Date) *(Signature of Person Making Service)*

SUBSCRIBED AND SWORN to before me this
_____ day of _____, 20____.

NOTARY PUBLIC in and for the
County of _____, State of _____.

OR ONE OF THE FOLLOWING: Per NRS 53.045

(a) If executed in the State of Nevada: "I declare under penalty of perjury that the foregoing is true and correct."

Executed on: _____
(Date) *(Signature of Person Making Service)*

(b) If executed outside of the State of Nevada: "I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."

Executed on: _____
(Date) *(Signature of Person Making Service)*

EXHIBIT "A"
NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) *Protection of persons subject to subpoena.*

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) *Duties in responding to subpoena.*

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

EXHIBIT 6

Helm, Jessica

From: Krum, Mark
Sent: Monday, December 26, 2016 11:43 AM
To: Noah Helpern; Christopher Tayback; Marshall Searcy; ferrariom@gtlaw.com; hendricksk@gtlaw.com
Cc: Ekwan E. Rhow (erhow@birdmarella.com); Shoshana E. Bannett (sbannett@birdmarella.com); Foley, Erik; Story, Kirstin A.; Sodorff, Stephanie
Subject: RE: Secure delivery of package: RDI's 21st Supplemental Production (24th Disclosure)

Noah,

Respectfully, the questions I posed called for factual responses, not self-serving and unsubstantiated conclusions. If you have any facts, or if counsel for the Company has any, we will be pleased to hear them, as I indicated to Mark and Marshall following the hearing last Thursday. If we receive no factual responses by midday tomorrow, the day Mark indicated that his office would respond to my emails below, we will assume there are none and proceed accordingly.

Additionally, as I told Marshall following the hearing last Thursday, this matter has nothing to do with the matter heard by the Court on Thursday regarding the production of advice of counsel documents. As I told Marshall, we are unwilling to make any concessions on that subject in exchange for postponement of the depositions that you in mid-December unilaterally set for early January, notwithstanding the fact that the Company last produced such documents on or about November 2, approximately 6 weeks before you issued purported subpoenas scheduling the depositions for early January.

Mark

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Noah Helpern <noahhelpern@quinnemanuel.com>
Date: 12/23/16 2:43 PM (GMT-07:00)
To: "Krum, Mark" <MKrum@lrrc.com>, Christopher Tayback <christayback@quinnemanuel.com>, Marshall Searcy <marshallsearcy@quinnemanuel.com>, ferrariom@gtlaw.com, hendricksk@gtlaw.com
Cc: "Ekwan E. Rhow (erhow@birdmarella.com)" <erhow@birdmarella.com>, "Shoshana E. Bannett (sbannett@birdmarella.com)" <sbannett@birdmarella.com>, "Foley, Erik" <EFoley@lrrc.com>, "Story, Kirstin A." <KStory@lrrc.com>, "Sodorff, Stephanie" <SSodorff@lrrc.com>
Subject: RE: Secure delivery of package: RDI's 21st Supplemental Production (24th Disclosure)

Mark:

These subpoenas were served because Plaintiff's use of Highpoint was only recently discovered by Defendants. Plaintiff was not forthright in his written discovery responses and deposition testimony about his use of Highpoint. Further, it appears that Plaintiff, before he was terminated, made efforts to conceal the files regarding his use of Highpoint, which is why they were only recently found by the Company and produced.

At Plaintiff's insistence, discovery has remained ongoing. Defendants need the Highpoint documents in order to complete Plaintiff's deposition. The importance of these documents should be apparent to Plaintiff, and Defendants will oppose any efforts by Plaintiff to quash these subpoenas and further conceal information regarding Highpoint.

With respect to the Highpoint depositions, it is likely that Defendants will not need to proceed with oral depositions after receiving documents from the witnesses. Accordingly, if your concerns relate to additional travel to Los Angeles, such travel may not be necessary.

Best,

Noah

From: Krum, Mark [mailto:MKrum@lrrc.com]

Sent: Wednesday, December 21, 2016 4:05 PM

To: Christopher Tayback <christayback@quinnemanuel.com>; Marshall Searcy <marshallsearcy@quinnemanuel.com>; Noah Helpen <noahhelpen@quinnemanuel.com>; ferrariom@gtlaw.com; hendricksk@gtlaw.com

Cc: Ekwan E. Rhow (erhow@birdmarella.com) <erhow@birdmarella.com>; Shoshana E. Bannett (sbannett@birdmarella.com) <sbannett@birdmarella.com>; Foley, Erik <EFoley@lrrc.com>; Story, Kirstin A. <KStory@lrrc.com>; Sodorff, Stephanie <SSodorff@lrrc.com>

Subject: FW: Secure delivery of package: RDI's 21st Supplemental Production (24th Disclosure)

Counsel,

We have received deposition notices directed at two nonparties, Highpoint Associates and Derek Alderton. Obviously, these follow up on the document production referenced in the email below, to which we received no response. Given that the Company had possessed those documents since the beginning of this case, the production (if any ever was warranted, which we do not acknowledge) was untimely. So too are the deposition notices. This is particularly so given that counsel issuing the subpoena and counsel for the Company have taken the position--repeatedly for months--that such discovery is closed.

Kindly advise on what basis you contend that this discovery is not untimely and ought not be quashed.

Mark

-----Original Message-----

From: Krum, Mark

Sent: Tuesday, November 15, 2016 11:00 AM

To: ferrariom@gtlaw.com; hendricksk@gtlaw.com

Cc: Foley, Erik; Sodorff, Stephanie

Subject: RDI: Secure delivery of package: RDI's 21st Supplemental Production (24th Disclosure)

Mark and Kara,

Please advise why the documents produced on November 2, 2016 pursuant to the email below were produced. Please advise why they were not produced months earlier, when the defendants claimed that their productions were complete. Please advise as to the source of these documents, meaning where they were located or stored. Thank you for your attention to this matter.

Mark

Mark G. Krum
Partner
702.949.8217 office
702.216.6234 fax
mkrum@lrrc.com

Lewis Roca Rothgerber Christie LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
lrrc.com

-----Original Message-----

From: Sheffield, Megan (Para-NY-LT) [<mailto:sheffieldm@gtlaw.com>]
Sent: Wednesday, November 02, 2016 4:37 PM
To: Krum, Mark
Subject: Secure delivery of package: RDI's 21st Supplemental Production (24th Disclosure)

Sender : Sheffield, Megan (Para-NY-LT)
Link : <https://files.gtlaw.com/bds/Login.do?id=A06113473669&p1=dej255ssbhcciefiehhklejkhckj20>

Sent To : Amy Bender, hdv@birdmarella.com, jks@birdmarella.com, kmm@birdmarella.com,
mariogutierrez@quinnemanuel.com, marshallsearcy@quinnemanuel.com, mkrum@lrrc.com,
noahhelpen@quinnemanuel.com, seb@birdmarella.com, ssodorff@lrrc.com
Cc : Kara Hendricks, Sheffield, Megan (Para-NY-LT)
Expires : 12/2/16 11:59:59 PM EST

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate such information.

This message and any attachments are intended only for the use of the individual or entity to which they are addressed. If the reader of this message or an attachment is not the intended recipient or the employee or agent responsible for delivering the message or attachment to the intended recipient you are hereby notified that any dissemination, distribution or copying of this message or any attachment is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the sender. The information transmitted in this message and any attachments may be privileged, is intended only for the personal and confidential use of the intended recipients, and is covered by the Electronic Communications Privacy Act, 18 U.S.C. §2510-2521.

EXHIBIT 7

Helm, Jessica

From: Krum, Mark
Sent: Tuesday, December 27, 2016 3:04 PM
To: hendricksk@gtlaw.com
Cc: ferrariom@gtlaw.com; marshallsearcy@quinnemanuel.com; christayback@quinnemanuel.com; noahhelpen@quinnemanuel.com; erhow@birdmarella.com; sbannett@birdmarella.com
Subject: RE: RDI Document Production

Kara,

Yes, Mark advised me last Thursday that you were out until today, in response to which I said that he did not need ask you to respond to my email of last week and my email of November 15th prior to today.

As to HighPoint documents, your suggestion that such documents were not identified earlier is erroneous. They were identified earlier and counsel for RDI and the individual defendants were in possession of Plaintiff's computer but did not search it for such documents, whether by design or oversight. The story about documents being hidden to excuse the fact that counsel for RDI and the individual defendants did not search Plaintiff's computer for such documents previously simply does not play. Nor does the misguided claim that these documents are "directly responsive" to a request calling for documents concerning business strategy at RDI.

As to the advice of counsel documents, thank you for the advice that no documents which post date October 2016 have been produced. That artificial cutoff had not been disclosed previously, and it explains why correspondence from Ellen Cotter to the offerors was not produced. Kindly advise what materials Ellen received prior to the board meetings, if any, beyond the single document identified in my email. Likewise, kindly identify any documentation provided to board members regarding the company's value. If the answer to the latter question is simply the board package provided in advance of the November board meeting, please be so kind as to say so. As to our e-mail of December 21, it did not say or imply the straw man position you suggest. However, to be clear, it is our position that any subsequent communications with the offerors, including the referenced in the letter and those recently made public by the offerors, who recently publicly announced an increased offer, should be produced. As I said to Mark last Thursday, these few documents can and should be produced, so that we can proceed with and conclude the depositions presently scheduled for late January. Unless you tell us otherwise, we will understand that the Company and the individual defendants intend to stand on an artificial and self-serving cut off of the end of October 2015.

Mark

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: hendricksk@gtlaw.com
Date: 12/27/16 4:39 PM (GMT-05:00)
To: "Krum, Mark" <MKrum@lrrc.com>
Cc: ferrariom@gtlaw.com, marshallsearcy@quinnemanuel.com, christayback@quinnemanuel.com, noahhelpen@quinnemanuel.com, erhow@birdmarella.com, sbannett@birdmarella.com

Subject: RDI Document Production

Mark,

As you are aware, I took some time off last week. After reviewing the emails and speaking with Mark regarding your discussions, I will do my best to respond to your document related inquiries. In so doing, we are not waiving our prior objections to your requests including but not limited to the relevancy of the same. Specifically, you have inquired regarding documents produced relating to Cotter Jr.'s use of a third party to provide him guidance and direction to be an effective CEO (Highpoint Documents) and you have inquired regarding the completeness of RDI's production regarding the expression of interest.

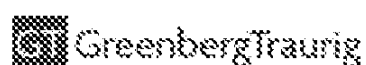
1. **Highpoint Documents-** As detailed in RDI's status report that was filed with the Court on November 28th, RDI promptly produced hard copies of documents that appear to have been hidden by Cotter, Jr. before he left RDI. It is my understanding that these documents were stashed in a file cabinet that was not used after Cotter, Jr.'s departure from the company. In preparing for the upcoming move, the documents were located. After locating the hard copies, RDI searched through Cotter Jr.'s emails and located additional documents on the topic which were also produced. As you are aware, RDI's productions in this case were primarily based on predicative coding and documents were identified primarily based on searches and terms proposed by Plaintiff. Thus, it is not surprising such documents were not identified earlier.

Notably, these documents are directly responsive to RDI's Request for Production of Documents No. 10, propounded on Cotter, Jr. on December 15, 2015. RFP 10, specifically requested that Plaintiff produce: "Produce all documents evidencing, referring or relating to any meetings or other efforts to collaborate with any person regarding your business strategy for RDI during your tenure as CEO of RDI." Plaintiff objected to the request and refused to produce such documents. Given Plaintiff's unwillingness to produce such documents, we believe requesting the same from the third parties that have been identified is appropriate.

2. **Unsolicited Expression of Interest-** We have made several supplemental productions in an attempt to satisfy your inquiries even though we believe the scope of what you are requesting is beyond what is reasonably calculated to lead to admissible evidence and is beyond the scope of the allegations in the amended complaint. We have produced correspondence from May 31, 2016 through October 2016. We have produced the materials Ellen reviewed prior to board meetings and documentation provided to board members regarding the company's value. We have also produced board packets and finalized board minutes relating the expression of interest and its evaluation. The email you sent to Mark on December 21st purports to seek documents from November of this year and seems to suggest that if there is any expression of interest regarding RDI at any time you are entitled to the same. We disagree and did not agree to continue to burden the company by multiple trips to the well to get new information. You have the information Judge Gonzalez ordered produced and more.

Kara

Kara Hendricks
Shareholder
Greenberg Traurig, LLP | Suite 400 North
3773 Howard Hughes Parkway | Las Vegas, Nevada 89169
Tel 702.938.6856
hendricksk@gtlaw.com | www.gtlaw.com



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