

IN THE SUPREME COURT OF THE STATE OF NEVADA

JACQUELINE FRANKLIN, ASHLEIGH
PARK, LILLY SHEPARD, STACIE
ALLEN, MICHAELA DEVINE,
KARINA STRELKOVA and DANIELLE
LAMAR, INDIVIDUALLY, AND ON
BEHALF OF A CLASS OF
SIMILARLY SITUATED
INDIVIDUALS,

Appellants,

vs.

RUSSELL ROAD FOOD AND
BEVERAGE, LLC,

Respondents.

Case No. 74332

District Court Case No. A-14-
709372-C

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Appeal from the Eighth Judicial
District Court, Clark County,
Nevada

JOINT APPENDIX – VOLUME VIII

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EXHIBIT “4”

DISTRICT COURT
CLARK COUNTY, NEVADA

)
DIANE DESIO, individually, and)
on behalf of similarly situated)
individuals,)
)
Plaintiffs,)
)
vs.) Case No.
) 2:2015-cv-01440-GMN-CWH
)
RUSSELL ROAD FOOD AND BEVERAGE,)
LLC dba CRAZY HORSE III)
GENTLEMENS CLUB, and DOES 1 to)
10,)
)
Defendants.)

DEPOSITION OF KEITH RAGANO
Person Most Knowledgeable of Russell Road Food and
Beverage, LLC
Las Vegas, Nevada
Friday, August 19, 2016
Volume I

Reported by:
BARBARA R. JUSTL
CSR No. 878
Job No. 2361672

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DISTRICT COURT
CLARK COUNTY, NEVADA

_____)	
DIANE DESIO, individually, and)	
on behalf of similarly situated)	
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)	
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)	
vs.)	Case No.
)	2:2015-cv-01440-GMN-CWH
)	
RUSSELL ROAD FOOD AND BEVERAGE,)	
LLC dba CRAZY HORSE III)	
GENTLEMENS CLUB, and DOES 1 to)	
10,)	
)	
Defendants.)	
_____)	

Deposition of KEITH RAGANO, Person Most
Knowledgeable of Russell Road Food and Beverage, LLC,
Volume I, taken on behalf of Plaintiff, at 2250 South
Rancho Drive, Suite 195, Las Vegas, Nevada, beginning at
9:59 a.m. and ending at 1:42 p.m. on Friday, August 19,
2016, before BARBARA R. JUSTL, Certified Shorthand
Reporter No. 878.

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WITNESS

EXAMINATION

KEITH RAGANO

Volume I

BY MR. ROSE

5

BY MR. DAVIS

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1 Las Vegas, Nevada, Friday, August 19, 2016

2 9:59 a.m.

3
4 KEITH RAGANO,

5 having been administered an oath, was examined and
6 testified as follows:

7
8 EXAMINATION

9 BY MR. ROSE:

10 Q Good morning.

11 A Good morning.

12 Q I'm Adam Rose, representing the plaintiff, and
13 before we begin, we'll cover what we call deposition
14 admonitions.

15 Have you ever had your deposition taken before?

16 A Yes.

17 Q When was that?

18 A The last one was a year-and-a-half ago.

19 Q Was that related to your work with The Crazy Horse
20 III?

21 A Uh-huh.

22 Q All right. In the meantime, let's go over the
23 deposition admonitions just to be clear.

24 So everything that's being said today is being
25 taken down by the court reporter who is sitting next to

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1 you, and when we're finished today, she or her office
2 will send to you a transcript to review, and if you have
3 any changes to the transcript that are substantive, I can
4 comment on that at a later point such as trial. So
5 everything that you say here is -- has the same effect as
6 if you're testifying at trial.

7 If you need to take a break at any time, that's
8 fine, as long as a question is not pending. Just let me
9 know.

10 If you don't understand a question, you can ask me
11 to rephrase it. I'll do my best to clarify it for you.

12 Also, if you could respond, when we start with the
13 substantive part, with yes and no rather than uh-huh or
14 huh-uh, therefore it appears on the transcript.

15 And if you don't have an answer to a question, I'm
16 entitled to your best estimate of the answer rather than
17 a guess.

18 And an example that's used in depositions often to
19 differentiate between a guess and an estimate is if I
20 asked you to estimate the length of this table, we could
21 say approximately eight feet. But if I asked you to tell
22 me the length of the table at our office, it would be a
23 guess because you haven't seen that before.

24 So do you have any questions before we start?

25 A No.

1 Q What is your name?

2 A Keith Ragano.

3 Q Vergano?

4 A Ragano.

5 Q Ragano?

6 A R-a-g-a-n-o.

7 Q What's your position with Crazy Horse III?

8 A General manager.

9 Q When did that begin?

10 Sorry. When did that begin that you became the
11 general manager of Crazy Horse III?

12 A Seven-and-a-half years ago. When would that be.
13 November 5th it will be eight years.

14 Q Did you work at another -- where did you work
15 before starting work at the Crazy Horse III?

16 A Scores Las Vegas.

17 Q Scores?

18 A Yes.

19 Q What was your position at that location?

20 A Manager.

21 Q So as the general manager, what are your
22 responsibilities with Crazy Horse III?

23 A I oversee the entire club, all the people in
24 there, all the policies, procedures, employees,
25 entertainers, deal with the guests, deal with problems.

Page 7

1 Q Does anyone help you oversee all those things?

2 A Yes, I have managers. I have an assistant general
3 manager, and then I have managers.

4 Q How many of those people do you currently have?

5 A I have one AGM.

6 Q Adrienne?

7 A AGM, assistant general manager.

8 Q Okay.

9 A And then we have seven managers.

10 Q So do the managers report to you, or do they
11 report to the assistant general manager?

12 A Both.

13 Q What are the business hours of Crazy Horse III?

14 A 24-7.

15 Q When are you typically there?

16 A Tuesday through Saturday night. Mondays during
17 the day.

18 Q So how many managers are there? When you're
19 there, how many managers are working at the same time?

20 A Thursday, Friday, Saturday, everybody works.
21 Between Sunday, Monday, Tuesday, Wednesday, that's when
22 everybody has days off.

23 Q So are the managers salaried employees or are they
24 hourly employees?

25 A Salaried.

1 Q Do you interact with the dancers when you're there
2 in the evening?

3 A Yes.

4 Q In what ways do you interact with them?

5 A I speak to all of them, and I handle their issues.

6 Q You handle their issues?

7 A If they have issues, problems, concerns, they come
8 to me.

9 Q Do you speak to them when they show up for
10 working?

11 MR. DAVIS: Objection as to scope, time.

12 You can answer.

13 THE WITNESS: As of when? As soon as they walk in
14 the door?

15 BY MR. ROSE:

16 Q Well, for example, when -- what kind of event
17 would lead you to having a discussion with a dancer?

18 A I say hi to everybody when I see them.

19 Q I mean other than a greeting, of course.

20 A Other than a greeting?

21 Q Right.

22 A Sometimes they might have an issue with a guest or
23 an employee. They come and talk to me.

24 Q Is that the only time that they speak to you, when
25 they have -- when there's an issue?

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1 A Other than in general in the course of the night.

2 Q Can you give an example of an issue with an
3 employee that a dancer has had?

4 A An issue with an employee? Sometimes they may not
5 like the waitress. Might have a disagreement with the
6 waitress. Another entertainer. All depends.

7 Q Could you give an example of something that's
8 happened?

9 A One entertainer doesn't like another entertainer,
10 so they come to me to mediate it, see what's going on.

11 Q So that's between other dancers? One dancer
12 doesn't like another dancer, so there's a disagreement
13 and you step in to help?

14 A Correct.

15 Q How about an example of an issue with an
16 employee?

17 A An issue with an employee? Sometimes they may not
18 like the waitress that's serving them. Sometimes they
19 might think a host wasn't nice to them.

20 Q How would that issue be remedied then?

21 A I would speak to the entertainer, and then I would
22 speak to the host.

23 Q Is that the Crazy Horse III policy that a manager
24 is there to mediate disputes?

25 MR. DAVIS: Objection, form, foundation.

1 THE WITNESS: A manager gets called to any issue
2 inside the building.

3 BY MR. ROSE:

4 Q Including mediating a dispute; is that right?

5 A Yeah.

6 Q What other issues arise other than disputes with
7 an employee and other entertainers?

8 MR. DAVIS: Objection, calls for speculation,
9 form, foundation.

10 You can answer.

11 THE WITNESS: There's not that many issues with
12 the employees and the entertainers.

13 BY MR. ROSE:

14 Q So at, for example, let's say on a Thursday night
15 when it starts getting more busy, how many managers are
16 working in the evening time?

17 A Seven.

18 Q Do they all show up at the same time or is it
19 staggered?

20 A Staggered.

21 Q And for the managers that show up on Thursday
22 night, what, if anything, do they do to interact with the
23 dancers?

24 A They interact with the dancers all the time. They
25 try to get -- see who's working that night, who's coming

Page 11

1 in, let them know they have guests coming in, this
2 group's coming in.

3 Q Okay. So there's two things. One is they
4 coordinate the attendance of large groups that come to
5 Crazy Horse III; is that right?

6 A If they have a group coming in, that actual
7 manager.

8 Q So a group -- some leader of a group communicates
9 with the manager, but why does a manager need to
10 coordinate with the group?

11 A Why does he coordinate -- because we have to set
12 up the pickups and everything like that. We pick them up
13 in our cars. Has to set up the table reservation,
14 everything like that.

15 Q And then for the dancers, do the managers call --
16 well, let's call them entertainers. Do the managers call
17 entertainers to come in, or how do they coordinate with
18 the entertainers?

19 MR. DAVIS: Objection, form, foundation, calls for
20 speculation.

21 You can answer.

22 THE WITNESS: Yeah, they'll text them, they'll
23 call them, let them know they have groups coming in, see
24 if they want to come in to work.

25 BY MR. ROSE:

1 Q So call and text?

2 A Correct.

3 Q Do the entertainers have any ability to schedule
4 themselves before showing up to work at Crazy Horse
5 III?

6 A What do you mean schedule themselves? They're not
7 on a schedule.

8 Q There's no schedule?

9 A No.

10 Q How then does the Crazy Horse III coordinate
11 when -- if and when an entertainer will come work that
12 night or that day?

13 MR. DAVIS: Same objection, improper hypothetical,
14 calls for speculation.

15 You can answer if you know.

16 THE WITNESS: There's different in-times for the
17 entertainers.

18 BY MR. ROSE:

19 Q You mean that when an entertainer comes to work,
20 there's a specific time that they need to be there?

21 A It's not a specific time they need to be there.
22 Depends on when they got contracted to work, whether it's
23 an a.m. shift, a day shift or an anytime shift.

24 Q Is there some way that the entertainer
25 communicates which of these a.m. shifts, p.m. shifts or

1 anytime shifts they're going to work?

2 A When they audition, it's on their audition sheet
3 which shifts they're able to come in on.

4 Q What is -- how does Crazy Horse know that a
5 dancer -- or rather the entertainer will come in at that
6 time? For example, if they're scheduled to work an a.m.
7 shift, does Crazy Horse check in with the dancer or
8 entertainer to make sure they'll attend?

9 A No, they're not scheduled. That's just the
10 certain time of the day that they can be in the building,
11 depending on what their audition is.

12 Q So when they audition, are they told that they are
13 going to be working -- that they can work a specific time
14 period, or do they volun- -- how does that work?

15 A They come in; they audition. They can either be
16 hired for any shift, which is any time of the date or
17 night they can come in; a.m. shift, which is the morning
18 to the afternoon; or day shift, which goes from
19 10:00 a.m. to 9:00p.m. Anywhere in that time frame
20 they're able to come in. But that all depends on their
21 audition.

22 Q Are there -- how many people or entertainers then
23 are standing by to work? For example, on an a.m. shift,
24 how many dancers are able to work during an a.m. shift?

25 MR. DAVIS: Objection as to form and foundation,

1 time and scope.

2 You can answer.

3 THE WITNESS: I don't know how many are actually
4 on schedule, actually contracted for that a.m. shift.

5 BY MR. ROSE:

6 Q Is it more than 25 dancers --

7 A Yes.

8 Q -- would be able to work during that time?

9 A Yes.

10 Q When -- so when one of these 25 or more dancers
11 comes in for an a.m. shift, do they clock in, or how do
12 they report that they're ready to work?

13 A They check in at the back door.

14 Q Is there a time clock or a sign-in list? How is
15 that done?

16 A No, they check in with their fingerprint.

17 Q And then the audition, when they auditioned, is
18 there some criteria that's used to determine which of
19 the a.m., p.m., or anytime shifts they qualify for?

20 A Yes, how they can dance, perform, speak, interact
21 with people.

22 Q Who are the people that conduct the auditions?

23 A Managers.

24 Q Are there specific or set times that the auditions
25 occur?

1 A No.

2 Q So a dancer can come in, or an entertainer can
3 come in any time to audition?

4 A Yeah.

5 Q Where does the audition take place, exactly?

6 A On the side stage.

7 Q How long does that last, an audition, rather?

8 MR. DAVIS: Same objection, form and foundation.
9 Calls for speculation as to event.

10 You can answer.

11 THE WITNESS: Two to five minutes.

12 BY MR. ROSE:

13 Q Well, what does the audition process entail?

14 A They're brought out; the manager speaks to them.
15 I don't know the exact conversation they have with them.
16 Ask them their experience. On their audition sheet is
17 where they previously worked, their experience. They put
18 them up on the side stage. They show their dance, and
19 then they're done. Then the manager decides which one of
20 those he's going to put them in.

21 Q Is there an application for that?

22 A No.

23 Q A written application, I mean.

24 A A written application? It's not an application,
25 just their name, address, where they worked. Just

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1 background information. Their experience.

2 Q So if a dancer qualifies and can work one of
3 the a.m., p.m., or anytime shifts, how is that
4 communicated to them? Is there something in writing or
5 is it oral?

6 A It's circled on the audition sheet what shift.

7 Q And what's the payment arrangement, if any, to --
8 once the dancer qualifies, what's the payment arrangement
9 for their time?

10 MR. DAVIS: Objection, vague and ambiguous as to
11 "qualifies."

12 You can answer.

13 THE WITNESS: It goes from zero, no fee, to \$80
14 fee, depending on what time of the day they come in.

15 BY MR. ROSE:

16 Q You mean they're paid \$80 to come in?

17 A No, they pay the club from zero to 80.

18 Q What's the reason for that sliding scale for these
19 fees?

20 A The busier time of the day or night.

21 Q How does the Crazy Horse III keep track of whether
22 the entertainer has paid its fee?

23 A Through Club Tracks.

24 Q So the dancer signs in with their fingerprint and
25 then they make a payment at the same time; is that right?

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1 A Yes. There's a gentleman that sits at the back
2 door. When they check in, they have to show their
3 sheriff's card, their business license. He has to check
4 all that to make sure it's all done.

5 Q Well, about how many dancers -- for example, going
6 back to Thursday night, if we go on a Thursday night, how
7 many dancers would show up, approximately, during a
8 Thursday night?

9 MR. DAVIS: Objection as to form and foundation,
10 calls for speculation as to the exact day.

11 But you can answer.

12 THE WITNESS: Thursdays, anywhere from 100 to
13 116.

14 BY MR. ROSE:

15 Q So for a Thursday p.m. shift, what time exactly
16 does the p.m. shift or the p.m. window begin?

17 A There's not a p.m. shift. There's an any shift,
18 an a.m. shift, or a day shift.

19 Q An a.m. shift, a day shift, or an anytime shift;
20 is that right?

21 A Yes.

22 Q So what time does the day shift end then?

23 A 9:00 p.m.

24 Q What time does the a.m. shift begin?

25 A They can start checking in any time after

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1 10:00 a.m.

2 Q And then for the day shift, what time of the day
3 does that start?

4 A 6:00 a.m.

5 Q And what time does it end for the day shift?

6 A That's the check-in time, so the day shift is
7 10:00 a.m. to 9:00 p.m. The day shift, they can come in
8 early, which is more like early a.m. shift, so they come
9 in, start at 6:00 a.m. all the way through 10:00 a.m. --
10 10:00 p.m.

11 Q So when a dancer that's scheduled for an a.m.
12 shift, are they told to leave at 9:00 p.m., or if they
13 want to stay past 9:00 p.m. but they can't, are they told
14 to leave, or how do they know that they have to leave?

15 MR. DAVIS: Objection, calls for speculation, form
16 and foundation.

17 You can answer.

18 THE WITNESS: They are notified that it's the
19 night -- the new -- anytime shift or any of them are
20 coming in. So yes, they are notified by the house mom.

21 BY MR. ROSE:

22 Q So are there qualitatively more dancers for the
23 anytime shifts, the a.m. or daytime shifts because of the
24 nighttime business?

25 MR. DAVIS: Sorry, objection, form and foundation

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1 as to time and vague and ambiguous.

2 You can answer.

3 THE WITNESS: Yes.

4 BY MR. ROSE:

5 Q Rather quantitative.

6 So when a dancer is working, regardless of the
7 time of the day, what does that person do as an
8 entertainer at Crazy Horse III?

9 A They do stage rotations. They do dances for
10 guests.

11 Q What do you mean by stage rotation?

12 A They go on stage and do a stage -- stage show.

13 Q What does that entail?

14 A It depends on the entertainer. They usually dance
15 two or three songs. Let the DJ know what type of music
16 they like to dance to, and they go on stage.

17 Q Is there more than one entertainer on stage at a
18 time?

19 A During the day, no. At night, yes.

20 Q At night, how many entertainers can be on stage at
21 the same time?

22 A The most it would be is two on the main stage, and
23 then we have side stages. One is on each side stage.

24 Q So, for example, on the morning or daytime shift,
25 they go on stage for two songs, or is it more than two

1 songs?

2 A It's up to them. It's very lax during the day.
3 It's not as busy as at night.

4 Q How many songs is the maximum for the daytime?

5 A Three.

6 Q Is there a limit also for the nighttime stage
7 rotation?

8 A That's two songs. Then we split them to the side
9 stages.

10 Q When an entertainer finishes, if they do three
11 songs during the day, what, if anything, do they do next
12 when their rotation ends?

13 MR. DAVIS: Objection, misstates testimony as to
14 three songs for the entire day.

15 You can answer.

16 THE WITNESS: Walk the floor, speak to guests,
17 dance for guests.

18 BY MR. ROSE:

19 Q Can they go back on stage at some point once their
20 two to three-song -- during the daytime -- sorry.

21 When the two to three songs ends during the
22 daytime, can the dancer go back on stage at a later
23 point?

24 A Yes.

25 Q When would that be?

Page 21

1 A During the daytime? During the daytime, it's more
2 on how many guests are in the building, and some girls
3 just like to do stage. They'll ask if they can go back
4 up.

5 Q How long do they have to wait, typically?

6 A They don't.

7 Q But if another dancer is on the stage, they have
8 to wait; is that right?

9 A Correct.

10 Q So a dancer can go back on stage if the stage is
11 vacant or empty?

12 A Yes. They can request to a manager or the DJ,
13 maybe a guest wants to see them on stage, likes the way
14 they do a stage dance, so they can request to go back up
15 there again, or at any time through the day or night.

16 Q Is that the same pattern at night when there's
17 more business, they -- if it's empty, a dancer can go
18 back on stage?

19 A It's not empty at night.

20 Q How does it work at -- how does the stage rotation
21 work at night then with the dancers or entertainers who
22 are there?

23 A Off the Club Tracks sheet when they check in.

24 Q So it goes in order of how they checked in?

25 A It just -- yeah. As they check in at the hub,

Page 22

1 that list -- the DJ can see that list on his screen.

2 Q So is that the way that it's -- it must be
3 followed, the way that the DJ sees the list on the
4 screen, or can it vary in any way?

5 A It can vary.

6 Q How would it vary?

7 A If a manager asks to put a girl on because she's
8 being requested, I guess.

9 Q So after a dancer finishes their -- for example,
10 at night, their two-song maximum, when they're on the
11 floor, what sort of responsibilities or duties do the
12 entertainers fulfill?

13 A What responsibilities do they -- say that again.

14 Q What are they doing when an entertainer is on the
15 floor? What is that person doing exactly?

16 MR. DAVIS: Objection, form, foundation, calls for
17 speculation as to each individual entertainer.

18 You can answer.

19 THE WITNESS: Some sit at the bar, some sit at a
20 table, some go in the dressing room, some go sit with
21 guests. They're not required to do anything once they
22 get off the stage.

23 BY MR. ROSE:

24 Q Can they leave the business during that time
25 period?

1 A During what time period?

2 Q During the time that they've checked in at night
3 through Club Tracks, can they leave the business and come
4 back at a later point?

5 A As long as they check out. Just gotta ask the
6 manager, he gives them a slip, they're on their way.

7 Q So can they check back in at a later point that
8 evening?

9 A Yes.

10 Q Do they have to pay the fee again?

11 A No.

12 Q And so during the night, at 6:00 a.m., the a.m.
13 dancers start arriving; is that right?

14 A Any time between 6:00 and after. Not just at
15 6:00 a.m. Some 7:00, 8:00, 9:00, 10:00.

16 Q When the entertainers are interacting with the
17 customers, what sort of interactions are you referring
18 to? Are they just casual interactions or -- why are they
19 interacting with the customers rather?

20 MR. DAVIS: Form and foundation, calls for
21 speculation and compound.

22 You can answer.

23 THE WITNESS: What interactions? That's totally
24 up to the entertainer.

25 BY MR. ROSE:

1 Q What are they doing with the customers exactly?

2 A They're talking to the guest, dancing for the
3 guest, watching sports with the guest, smoking hookah
4 with the guest, eating with the guest.

5 Q Why are they doing that? Why are the entertainers
6 doing that with customers?

7 MR. DAVIS: Objection, form, foundation, calls for
8 speculation.

9 THE WITNESS: Could you repeat that?

10 BY MR. ROSE:

11 Q All these things you just said, eating with the
12 guests, smoking with the guests and watching sports with
13 the guests, why are they doing that?

14 MR. DAVIS: Same objections.

15 THE WITNESS: That's their choice if they want to
16 do that or not. They're not told they have to do that.
17 Some sit at the bar. Some go sit in the dressing room.

18 BY MR. ROSE:

19 Q But for the ones who are interacting with the
20 customers, why do they interact with the customers?

21 MR. DAVIS: Same objection, calls for speculation
22 as to the mindset of the entertainers.

23 THE WITNESS: I'm assuming they're sitting with
24 them to make money from them by dancing with them, or
25 they're spending time with them and getting paid for

Page 25

1 their time.

2 BY MR. ROSE:

3 Q Are the customers able to arrange for -- other
4 than stage dances, the customers can arrange or contract
5 with a entertainer to do additional dances?

6 A Yes.

7 Q What other dances are those?

8 A They can dance for them on the main floor where
9 they're sitting, or they can go to the VIP rooms.

10 Q Is there -- okay. For the main floor, is there a
11 special spot for that?

12 A No.

13 Q It can just be anywhere on the floor they can
14 dance for a customer?

15 A They dance for them at the bar, at the tables,
16 which the seats at the tables; not actually tables.

17 Q Does someone oversee -- does someone at Crazy
18 Horse III oversee these floor dances that are not on
19 stage?

20 A Yes. We have managers and hosts always walking
21 the main floor and the VIP rooms.

22 Q What are the VIP dances about, or how does a
23 customer get a VIP dance?

24 A They go to the VIP room, they check in at the VIP
25 room podium, and they usually do three songs, half hour,

Page 26

1 hour.

2 Q The increments are half hour and an hour?

3 A Half hour, hour, and three songs.

4 Q How much does that cost for each of those three
5 things?

6 A It's stated that the minimum is three for 100,
7 minimum 200 for a half hour, and minimum 500 for the
8 hour. Four to 500 for the hour. One drink for the three
9 for 100 to the guest. Two drinks for the half hour. The
10 hour, hundred dollar bar tab. And then the suites,
11 there's a minimum bottle of wine and champagne.

12 Q So there are different levels of the VIP rooms?

13 A Yes.

14 Q How many are those, or how many different levels
15 are there?

16 A Three songs for 100; half hour, hour, and then the
17 private suites, so four.

18 Q The private suite is 400?

19 A Private suite is 500. Minimum of 500.

20 Q And who does the customer make that payment to?

21 A The entertainer.

22 Q So for the half hour VIP, the \$200 goes just to
23 the entertainer?

24 A Correct.

25 Q And the same for the one hour, 500 goes just to

Page 27

1 the entertainer?

2 A Correct.

3 Q How does Crazy Horse III keep track of that, if at
4 all, these payments?

5 A We have the guest pay them before they start, hand
6 them the money, or the guest can run diamond dollars on
7 his credit card.

8 Q Does Crazy Horse III make any money off of the VIP
9 dances?

10 MR. DAVIS: Objection as to form, foundation.

11 You can answer.

12 THE WITNESS: The dances, no. We make money off
13 the diamond dollars.

14 BY MR. ROSE:

15 Q What is that, the diamond dollars?

16 A They run money on the credit card. We make money
17 through the bar. The drink minimums.

18 Q So are the diamond dollars like a debit card where
19 they can purchase a certain amount and use that at Crazy
20 Horse III?

21 A Yes, debit, credit.

22 Q How does Crazy Horse III make money off of that?

23 A We charge the guest 15 percent.

24 Q So the dancer, for a VIP dance, if it's a half
25 hour, and a customer uses the diamond dollars, it's \$200

Page 28

1 plus an additional 15 percent?

2 A It's all added right into the credit card, yes,
3 right on the statement. They're notified that before
4 they run the funny money.

5 Q Is the payment schedule for the VIP dances posted
6 somewhere inside Crazy Horse III?

7 A The payment for who?

8 Q The VIP dance payment schedule that you just
9 discussed, the half hour, one hour, three songs and the
10 VIP suite.

11 MR. DAVIS: Objection, compound.

12 You can answer.

13 THE WITNESS: It's given on the tours to them in
14 the entertainer guidelines that they do.

15 BY MR. ROSE:

16 Q How does a customer know what the price is?

17 A It's explained to them by the host at the VIP
18 podium.

19 Q So let's go over the deposition notice, which
20 is -- we'll attach as Exhibit 1.

21 (Deposition Exhibit 1 marked.)

22 BY MR. ROSE:

23 Q So on the second page, we'll go over the topics to
24 determine if you're the proper person for each of these
25 topics. Does the -- the LLC, rather, can produce the

Page 29

1 person who knows the most about each of these topics.

2 So the first topic, which is line 14 on page 2, is
3 "Why the dancers at Crazy Horse III are classified as
4 independent contractors."

5 So are you the person who knows the most about
6 this topic?

7 A Yes.

8 MR. DAVIS: I guess just object to the topic in
9 the sense that it calls for a legal conclusion.

10 BY MR. ROSE:

11 Q Why are the entertainers considered independent
12 contractors by Crazy Horse III?

13 A It's been the standard of that ever since I've
14 been in Las Vegas.

15 BY MR. ROSE:

16 Q So all the dancers at Scores were independent
17 contractors also?

18 A Yes.

19 Q Did you work at any other adult entertainment
20 business other than Scores where the dancers were
21 classified as independent contractors?

22 A Yes.

23 Q Where was that?

24 A Club Paradise. Scores Chicago.

25 Q So at all of these places you've worked, Club

Page 30

1 Paradise and both of the Scores and The Crazy Horse III,
2 has any dancer ever been classified as an employee?

3 A No.

4 Q As the person most knowledgeable on this topic,
5 what do you believe an independent contractor is?

6 A What do I believe it is?

7 MR. DAVIS: Objection, calls for a legal
8 conclusion.

9 You can answer.

10 THE WITNESS: I believe that they come and go as
11 they please; they do their own taxes; they buy their own
12 outfits. They're not held to any time, certain time to
13 work, certain amount of days a week to work, and at the
14 end of it, ever since I've been in Las Vegas, they've
15 always been classified as them. It's the industry
16 standard since I can remember.

17 BY MR. ROSE:

18 Q How do you know whether or not the entertainers
19 who work for Crazy Horse III do their own taxes?

20 A I don't.

21 Q Are you saying that you -- that they're expected
22 to because they've been -- they are independent
23 contractors? They're expected to do their own taxes?

24 A Correct.

25 Q Other than what you just stated, is there anything

Page 31

1 else about why you believe an entertainer is an
2 independent contractor other than coming and going as
3 they please, doing their own taxes, and their alleged
4 freedom of scheduling to work?

5 MR. DAVIS: Objection, misstates testimony.

6 You can answer if you know.

7 THE WITNESS: No.

8 BY MR. ROSE:

9 Q So the second topic, which is line 15, states "Who
10 at Crazy Horse III made the decision to classify the
11 dancers as independent contractors."

12 A It was the industry standard when I got there.

13 MR. DAVIS: Just a late objection, calls for a
14 legal conclusion. If we could have a running objection
15 as to the term "independent contractors" and
16 "termination," that way -- is that agreed?

17 MR. ROSE: Sure.

18 BY MR. ROSE:

19 Q So you're saying it was an industry standard. Was
20 there someone specifically who decided that the dancers
21 would be independent contractors rather than employees?

22 MR. DAVIS: Objection as to form and foundation.
23 Are you asking other than the dancers themselves?

24 MR. ROSE: Someone at Crazy Horse III.

25 THE WITNESS: No. The industry standard. We just

Page 32

1 went with what the industry was doing.

2 BY MR. ROSE:

3 Q So the third topic is "The procedure that Crazy
4 Horse III uses to check in dancers when they report for
5 shifts."

6 You talked earlier about Club Tracks. What is
7 Club Tracks exactly?

8 A Club Tracks is a computer system used in quite a
9 few clubs. It just -- it checks the girls in, has all
10 their information in there, a picture of them, their
11 sheriff's card ID, their business license. Make sure
12 everything is valid.

13 Q Is that software that is purchased, or is that
14 something that's owned only by Crazy Horse III?

15 A It's purchased.

16 Q Do you know who makes that software? Who is the
17 manufacturer or creator of that software?

18 A It's called Club Tracks.

19 Q The company is called Club Tracks?

20 A Yes.

21 Q Is that a subscription that you have with Club
22 Tracks, or -- "you" meaning Crazy Horse III -- or is it
23 just purchased and you can use it freely from that point
24 forward?

25 A It's purchased, and they do all the updates and

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1 everything on it. If there's any issues with it, we call
2 Club Tracks.

3 Q So is the information about the -- the information
4 on the dancers stored on a specific computer at Crazy
5 Horse III, or is it stored like on the Cloud?

6 MR. DAVIS: Objection, foundation as to time.
7 You can answer if you know.

8 THE WITNESS: By the computer, to the best of my
9 knowledge.

10 BY MR. ROSE:

11 Q Is there just one Club Tracks terminal at Crazy
12 Horse III, or is there more than one that the managers
13 can use?

14 A More than one.

15 Q The fourth topic, which is on line 19, states "The
16 expected length of shifts for dancers at Crazy Horse
17 III," which we talked about earlier, but is there -- for
18 example, for the dancers who work on the anytime shift,
19 is there a specific length that Crazy Horse III expects
20 them to work for?

21 A No. We would like to have them there as long as
22 possible. The longer they work, the more money everybody
23 makes.

24 Q The fifth topic is "Whether Crazy Horse III has
25 its dancers sign contracts before they work for Crazy

Page 34

1 Horse III."

2 We'll take a break soon and we'll go over the
3 entertainer agreement, but do all dancers sign the
4 entertainer agreement before they can work at Crazy
5 Horse III?

6 A Yes.

7 Q Okay. The sixth topic on line 22 states "Whether
8 the work performed by dancers at Crazy Horse III is an
9 integral part of Crazy Horse III's business."

10 MR. DAVIS: Objection, form and foundation, calls
11 for a legal conclusion as to "integral."

12 You can answer if you can.

13 THE WITNESS: It's one part of the business.
14 There's many parts of the business.

15 BY MR. ROSE:

16 Q Which other parts?

17 A We have -- we do bottle service. We show all the
18 UFC fights, the boxing fights, we sell hookah, we have a
19 retail store, we sell food.

20 Q For the UFC fights, is that done through a license
21 like when you have to purchase the right to broadcast it,
22 the UFC fight, and people can watch it specifically at
23 Crazy Horse III?

24 A Yes.

25 Q Does that happen anywhere else in Las Vegas where

Page 35

1 a business purchases the right to a UFC fight and people
2 go to that location to watch it?

3 MR. DAVIS: I'll just object as to this particular
4 point. He'd be testifying as to his layman's opinion
5 because I believe that's beyond the scope.

6 THE WITNESS: As far as I know, yes. Many show
7 it.

8 BY MR. ROSE:

9 Q Are they all adult entertainment businesses or are
10 they other types of businesses?

11 MR. DAVIS: Same objection.

12 THE WITNESS: Both.

13 BY MR. ROSE:

14 Q Do you, meaning Crazy Horse III, charge admission
15 to those events where you're broadcasting the UFC
16 fight?

17 A Yes.

18 Q What is your understanding about why someone would
19 watch a UFC fight at an adult entertainment club
20 business?

21 A At our club we have eight or nine huge big
22 screens. There are TVs all around that we put on the
23 sound, so it's not just they're watching it, they can
24 hear it, too. It's live sound, live feed, everything.
25 We bring screens down throughout the whole entire club.

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1 Q Are there -- so when you have these UFC fight
2 events, can the entertainers still dance on the stage?

3 A Yes.

4 Q Are there still VIP dances available during those
5 times when UFC fights are being broadcast?

6 A Yes.

7 Q And do the customers still have the opportunity to
8 buy drinks through the diamond dollars during these UFC
9 events?

10 A They can't buy drinks through diamond dollars.

11 Q Oh, okay. How do they buy the drinks?

12 A Either cash or credit or debit.

13 Q So to clarify, the diamond dollars only applies to
14 the dances?

15 A Dances and tipping.

16 Q So -- and for the bottle service, what exactly
17 does that entail?

18 A As in what?

19 Q What is a bottle service?

20 A They order a bottle, they're charged for whatever
21 bottle they want, the waitress brings out the bottle, the
22 setup, the mixers, pours them all drinks.

23 Q But as the person most knowledgeable of Crazy
24 Horse III, why would someone have a bottle service at an
25 adult entertainment business rather than somewhere else?

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1 MR. DAVIS: Objection, calls for speculation as to
2 the patron.

3 You can answer.

4 THE WITNESS: That would be up to the guest, where
5 they choose to go.

6 BY MR. ROSE:

7 Q When they're -- when the bottle service is taking
8 place, can -- or are there stage dances occurring with
9 these entertainers?

10 A I don't know what you mean by that.

11 Q When someone is having a bottle service --

12 A On the main floor.

13 Q -- at Crazy Horse III, are there entertainers
14 working?

15 MR. DAVIS: Objection, form and foundation as to
16 scope and working.

17 THE WITNESS: There are entertainers there, yes.

18 BY MR. ROSE:

19 Q So is it possible that a customer would choose to
20 have a bottle service there because of the environment of
21 having entertainers dancing?

22 A That would be up to the guest. I don't know why
23 or who would buy a bottle when they want. I'd have to
24 ask them. A lot of times during these UFC fights and
25 Super Bowl and all these things, guys buy bottles service

Page 38

1 and there's no entertainers with them.

2 Q How much does a bottle service cost?

3 A The bottles start around 350. They're 350.

4 Q Do the waitresses that serve the bottle get paid a
5 premium for doing the bottle service?

6 MR. DAVIS: Objection, vague and ambiguous,
7 foundation.

8 THE WITNESS: Can you be clearer?

9 BY MR. ROSE:

10 Q Are the waitresses paid hourly?

11 A Yes.

12 Q And when a waitress is serving someone on a bottle
13 service, are they paid something in addition to their
14 hourly wage?

15 A On all bottle services, there's a 20 percent
16 gratuity added.

17 Q So is that added tip or gratuity shared with Crazy
18 Horse III and the employee?

19 A That goes to the employee. Crazy Horse III does
20 not take any of the bottle tip on the gratuity.

21 Q The next topic is 7, "Whether the dancers at Crazy
22 Horse III's managerial skills affect his or her
23 opportunity for profit or loss."

24 So do the dancers at Crazy Horse III exercise any
25 sort of managerial skill?

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1 MR. DAVIS: Objection, form, foundation.

2 You can answer.

3 THE WITNESS: That would be up to the entertainer.
4 They have to manage what they buy, what they wear, their
5 hair and everything else. That would be a case-by-case
6 basis to the entertainer, I would think.

7 BY MR. ROSE:

8 Q How does an entertainer profit by working at Crazy
9 Horse III?

10 A That would be all on her and how much she wants to
11 work, how much she wants to dance.

12 Q How is the entertainer paid for dancing at Crazy
13 Horse III?

14 A By the guests that come into the building.

15 Q So are they paid for just the VIP dances that we
16 talked about earlier, or is there some other
17 compensation?

18 A No, it's not just VIP, they get paid on the main
19 floor for dancing on the main floor. Some guys give the
20 entertainers money for just sitting at the bar with them.

21 Q Does Crazy Horse III pay the entertainers anything
22 at all?

23 A No.

24 Q So all of the income comes from customers for the
25 entertainers?

Page 40

1 A Yes.

2 Q So we have the VIP dances and then just random
3 tips that are done on the floor, and then --

4 A And the stage.

5 Q Is there anything else, or is there any other way
6 a dancer can make money than the VIP dances, tips and
7 dancing on the stage?

8 MR. DAVIS: Objection, misstates testimony.

9 You can answer.

10 THE WITNESS: That's the only way they can make
11 money inside the club.

12 BY MR. ROSE:

13 Q The next topic is the relative investments, if
14 any, by the dancers at Crazy Horse III in the facility
15 and related equipment. So do the dancers who come to
16 Crazy Horse III need to bring anything with them when
17 they work?

18 A Need to bring their clothes, their shoes, whatever
19 they decide they want to work in.

20 Q What is expected of them?

21 A As in what?

22 Q What type of clothes are acceptable to work at
23 Crazy Horse III?

24 A It's a very, very wide range, what they wear, from
25 some wear dresses, some wear just tea bags and bikinis.

Page 41

1 It's a very, very wide range.

2 Q So can a dancer dance wearing a dress on the main
3 stage?

4 A Some do, yes.

5 Q It can be any type of dress?

6 A I guess we'd have to see it.

7 MR. ROSE: Do you all want to take a short break,
8 because it's been almost an hour.

9 MR. DAVIS: Yeah, just take a quick five minutes
10 and stretch.

11 MR. ROSE: I think so. Okay. And then we'll go
12 over the entertainment agreement next.

13 (Recess.)

14 BY MR. ROSE:

15 Q So where we last left off was what kind of clothes
16 that the dancers who work at Crazy Horse III can wear,
17 and then I was asking if it can be any kind of dress.

18 So what does Crazy Horse III typically expect its
19 dancer -- or entertainers to wear when they're dancing on
20 the main stage?

21 MR. DAVIS: Objection as to form and foundation.

22 You can answer.

23 THE WITNESS: Each girl is different. Some girls
24 wear bikinis, some girls wear booty shorts, a bustier,
25 it's a very, very wide range. Some girls from the past

Page 42

1 still wear short dresses, long dresses.

2 BY MR. ROSE:

3 Q The past?

4 A Yes, the past. Many years ago that's what girls
5 used to wear.

6 Q But is it always suggestive clothes that are worn
7 by the entertainers, or can it be just anything, any type
8 of clothes that are worn by the entertainers?

9 A The girls pick what they want to wear as long as
10 it fits what's in the guidelines of what they legally can
11 wear and can't wear.

12 Q Okay, so the next topic, 9, which is on line 28,
13 states "Whether the dancers at Crazy Horse III exercise
14 independent business judgment while working at Crazy
15 Horse III."

16 So do the dancers exercise any sort of independent
17 thought while working for Crazy Horse III, or are they --
18 do they follow a certain method of performing their work?

19 A That would be up to the entertainer.

20 Q When a dancer is performing work at Crazy Horse
21 III, other than the dancing on the main stage,
22 interacting with the customers and having VIP dances, is
23 there anything else that a dancer would do?

24 A I'm not sure what you're really asking.

25 Q When a dancer is working at Crazy Horse III, what

1 exactly does that person do?

2 A They dance on stage and they dance for guests.

3 Q Is there anything else that a dancer would do?

4 A No.

5 Q So all entertainers dance on the stage, or is it
6 correct all entertainers dance on the stage and entertain
7 the guests? That's the -- that comprises what they are
8 expected to do?

9 MR. DAVIS: Objection, misstates testimony.

10 THE WITNESS: Yes.

11 BY MR. ROSE:

12 Q If a dancer were to do anything else other than
13 dancing on the stage and interacting with the customers,
14 would the dancer be penalized or fined?

15 A We don't fine girls. What would she be penalized
16 for doing?

17 Q Like, say, for example, if a dancer were serving
18 food.

19 A They don't serve food.

20 Q Or if a dancer were trying to manage other
21 dancers, like performing the duties of a manager, can a
22 dancer do that, or entertainer do that?

23 A No. She's not a manager.

24 Q So all dancers are -- all dancers follow the same
25 model, rather, of dancing on the stage, interacting with

Page 44

1 customers, and performing VIP dances. Is that accurate?

2 MR. DAVIS: Objection, misstates testimony as to
3 all dancers.

4 THE WITNESS: In a roundabout way, yeah. The
5 dancers, each dancer's different, the way they approach
6 it. They're individual. Each individual is different,
7 how they approach what they're doing.

8 BY MR. ROSE:

9 Q Differs how exactly?

10 A Everybody's different. They have different ways
11 they approach guests, different ways they go about making
12 their money with the guest, as in some just sit and talk
13 with them, some dance, some do great stage shows. It all
14 depends on the entertainer.

15 Q But is the same objective, do all the dancers
16 share the same objective, which is dancing and
17 interacting with customers?

18 MR. DAVIS: Objection as to form, calls for
19 speculation regarding the mindset of the dancers.

20 THE WITNESS: To my knowledge, yes. But I'm not
21 the entertainer.

22 BY MR. ROSE:

23 Q So the next topic on page 3, line 2, is "Whether
24 exotic dancing is a specialized skill."

25 So as the person most knowledgeable of Crazy

Page 45

1 Horse III, do you know if -- whether or not dancing,
2 exotic dancing, is a specialized skill?

3 MR. DAVIS: Objection, calls for a legal
4 conclusion as to the term "specialized skill."

5 You can answer.

6 THE WITNESS: I think they've got to do -- yeah, I
7 can't dance like them.

8 BY MR. ROSE:

9 Q Is it a trained skill, exotic dancing?

10 MR. DAVIS: Objection as to form and foundation as
11 to who.

12 You can answer.

13 THE WITNESS: Who would train them?

14 BY MR. ROSE:

15 Q How is exotic dancing a specialized skill?

16 A I would say, I mean, dancing on the pole,
17 eight-inch heels on, I'd say that's pretty specialized.

18 Q Is there anything else that makes it specialized?

19 A Their outfits they wear, the stage shows, the way
20 they can carry themselves, speak to a guest, all goes
21 into their business.

22 Q So we have the dancing on a pole with eight-inch
23 heels and interacting with guests and the way that they
24 move. Are those four qualities --

25 A The way that they move; the way that they give lap

Page 46

1 dances; they communicate with the guests.

2 Q Is that something that's trained or is it learned
3 through experience?

4 MR. DAVIS: Objection, form, foundation, calls for
5 speculation.

6 THE WITNESS: I would say it's learned through
7 experience. Although some girls do take pole dancing
8 classes.

9 BY MR. ROSE:

10 Q So the next topic 11 on line 3 is "How Crazy
11 Horse III keeps track of the dancers who perform dances
12 and work at Crazy Horse III."

13 So I know we talked earlier about Club Tracks. Is
14 there any other tool that's used to keep a record of the
15 dances?

16 A We don't keep a record of the dances, the actual
17 dances they do.

18 Q So the record is only checking in and checking out
19 of entertainers?

20 A And in the VIP rooms, we keep track of the time
21 for them.

22 Q The 12th topic on line 5 is "The length of time
23 for which Crazy Horse III expects its dancers to work for
24 Crazy Horse III."

25 So when a dancer starts working after the

Page 47

1 audition, can the dancer stay working for Crazy Horse III
2 indefinitely?

3 MR. DAVIS: Object, form, foundation as to
4 "working."

5 You can answer.

6 THE WITNESS: Once she gets contracted, she can
7 come in and work until she can't work anymore. A lot of
8 girls come and go as they please. They're independent
9 contractors. They go to different clubs. They go to
10 different states.

11 BY MR. ROSE:

12 Q So the relationship could go on as long as both
13 sides want it to persist?

14 A Yes.

15 Q So the next topic, 13, is "The method of payment
16 that Crazy Horse III uses to pay the dancers who work at
17 Crazy Horse III."

18 So you talked earlier about the fact that the
19 dancers are paid exclusively by the customers. Is that
20 accurate?

21 A Yes.

22 Q At the end of -- rather when a dancer leaves Crazy
23 Horse III when they're finished dancing for the day, do
24 they share their tips with any of the business
25 employees?

Page 48

1 A That would be up to the entertainer.

2 Q Has that happened where an entertainer shares the
3 tips, her tips with an employee?

4 A Yes.

5 Q Which employee? Which types of employees,
6 rather?

7 MR. DAVIS: Objection, calls for speculation.

8 You can answer if you know.

9 THE WITNESS: Some of them tip the DJ, some of
10 them tip the host, some of them tip the managers, some of
11 them tip the house moms. It's all up to the girl. There
12 are no mandatory tips in the building. It's completely
13 up to the entertainer.

14 BY MR. ROSE:

15 Q What is your understanding about why the
16 entertainers tips would be shared at all?

17 A That would be up to the entertainer. Sometimes
18 they want to tip the DJ for songs they want to hear,
19 which they don't have to. Sometimes they like to tip the
20 host that set them up with guys coming in, with good
21 groups. Same with the manager.

22 Q Okay. So the next topic, 14, "Whether Crazy
23 Horse III can operate without exotic dancers."

24 Has there ever been a time that you've been
25 working at Crazy Horse III where the business did not

Page 49

1 have exotic dancers working there?

2 A No.

3 Q So the next topic, "How Crazy Horse III keeps
4 track of the VIP dances that the exotic dancers perform
5 while working at Crazy Horse III."

6 So is that the Club Tracks system, or is there any
7 other method for keeping track?

8 A We don't keep track of their dances.

9 Q Well, the Club Tracks keeps track of the VIP dance
10 payments; is that right?

11 A No, the time that they're in the VIP.

12 Q The time that the dancer is doing a VIP dance?

13 A Yes.

14 MR. DAVIS: Objection, misstates testimony.

15 BY MR. ROSE:

16 Q Is the reason for keeping track of the time
17 because that's how Crazy Horse III knows how much to
18 charge the customer?

19 A For drinks.

20 Q Repeat again the minimum drinks for the VIP dance
21 on the gradations of time.

22 MR. DAVIS: Objection, asked and answered.

23 You can answer.

24 THE WITNESS: Three songs, one drink; half an
25 hour, two drinks; hour, a hundred dollars in drinks; the

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1 suites, minimum bottle of wine or champagne.

2 BY MR. ROSE:

3 Q And that's purchased through the diamond dollars?

4 A No. Purchased through a credit card, cash or
5 debit card. Like I said, diamond dollars is just for the
6 dancers and tipping. Nothing else.

7 Q Okay. So then the diamond dollars that a customer
8 pays, how does Crazy Horse III split that money with the
9 entertainer, or does -- is there a split?

10 A No.

11 Q The payment is made to Crazy Horse III through a
12 credit card with the gratuity added; is that right?

13 A No. The gratuity is only on liquor bottles.

14 Q So what does --

15 A There's no gratuity added on to diamond dollars.

16 Q If you can clarify then how the diamond dollars is
17 used with respect to Crazy Horse III.

18 A A guest goes up to one of the windows; we have
19 three designated areas. They run their credit card for
20 how much they want, the money is ran, the money is given
21 to the guest, and the guest gives it to the entertainer.
22 Or if it's for multiple entertainers, he gets the money
23 and he does what he wants with the money after that.

24 Q But Crazy Horse III makes a profit because is
25 there a surcharge on it?

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1 A Surcharge, yes. 15 percent surcharge.

2 Q So the next topic, 16, "When Russell Road and
3 Beverage, LLC was created."

4 Are you one of the officers of the limited
5 liability company?

6 A No.

7 Q Do you know who the officers are?

8 A I don't really deal with that side of the
9 business.

10 Q So there's -- what other side of the business?

11 A All the officers. I just deal with Nando
12 Sostilio.

13 Q I'm sorry?

14 A I deal with Nando. That's it.

15 Q Nando?

16 A Nando, yes.

17 Q Is Nando the owner?

18 A Yes.

19 Q The next topic is "Whether Russell Road and
20 Beverage, LLC" --

21 MR. DAVIS: Late objection on that, outside the
22 scope and calls for a legal conclusion.

23 Sorry about that.

24 BY MR. ROSE:

25 Q "Whether Russell Road and Beverage, LLC owns or

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1 leases the property where Crazy Horse III operates."

2 A Leases.

3 Q Has the business always been at the same location
4 since you've been working there, or was it -- did it move
5 at some point?

6 A No, it's been there.

7 Q Okay. The next topic is "Whether the tips that
8 the dancers earn while working at Crazy Horse III are
9 shared with any of the employees of Crazy Horse III,
10 including the managers."

11 So when -- we talked -- you talked earlier about
12 the possibility of sharing tips with host or DJ. Does
13 that occur at the end of their -- the entertainer's time
14 working, or does the sharing of the tips occur at any
15 point throughout the day?

16 MR. DAVIS: Objection, calls for speculation,
17 compound.

18 You can answer if you know as to --

19 THE WITNESS: It happens throughout. There's no
20 specific time it happens. It's up to them who they want
21 to tip, when they want to tip.

22 BY MR. ROSE:

23 Q Who are the current managers at Crazy Horse III?

24 A You want to know who they are?

25 Q Yes.

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1 A Myself, Justin Lohman, Shawn McDivitt, Louis
2 Aceves, Shawn Mayer, Scott Shehadi, James Almo, Max
3 Green, Skip Waugh.

4 Q Skip?

5 A Waugh.

6 Q Are any of those the assistant general manager
7 also?

8 A Justin.

9 Q The 19th topic is "To whom the dancers who work at
10 Crazy Horse III have to tip out, and how much the dancers
11 tip out."

12 A They don't have to tip anybody out. There are no
13 mandatory tips.

14 Q 20th topic is "Whether tips that are charged to
15 credit cards are given to the dancers, and if so, whether
16 any portion is taken out of the tips by Crazy Horse III."

17 So you talked earlier about gratuities being added
18 to alcohol purchases for drinks.

19 A Bottle service.

20 Q Are the gratuities shared with the entertainers?

21 A No.

22 Q Who are they shared with?

23 A The waitress. She tips out the bar staff and the
24 host.

25 Q The last topic is "Whether Russell Road and

1 Beverage, LLC pays anything to dancers who work at Crazy
2 Horse III."

3 A No.

4 Q Okay. So the next exhibit that we'll go over is
5 the Entertainer Agreement.

6 (Deposition Exhibit 2 marked.)

7 THE WITNESS: Yeah, the agreement, right.

8 BY MR. ROSE:

9 Q So have you seen this Entertainers Agreement
10 before?

11 A Yes.

12 Q Do you know who created this agreement?

13 A No.

14 Q When -- at what point -- well, rather, is this
15 agreement presented to a dancer during the audition
16 stage?

17 A No.

18 Q When does the dancer sign it? At what point does
19 the dancer sign it?

20 A When they get contracted.

21 Q So is that the same day as an audition or at a
22 subsequent time?

23 A Same day. All before they check in for the first
24 time.

25 Q So the -- we have what we call the recitals

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1 portion, which is the "Whereas" -- the three paragraphs
2 that are "Whereas," but directly below the recitals, the
3 first heading is "Legal Relationship," and it states,
4 "The parties intend that the relationship created
5 hereunder will be only that of The Crazy Horse III and
6 Entertainer and not only any other legal relationship of
7 any type or kind."

8 What is your understanding of why that statement
9 is included in the agreement?

10 MR. DAVIS: Objection, calls for speculation. He
11 didn't create the document. Doesn't know who created the
12 document.

13 You can answer if you --

14 THE WITNESS: I'm really not sure about that.

15 BY MR. ROSE:

16 Q Well, if you skip the next sentence, the
17 following -- the third sentence is, "Entertainer
18 acknowledges and agrees that he or she is not an employee
19 or agent of The Crazy Horse III and is not entitled to
20 receive by law or by terms of this agreement any of the
21 benefits or privileges which The Crazy Horse III of Las
22 Vegas may otherwise provide for employees or agents of
23 the Crazy Horse III."

24 Does an entertainer have an opportunity to
25 negotiate or modify this sentence before signing the

1 agreement?

2 A Not that I know of, no.

3 Q Okay. So the next paragraph, "Non-Exclusivity" is
4 the heading, the sentence that follows states, the
5 "Entertainer acknowledges that The Crazy Horse III
6 expressly reserves the right to engage and schedule other
7 Entertainers who may also perform his or her act(s) on
8 the same day(s) as Entertainer performs."

9 What is your understanding of what that sentence
10 means, if you have an understanding of it?

11 A My understanding is that other girls will be
12 contracted on that day along with her. There will be
13 more than just her working.

14 Q What is the reason for including that if -- what
15 is the reason for letting an entertainer know that?

16 A Once again, I didn't write this, so I don't know
17 what was thought of when they actually wrote this.

18 Q Is there competition between entertainers at Crazy
19 Horse III?

20 MR. DAVIS: Objection, vague and ambiguous as to
21 "competition," form, foundation.

22 You can answer --

23 THE WITNESS: Competition as in what?

24 BY MR. ROSE:

25 Q Do the -- well, you talked about earlier that some

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1 entertainers have disputes. Do any of the disputes
2 relate to, for example, competition over a customer where
3 one entertainer wants the business of the same -- both
4 entertainers want the business of the same customer?

5 A That can happen.

6 Q And this sentence talks about "The Crazy Horse III
7 expressly reserves the right to engage and schedule other
8 entertainers."

9 So how, if at all, does Crazy Horse III schedule
10 entertainers?

11 A We don't.

12 Q Also talks about engaging other entertainers. Do
13 you know what is meant by engaging other entertainers?

14 A No, I do not.

15 Q The next sentence states, "Similarly, The Crazy
16 Horse III acknowledges that Entertainer may perform at
17 other establishments at any time Entertainer is not
18 scheduled to perform at The Crazy Horse III."

19 So can an employee have more than one job? In
20 general, can an employee have more than one job?

21 A They're not employees. But as an independent
22 contractor, they can work wherever they want when they
23 want.

24 Q Okay. So the next paragraph under the heading
25 "Liabilities and Risks." "Entertainer acknowledges,

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1 agrees and understands, and so states, that the act(s) to
2 be performed by Entertainer under this agreement shall be
3 performed entirely at Entertainer's risk."

4 So does -- first of all, does The Crazy Horse III
5 have Workers' Compensation insurance for its employees?

6 A Yes.

7 Q And does -- but the policy excludes or does not
8 include the dancer or the entertainers?

9 MR. DAVIS: Objection, calls for speculation as to
10 "policy."

11 You can answer if you can.

12 THE WITNESS: Yes. It's for the employees, not
13 the independent contractors.

14 BY MR. ROSE:

15 Q What risk, exactly, is -- would the entertainer
16 face while performing work at The Crazy Horse III?

17 A They can fall.

18 Q Has that ever happened while you worked there,
19 where an entertainer fell from either a stage or
20 something?

21 A Minor things. Nothing ever major, but yes.

22 Q Minor injuries have occurred?

23 A Yes.

24 Q So the next paragraph, 4, the duration of the --
25 "Duration" heading. "The parties understand and agree

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1 that this agreement is made effective as of the first day
2 Entertainer performs at The Crazy Horse III facility,
3 even if prior to the execution of this agreement, and all
4 rights and liabilities accruing hereunder shall be
5 effective as of that date."

6 Which -- what kind of liabilities would the
7 entertainer be responsible for?

8 MR. DAVIS: Objection, calls for a legal
9 conclusion.

10 You can answer if you know some of the examples of
11 liabilities.

12 THE WITNESS: I don't. I don't understand what
13 liabilities you mean.

14 BY MR. ROSE:

15 Q Has an entertainer ever been held responsible for
16 something occurring at Crazy Horse III?

17 A Yes.

18 Q What was that or what were they?

19 A Sometimes they've got in fights, and we had to
20 call Metro.

21 Q Fights with other dancers or with customers?

22 MR. DAVIS: Objection, compound.

23 THE WITNESS: Both.

24 BY MR. ROSE:

25 Q It also, the "Duration" heading talks about all

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1 rights accruing hereunder."

2 So do you have any idea what this is meant, what
3 rights are conferred under this agreement?

4 MR. DAVIS: Objection, calls for a legal
5 conclusion, interpretation by a court.

6 You can answer.

7 THE WITNESS: I really don't. I did not write
8 this. Like I said, it was there when I got there.

9 BY MR. ROSE:

10 Q Well, can an entertainer work at Crazy Horse III
11 without signing this Entertainers Agreement?

12 A Yes.

13 Q Has that happened where an entertainer worked
14 without signing this agreement first?

15 A A definite -- I do not know definitely, but I'm
16 sure that there are some.

17 Q Towards the end of this page it says, "This
18 agreement shall remain in force for a period of one week
19 only, but shall automatically" -- "but shall be
20 automatically renewed for successive seven-day terms
21 unless either party communicates, verbally or in writing,
22 with or without cause, to the other party that
23 termination is requested, and, in such event, termination
24 of this agreement shall be effective immediately up to
25 the date such notice is" -- and it should say "received."

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1 First of all, does that happen where a dancer
2 gives notice to Crazy Horse III that they want to
3 terminate this Entertainers Agreement?

4 A Not to my knowledge, no.

5 Q And the term of one week, do you know why that was
6 included, why the agreement only lasts for a one-week
7 term?

8 A No, I do not.

9 Q Okay. So under the fifth heading, "Duty of Legal
10 Performances. Entertainer agrees not to misrepresent any
11 service of the Crazy Horse III; not to knowingly make any
12 false or misleading statement to anyone."

13 It -- what sort of representations does an
14 entertainer make on behalf of The Crazy Horse III?

15 MR. DAVIS: Objection, calls for speculation.

16 THE WITNESS: I mean, things they could do, they
17 could say, you know, they can't misrepresent it. I mean,
18 it's a topless gentlemen's club, and that's all that
19 happens there is dancing and entertainment. They can't
20 tell them that it's anything like a brothel or anything
21 like that, or tell the guests that they're going to get
22 something that they're not because it's illegal.

23 BY MR. ROSE:

24 Q So do you believe that this is mainly -- this
25 provision is included to alert the entertainer that they

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1 can't talk about basically sex solicitation? Is that why
2 this is included?

3 A It could have been many reasons. Like I said, I
4 didn't write this. There could be many reasons why they
5 wrote that in the -- I just gave you an example.

6 Q The next sentence says, "Entertainer acknowledges
7 that said entertainer is aware that "Solicitation or the
8 Act of Solicitation" is a crime."

9 But -- and they're talking about sex solicitation
10 here; is that right?

11 MR. DAVIS: If we can go off the record for a
12 second.

13 MR. ROSE: Sure.

14 (Discussion off the record.)

15 BY MR. ROSE:

16 Q So the next sentence in that paragraph 5 states,
17 "That any form of solicitation or prostitution either
18 initiated by the Entertainer, the customer, or any person
19 whosoever constitutes a crime."

20 Has prosecution occurred at Crazy Horse III?

21 A That's kind of a -- I mean, girls have been
22 arrested for it. Some charged, some not charged by
23 advice of Metro and everything like that.

24 Q Okay.

25 A I mean, the answer is yes.

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1 MR. DAVIS: Well --

2 THE WITNESS: They were charged with it, but I
3 mean, it never came in because I've got to get cited for
4 it.

5 BY MR. ROSE:

6 Q If we can skip down to the 10th paragraph, "Prior
7 Experience," it states, "Since the ability and quality of
8 the act(s) performed by Entertainer is essential to the
9 economic success of The Crazy Horse III, Entertainer
10 covenants and warrants that he or she is an experienced
11 entertainer who has performed successfully at other
12 entertainment facilities."

13 What level of experience is the minimum for an
14 entertainer at Crazy Horse III?

15 A Some have none.

16 Q So there's no minimum; is that right?

17 A Yeah, some have none.

18 Q But is that -- is the statement here "the ability
19 and quality of the act(s) performed by Entertainer is
20 essential to the economic success of The Crazy Horse
21 III," does the quality or type of performance affect the
22 business success of Crazy Horse III?

23 A I would say no.

24 Q Does -- well, how, if at all, does an
25 entertainer's work affect the economic success of The

Page 64

1 Crazy Horse III?

2 A Well, when the guys come in and purchase alcohol,
3 food, retail, tobacco, the money's all made on alcohol,
4 food and beverage.

5 Q How does that relate to the entertainer, though?
6 Does it relate to the entertainer's work?

7 A To her work? No, no. No. The more they go to
8 VIP, the more the drinks are, the more money the club
9 makes. The more people in the building, the more money
10 the club makes.

11 Q Well, in your experience, do the -- the existence
12 of dancers or entertainers at Crazy Horse III help bring
13 in business?

14 A I've never been there without dancers, so I don't
15 know what the difference would be if there weren't any.
16 I'm sure there would be a difference, but I've never
17 experienced it.

18 Q Okay. So the next exhibit -- we have here some
19 other documents that were produced. Exhibit 3 is
20 Notice -- rather page -- sorry about that, the Bates
21 stamp is 0038 at the bottom right. It says 0038. It may
22 be in the pile you have.

23 MR. DAVIS: Is that the notification of industrial
24 insurance?

25 MR. ROSE: Yes.

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1 (Deposition Exhibit 3 marked.)

2 BY MR. ROSE:

3 Q Now we have Exhibit 3. It says, "This" Notice "is
4 to inform you that the agreement," the entertainer's
5 agreement, "does not include State industrial insurance
6 coverage or any other benefits or private insurance
7 whatsoever."

8 What -- do all dancers sign this Notice as far as
9 you know?

10 A I'm not sure. I have to check.

11 Q Does Crazy Horse III need the entertainers to
12 know, either in writing or otherwise, that they're not
13 covered by Workers' Compensation insurance?

14 A Can you repeat that?

15 Q Does Crazy Horse III need its entertainers to
16 know, either in writing or otherwise, that the
17 entertainers are not covered by Workers' Compensation
18 insurance?

19 MR. DAVIS: Objection, calls for a legal
20 conclusion, vague and ambiguous as to "need."

21 You can answer.

22 THE WITNESS: If they're signing the packet, it's
23 explaining it to them.

24 MR. ROSE: Okay. So it's almost 12:00. I can
25 keep going, but if you want to take a short break, too,

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1 I'm fine either way.

2 MR. DAVIS: It's up to you.

3 THE WITNESS: I'm fine.

4 (Discussion off the record.)

5 MR. ROSE: The next exhibit we'll go over as
6 Exhibit 4 is the guidelines, the Entertainer Guidelines,
7 which are the Bates stamp from 40 to 44.

8 (Deposition Exhibit 4 marked.)

9 BY MR. ROSE:

10 Q Do you know if all the entertainers are given a
11 copy of the guidelines before starting their work at The
12 Crazy Horse III?

13 A Yes.

14 Q So under the first guideline is about lewd and
15 lascivious behavior, and the first instruction is, "Do
16 Not touch your breasts, nipples, buttocks or genital
17 area. This may be construed as a lewd and lascivious act
18 as well as potentially an act of prostitution."

19 So has something like that occurred at The Crazy
20 Horse III where a dancer was touching -- inappropriately
21 touching part of their body?

22 A Yes.

23 Q Does that still occur at The Crazy Horse III?

24 A Yes.

25 Q How does Crazy Horse III get notified that the

Page 67

1 inappropriate touching has occurred?

2 A We have managers scheduled throughout the club and
3 that know what the rules and regulations are set by the
4 County.

5 Q Is there a consequence for an entertainer doing
6 inappropriate touching?

7 A Yes. They are warned and told what they can and
8 can't do, and that they will -- if Metro is in, they can
9 get tickets, get written in and go to jail for it, which
10 Metro has done.

11 Q So the next rule is "Do Not let the guest touch
12 your breast, nipples, buttock or genital areas. This may
13 be construed as a lewd and lascivious act as well as an
14 act of prostitution."

15 Does that occur where patrons or guests are
16 touching -- inappropriately touching the dancers?

17 A They try to.

18 Q What, if anything, does Crazy Horse do -- Crazy
19 Horse III do once notified that a guest is doing
20 inappropriate touching?

21 A He's asked to leave.

22 Q If we skip to -- the next two rules, and then the
23 fifth rule, "Do Not permit guests to place tips anywhere
24 except in the side of your T-strap."

25 And by T-strap, does that mean a bikini bottom, or

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1 does it mean something else?

2 A Yeah, a bikini bottom. They have to wear a
3 G-string. Now they can't wear a G-string. It has to be
4 what they say a T-strap. It has to have a T on the top
5 in the back. Can't just be a string. I know it's
6 pretty -- to actually decide what's what, what they do.

7 Q Who created that rule? Is that a governmental
8 rule or just a business rule?

9 A The actual T-strap?

10 Q Yes.

11 A That was set by the County.

12 Q And then it says, "Reminder: hold out your
13 T-strap on the side while holding down the front of your
14 T-strap. Never allow the guest to pull out your T-strap
15 to tip for any reason. Never allow the guest's hand to
16 touch you while tipping."

17 What is the reason that the tipping has to occur
18 in this style that is put here?

19 A Like I said, I didn't write this, but this sounds
20 like they're talking about when they're on the stage.

21 Q So does the tipping on stage, it's preferred that
22 it's followed -- this method is followed where the
23 T-strap on the side is -- rather "hold out your T-strap
24 on the side while holding down the front of your
25 T-strap," that's the preferred method of tipping on

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1 stage?

2 A Yes.

3 Q And then the last rule on this page is "Do Not
4 touch the guests anywhere below the shoulders, and only
5 use the guests' shoulders to keep your distance."

6 Why is that a rule that is imposed?

7 A These are all based on what the County has asked
8 us to do as the girl's dancing with no body slides, keep
9 one foot on the ground, everything like that.

10 Q So the County has rules or statutes that dictate
11 how a dancer can work? Is that accurate?

12 A How they can dance for a guest. Not sure of all
13 the codes. It's the erotic dancer code.

14 Q There's something called the erotic dancer code?

15 A Yes, in Nevada.

16 Q And statewide or just countywide?

17 A They're different, the State and County.

18 Q So both the State and the County have their own
19 separate dancer guidelines; is that right?

20 A Well, some clubs are considered the State; some
21 are considered the County.

22 MR. DAVIS: I think what he's saying is -- if we
23 can go off the record just briefly.

24 (Discussion off the record.)

25 BY MR. ROSE:

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1 Q On the second page there is a statement "No
2 Grinding." And the first paragraph underneath that
3 states, "Do Not have any contact at any time and for any
4 reason between yourself and another entertainer or guest
5 of the club whereby there is contact between either you
6 or their anatomically sexual areas."

7 So does that occur where a dancer is grinding with
8 another dancer? Has that occurred?

9 MR. DAVIS: Objection, form and foundation, time.
10 You can answer.

11 THE WITNESS: From what I'm reading what they're
12 stating there is when they're giving a lap dance to a
13 guest. And if they're dancing with another girl on
14 stage, they can't simulate any sexual acts.

15 BY MR. ROSE:

16 Q How often does that happen where one entertainer
17 is dancing with another entertainer on stage?

18 A Any time there's two girls on the main stage.

19 Q And that's -- that occurs on the weekends only or
20 does that occur any time?

21 A It can occur through the night, depends how busy
22 we are, how many girls are checked in.

23 Q If you could skip to the next page, which is at
24 the Bates stamp 42 at the bottom right.

25 Under subpart or section VI, it says, "Rudeness to

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1 any guest." States, "If a problem arises, it is your
2 responsibility to notify the manager on duty immediately.
3 We expect the entertainers and the staff to treat our
4 guests with respect and courtesy."

5 What problem is envisioned by this rule?

6 A What do you mean by what problem?

7 Q Well, it says, "If a problem arises, it is
8 your" -- meaning the entertainer's -- "responsibility to
9 notify the manager on duty immediately."

10 So what problem, what type of problem does the
11 entertainer need to notify the manager on duty about?

12 A It can be a guest being very rude to her, trying
13 to solicit her. Could have to do with not wanting to pay
14 her. Could have to do with touching her or saying things
15 that she doesn't like.

16 Q We expect -- sorry, the next sentence is, "We
17 expect the entertainers and the staff to treat our guests
18 with respect and courtesy."

19 So a dancer, when -- what kind of respect and
20 courtesy does the entertainer need to display when
21 working at Crazy Horse III?

22 A They should treat others the way they want to be
23 treated, with respect.

24 Q The next paragraph it states, "However, should a
25 problem arise, it must be reported to a manager. At no

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1 time will anyone attempt to deal with a disorderly or
2 rude guest on their own."

3 So the entertainer, as an independent contractor,
4 do they have any choice about disobeying this rule about
5 not reporting a problem to a manager?

6 A Yes.

7 Q What would happen if the independent contractor
8 entertainer disobeyed this rule?

9 MR. DAVIS: Objection, calls for speculation.

10 You can answer.

11 THE WITNESS: We wouldn't know if she didn't tell
12 us.

13 BY MR. ROSE:

14 Q Is there a consequence if the independent
15 contractor entertainer did not comply with this rule
16 about reporting problems to the manager on duty?

17 A How could anybody do anything if nobody knew about
18 it?

19 Q Okay. So now -- and the next page, Bates stamped
20 43, subpart VII, "Hustling, definitions."

21 Does -- has there been an issue in the past with
22 independent contractor entertainers hustling or trying to
23 engage in prostitution with customers?

24 MR. DAVIS: Objection as to form and foundation,
25 scope of time, calls for speculation.

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1 You can answer.

2 THE WITNESS: Yes, it has happened.

3 BY MR. ROSE:

4 Q Here in VII, hustling is also referring to, "1.
5 To dance for a guest without asking him/her if he would
6 like you to dance or fail to inform him/her that each
7 dance is for a \$20 fee prior to dancing."

8 So does this mean that there have been occasions
9 where the independent contractor entertainer tells a
10 guest that a dance costs more than it really does?

11 A No. What this is saying is she's not telling him
12 what the price is before the dance.

13 Q Which dance is a \$20 dance?

14 A That was in the industry standard for the main
15 floor, but the girls do charge more than that.

16 Q Based on how much they want to charge or --

17 A Yes.

18 Q -- based on some other criteria?

19 A Based on what they want to charge. If a guest
20 asks us, we let him know he needs to discuss that with
21 the entertainer.

22 Q So then is this part -- well, down here, number 5,
23 "To insist a guest must pay for any service or product
24 other than those which are clearly authorized by the
25 club."

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1 Can an independent contractor entertainer ask a
2 customer to pay for something other than a dance?

3 A Like what?

4 Q This is something that was written here, "To
5 insist a guest must pay for any service or product other
6 than those which are clearly authorized by the club."

7 Are there any other services -- what other
8 services or products is Crazy Horse III referring to
9 here?

10 A That I'm not sure, if it's worded wrong -- "to
11 insist a guest must pay" -- unless they're speaking about
12 them leaving with them, prostitution or something of that
13 matter.

14 Q Okay.

15 A Because that's one business we're not in, so
16 that's what they could be talking about. It's either
17 prostitution, drugs or something on that level.

18 Q Okay.

19 A That's what I'm assuming right there, reading it.

20 Q Okay. Down below it states, "Your sincere
21 courtesy, friendliness and businesslike attitude will
22 create the type of positive atmosphere in which our
23 guests can relax and enjoy themselves and that will make
24 them want to return again and again."

25 So is an independent contractor entertainer, are

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1 they expected to comply with this guideline? Is that
2 right?

3 A We would like them to. Some are very rude; some
4 are not. We try to explain to them by being that way,
5 nice and courteous, that you'll have returning guests
6 that will come back and see you time and time again.

7 Q And the next sentence, "We should cooperate
8 together as a team," in capital letters, "to achieve our
9 individual goals."

10 So the team, what team is this referring to?

11 A They're referring to the entire club as a team.

12 Q Which includes the entertainers, right?

13 A Correct.

14 Q And the next paragraph states, "Your performance
15 is not over until you've personally thanked everyone,
16 invited them back, and said goodbye."

17 Is that something that's expected of the
18 entertainers, to invite them back?

19 A To invite them back, yes. But once again, I did
20 not write this, and this seems to me like it's very, very
21 old standard of the way things used to be done.

22 But no, we don't hold the girls -- if they don't
23 say bye to everybody, held accountable for that.

24 Q And also that paragraph states, "Intercept your
25 guests when they are leaving, try not to let anybody

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1 you've danced for get out the door without a final thank
2 you and smile."

3 Is that something that the entertainers need to
4 do, to intercept the guests when they're exiting?

5 A No. That just explains to them -- if they ask
6 that question, we'd explain to them, say bye to them,
7 invite them back, that later down the road, these groups
8 will come back and see you when they're in Las Vegas.
9 Basically just saying you want everybody to leave happy.
10 Show everybody the respect and courtesy that you'd like.

11 Q And is that done through -- how is that done? How
12 is it accomplished where the guests or customers leave
13 with encouragement to return?

14 A It's not just from the entertainer, the host, the
15 door girls, everybody says bye to them, shakes their hand
16 when they're leaving, invites them back. They give their
17 business cards and everything like that to get them back
18 to the club.

19 Q The entertainers have business cards?

20 A No, the hosts, the managers, the door girls.

21 Q Okay. So the last exhibit we'll go over before
22 the short lunch break, and then we'll be finished for
23 that.

24 (Deposition Exhibit 5 marked.)

25 BY MR. ROSE:

1 Q This will be Exhibit 5, the entertainer rules.
2 Have you seen this document before, beginning 45 at the
3 bottom, the Bates stamp 45?

4 A Yes.

5 Q Is this something that's -- is this exhibit still
6 given to dancers who work at Crazy Horse III?

7 A Some of it. Some of this has been updated.

8 Q There's another version of it?

9 A Some of it should have been updated. I mean,
10 pagers. I don't think anybody has had pagers in a long
11 time. But yes, the girls come in, this is what they do
12 see.

13 Q So is what you're saying that this document, this
14 document Exhibit 5, is what's given to the dancers, but
15 there's some of the rules are -- have been informally
16 updated?

17 MR. DAVIS: I think what he's saying is this may
18 have been updated post the time period of your plaintiff.

19 THE WITNESS: Yes. This is -- yes. Now that I'm
20 looking at it.

21 BY MR. ROSE:

22 Q Okay. Well, this set of rules, The Crazy Horse
23 III Entertainer Rules, "1. Make your stages...Do not be
24 late."

25 Is that rule still in effect where the entertainer

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1 should not be late?

2 A They shouldn't be late in the courtesy of the
3 other girl that's on stage. So explain to them you don't
4 want to wait up there; they don't want to wait up there,
5 either.

6 Q So the next sentence is -- the next rule, rather,
7 "Wait for your replacement before leaving the stage."
8 That's in paragraph 1, the second sentence.

9 Can the entertainer leave the stage before a
10 replacement comes?

11 A Can they? Yes, they can. They do quite often.

12 Q Is that a violation of The Crazy Horse III
13 rules?

14 A We do speak to them after they do it and explain
15 to them why it's a courtesy to wait for the other girl to
16 get there, but it does happen, yes, quite often.

17 Q And the next sentence states, "You must go down to
18 G-string on stage after first song and leave it off for
19 every song after that."

20 Is that rule still in effect?

21 A No. Girls -- some girls go down to their
22 G-strings as soon as they get up on stage. Some girls
23 don't take off their top when they're on stage.

24 Q So is a G-string required on stage?

25 A Well, it would be a T-strap, not a G-string,

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1 yeah.

2 Q A T-strap is required on stage?

3 A Or booty shorts, whatever they're wearing, as long
4 as it's not illegal.

5 Q And then the second rule, "The only ways that you
6 can miss your stage are: A, if you are in the VIP room;
7 or B, if you pay to go off stage."

8 Does that -- is that rule still in effect?

9 A Yeah. Any time the girl goes in the VIP, they're
10 automatically taken off the stage rotation until they're
11 done, or they can pay an off-stage fee and they're off
12 for the night. Up to them.

13 Q What's the off-stage fee?

14 A \$40.

15 Q When does that come into effect, the off-stage
16 fee?

17 A All the time.

18 Q So the entertainer has to pay \$400 to Crazy Horse
19 III to be taken off the rotation?

20 A \$40.

21 MR. DAVIS: Misstates testimony.

22 BY MR. ROSE:

23 Q Sorry, \$40.

24 A 4-0.

25 Q You're absolutely right, not 400.

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1 So the \$40 fee is paid to Crazy Horse III to be
2 taken off the stage rotation?

3 A Yes.

4 Q The sixth rule says, "No gum," in bolded capital
5 letters. What's the reason for including that rule for
6 the entertainers?

7 A Once again, I didn't write this. This is
8 definitely old. Plenty -- many girls chew gum. I've
9 never seen a girl get terminated for chewing gum since we
10 don't terminate them.

11 Q The 11th rule states, "Do not walk around with a
12 cigarette or cell phone."

13 Is that -- why is that?

14 A Well, they all have cell phones. A cigarette, we
15 ask them to sit at a table or the bar.

16 Q Can the entertainer use a cell phone while
17 dancing?

18 A In the middle of her dance, or while she's in the
19 building?

20 Q Well, dancing.

21 A Be kind of tough to use your cell phone when
22 you're dancing, but I'm sure they do. That's how they
23 keep in contact with everybody. So yes, they use their
24 cell phones.

25 Q The 16th rule here is, "Dance dollars can be

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1 redeemed for cash at the front desk. There is a
2 10 percent redemption fee. Redemption fee and internal
3 club policies are not to be discussed with guests. Do
4 not ask guests to reimburse you for the 10 percent
5 redemption fee."

6 So does that rule still exist?

7 A They do get charged 10 percent when they redeem
8 them, yes.

9 Q So is the 10 percent in addition to the 15 -- so
10 does Crazy Horse III make -- it makes the 15 percent off
11 the diamond dollars and then 10 percent from the dancer
12 when the dance dollars are redeemed?

13 A Yes.

14 Q The 17th rule, "No glitter and no oil."

15 What's the reason for preventing those two things?

16 A All the dry cleaning bills and the upset guests
17 that have to leave with glitter or oil, and it ruins
18 their clothing and we have to pay the dry cleaning bills
19 for them or purchase them new pants, shirts, suit jackets
20 that got ruined from it.

21 Q That other employees' clothes were ruined from
22 glitter and oil?

23 A It's for the guests that are coming in.

24 Q So guests complain if they get oil or glitter on
25 their clothes?

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1 A Yes. The oil is also for the stage. If they put
2 oil on the stage gets very slippery, which can be
3 dangerous.

4 Q So 20, the 20th rule, "Never be rude or
5 disrespectful to any staff member."

6 Why does the independent contractor entertainer
7 need to be not rude or disrespectful?

8 A That's just common courtesy to people. You should
9 want to treat people the way you want to be treated, but
10 there are plenty that are very rude.

11 Q The 22nd rule, "Do not complain about club or
12 employees in front of guests. Be supportive of staff at
13 all times. If you have complaints, find a manager."

14 What kind of complaints does the entertainer have,
15 or what kind of complaints is this rule talking about?

16 A If an entertainer has an issue with another
17 entertainer or anything like that, not to put out -- not
18 to talk to the guests about that. They're not there to
19 ruin the guest's experience in the club by listening to
20 them complain about other issues that have nothing to do
21 with our guests.

22 Q Well, what can they talk about with the guests?

23 A They can talk about whatever they choose to talk
24 about.

25 Q Except --

1 A I'm not sitting there when they're talking to
2 them.

3 Q They can talk about anything except they can't
4 talk about complaints about the club or employees, right?

5 A Which they do. It's also so the guest doesn't
6 have a bad experience by listening to somebody boo-hoo
7 and complain about something that has nothing to do with
8 them.

9 MR. ROSE: I think the lunch will probably be
10 here in a minute.

11 We have this last thing we'll go over before the
12 lunch, which is Bates stamp 50, a "Credit Card Charge
13 Guest Declaration."

14 (Deposition Exhibit 6 marked.)

15 BY MR. ROSE:

16 Q Do you have it?

17 A Let me check.

18 Q If not, I can go make copies.

19 A I know what it is.

20 Q So have you seen this document before, the one
21 that's Bates stamped 50 at the bottom?

22 A Yes.

23 Q So this is a document that the customer needs to
24 provide to you in order to have their credit card
25 charged; is that right?

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1 A For anything over \$400.

2 Q How does a dancer -- or rather an entertainer
3 share in the dance dollar purchases, if at all?

4 A They're for her.

5 Q Except -- okay. Except for the 10 percent
6 redemption fee or surcharge?

7 A No, the surcharge is to the guest.

8 Q Right.

9 A She gets charged the 10 percent when she cashes
10 them in.

11 Q How often does -- or rather how many times does a
12 customer need to fill this out? Is it every time they
13 come in, or it's just kept on file?

14 A Every time. Any time they run funny money,
15 diamond dollars. It's used for the bar tab, anything
16 over \$400.

17 MR. ROSE: All right. Let's take our lunch break,
18 and then once the food comes, we'll have about 30 minutes
19 at most left.

20 (Recess.)

21 (Deposition Exhibit 7 marked.)

22 BY MR. ROSE:

23 Q Here will be the last exhibit. This is the only
24 exhibit in discovery we're going to review in the
25 deposition, so they're answers to second set of

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1 interrogatories.

2 A Okay.

3 Q And, Mr. Ragano, have you seen this document
4 before?

5 A Have I seen this? Yes.

6 Q So on page 4 of 24, the -- on line 6 is
7 interrogatory 12, question, "Explain why plaintiff was
8 classified as an independent contractor when she worked
9 for you, and identify all persons who were involved in
10 the determination to classify plaintiff as an independent
11 contractor."

12 So the response below, beginning on line 13,
13 states, "Without waiving the above objection, Plaintiff,
14 as is for all those individuals who perform as an exotic
15 dancer in Nevada, engaged and agreed with Crazy Horse
16 club as an independent contractor, held herself out as an
17 independent contractor, and at all times relevant acted
18 as an independent contractor."

19 So for the first part of the sentence, all those
20 individuals who perform as an exotic dancer in Nevada,"
21 is it Crazy Horse III's understanding that all exotic
22 dancers are independent contractors if they work in
23 Nevada? If you know.

24 MR. DAVIS: He didn't verify these, I don't think.
25 I don't think he did these interrogatories.

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1 MR. ROSE: I think Mr. --

2 THE WITNESS: Sostilio?

3 MR. ROSE: Yeah, he did.

4 THE WITNESS: The industry standard, yes. But I
5 do think that something happened with Spearment Rhino.
6 Correct? I'm pretty sure that something happened with
7 Spearment Rhino.

8 BY MR. ROSE:

9 Q And then the next phrase, "held herself out as an
10 independent contractor."

11 So do you know with regard to Diane Desio, did you
12 know Diane Desio?

13 A No. From what I saw, she just worked there one
14 day.

15 Q Do exotic dancers advertise, or how do they hold
16 themselves out as an independent contractor?

17 A They've got to get a business license. They make
18 them get a business license, a sheriff's card, they come
19 and go, they work when they want, they're not on a
20 schedule, they buy their own clothes, they do their own
21 taxes.

22 Q What's the sheriff's card?

23 A To work in Nevada, you have to have a sheriff's
24 card. So you have to go to any club, you get a referral,
25 and then you take it to the sheriff's station. There

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1 used to be two; now there's just one on Martin Luther
2 King.

3 They go in and they fingerprint you and everything
4 like that, and it's good for five years. So if they're a
5 felon or anything like that, it's a whole different --
6 they really can't even get one. It's a real long
7 process.

8 Q And that's separate from a business -- is it a
9 dancer business license?

10 A No, that's separate. They have to have a business
11 license and also a sheriff's card.

12 Q Who issues the business license?

13 A Secretary of State, right?

14 MR. DAVIS: If you know. Only testify to what you
15 know.

16 THE WITNESS: I'm not sure. It wasn't always like
17 that. The business license, I'm not exactly sure when
18 they put that into effect. But when I started, they
19 didn't have to have a business license back in '99.

20 BY MR. ROSE:

21 Q The next sentence, "Plaintiff engaged each
22 customer she performed for independently and negotiated
23 separately the terms and conditions of her performance."

24 So plaintiff engaged each customer she performed
25 for independently. But how did plaintiff, if you know --

1 or how does a dancer engage the customer independently?

2 A Just walk up to them.

3 Q And do what?

4 A Just walk up to the table, start speaking to one
5 of the guests.

6 Q And is that how -- does that lead to necessarily a
7 dance performance?

8 A It might; it might not. Depends on what the guest
9 likes.

10 Q And the next part of the sentence, "and negotiated
11 separately the terms and conditions of her performance."

12 So we talked earlier about the fact that if there
13 is a payment for dancing, the money goes to the dancer?

14 A Correct.

15 Q Right. But if it's done in the VIP room, then
16 certain rates apply?

17 A We tell the guests industry standard of what the
18 minimum is, and then we tell the guests it's up to them
19 to discuss what they're actually going to pay the actual
20 entertainer.

21 Q And then the last part, "Plaintiff kept all fees
22 agreed to for her performance and was free to perform as
23 often or as infrequently as she desired."

24 So is that statement "all fees agreed to for her
25 performance," that is for performing not on stage and not

1 in a VIP room setting?

2 A I would say not on stage, but that's anywhere
3 other than probably on stage, they discussed that.

4 Q So anywhere on like the main floor? Is that what
5 it's called?

6 A The main floor. The main floor or the VIP room.

7 Q And then it says, "free to perform as often or as
8 infrequently as she desired."

9 So other than the fee to come work at Crazy Horse
10 III and the off-stage fee to be taken off the rotation,
11 were there any other fees that Diane Desio would have
12 faced?

13 A No. The off stage is optional. They don't have
14 to pay that.

15 Q You mean optional to stop working for the -- to
16 come off stage?

17 A Off stage is optional. If they want to go on
18 stage, they go on stage. They don't have to pay the 40.
19 It's just if they want to be excused from stage for the
20 night.

21 Q Does that mean that there's an expectation that
22 they do go on stage at some point?

23 A No.

24 Q "They" meaning the dancer?

25 A No. Not if they pay the off-stage fee. Club

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1 Tracks will take them out of the stage rotation. If you
2 saw the Club Tracks, it will be in smaller writing.
3 That's how you know they paid off stage.

4 Q So checking in to Crazy Horse III means that the
5 entertainer will be on the stage rotation unless the
6 off-stage fee is paid?

7 A Or they're in the VIP room.

8 MR. ROSE: I have no other questions.

9 MR. DAVIS: I've just got a few.

10

11 EXAMINATION

12 BY MR. DAVIS:

13 Q The check-in procedures that you have at The Crazy
14 Horse III, can you describe why you have the check-in
15 procedures in place?

16 A They check in. We need to know who is in the
17 building and out of the building at all times in case
18 Metro or something -- something happens, we need to know
19 who is always in the building, all the entertainers that
20 are in the building at all times.

21 Q Once if a dancer is -- or an entertainer is
22 performing for a particular guest, do they have complete
23 control over how they will perform within the laws of the
24 State of Nevada?

25 A Yes.

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1 Q And while you had indicated that at certain times
2 Metro had to come out or there had been citations,
3 obviously, of the company, you comport with all the laws
4 and regulations of the State of Nevada; is that correct?

5 A Yes.

6 Q And you'd expect any individuals within the
7 property, whether it be the guests or any others, to
8 conform with the rules and regulations of the privilege
9 license, as well as the nature of the business; is that
10 fair?

11 A Yes.

12 Q Is it your understanding that the dancers or the
13 entertainers pay their own taxes if they're compliant
14 with law?

15 A Yes.

16 Q The -- you were asked earlier about, I guess,
17 things or entertainers trying to sell things to guests or
18 offering purchases from guests, anything other than
19 dancing.

20 Is it true that entertainers are given the license
21 in the nature of the business that they're not allowed to
22 sell drinks, alcohol?

23 A Yes.

24 Q So in the rules and regulations, is that something
25 that is put in there in terms of them selling things that

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1 are outside their purview based on the law in the State
2 of Nevada; is that fair?

3 A Yes.

4 Q Is it your understanding generally that anyone
5 contracted as an independent contractor or entertainer
6 would have generally been expected to comply with the
7 rules and the laws in the State of Nevada regarding
8 dancers?

9 A Yes.

10 Q The clothing that the dancers purchase for their
11 entertaining at the club, is that the usual thing in your
12 industry in terms of the dancers -- I'm sorry, strike
13 that.

14 The clothing, shoes, materials, is it your
15 understanding the dancers purchase that separately and
16 distinct from any agreements?

17 A Yes.

18 Q And do they have sole discretion in terms of that
19 clothing as it relates to their outfits if it complies
20 with the State of Nevada?

21 A Yes.

22 Q The manner and method of their performance, do the
23 entertainers have complete control over that within the
24 bounds of the laws of the State of Nevada?

25 A Yes.

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1 MR. DAVIS: That's all the questions I have. I
2 appreciate your time.

3 MR. ROSE: I'm done.
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EXHIBIT “5”

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DISTRICT COURT

CLARK COUNTY, NEVADA

JACQUELINE FRANKLIN,)	
ASHLEIGH PARK, LILY SHEPHERD,)	
STACIE ALLEN, MICHAELA)	
DIVINE, VERONICA VAN WOODSEN,)	
SAMANTHA JONES, KARINA)	
STRELKOVA, LASHONDA, STEWART,)	Case No.
DANIELLE LAMAR, and DIRUBIN)	A-14-709372
TAMAYO, individually, and on)	
behalf of a class of)	
similarly situated)	
individuals,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
RUSSELL ROAD FOOD AND)	
BEVERAGE, LLC, a Nevada)	
limited Liability company)	. . .

DEPOSITION OF DANIELLE LAMAR

Taken on Thursday, January 5, 2017

At 1:34 o'clock p.m.

At 630 South Fourth Street

Las Vegas, Nevada

Reported by: Helen M. Zamba, CCR #439

1 (d/b/a CRAZY HORSE III) . . .
 2 GENTLEMAN'S CLUB), DOE CLUB)
 3 OWNER, I-X, ROE CLUB OWNER,)
 4 I-X, and ROE EMPLOYER, I-X,)
 5 Defendants.)
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1 APPEARANCES:

2 For the Plaintiffs: LAUREN CALVERT, ESQ.
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I N D E X

Witness	Direct	Cross	Red.	Rec.
Danielle Lamar				
(By Ms. Smith)	5		124	
(By Ms. Calvert)		121		

EXHIBITS

Number	Description	Page
Deft's A	Entertainer Login By Date	55
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Deft's D	Plaintiff Danielle Lamar's Responses to Defendant's Requests for Production of Documents	107

1 (Counsel stipulated to waive the
2 reporter requirements under
3 Rule 30(b)(4).)

4 Thereupon--

5 DANIELLE LAMAR
6 was called as a witness by the Defendants, and having
7 been first duly sworn, testified as follows:

8 DIRECT EXAMINATION

9 BY MS. SMITH:

10 Q. Ms. Lamar, can you please spell your --
11 state and spell your full name for the record, please?

12 A. Danielle, D-a-n-i-e-l-l-e, Lamar, L-a-m-a-r.

13 Q. All right. Now, we met off the record. My
14 name is Stephanie Smith.

15 I'm here on behalf of the defendant, Russell
16 Road Food and Beverage, doing business as Crazy Horse
17 III Gentleman's Club.

18 Now, although Russell Road, the entity is
19 the defendant, when I use the term Crazy Horse, I'm
20 going to just use it to generally refer to the club in
21 and of itself.

22 A. (Witness nodding head.)

23 Q. Does that make sense?

24 A. Yes.

25 Q. And sometimes I may also refer to it as just

1 the club. And that is to mean Crazy Horse III
2 Gentleman's Club.

3 Is that all right?

4 A. Yes.

5 Q. Okay. So have you ever had your deposition
6 taken previously?

7 A. Yes.

8 Q. In what kinds of case -- cases have you been
9 deposed in?

10 A. It -- it was just one. It was a lawsuit.

11 Q. Okay. What kind of lawsuit?

12 A. It was a -- a personal lawsuit against
13 someone that stole money from me.

14 Q. Okay. And when did that occur?

15 A. Would have been -- um, it should have been
16 2009, yeah, or 2010, one of those.

17 Q. Okay. That's fine. So you were just thrown
18 in by -- sorry -- sworn in by the court reporter.

19 That oath that you took has the same effect
20 as if you were in court. You're held to give us the
21 entire truth and your best testimony.

22 Do you understand that?

23 A. Yes.

24 Q. Okay. And that oath is going to be in
25 effect throughout the entire deposition.

1 I will remind you, if we take a break, when
2 we come back on the record, that the oath is still in
3 effect.

4 Is that all right?

5 A. Yes.

6 Q. Okay. So like I said, we're entitled to
7 your best testimony.

8 What that means is that I'm entitled to your
9 best estimates of things, you know, dates, times.

10 I do not want you to guess though. Do you
11 understand the difference between an estimate and a
12 guess?

13 A. No.

14 Q. Okay. So if I wanted you to estimate how
15 tall your attorney, Ms. Culvert was, you could
16 probably estimate how tall she was.

17 A. Yes.

18 Q. If I asked you how tall my aunt was, you
19 would have no idea.

20 A. (Witness nodding head.)

21 Q. Does that make sense?

22 A. Yes.

23 Q. Okay. So estimates, but not guesses going
24 forward.

25 A. Okay.

1 Q. Okay?

2 A. (Witness nodding head.)

3 Q. I'm going to try and ask you clear
4 questions.

5 If you do not understand something that I've
6 asked, if you're unclear what I'm referring to, feel
7 free to ask me. I'm not trying to confuse you in any
8 way.

9 After I ask a question, your attorney may
10 voice an objection. So I would just ask that you try
11 to pause for a minute to allow her to make her
12 objection.

13 However, it will still require you to answer
14 the question, unless your attorney instructs you
15 specifically not to answer the question. Okay?

16 A. Okay.

17 Q. You have the right to take a break, if you
18 need to use the restroom, if you have to make a phone
19 call.

20 There's no problem with that. Just wait, if
21 there is a question pending, to answer the question,
22 and then we can go ahead and take a break. Okay?

23 A. Okay.

24 Q. The court reporter is recording everything
25 that we say. So it's important to try to give verbal

1 responses, yes or no.

2 Saying huh-uh or uh-huh does not show up
3 very well on the transcript.

4 A. (Witness nodding head.)

5 Q. You might not remember which one you meant
6 when you review it later on.

7 So if you do just nod or something, I'll
8 probably remind you to answer verbally. All right?

9 A. Okay.

10 Q. After the deposition is finished, you'll
11 receive a copy of the transcript. You'll be able to
12 review it and determine whether or not any information
13 is incorrect or missing.

14 We might pause, we might, you know, be able
15 to remember someone's first name, for instance. And
16 if you went home and looked at something, you could
17 remember their last name, or it might come to you
18 later.

19 So those kind of things, you know, you could
20 make a correction on.

21 If you changed an answer substantively, then
22 I would most likely be able to call you back in here
23 and ask you about those changes.

24 Such as if you answered yes to a question,
25 and you later on decided that the answer was actually

1 no, those types of things. Okay?

2 A. Okay.

3 Q. And have you consumed any drugs or alcohol
4 in the last 12 hours?

5 A. No.

6 Q. Okay. Is there any reason why we can't go
7 forward and get your best testimony today?

8 A. No.

9 Q. Okay. So what's the highest level of
10 education you've completed?

11 A. Some college.

12 Q. Okay. And what did you study in college?

13 A. All kinds of things. General studies,
14 business, pre-vet.

15 Q. Okay. And what years would those be?

16 A. That would be 2003 and 2004.

17 Q. And where did you attend some college at?

18 A. Harrisburg Area Community College.

19 Q. Where is that located?

20 A. In Pennsylvania.

21 Q. Oh, okay. Probably a bit colder there.

22 A. Yeah. Yeah.

23 Q. All right. And are you a U.S. citizen?

24 A. Yes.

25 Q. Now, prior to the time that you commenced

1 performing at Crazy Horse III, did you dance at any
2 other gentleman's clubs or adult venues?

3 A. Yes.

4 Q. And where would those be?

5 A. Spearmint Rhino.

6 Q. Okay.

7 A. Treasures. You said prior to; right?

8 Q. Yes.

9 A. That would have been it. Yeah. Just those
10 two.

11 Q. Okay. And during the time that you were
12 performing at Crazy Horse, did you perform at any
13 other clubs during that same time period?

14 A. Yes.

15 Q. And where would those be?

16 A. Treasures and Sapphire.

17 Q. And that's all in Las Vegas?

18 A. Yes.

19 Q. Okay. How long have you lived in Las Vegas?

20 A. At the end of this month, it will be eight
21 years.

22 Q. And what brought you up to Vegas?

23 A. The weather, since you mentioned. And
24 there's just a lot more to do out here.

25 Q. Okay.

1 A. Pennsylvania's kind of boring.

2 Q. All right. I remember that. And when did
3 you start dancing?

4 A. It would have been July of 2009.

5 Q. So sometime after you moved to Las Vegas; is
6 that correct?

7 A. Yes.

8 Q. Okay. And had you danced in Pennsylvania at
9 all?

10 A. No.

11 Q. So since you moved to Las Vegas eight years
12 ago, have you lived continuously in Las Vegas, or have
13 you lived elsewhere?

14 A. I just lived here.

15 Q. Okay. So at clubs that you performed at
16 prior to Crazy Horse, did you perform there as an
17 independent contractor?

18 A. Yes.

19 Q. Okay. Did you have any other sources of
20 income during that period, prior to when you first
21 started performing at Crazy Horse?

22 A. Yes.

23 Q. And what were those?

24 A. Promotional modeling.

25 Q. Okay. And did you continue doing

1 promotional modeling during the time you were
2 performing at Crazy Horse?

3 A. No.

4 Q. And since your last performance at Crazy
5 Horse, where have you performed?

6 A. At Olympic Garden, Treasures, Sapphire, and
7 Hustler.

8 Q. Okay. So going forward, I might make
9 mention of dancer or entertainer.

10 I just want to make it clear that we're
11 referring to what you did, performing, you know,
12 dances, performing on stage while you were at Crazy
13 Horse.

14 Does that make sense?

15 A. Yes.

16 Q. Okay. And also going forward, I'm going to
17 ask you some questions about whether or not things
18 were required or expected.

19 So by required, I mean mandatory, pursuant
20 to the rules.

21 Does that make sense?

22 A. Yes.

23 Q. Okay. And then expected would be maybe it's
24 not a rule, but it's your understanding that that's
25 the way things work.

1 Does that make sense?

2 MS. CALVERT: And I'm just going to object
3 as argumentative. But you can go ahead and answer.

4 THE WITNESS: Okay, yes.

5 Q. (BY MS. SMITH) Okay. How did you first
6 hear about Crazy Horse?

7 A. Through a friend at the time.

8 Q. Okay. So what made you go in and check it
9 out for the first time?

10 A. That friend had said that someone else that
11 we worked with had left Treasures and went over to
12 Crazy Horse III and was doing well.

13 Q. Okay. So what about the first time you went
14 to Crazy Horse to check it out and see if it was
15 someplace that you might want to dance?

16 MS. CALVERT: Objection. Vague.

17 MS. SMITH: Sorry. It's okay.

18 Q. (BY MS. SMITH) So did you go in for the
19 first time and hang out there?

20 A. No.

21 Q. Okay. Did you go in to audition?

22 A. Yes.

23 Q. Can you tell me about that time?

24 A. Yes. I went in with my friend that I told
25 you about. And we just waited for a manager to come.

1 And then he told us to change into a
2 two-piece outfit to audition in. And then he
3 auditioned us and hired us. And then we started
4 paperwork.

5 Q. Okay. And at that point in time, after the
6 audition, did you agree to be an independent
7 contractor at Crazy Horse?

8 MS. CALVERT: Objection. Calls for a legal
9 conclusion. You can answer if you know.

10 THE WITNESS: Yes.

11 Q. (BY MS. SMITH) Okay. So after the
12 audition, did they assign you a shift to work?

13 A. Yes.

14 Q. And what was that?

15 A. Night shift.

16 Q. And do you know what hours that would
17 entail?

18 A. I don't.

19 Q. Okay. Estimate of what time -- or sorry,
20 what hours you could be in the club?

21 A. From what I understand, any time.

22 Q. Okay. So nobody told you a specific time to
23 check in if you wanted to perform on any given
24 evening?

25 A. No.

1 Q. Did anybody tell you, from Crazy Horse, what
2 days that you needed to come in to perform?

3 A. No.

4 Q. What about how many times throughout a week
5 that you needed to come in to perform?

6 A. No.

7 Q. Did anyone from Crazy Horse tell you how
8 many times per month you needed to come in to perform?

9 A. No.

10 Q. You pretty much got to choose that?

11 A. How many times I came in a month?

12 Q. Yes.

13 A. Yes.

14 Q. Okay. And what days?

15 A. Yes.

16 Q. Okay. So after your audition, did you dance
17 that night?

18 A. Yes.

19 Q. Was there a minimum time you had to perform
20 each day at Crazy Horse?

21 A. Yes.

22 Q. And how long is that?

23 A. Six hours.

24 Q. What would happen if you didn't perform for
25 six hours?

1 A. We would get charged a fee. And our
2 contract could possibly be terminated.

3 Q. Okay. Do you know what that fee was?

4 A. No.

5 Q. Did you personally ever perform for less
6 than six hours on any given day that you went in?

7 A. No.

8 Q. So you never paid -- and I guess we'll call
9 it an early check-out fee.

10 A. No, not that I remember.

11 Q. Okay. So if you chose to go in on a day to
12 perform for a shift, what would you have to do when
13 you walked in the door?

14 A. Pay our house fee.

15 Q. Uh-huh.

16 A. And then change into a two-piece outfit and
17 work six hours.

18 Q. Now, the two-piece outfit that you keep
19 referencing, was that required?

20 A. Yes.

21 Q. Who required a two-piece outfit?

22 A. The management.

23 Q. Did you ever try wearing an outfit that was
24 not two pieces?

25 A. No.

1 Q. Did you ever ask to wear an outfit that was
2 not two pieces?

3 A. No.

4 Q. Did you have to get your outfit approved by
5 anyone prior to commencing a shift?

6 A. No.

7 Q. Could you change during your shift if you
8 wanted --

9 A. Yes.

10 Q. -- to?

11 A. (Witness nodding head.)

12 Q. Okay. So after you had performed for six
13 hours, what would you typically do? Would you leave
14 then?

15 A. Yes. But I would get the signatures
16 required before I left.

17 Q. Okay. Do you recall what the signatures
18 were?

19 A. Yes. They were the house mom.

20 Q. Okay.

21 A. The manager. The DJ. I really don't
22 remember the -- the fourth one.

23 Q. Okay. So can you just walk me through the
24 process? You decide that you're tired, you want to
25 stop performing.

1 And then what would occur?

2 A. I would have to get a little sheet of paper
3 from the house mom. And it had the house mom and then
4 a line.

5 And then underneath that was manager, a
6 line. And then the DJ, a line. And then whatever the
7 fourth signature was and then a line.

8 And the line was for them to sign. So I
9 would have the house mom sign it, and then go to the
10 manager and have him sign it, and then go to the DJ
11 and have him sign it.

12 Q. Okay. Did any of those people tell you that
13 they wouldn't ever sign your slip?

14 A. Yes.

15 Q. Who?

16 A. The manager.

17 Q. And were you given a reason?

18 A. No.

19 Q. So how many times would you say that that
20 occurred?

21 A. A few, maybe two.

22 Q. What would you do after the manager said
23 that he wouldn't sign your slip?

24 A. Keep working and try again later.

25 Q. Okay. Did you -- how many managers would be

1 on duty during a shift?

2 A. I don't know.

3 Q. Do you have an estimate?

4 A. Maybe two or three.

5 Q. Okay. So safely, more than one; yes?

6 A. Yes, but not the whole night.

7 Q. So would sometimes there only be one
8 manager?

9 A. Yes.

10 Q. Okay. Do you recall the names of any of the
11 managers?

12 A. Yes.

13 Q. And what are those?

14 A. Justin Lerman.

15 Q. Okay. Anyone else?

16 A. Uh, Keith. I don't know his last name.

17 Able. I don't know his last name.

18 Q. Okay. So if you went up to a manager and he
19 refused to sign your sheet, if there were other
20 managers on duty, would you go up to them and try and
21 obtain a signature?

22 A. No.

23 Q. How come?

24 A. Because he made it clear that that would not
25 be okay.

1 Q. And do you recall who would have made it
2 clear that it would not be okay?

3 A. No.

4 Q. Did you ever report a manager refusing to
5 give you a signature?

6 A. No.

7 Q. How come?

8 A. Because it's, um, not a good idea to get on
9 their bad side.

10 Q. Okay. You mentioned that when you checked
11 in, you had to pay a fee; is that correct?

12 A. Yes.

13 Q. Do you recall how much that was?

14 A. No.

15 Q. When you would go in to perform for a shift,
16 what would be your goal that day?

17 A. To --

18 MS. CALVERT: Objection. Vague. You can go
19 ahead though.

20 THE WITNESS: Okay. To have a good time and
21 make money.

22 Q. (BY MS. SMITH) Okay. Fair enough. Did you
23 have a dollar amount you were hoping to make before
24 you stopped performing for the evening?

25 A. No.

1 Q. Okay. What about a number of individuals
2 that you would want to speak to?

3 A. No.

4 Q. Okay. Would you try to get parties?

5 A. I don't know what that means.

6 Q. Would you try and get, you know, maybe a
7 group of individuals to go into the VIP area, for
8 instance?

9 A. Uh, possibly, but I -- I couldn't bring --
10 be with more than one guy at one time.

11 Q. Oh, okay. All right. What about trying to
12 get patrons to purchase alcohol?

13 A. Uh, no.

14 Q. Okay. Would you drink during your shifts?

15 A. Yes.

16 Q. And by drink, I mean alcohol, not water.

17 A. Yeah.

18 Q. Okay. Each shift?

19 A. No.

20 Q. Do you smoke?

21 A. No.

22 Q. Did you have any particular time that you
23 would go in to start a shift?

24 A. No. Generally it was around 10:00, but --

25 Q. Okay.

1 A. -- it wasn't always then.

2 Q. So were you free to go in later or earlier?

3 A. Yes.

4 Q. Did you have a business license during the
5 time that you performed at Crazy Horse?

6 A. Yes.

7 Q. Okay. The entire time?

8 A. Yes.

9 Q. What about a sheriff's card?

10 A. Yes.

11 Q. Okay. Was that valid during the entire time
12 you performed at Crazy Horse?

13 A. Yes.

14 Q. Did you have a business license prior to
15 performing at Crazy Horse?

16 A. Yes.

17 Q. What about sheriff's card?

18 A. Yes.

19 Q. Okay. Do you recall any fees associated
20 with the business license?

21 A. Yes. It was 200 per year.

22 Q. Okay. What about with the sheriff's card?

23 A. It was 45. And that's renewed every five
24 years.

25 Q. Okay. Were those things necessary to dance

1 at all of the clubs that you danced at during the same
2 time you performed at Crazy Horse?

3 A. Yes.

4 Q. Okay. So safe to say that's required to be
5 a dancer in Las Vegas?

6 A. Yes.

7 Q. Did you report any earnings to the IRS from
8 Crazy Horse?

9 MS. CALVERT: Objection. Vague. Calls for
10 a legal conclusion. You can answer.

11 THE WITNESS: I don't remember.

12 Q. (BY MS. SMITH) Do you think you filed
13 income taxes during the time period that you performed
14 at Crazy Horse?

15 A. Yes.

16 Q. So would you have reported all of the income
17 that you earned during that time period?

18 A. Yes.

19 Q. Did you pay any taxes related to your
20 business license?

21 A. I don't understand what that means.

22 Q. Did you file some business tax return or
23 anything to that effect?

24 A. No.

25 Q. Okay. Did anyone, while you were performing

1 at Crazy Horse, assist you in preparing your taxes?

2 A. Yes. I would have had an accountant.

3 Q. Okay. Do you recall who that would have
4 been?

5 A. No.

6 Q. And do you know when you first started
7 performing at Crazy Horse?

8 A. Yes. It was June of 2013.

9 Q. And when was the last time you performed at
10 Crazy Horse?

11 A. I believe it was March of 2014.

12 Q. Okay. We'll go over some records a little
13 bit later on today.

14 So, you know, you can tell me if the
15 documents I show you accurately reflect your
16 recollection. All right?

17 A. Okay.

18 Q. So aside from what you said was staying six
19 hours, that was required, did you have the option to
20 stay as long as you would like after that?

21 A. Yes.

22 Q. Okay. And would you?

23 A. Yes.

24 Q. How come?

25 A. If I had not made my house fee yet or if a

1 guest was spending money, and that would probably be
2 it.

3 Q. Okay. And you don't recall what the house
4 fee was?

5 A. No.

6 Q. Did you file any tax returns in any other
7 states in 2013? Any states other than Nevada. Sorry.

8 A. Uh, no.

9 Q. How about in 2014?

10 A. No.

11 Q. Okay. Do you know how much income you
12 reported in 2013?

13 A. No.

14 Q. How about 2014?

15 A. No.

16 Q. Do you know if you took any deductions
17 during 2013?

18 A. By that, do you mean write-offs?

19 Q. Well, either a standard deduction or
20 itemization. So yes, I mean write-offs, would you --
21 did you take any write-offs?

22 A. Do you mean by that, writing things off like
23 business expenses?

24 Q. Yes.

25 A. Yes.

1 Q. What expenses did you write off during 2013?

2 A. It would have been house fees.

3 Q. Okay.

4 A. And any clothes I bought for work.

5 Q. Okay. Clothes that you purchased, would
6 those be outfits you could wear to any of the clubs
7 you performed at?

8 A. Yes.

9 Q. What about cosmetic items?

10 A. Yes.

11 Q. Okay. What about any cosmetic surgeries?

12 A. No.

13 Q. Okay. Have you had any cosmetic surgery?

14 A. No.

15 Q. Okay. Would those same write-offs -- I'm
16 sorry.

17 In 2014, would the write-offs that you just
18 stated for 2013 be the same?

19 A. Are you asking are they the same things or
20 the same dollar amount?

21 Q. Same things.

22 A. Yes.

23 Q. Okay. So you think in 2014, you would have
24 written off house fees, clothes, and cosmetics?

25 A. Correct.

1 Q. Possibly cosmetics. Okay. In 2013 and
2 2014, did you have any insurance?

3 MS. CALVERT: Objection. Vague.

4 THE WITNESS: Uh, I -- I don't know.

5 What -- I mean, what kind of insurance? Do you
6 mean --

7 Q. (BY MS. SMITH) Did you have any health
8 insurance?

9 A. No, not that I remember.

10 Q. What about insurance related to your
11 business license?

12 A. No.

13 Q. Okay. In 2013, did you obtain any
14 financing, such as for a vehicle or a home?

15 A. No.

16 Q. What about in 2014?

17 A. No.

18 Q. How about since then?

19 A. No.

20 Q. Are you still dancing at clubs in Las Vegas?

21 A. Yes.

22 Q. Okay. And where do you currently dance?

23 A. Hustler.

24 Q. Is that the only place?

25 A. Yes.

1 Q. So in 2013 and 2014, you said that, in
2 addition to Crazy Horse, you performed at other clubs;
3 correct?

4 A. Yes.

5 Q. And it was your understanding that you were
6 free to perform at as many other clubs as you chose?

7 A. Yes.

8 Q. Would you ever perform for a few hours at
9 Crazy Horse and go to a different club?

10 A. No.

11 Q. What about vice versa?

12 A. No.

13 Q. So would you pretty much just choose to
14 perform at one club per night?

15 A. Yes.

16 Q. Okay. And why is that?

17 A. Um, I just chose to just try to make it work
18 at wherever I chose to work that night.

19 Q. Okay. Fair enough. Did you ever take any
20 head shots or promotional shots during 2013?

21 A. No.

22 Q. What about in 2012?

23 A. Uh, no.

24 Q. What about 2014?

25 A. No.

1 Q. Okay. You mentioned that you did
2 promotional modeling? Is that correct?

3 A. Yes.

4 Q. What kinds of things would you do
5 promotional modeling for?

6 A. Alcohol.

7 Q. Okay. Did you ever to take head shots to
8 get involved in promotional modeling?

9 A. No.

10 Q. Okay. How did you get involved in that?

11 A. My roommate at the time --

12 Q. Okay.

13 A. -- was scheduling for a promotional modeling
14 company.

15 Q. And how were you paid by the promotional
16 modeling company?

17 A. A paycheck.

18 Q. Okay. Did they give you a W-2?

19 A. It would have been either that or -- I think
20 it was a 1099.

21 Q. Okay. So when you came in for a shift at
22 Crazy Horse, what items would you bring with you?

23 A. A bag with the outfit I was going to wear
24 that night and my shoes for work.

25 Um, some cosmetic things, like makeup,

1 deodorant, my sheriff's card. And just anything
2 required to work.

3 Q. Okay.

4 A. A little purse.

5 Q. Okay. Was it required that you wear makeup
6 during a shift?

7 A. You could say yes, because a -- if we did
8 not look up to their standards, then we could not work
9 there.

10 Q. Okay. When you say up to whose standards?
11 Who would be approving your makeup?

12 A. The management.

13 Q. Okay. Would you have to get your makeup
14 approved before you started dancing?

15 A. No. But they made it clear that if we did
16 not look good enough --

17 Q. Uh-huh.

18 A. -- then we wouldn't be working there
19 anymore.

20 Q. Okay. Was that a specific manager that made
21 that clear?

22 A. No.

23 Q. Okay. Was that just the general consensus
24 that you got?

25 A. Yes.

1 Q. Did you do your makeup a certain way when
2 you knew you were going to be performing?

3 A. Yes.

4 Q. Can you elaborate on that a little bit?

5 A. I would just wear face makeup, eye shadow,
6 eye liner, blush. Sometimes lip gloss or lipstick.

7 Q. What about styling of your hair, would you
8 do anything special with your hair for a shift?

9 A. Yes.

10 Q. And what types of things would you do?

11 A. Either straighten it or curl it.

12 Q. Would you ever hire anyone to help you with
13 your hair or makeup?

14 A. No.

15 Q. Could you have?

16 A. Yes.

17 MS. CALVERT: Objection. Calls for
18 speculation. That's okay.

19 MS. SMITH: It's easy to just get in the
20 routine of answering.

21 MS. CALVERT: Well, it's easy for me to get
22 into the routine of just listening as well, so --

23 MS. SMITH: Right. So mostly, the reason
24 it's important that we do try and give a minute is
25 because since the court reporter's taking down

1 everything we say, it's very difficult if multiple
2 people are talking at once.

3 THE WITNESS: Okay. I apologize.

4 MS. CALVERT: No, no.

5 MS. SMITH: Oh, no. No need to apologize.

6 MS. CALVERT: That was my bad, so you're --
7 you're fine.

8 MS. SMITH: Trust me, people do it all the
9 time. It's not a big deal.

10 Q. (BY MS. SMITH) So other than -- I believe
11 you said a two-piece outfit, how would you choose what
12 you were going to wear for a shift at Crazy Horse?

13 MS. CALVERT: Objection. Misstates prior
14 testimony.

15 THE WITNESS: I would just pick what I felt
16 like wearing.

17 Q. (BY MS. SMITH) Okay. Did you have any
18 special outfit that was unique to you?

19 A. Yes.

20 Q. And what would that be?

21 A. Different kinds of leggings I had as
22 options. A G-string with a -- I had multiple skirts
23 that I would rotate wearing.

24 And I was known for wearing suspenders with
25 a bra.

1 Q. Okay. And would you typically choose to
2 wear that outfit at all of the clubs that you
3 performed at?

4 A. Yes, on different occasions.

5 Q. Okay. So you might wear your signature
6 suspenders at Crazy Horse one night and perhaps
7 Treasures another night?

8 A. Yes.

9 Q. And how did you decide on suspenders?

10 A. I think they're really sexy on men, so I
11 thought they can be on women too.

12 Q. Fair enough. What about your stage name,
13 did you have a stage name?

14 A. Yes.

15 Q. And what was that?

16 A. Madison Lynn.

17 Q. How did you choose that?

18 A. I wanted a name that was easy to understand
19 in a loud club. Because my previous name was hard to
20 understand.

21 And I got ridiculed for it, because it was
22 not a person's name. And I chose Madison.

23 But there was some kind of issue, like there
24 was already a Madison. So they just -- management
25 chose to put the Lynn after it

1 Q. Okay. So you didn't choose the Lynn?

2 A. No.

3 Q. Would you perform with different stage names
4 at different clubs?

5 A. Yes.

6 Q. What were the other names that you would
7 perform at -- under in 2013?

8 A. Bombshell. And that would have been it.

9 Q. What about in 2014?

10 A. Savannah.

11 Q. And is that is Savanna in addition to
12 Bombshell and Madison Lynn?

13 A. Yes. It's a separate name.

14 Q. Okay. Well, I was just wondering if you
15 were using that rotation of names in 2014.

16 A. Yes.

17 Q. Okay. Did you have to get your stage name
18 approved?

19 A. Yes.

20 Q. What about just aside from checking whether
21 or not another performer had it?

22 A. Yes. But I would still call it approved.

23 Q. Okay. In what respect?

24 A. If they didn't like it, we couldn't have it.

25 Q. Did you propose a different name at Crazy

1 Horse that you were not permitted to have?

2 A. No.

3 Q. I mean, aside from Madison versus Madison
4 Lynn.

5 A. No.

6 Q. Okay. So would you ever dance on the -- one
7 of the stages at Crazy Horse?

8 A. Yes.

9 Q. Which one?

10 A. All of them.

11 Q. Okay. Were you good at it?

12 A. Yes.

13 Q. Okay. What would you say made you good at
14 dancing on stage?

15 A. I was slow and sensual.

16 Q. Okay. Was there a specific style of dance
17 you were supposed to do when you got up on stage?

18 A. No.

19 Q. Okay. Would you say slow and sensual was
20 the style that you chose to dance on stage at other
21 clubs also?

22 A. Yes.

23 Q. Okay. Did you have any signature moves that
24 you would use?

25 A. Uh, no.

1 Q. And would you say that that style of dance
2 was different from other dancers?

3 A. Yes.

4 Q. How did you decide on that style of dance?

5 A. I watched other entertainers, and I did not
6 like how they were dancing. So I thought that slow
7 would just look better.

8 Q. Okay. Did you have any special songs that
9 you liked to perform to?

10 A. Yes.

11 Q. What were those?

12 A. Um, Marilyn Manson, Tainted Glove.

13 Q. Okay. How would you go about making sure
14 that song was played when you were performing on
15 stage?

16 A. I asked the DJ if I could, and I could not.

17 Q. What do you mean?

18 A. We were not allowed to pick our music.

19 Q. You never picked any music at Crazy Horse?

20 A. No.

21 Q. Okay. Did the DJ tell you that you couldn't
22 choose any music?

23 A. Yes.

24 Q. Did you ever ask a manager why you couldn't
25 select any songs?

1 A. No.

2 Q. Did you ever ask the DJ why you couldn't
3 select any songs?

4 A. Yes.

5 Q. And what was the response of that?

6 A. He said that management did not allow it.

7 Q. Okay. And that is true in 2013 and 2014?

8 A. Yes.

9 Q. So if you had just wanted to dance on stage,
10 for instance, and not give any lap dances during a
11 shift, would you be able to do that?

12 A. No.

13 Q. How come?

14 A. Because there's a rotation of girls that go
15 on the stage.

16 Q. Okay. So if it wasn't your turn on stage,
17 what were you required to do?

18 A. Uh, walk around the club.

19 Q. Okay. Could you sit down at all?

20 A. Yes.

21 Q. Okay. Where were you allowed to sit?

22 A. Uh, anywhere on the main floor that was not
23 VIP.

24 Q. Okay. What about if you wanted to take a
25 break?

1 A. We could do that.

2 Q. Okay. Would you have to check in with
3 anyone prior to taking a break?

4 A. No.

5 Q. What about when you wanted to stop taking a
6 break, did you have to check in with anyone and let
7 them know you were back on the main floor?

8 A. No.

9 Q. Okay. Could you choose how long of a break
10 you wanted to take?

11 A. Somewhat.

12 Q. Can you elaborate on your answer?

13 A. Because I could take as long of a break as I
14 wanted until I was called on stage.

15 Q. Okay. So you could be taking a break, get
16 called on stage, go perform.

17 And then if you wanted to resume your break,
18 would you be able to do that?

19 A. Yes.

20 Q. Okay. What about if you only wanted to give
21 dances in the VIP area, would you be able to do that?

22 A. Yes.

23 Q. Okay. So when I say lap dance, do you
24 understand what I mean by that?

25 A. I think I could probably guess.

1 Q. What's your understanding of --

2 A. Um, a dance in front of someone.

3 Q. Okay. Did Crazy Horse require you to speak
4 to a certain number of individuals that came into the
5 club per night?

6 A. No.

7 Q. Did they require you to perform a certain
8 number of lap dances per evening that you would be
9 performing?

10 A. No.

11 Q. How would you approach an individual that
12 entered the club?

13 A. I would walk up to them and sit on their lap
14 and introduce myself.

15 Q. Okay. And then what, after you introduced
16 yourself?

17 A. Uh, I would shake their hand, and we would
18 have some kind of conversation, small talk. And after
19 a while, I would ask if they wanted a dance or to go
20 to VIP.

21 Q. Okay. So if someone did want a dance, what
22 would occur next?

23 A. I would get \$20 from them and then wait till
24 the next song came on and dance for them.

25 Q. Okay. So is that -- so it would be a full

1 song?

2 A. Yes.

3 Q. Okay. Was that a requirement?

4 A. Yes.

5 Q. That was a Crazy Horse requirement?

6 A. Yes.

7 Q. Okay. And why would you get \$20?

8 A. Because that's the fee that Crazy Horse III
9 charged.

10 Q. Was that paid directly to you?

11 A. Yes.

12 Q. Okay. Did you report the amounts of money
13 you earned during a shift to anyone at Crazy Horse?

14 A. No.

15 Q. Okay. Did anyone from Crazy Horse check up
16 on you during the shift to see how much money you were
17 earning?

18 A. Uh, no.

19 Q. Okay. So during your shifts at Crazy Horse,
20 was anybody monitoring what you were doing?

21 A. Yes.

22 Q. And who was that?

23 A. The hosts and management.

24 Q. And what kinds of things would they be
25 monitoring for?

1 A. To see how much money we were making without
2 asking.

3 Q. How would they have been able to see that?

4 A. If they watched how many dances I did and
5 when I would go to VIP.

6 Q. Were there certain days that you would
7 choose to work at Crazy Horse?

8 A. Yes.

9 Q. And what days would those be?

10 A. Whatever days I wanted.

11 Q. Okay. On average, if you know, how many
12 girls would be working during a shift that you were
13 on -- or girl -- sorry, girls performing?

14 A. Uh, I would guess around a hundred.

15 Q. Okay. How many -- you said hosts were also
16 there monitoring?

17 A. Yes.

18 Q. How many hosts might be on duty during a
19 shift?

20 A. Around eight.

21 Q. If you had just wanted to hang out in the
22 dressing room or the backstage area during a shift,
23 could you do that?

24 A. Uh, yes.

25 Q. Okay. Did you do that?

1 A. No.

2 Q. Why is that?

3 A. Because I went to work to make money.

4 Q. Okay. How would you decide where to
5 approach customers within the club?

6 A. Um, pretty much where anybody was sitting on
7 the main floor.

8 Q. Okay. What about -- is there a bar inside
9 of Crazy Horse?

10 A. Yes. There's more than one.

11 Q. Okay. Would you ever approach people at the
12 bar about a dance?

13 A. If I was able to get to them.

14 Q. Okay. So going back to the \$20, did you
15 ever accept less than \$20 for a lap dance?

16 A. No.

17 Q. Did you ever try to negotiate for more than
18 \$20 for a dance?

19 A. Yes.

20 Q. How often would you do that?

21 A. All the time.

22 Q. Okay. So you could negotiate for higher
23 than \$20 for a lap dance?

24 A. Yes.

25 Q. Okay. So I believe you testified that the

1 other option you would talk to an individual about was
2 going to the VIP area; is that correct?

3 A. Yes.

4 Q. What would that entail?

5 A. Um, I would explain to them that there's a
6 more private option. And I would give them the list
7 of prices and times.

8 Q. Okay. When you say a list of prices, do you
9 recall what any of those prices were?

10 A. No.

11 Q. Okay. When you say prices, are you
12 referring to prices for entering the VIP area or
13 prices for dances?

14 A. Yeah, prices for dances and time.

15 Q. Okay. So they could choose a time option or
16 a dance option?

17 A. No. It was just time.

18 Q. Okay. All right. Do you remember those
19 time intervals?

20 A. Yes. It was three songs for a hundred
21 dollars.

22 Q. Okay.

23 A. And half hour and hour.

24 Q. Okay. And who would those -- who would
25 that -- let's say someone chose the three dance

1 option.

2 Who would get paid that one hundred dollars?

3 A. I don't remember.

4 Q. You don't recall if they paid it to you?

5 A. No.

6 Q. Do you ever recall accepting less than \$100
7 for going into the VIP area?

8 A. No.

9 Q. What about over that amount?

10 MS. CALVERT: Objection. Vague as to whether
11 it's -- applies to the three dance option.

12 Q. (BY MS. SMITH) For example, for the three
13 dance option that we're speaking about, would you try
14 to negotiate for more than a hundred dollars for three
15 dances?

16 A. Yes. And by that, I mean a tip.

17 Q. Okay. Can you elaborate on that
18 conversation?

19 A. Yes. At the -- at the end, I would say if
20 you would like to tip me, that is optional and it is
21 appreciated but not expected.

22 Q. Okay. Did most people then tip you on top
23 of the one hundred dollars?

24 A. Yes.

25 Q. This is just going back to the three dance

1 option.

2 Would you say that that was the same process
3 that you would go through if someone selected one of
4 the other options?

5 A. Yes.

6 Q. Okay. And for the other options, do you
7 recall whether an individual would pay you that money
8 directly?

9 A. Sometimes.

10 Q. Okay. When you say sometimes, so on the
11 times that they didn't, then who would the individual
12 pay?

13 A. The host.

14 Q. Okay. And did you get a portion of that?
15 Did you get a percentage of that?

16 A. No.

17 Q. Okay. Do you know what a dance dollar or a
18 diamond dollar is?

19 A. Yes.

20 Q. Did you ever receive any?

21 A. Yes.

22 Q. Do you know if you could refuse to be paid
23 in dance or diamond dollars?

24 A. Yes.

25 Q. Would you refuse to be paid in dance or

1 diamond dollars?

2 A. No.

3 Q. How come?

4 A. Because I was there to make money.

5 Q. Okay. And so how would refusing them get in
6 the way of being there to make money?

7 A. Because some people do not have cash, and
8 they can't get it out of the ATM. So the diamond
9 dollars means that they're paying with a credit card.

10 Q. Okay. All right. Did Crazy Horse require
11 you to tip anyone?

12 A. Yes.

13 Q. Who?

14 A. The host and management.

15 Q. Now, when you said host, I've heard the term
16 VIP host. Is that the same thing or something
17 different?

18 A. Um, it's the same. They're just in a
19 different spot of -- like location of the club.

20 Q. Okay. So when you say it was required to
21 tip hosts and management, would that be one host?

22 A. No.

23 Q. So explain to me what you believed to be the
24 required tips.

25 A. It was expected to give 20 to 30 percent

1 every time I went into a VIP room.

2 Q. To a VIP host?

3 A. Correct.

4 Q. What about to -- let's call them -- where
5 were the other hosts located, if they weren't in VIP?

6 A. Oh, on the main floor area.

7 Q. Okay. What about main floor hosts, were you
8 required to tip them?

9 A. Yes.

10 Q. Who required that?

11 A. They did.

12 Q. So is that -- okay. So when I say required,
13 was that in rules from Crazy Horse?

14 A. No.

15 Q. Was that an agreement between you and the
16 individual host?

17 A. No. They made it that way.

18 Q. When you say they, what do you mean?

19 A. The host.

20 Q. Okay. So if you have host A, host B, and
21 host C working a shift, would you tip all three of
22 those hosts the same amount?

23 A. No.

24 Q. What would make the amounts vary?

25 A. If one or more of them helped me make money

1 with a guest, so depending on that time or money I
2 made with the guest would depend on how much I gave
3 them.

4 Q. What if you didn't make any money with a
5 guest?

6 A. I would not tip them.

7 Q. Okay. So would you say it was more expected
8 if you did make money that you would tip but not
9 expected if you did not make money?

10 A. Correct.

11 Q. Okay. And that's with the host, that I'm
12 talking about.

13 A. Yes. And management.

14 Q. Okay. So it's the same for management. If
15 a manager somehow assisted you -- maybe introduced you
16 to a guest that you made money with, you would be
17 expected to tip that manager?

18 A. Yes.

19 Q. Okay. What if you didn't make any money
20 with a guest they introduced you to?

21 A. I would not tip them.

22 Q. Okay. Would the manager later come and ask
23 you for a tip?

24 A. Sometimes.

25 Q. Okay. How often did that happen?

1 A. Uh, quite a few times.

2 Q. Would you -- what would your response be?

3 A. Uh, I didn't make any or much money to be
4 able to tip you.

5 Q. And then what would happen?

6 A. Then they would not help me out again.

7 Q. Ever or in that shift?

8 A. Ever.

9 Q. Okay. What about hosts?

10 A. It was the same for them.

11 Q. How many hosts would you say you knew while
12 you performed at Crazy Horse?

13 MS. CALVERT: Objection. Vague.

14 THE WITNESS: Yeah. I -- I don't understand
15 what you're asking.

16 Q. (BY MS. SMITH) How many hosts would you see
17 rotate through let's say in 2013?

18 Do you think that there were 30 hosts that
19 were on duty or 20 -- I'm sorry -- 30 hosts that
20 worked at Crazy Horse as hosts?

21 A. Are you asking in the total time I worked
22 there?

23 Q. For 2013.

24 A. I would say between -- there are probably
25 ten to 15 of them total --

1 Q. Okay.

2 A. -- in that time.

3 Q. Okay. What about in 2014?

4 A. I think it was the same.

5 Q. Okay. Were you friends with any of them?

6 A. No.

7 Q. Were you friends with any managers?

8 A. No.

9 Q. Did you date anyone you met at Crazy Horse?

10 A. No.

11 Q. What about anyone else that worked or
12 performed at Crazy Horse?

13 A. Uh, no.

14 Q. Okay. So you mentioned a 20 to 30 percent
15 tip to a VIP host; is that correct?

16 A. Yes.

17 Q. And was that required, or was that expected?

18 MS. CALVERT: Objection. Argumentative.

19 THE WITNESS: Uh, both.

20 Q. (BY MS. SMITH) What do you mean by both?

21 A. It was -- it was expected of us to do that,
22 and I would say it was required. Because if we did
23 not, then things would not be good for us to work
24 there.

25 Q. And what do you mean by that?

1 A. They would make it almost impossible to make
2 money.

3 Q. Okay. Could you have chosen to dance
4 elsewhere?

5 A. Yes.

6 Q. Why didn't you?

7 A. I did.

8 Q. Why did you continue dancing at Crazy Horse?

9 A. I thought I would give it a try to see if I
10 could make money there.

11 Q. Okay. Did you make money there?

12 A. Yes.

13 Q. Okay. So you said that hosts expected a
14 tip; correct?

15 A. Yes.

16 Q. Management expected a tip; correct?

17 A. Yes.

18 Q. And VIP hosts; correct?

19 A. Yes.

20 Q. And the explanation you just provided for
21 the VIP host tipping, is that the same for management,
22 that it was not required but expected?

23 MS. CALVERT: Objection. Misstates prior
24 testimony.

25 THE WITNESS: It was required by them too.

1 Q. (BY MS. SMITH) Okay. What do you mean by
2 it was required by management?

3 A. If I did not tip them, they would make it
4 almost impossible to make money.

5 Q. And how would they do that?

6 A. They would have a lot of guests, especially
7 if they knew they had money or were going to spend a
8 lot of money, come in the back entrance.

9 And they would bring other entertainers back
10 there before the guests arrived so that there was no
11 chance for me to get there at all.

12 Q. Were you ever taken to these other back
13 entrance guests?

14 A. No.

15 Q. And why is that?

16 MS. CALVERT: Objection. Calls for
17 speculation.

18 Q. (BY MS. SMITH) Why do you think that is?

19 A. Because I was not sleeping with or dating
20 any hosts or management, and some girls were tipping
21 them more than I was.

22 Q. Okay. Was there a required amount you were
23 supposed to tip a host? A main floor host.

24 A. Uh, just 20 to 30 percent, if he connected
25 me to someone to make money.

1 Q. So it was the same for VIP hosts -- VIP area
2 hosts and main floor hosts?

3 A. Yes.

4 Q. Okay. What about management?

5 A. Yes.

6 Q. That 20 to 30 percent?

7 A. Yes.

8 Q. What about anyone else at Crazy Horse?

9 A. Are you asking was it mandatory to tip them?

10 Q. Yes.

11 A. Uh, yes.

12 Q. Who else?

13 A. The DJ and the house mom.

14 Q. How much did you have to tip the DJ, or how
15 much was mandatory?

16 A. Oh, and valet. Um, about ten to \$20.

17 Q. What would happen if you didn't?

18 A. He would put me on stage a lot the next
19 shift that I worked so that it would be hard to be
20 able to make money.

21 Q. Did you have an option not to perform on
22 stage?

23 A. Yes.

24 Q. Did you complain about what you perceived to
25 be a manager or a DJ tip?

1 A. No.

2 Q. How come?

3 A. Because it's just known that we're not
4 supposed to complain about things.

5 Q. What do you mean, known?

6 A. Um, managing -- management just makes it
7 known that -- it's kind of like unwritten rules that
8 this is just how it is and it's not going to change.

9 So if we wanted to do something a different
10 way, then it's not going to be fun for us to work
11 there.

12 Q. Okay. Did anyone tell you that giving the
13 DJ a tip was a rule?

14 A. The house mom did.

15 MS. SMITH: Okay. I'm going to just pause
16 and give our court reporter a five-minute break. I
17 usually try to break every hour, but --

18 THE WITNESS: Okay.

19 MS. SMITH: -- sometimes it goes a little
20 over.

21 (Short recess taken.)

22 (Defendant's Exhibits A and B were
23 marked for identification.)

24 MS. SMITH: Okay. Ms. Lamar, we're back on
25 the record.

1 As we spoke about earlier today, your oath
2 is still in effect, still carries the same weight of
3 perjury.

4 Are you comfortable to proceed?

5 THE WITNESS: Yes.

6 Q. (BY MS. SMITH) Okay. So I think when we
7 left off, we were talking about tips within the club.

8 So you had mentioned the DJ. I believe we
9 talked about the DJ. And I think you mentioned the
10 house mom; is that correct?

11 A. Yes.

12 Q. So is tipping the house mom mandatory?

13 A. Yes.

14 Q. Who enforced that?

15 A. She did and management.

16 Q. Okay. And what did you understand the house
17 mom's role to be?

18 A. She wanted ten to \$15 per shift.

19 Q. And I mean -- so when she would -- would she
20 come up to you and request a tip?

21 A. No.

22 Q. How would she obtain the ten to \$15 then?

23 A. At the end of the shift, when we had to get
24 the sheet of paper that I referred to earlier from
25 her --

1 Q. Uh-huh.

2 A. -- she would be the first signature --

3 Q. Okay.

4 A. -- and --

5 Q. And then would -- I mean, would you
6 volunteer the ten to \$15, or would she ask for it?

7 A. She would ask for it.

8 Q. And did you ever refuse that?

9 A. Yes.

10 Q. And what would occur?

11 A. Uh, it was let me be known the next time I
12 worked by management that if I did not tip her, that
13 my shift would be changed or I would no longer be able
14 to work there.

15 Q. Did a specific manager tell you that?

16 A. Uh, yes.

17 Q. Who -- do you recall who?

18 A. No.

19 Q. Okay. Did you ever complain about that
20 manager's comments to you?

21 A. No.

22 Q. How come?

23 A. Because that just would have made things
24 worse.

25 Q. Okay. So what did the house mom do at Crazy

1 Horse?

2 A. Pretty much nothing.

3 Q. Okay.

4 A. She brought -- she didn't even make food,
5 from what I remember, whereas most house moms do at
6 clubs.

7 But she would bring in items we may need,
8 such as spray deoderant, makeup, um, things like that,
9 like cosmetics.

10 Q. Okay. Okay. Would you ever use any of
11 those items that the house mom brought in?

12 A. No.

13 Q. And you were still required to tip the house
14 mom, even though you didn't use any of those items?

15 A. Yes.

16 Q. Anyone else that you were required to tip?

17 A. Not other than what I had mentioned --

18 Q. Okay.

19 A. -- like the host, the management, the DJ.

20 Q. Okay.

21 A. Well, and I had mentioned valet too.

22 Q. What would you have to tip valet?

23 A. Five dollars.

24 Q. Was that required by Crazy Horse?

25 A. Yes.

1 Q. Who at Crazy Horse?

2 A. The -- the valet staff.

3 Q. Okay. What did you understand the valet
4 staff -- staff's relationship to be with Crazy Horse?

5 A. They were employees.

6 Q. Of Crazy Horse?

7 A. Yes.

8 Q. What about the house mom, did you think that
9 she was an employee?

10 A. No.

11 Q. Okay. What about the DJ?

12 A. Yes.

13 Q. What's your understanding of what an
14 employee is?

15 MS. CALVERT: Objection. Calls for a legal
16 conclusion and expert opinion. You can answer.

17 THE WITNESS: Someone that's -- gets a W-2
18 by that establishment, and they were assigned hours
19 and uniforms, and they get a paycheck.

20 Q. (BY MS. SMITH) Okay. What is your personal
21 understanding of what an independent contractor is?

22 MS. CALVERT: Same objection. Calls for a
23 legal conclusion, expert opinion. You can answer.

24 THE WITNESS: Uh, someone that can make
25 their own schedule and can work anywhere else, um, and

1 not get a paycheck. I'd say that's about it.

2 Q. (BY MS. SMITH) Okay. So when you would
3 take breaks, would you ever leave the premises -- the
4 club, I should say?

5 A. No.

6 Q. Okay. Would you have been able to leave the
7 club for a break?

8 A. No.

9 Q. How come?

10 A. It -- it wasn't allowed.

11 Q. Did you ever try to leave the club for a
12 break?

13 A. No. Because I would have had to check out.

14 Q. Okay. Did you ever check out and then
15 recheck in later in the same evening?

16 A. No.

17 Q. Okay. Could you have done that?

18 MS. CALVERT: Objection. Calls for
19 speculation.

20 THE WITNESS: Yes, but I would be charged
21 again.

22 Q. (BY MS. SMITH) Okay. But you -- but you
23 never did that; is that correct?

24 A. Correct.

25 Q. So how would you know if you -- that you

1 would have been charged again?

2 A. The management let us know that.

3 Q. Okay. So your understanding is that if you
4 checked out, even if it was for an hour, and came
5 back, you would be charged another house fee?

6 A. Yes.

7 Q. Okay. How much do you think you would take
8 home per shift, in terms of money?

9 MS. CALVERT: Objection. Vague and
10 ambiguous.

11 THE WITNESS: It would vary.

12 Q. (BY MS. SMITH) What would the range be, in
13 2013?

14 A. Uh, a negative dollar amount, um, to 800.

15 Q. How many times do you think that you left a
16 shift having -- I guess you could say made negative
17 dollars?

18 A. Um, maybe four.

19 Q. Are you aware of any legal requirements that
20 dancers are expected to abide by that are set forth by
21 the Las Vegas Metropolitan Police?

22 A. No.

23 Q. What about Clark County, Nevada?

24 A. No.

25 Q. Okay. Did you ever engage in solicitation

1 at Crazy Horse?

2 A. No.

3 Q. Do you know what I mean by solicitation?

4 A. Yes.

5 Q. Okay. What's your understanding of that
6 term?

7 A. Uh, performing a sexual act for money.

8 Q. Okay. Have you ever been cited for
9 solicitation?

10 MS. CALVERT: Object. Outside the scope. I
11 believe it's limited to convictions, felonies, or
12 crimes of dishonesty.

13 MS. SMITH: Are you instructing her not to
14 answer?

15 MS. CALVERT: She can answer, within the
16 scope of convictions. But not as to just arrests.

17 THE WITNESS: No.

18 Q. (BY MS. SMITH) Okay. Have you ever entered
19 a plea to a charge of solicitation?

20 A. Not that I remember, no.

21 Q. Okay. Were you ever fined by Crazy Horse?

22 A. I don't remember.

23 Q. Were you ever subject to any discipline by
24 Crazy Horse?

25 A. Yes.

1 Q. What kind of discipline?

2 A. Um, being treated rudely by the staff and
3 other entertainers and being physically blocked to
4 make money.

5 Q. Okay. What do you mean by people were rude
6 to you?

7 A. Their tone of voice when they would talk to
8 me wasn't nice. And some of them would not allow me
9 to talk to certain guests.

10 Q. Okay. So let's break it down. Hosts, were
11 hosts rude to you?

12 A. Yes.

13 Q. Do you recall the names of any?

14 A. Um, yes.

15 Q. What would those be?

16 A. Tommy and Tommy.

17 Q. Two different Tommys?

18 A. Yeah.

19 Q. Okay. Who else were you referencing when
20 you said that people were rude to you?

21 A. (No response.)

22 Q. That were affiliated with Crazy Horse.

23 A. Uh, Justin Lohrman.

24 Q. Okay. Anyone else?

25 A. Uh, no.

1 Q. Okay. Do you think that you were
2 responsible for following any laws that might have
3 applied to dancers?

4 MS. CALVERT: Objection to form.

5 THE WITNESS: Uh, yes.

6 Q. (BY MS. SMITH) Okay. What would you say
7 your profession is?

8 A. Uh, a dancer.

9 Q. Aside from a gentleman's club such as Crazy
10 Horse, where else could you be a dancer at?

11 A. All the other strip clubs in Las Vegas and
12 any other state.

13 Q. Anywhere else?

14 A. Uh, no.

15 Q. What about a dance studio?

16 A. No.

17 Q. Okay. How come?

18 A. Because I'm not qualified.

19 Q. Okay. Do you think you're a good dancer?

20 A. Yes.

21 Q. Do you think you're better than the average
22 dancer?

23 A. Uh, yes.

24 Q. Okay. How so?

25 A. Uh, because I actually care about people's

1 experience, and I do honest work.

2 Q. Okay. You said you care about people's
3 experience. Can you elaborate on that?

4 A. Um, I want anyone that comes in there to
5 have a good time and feel that they have spent their
6 money wisely.

7 Q. Okay. Was there any -- is there anything
8 special that you did at Crazy Horse to ensure that
9 someone's experience was what you just described?

10 A. Yes.

11 Q. What types of those -- what types of things
12 would those be? Sorry. Maybe I should have some
13 caffeine.

14 A. Um, I would have a -- a conversation with
15 them that -- I -- I wouldn't just walk up to them,
16 like a lot of girls, and ask if they wanted a dance.
17 I would make them feel special.

18 Q. Okay. Would you say that you use that
19 approach at all the clubs that you performed at?

20 A. Yes.

21 Q. Have you ever had any dance training?

22 A. No.

23 Q. Do you ever practice your moves as an
24 entertainer?

25 A. Yes.

1 Q. Where would you practice that?

2 A. In the locker room.

3 Q. The locker room at Crazy Horse?

4 A. Yes.

5 Q. Okay. What about at other clubs, would you
6 practice there?

7 A. Yes.

8 Q. Did you ever complain to anyone about any of
9 what you perceived to be the mandatory tipping?

10 A. Uh, no.

11 Q. Okay. Did you have a personal customer
12 base?

13 A. No.

14 Q. How come?

15 A. I don't know.

16 Q. Did you ever promote yourself as a dancer?

17 A. Are you asking outside of work?

18 Q. Yes.

19 A. No.

20 Q. Okay. No social media postings about where
21 you would be dancing on a certain evening?

22 A. No.

23 Q. Any text messages about where you would be
24 dancing on an evening?

25 A. Uh, yes.

1 Q. And who would you send those text messages
2 to?

3 A. Um, somebody that I would have met out at a
4 bar.

5 Q. Okay. Did you have any cards made up that
6 would have promoted you as a dancer?

7 A. No.

8 Q. Were you required to promote Crazy Horse?

9 A. No.

10 Q. Are you aware if Crazy Horse would conduct
11 any promotional events outside of the club?

12 A. Yes.

13 Q. Did you ever attend any of those?

14 A. No.

15 Q. Why not?

16 A. I wasn't invited.

17 Q. Okay. So it wasn't a requirement for you?

18 A. No.

19 Q. Okay. Did you ask to go on promotional
20 events outside of the club?

21 A. Yes.

22 Q. And who did you ask?

23 A. One of the managers.

24 Q. Do you recall which one?

25 A. No.

1 Q. Did you try and ask any other managers,
2 aside from that one?

3 A. No.

4 Q. How come?

5 A. Uh, because if -- if one said no, then the
6 other one would as well.

7 Q. How do you know that?

8 A. He let me know that.

9 Q. But you didn't actually confirm it with any
10 of the other managers?

11 A. No.

12 Q. Do you think anyone can be a good
13 entertainer?

14 A. No.

15 Q. How come?

16 A. If they are overweight. Um, if they are
17 just there to rip people off.

18 Q. Okay. So would you say it depends on the
19 individual dancer how good they are as an entertainer?

20 MS. CALVERT: Objection as to form.
21 Confusing.

22 THE WITNESS: Um, no.

23 Q. (BY MS. SMITH) How come?

24 A. I think it's also up to the guest.

25 Q. Okay. Going back to the discipline, you

1 said that people spoke rudely to you. And what were
2 the other things?

3 A. (No response.)

4 Q. Or was that the main thing?

5 A. Yes. And they also blocked me from making
6 money at certain times and made it harder.

7 Q. How would someone block you from making
8 money?

9 A. They could physically block me. They've
10 done that.

11 They -- like I mentioned about bringing
12 people in the back VIP door and then setting up other
13 entertainers to be back there so that when the guest
14 walked in, those girls were already with them.

15 And so me or other people could not get to
16 them.

17 Q. Could you have brought in your own customers
18 to Crazy Horse?

19 A. Not physically, no.

20 Q. Could you have requested people -- I'm
21 sorry.

22 I think you already testified that you did
23 send text messages to people that you maybe met
24 outside of the club where you would be working; is
25 that correct -- or where you would be dancing that

1 evening?

2 A. Yes.

3 Q. Okay. And so could you have promoted
4 yourself more as a dancer?

5 MS. CALVERT: Objection. Calls for
6 speculation.

7 THE WITNESS: Uh, yes.

8 Q. (BY MS. SMITH) Okay. Did you promote
9 yourself as a dancer with any other club?

10 A. No.

11 Q. Did you do any promotional work with any
12 other clubs?

13 A. Yes.

14 Q. What years would that have occurred?

15 A. 2014 and 2016.

16 Q. Okay. So when you were at Crazy Horse, did
17 you ever ask anyone to be paid wages?

18 A. No.

19 Q. How come?

20 A. Because I was an independent contractor.

21 Q. Did you ask anyone at Crazy Horse to become
22 an employee?

23 A. No.

24 Q. At the end of a shift, did you ever -- okay.
25 So at the end of a shift, if you -- your total was

1 less than zero dollars, did you ever ask any of the
2 managers to give you any money?

3 A. No.

4 Q. Okay. Did you ever fail to -- I'm sorry.
5 Scratch that.

6 What made you decide to stop performing at
7 Crazy Horse?

8 A. I was being treated badly, and the hosts and
9 management were making it almost impossible to make
10 money.

11 Q. Okay. Did you tell anyone at Crazy Horse
12 that you weren't planning on coming back to perform
13 there?

14 A. Uh, no.

15 Q. In terms of discipline, were you ever fined
16 by Crazy Horse?

17 A. I may have been, but I don't remember if I
18 was.

19 Q. Okay. So you don't recall breaking any
20 perceived rules?

21 A. No.

22 Q. Were you ever asked to leave a shift at
23 Crazy Horse?

24 A. No.

25 Q. How did you first hear about this lawsuit?

1 A. I got something in the mail.

2 Q. Can you describe what that was?

3 A. It was a letter explaining that there was a
4 lawsuit I believe with Sapphire.

5 And it -- it explained if I had worked there
6 between a certain timeframe, that I was entitled to
7 possibly some money.

8 Q. Okay. Did you receive money from that
9 notice?

10 A. No.

11 Q. Did you receive money from that lawsuit?

12 A. Yes.

13 Q. How much?

14 A. I believe it --

15 MS. CALVERT: I'll just object that I think
16 it may be covered by a confidentiality or protective
17 order.

18 Q. (BY MS. SMITH) Okay. Is that -- I mean, if
19 it is, then I don't -- you don't need to tell me.

20 MS. CALVERT: I think that's --

21 MS. SMITH: I am --

22 MS. CALVERT: We weren't counsel on that
23 case. But she was -- she worked during the
24 Sapphire --

25 MS. SMITH: Oh.

1 MS. CALVERT: -- time period. So she got,
2 from --

3 MS. SMITH: Okay.

4 MS. CALVERT: -- the claims administrator, a
5 letter.

6 But I think, if it's like the other ones
7 I've done, they have to sign a confidentiality -- I
8 don't know if it's enforced in a different legal
9 proceeding or not.

10 Q. (BY MS. SMITH) Do you recall signing a
11 confidentiality agreement?

12 MS. CALVERT: Or did you have to sign a
13 bunch of paperwork to get your check?

14 THE WITNESS: Yes.

15 MS. CALVERT: I don't know the answer. But
16 I -- I don't care -- it -- I guess I don't know.

17 Q. (BY MS. SMITH) Okay. So did you receive
18 money from that, the Sapphire lawsuit?

19 A. Yes.

20 Q. Okay. Did you receive over \$100 from the
21 Sapphire lawsuit?

22 A. Yes.

23 Q. How about over 500?

24 A. No.

25 Q. Okay. How about this specific lawsuit

1 against Crazy Horse, against Russell Road, how did you
2 hear about this lawsuit?

3 A. Um, when I was -- there was a -- a time
4 where that law firm that sent the letter about
5 Sapphire, it -- they were no longer involved.

6 And then I got -- I believe it was a phone
7 call from another law firm, saying that they would now
8 be handling it.

9 Q. The Sapphire lawsuit?

10 A. Yes.

11 Q. Okay. What about this lawsuit?

12 A. Um, well, that law firm also said that they
13 were working with other lawsuits with other strip
14 clubs.

15 Q. Okay. Do you understand that you are a
16 named individual plaintiff currently in this
17 lawsuit --

18 A. Yes.

19 Q. -- against Crazy Horse?

20 A. (Witness nodding head.)

21 Q. Okay. Did you request to be a named
22 plaintiff in this lawsuit against Crazy Horse?

23 A. No.

24 Q. Did an attorney ask you to be a named
25 plaintiff?

1 A. No.

2 Q. How did you come to be a named plaintiff?
3 Now, I'm not asking for any advice specifically that
4 an attorney -- that your attorney may have given you.

5 But if you didn't ask to become a named
6 plaintiff, and you said nobody asked you, how did this
7 occur?

8 MS. CALVERT: I think it's going to -- I'm
9 going to object.

10 It's going to call for a legal conclusion,
11 and I think it is probably going to start getting into
12 some of the attorney/client privileged communications.

13 MS. SMITH: Okay.

14 MS. CALVERT: We started handling the
15 roll-over of Sapphire 2. So it had a break at
16 October 30th, 2014.

17 And then Sapphire 2 is on a rolling basis.

18 MS. SMITH: Okay.

19 MS. CALVERT: So we took over the
20 Sapphire 2, which she would have -- I think it was
21 that we didn't know who was going to qualify for 1, 2,
22 or both, because they crossed over that date line.

23 So I -- from what I can tell, that's how the
24 contact occurred. And it's very confusing, because
25 the --

1 MS. SMITH: Okay.

2 MS. CALVERT: -- attorney for Sapphire is
3 our co-counsel in Crazy Horse but not in Sapphire 2.

4 MS. SMITH: Okay.

5 MS. CALVERT: It becomes a weird spider web
6 of counsel.

7 Q. (BY MS. SMITH) Okay. Do you know who your
8 attorneys are for this case?

9 A. Yes.

10 Q. Can you give me their names?

11 A. (No response.)

12 Q. Either an individual attorney name or a law
13 firm name.

14 A. Bighorn Law.

15 Q. Okay. Anyone else?

16 A. Not that I'm aware of, no.

17 Q. Okay. So did Bighorn Law approach you about
18 joining this lawsuit against Crazy Horse?

19 A. Yes.

20 Q. Okay. Do you know when that occurred?

21 A. Um, I don't know an exact date.

22 Q. Okay. Do you recall when you actually
23 joined this lawsuit?

24 A. No.

25 Q. Okay. What are you -- what are you hoping

1 to achieve by being part of this lawsuit?

2 A. I would like I think what's right to be
3 done.

4 Q. What do you think would be right?

5 A. Some -- I don't know how to describe it.
6 But some kind of justice for how badly I was treated.

7 And some of the rules of being basically
8 treated like an employee but not getting the benefits
9 of it.

10 So some monetary reimbursement for the house
11 fees.

12 Q. What do you mean when you said being treated
13 like an employee?

14 A. Such as certain rules being in place.

15 Q. Which rules?

16 A. We're not allowed to wear glitter, no body
17 oil, no chewing gum, no using cell phones around
18 guests.

19 Um, the main one being required to stay six
20 hours, being forced to tip many people, hosts,
21 management, the house mom, the DJ, valet.

22 Q. Okay. And again, when you say forced to
23 tip -- I'm just trying to clarify exactly what you
24 thought the rules were, versus what you just saw being
25 done.

1 A. It --

2 MS. CALVERT: Objection. There's no
3 question pending.

4 Q. (BY MS. SMITH) Well, can you describe to me
5 what you perceived the rules with tipping to be,
6 versus what you saw being done?

7 MS. CALVERT: Objection. Asked and
8 answered.

9 THE WITNESS: It -- it was a rule to tip,
10 even though it was not written.

11 It was not -- I should say that. It wasn't
12 a rule that was written down in the guidelines, but it
13 was a rule.

14 Q. (BY MS. SMITH) Okay. Did you try to wear
15 glitter on a shift at Crazy Horse?

16 A. Yes.

17 Q. And what happened?

18 A. I got told to wash it off.

19 Q. Did anyone give you a reason for that?

20 A. Yes.

21 Q. What was it?

22 A. They said that it was stupid of me to wear
23 that, because a guest could have a wife or a
24 girlfriend that he's going to be going back to his
25 hotel to see.

1 And it would be obvious where he was just
2 at.

3 Q. Okay. What about body oil, did you try and
4 wear body oil on a shift?

5 A. No.

6 Q. How come?

7 A. Because I had already got in trouble with
8 the glitter.

9 Q. Did you normally wear body oil when you
10 worked at other clubs?

11 A. Yes.

12 Q. I believe you also testified that you
13 thought that employees should get benefits. What
14 would those be?

15 MS. CALVERT: Objection. Calls for a legal
16 conclusion. Expert opinion. Go ahead.

17 Q. (BY MS. SMITH) What were you referring to
18 when you used the term benefits?

19 A. Uh, I don't -- I don't remember saying that,
20 but -- well, I would think possibly health insurance
21 and a paycheck.

22 And not having to pay to go to work. Um,
23 maybe vacation pay. That would be it.

24 Q. Okay. Is it your understanding that if
25 someone works as an independent contractor, they have

1 no rules?

2 MS. CALVERT: Objection. Legal conclusion.
3 Form.

4 THE WITNESS: No.

5 Q. (BY MS. SMITH) Okay. What would you think
6 rules would be for an independent contractor?

7 MS. CALVERT: Objection. Calls for
8 speculation. Incomplete hypothetical.

9 THE WITNESS: Uh, I think you're -- are you
10 referring to an independent contractor working in a
11 strip club?

12 MS. SMITH: Yes.

13 THE WITNESS: Um, that we would pay to go to
14 work.

15 Q. (BY MS. SMITH) You think that that should
16 be a rule?

17 A. No.

18 Q. Okay. Okay. Anything else you are hoping
19 to achieve with this lawsuit?

20 A. Yes.

21 Q. What?

22 A. The way that entertainers are treated at
23 strip clubs gets changed in a better way.

24 Q. Do you think that this lawsuit will achieve
25 that?

1 A. Yes.

2 Q. How so?

3 MS. CALVERT: Objection. Calls for a legal
4 conclusion.

5 MS. SMITH: Just in your opinion.

6 THE WITNESS: It could make the clubs
7 realize that, as entertainers, some of us are going to
8 stand up for ourself.

9 And we're not going to let them believe that
10 they can keep on with you could say the charade that
11 has been going on.

12 Q. (BY MS. SMITH) Okay. Are you referencing
13 specifically Crazy Horse, or are you talking about
14 clubs in general?

15 A. Uh, both.

16 Q. Okay. Just specifically in this lawsuit
17 against Crazy Horse, what are you hoping to achieve,
18 aside from the things you already testified to
19 earlier, which I believe were specific to Crazy Horse;
20 is that correct?

21 A. Yes.

22 Q. Okay. So anything else specifically to
23 Crazy Horse that you're hoping to achieve?

24 A. Um, just for things to be more fair for all
25 the entertainers working there.

1 Q. Okay. Are you aware that the Nevada
2 legislature recently instituted a statute regarding
3 independent contractors?

4 A. No.

5 Q. All right. I'm going to go over a couple
6 things with you.

7 MS. SMITH: I don't remember when we took
8 that break. Are you okay, Helen?

9 THE COURT REPORTER: Uh-huh.

10 Q. (BY MS. SMITH) I think previously, you had
11 said that you did file income taxes for 2013 and 2014?

12 A. Yes.

13 Q. Did you provide those records to your
14 attorney?

15 A. I can't remember.

16 Q. Do you recall being asked to provide those
17 records to your attorney?

18 MS. CALVERT: I'm going to object on
19 attorney/client privilege.

20 MS. SMITH: Are you instructing her not to
21 answer?

22 MS. CALVERT: If you know whether or not you
23 were asked.

24 I'm not sure if -- all she's talked to may
25 have been a paralegal or something. If you remember

1 being asked.

2 THE WITNESS: I don't remember being asked.

3 Q. (BY MS. SMITH) Okay. Did you provide any
4 documents to your attorney?

5 A. Yes.

6 Q. Okay. Sorry. I had my stuff in different
7 piles.

8 Okay. I'm going to hand you what's already
9 been marked, off the record, as Exhibit A. It is
10 titled Entertainer Log-in by Date. And it says CH3LV
11 at the top.

12 It reflects a stage name of Madison Lynn and
13 the name Danielle Lamar.

14 Can you look at that document and see if
15 that appears to accurately reflect dates and times you
16 performed at Crazy Horse?

17 A. (Witness reading.)

18 Q. Also for the record, I believe it is Bates
19 numbered RR0615. The zeros could be off, but it's
20 RR615.

21 MS. CALVERT: (Nodding head.)

22 THE WITNESS: Yes, it seems correct.

23 Q. (BY MS. SMITH) Okay. I'm going to direct
24 your attention to an entry dated -- let's see --
25 June 14th, 2013.

1 Do you see that? It appears to reflect that
2 time worked was 3.45?

3 Do you see that entry?

4 A. Yes.

5 Q. Okay. Do you recall working less than six
6 hours that day?

7 A. No.

8 Q. Do you have any reason to doubt that these
9 records are accurate?

10 MS. CALVERT: Objection. Argumentative.

11 THE WITNESS: Yes.

12 Q. (BY MS. SMITH) Why?

13 A. I wouldn't be shocked if they altered it.

14 Q. Okay. What do you base that on?

15 A. Um, everything else pretty much that I've
16 talked about today, how they just pretty much did
17 whatever they wanted.

18 Nothing really was done in a professional
19 way.

20 Q. Do you have any evidence that this document
21 would have been altered?

22 A. No.

23 Q. Do you have any documentation or other
24 evidence that you did not work less than four hours on
25 June 14th to 15th of 2013?

1 A. No.

2 Q. Okay. What about June 8th, 2013, do you see
3 that entry that says time worked, 13.25?

4 A. Yes.

5 Q. Do you think you would have worked 13.25?

6 A. Yes.

7 Q. You don't think you performed longer than
8 that?

9 A. I don't know.

10 Q. What about less than that?

11 A. I don't know.

12 Q. Okay. So for the time entry that reflects
13 the 3.45, if you had only performed for 3.45 hours,
14 what would have occurred?

15 MS. CALVERT: Objection. Calls for
16 speculation.

17 THE WITNESS: I would have had to ask a
18 manager to leave early and get charged a fee.

19 Q. (BY MS. SMITH) And what would that fee have
20 been?

21 A. I don't know.

22 Q. Okay. I'm going to show you what's been
23 marked as Exhibit B.

24 It's Russell Road F and B Entertainer Charge
25 Summary, Bates numbered RR015 through RR019 -- or

1 sorry -- 0119.

2 A. (Witness reading.) Okay.

3 Q. Does this appear to accurately reflect
4 charges and payments with respect to your time at
5 Crazy Horse?

6 A. No.

7 Q. How come?

8 A. From what I recall, I always went on stage
9 every shift, and I see some off-stage fees.

10 Q. Okay. What about other than that?

11 A. Some of the totals seem like they're just
12 made up. I --

13 Q. What --

14 A. -- don't --

15 Q. -- do you mean?

16 A. The -- I don't -- I don't know if I'm
17 looking at it wrong.

18 But some of the totals, it -- it -- and then
19 the -- the charged or paid amount doesn't seem -- it
20 just almost seems like a made-up number.

21 Q. Are you getting that from just looking at
22 the document now, or do you have knowledge of
23 additional facts that dispute this document?

24 A. I just -- looking at it now.

25 Q. Okay. Are you -- do you know what a program

1 called club tracks is?

2 A. No.

3 Q. When you would check in, I believe you
4 testified that you would pay a fee; correct?

5 A. Yes.

6 Q. What would that check-in area look like?
7 Was there a computer there?

8 A. I believe there was.

9 Q. Okay. Or some other electronic device?

10 A. I think so.

11 Q. Okay. Would you observe -- was there an
12 individual that was back there to check you in?

13 A. Yes.

14 Q. Would you hand your house fee to that
15 individual?

16 A. Yes.

17 Q. Would you get any kind of a receipt for
18 that?

19 A. Yes.

20 Q. Did you keep those receipts?

21 A. Yes.

22 Q. Okay. Do you still have those receipts?

23 A. Yes.

24 Q. From 2013 and 2014?

25 A. Yes.

1 Q. All of them?

2 A. I'm pretty sure --

3 Q. Okay.

4 A. -- yes.

5 Q. Could you provide those to your counsel?

6 MS. CALVERT: They were the ones you said
7 weren't clear.

8 MS. SMITH: Okay. I'll get to those. Yeah.
9 Because sometimes it's hard to -- okay. We'll move
10 forward with that.

11 Q. (BY MS. SMITH) Okay. So to your knowledge,
12 any receipt or documentation you have from Russell
13 Road, slash, Crazy Horse, you provided to counsel --
14 your counsel?

15 A. Yes.

16 Q. Okay. Okay. Can I have you take a look at
17 Exhibit B, and the date of 6/14, 2013.

18 A. Okay.

19 Q. What do you see reflected there?

20 A. Uh, it looks like they're charging me a
21 house fee plus off-stage fee.

22 Q. Okay. Does it show anywhere that you can
23 see on 6/14, 2013 that you were -- or sorry. I guess
24 I should say 6/14 or 6/15 that you were charged a fee
25 for working under six hours?

1 A. Um, maybe that's what the off-stage fee is.

2 Q. Are you just guessing?

3 A. Yes.

4 Q. Okay. Do you see any fee reflected for
5 working under six hours?

6 MS. CALVERT: Objection. Asked and
7 answered.

8 THE WITNESS: Possibly.

9 Q. (BY MS. SMITH) Can you provide a yes or no
10 answer?

11 A. Yes.

12 Q. So it's your belief that the off-stage fee
13 is in fact a fee for working under -- or performing
14 for under six hours?

15 A. It could be. Because I didn't go off stage.

16 Q. Okay. On 6/21, 2013 on Exhibit B, do you
17 see that?

18 A. Yes.

19 Q. What does that line say?

20 A. Adjustment, JL.

21 Q. What does that appear to reflect?

22 MS. CALVERT: Objection.

23 Q. (BY MS. SMITH) What --

24 MS. CALVERT: Calls for speculation. I'm
25 sorry. I didn't let you finish.

1 MS. SMITH: Sorry.

2 Q. (BY MS. SMITH) What's your understanding of
3 what that reflects?

4 A. It looks like they are crediting me \$250,
5 and I would assume Just -- Justin Lohrman is the JL.

6 Q. Okay. And what would that adjustment have
7 been?

8 A. Let's see. So it's the 21st, and I started
9 on the -- hmm. It could have been I was -- I do
10 remember being given a certain amount of comped house
11 fees.

12 That could be that. I don't know though.

13 Q. Okay. Looking at the amounts that appear to
14 be what you think are off-stage fees that you did not
15 pay? Would that be the right term?

16 So you -- okay. I'm sorry. That was not
17 very clear. It's always a little bit of a challenge
18 to talk about spread sheets.

19 Okay. So for instance, on 6/12, 2013, it
20 says charge off-stage fee, \$40.

21 Do you believe that you requested to go off
22 stage that day?

23 A. No.

24 Q. Okay. On the right-hand side, in between
25 6/8, 2013 and 6/13, 2013, do you see that that

1 reflects a negative running total?

2 A. (Witness reading.) Yes.

3 Q. Okay. Why do you think that is?

4 MS. CALVERT: Objection. Calls for
5 speculation. Outside of her scope of knowledge as to
6 what this document's --

7 MS. SMITH: Okay.

8 MS. CALVERT: -- reflecting.

9 THE WITNESS: Yeah, I don't know.

10 Q. (BY MS. SMITH) When you would check in,
11 would that person inform you of whether or not you
12 owed Crazy Horse any money?

13 A. I would believe that they did. I -- I know
14 it's a long time ago, so I'm not sure. But I would
15 think so.

16 Q. Okay. Did you ever ask if you owed
17 additional monies when you checked in?

18 A. I would think so, yeah.

19 Q. Okay. Would Crazy Horse have let you dance
20 if you owed house fees?

21 A. Yes.

22 Q. Okay. It looks like there is some bottle
23 sales reflected in -- it looks -- it says bottle sale
24 from 6/18/13.

25 It looks like it's actually dated in a

1 column of 6/9, 2013.

2 Do you see that?

3 A. Yes.

4 Q. Do you think you would have sold some
5 bottles of alcohol and received some kind of credit?

6 A. Yes.

7 Q. Okay. Do you recall doing that at all?

8 A. Yes.

9 Q. Do you have any idea what the 6/13 entry of
10 Friday and Saturday adjustment would be?

11 A. (Witness reading.) Um, no.

12 Q. Okay. Would you receive -- okay. Do you
13 recall ever receiving any credits towards house fees
14 from Crazy Horse?

15 A. Uh, yes.

16 Q. And what would -- what would those credits
17 be from?

18 A. Um, just starting there, we were promised a
19 certain amount of free house fees.

20 Q. Do you recall how much that amount was
21 represented to be to you?

22 A. No.

23 Q. Okay. Is there a reason you didn't stop
24 performing at Crazy Horse once those initial credits
25 ran out?

1 MS. CALVERT: Objection. I think confusing.
2 Misstates prior testimony.

3 Q. (BY MS. SMITH) I'm sorry. Okay. So you
4 said that you were -- I'll backtrack a little bit.

5 MS. CALVERT: Yeah, I'm sorry.

6 Q. (BY MS. SMITH) Okay. So you -- I believe
7 you testified that you recalled being promised or
8 being given some credits towards house fees; is that
9 correct?

10 A. Yes.

11 Q. Okay. So you don't recall how much that
12 was, do you?

13 A. No.

14 Q. Do you recall if it would have been credit
15 towards house fees for more than one shift?

16 A. Yes.

17 Q. Okay. Do you recall how many shifts it
18 might have been credited towards?

19 A. No.

20 Q. Okay. At some point, do you recall those
21 credits running out or not having any credits left
22 towards house fees?

23 A. Yes.

24 Q. Did you choose to continue performing at
25 Crazy Horse after those credits ran out?

1 A. Yes.

2 Q. How come?

3 A. I mean, for a while, I had some friends
4 there. So it was fun to work with them.

5 And I just thought I'd give it longer than
6 whatever that time frame was for the free house fees
7 to -- to give it a chance and see if it would be a
8 good club to make money at.

9 Q. Okay. And did you -- did you like
10 performing there then? Is that fair to say?

11 A. Sometimes.

12 Q. Okay. Did you always like performing at
13 other clubs that you would dance at?

14 A. No.

15 Q. Okay. So would you have ever -- would you
16 have ever requested to go off stage during a shift or
17 be kept off stage during a shift?

18 A. No.

19 Q. What about if you had persons that wanted to
20 go into a VIP area?

21 A. I don't need to request to be off stage.
22 I'm just -- I don't have to go on stage if I'm in a
23 VIP room.

24 Q. Okay. What about if you were on the main
25 floor, but a series of individuals wanted lap dances?

1 A. I -- I'm not sure what you're asking.

2 Q. Would you ever give more than one lap dance
3 on the main floor in a row?

4 A. Yes.

5 Q. To the same individual?

6 A. Yes.

7 Q. Okay. Did it ever happen that you would get
8 called to go on stage in the midst of giving multiple
9 lap dances in a row to someone?

10 A. Yes.

11 Q. Okay. What would occur then?

12 A. I would have to go on stage.

13 Q. So you would stop performing the lap dance
14 midway through and go on stage?

15 A. No.

16 Q. From -- okay. When -- so when you're called
17 to go on stage -- is that accurate to say it that way?

18 A. Yes.

19 Q. Okay. Who calls you to the stage?

20 A. The DJ.

21 Q. And is that over a microphone? How does
22 that work?

23 A. Yes. It's -- it's a microphone. And the
24 whole club can hear, because it's through a speaker.
25 And there's speakers all throughout the club.

1 Q. Okay. How soon after the DJ calls your name
2 are you supposed to I guess report to the -- would you
3 report to the DJ booth?

4 A. No, to the stage.

5 Q. Okay. So how long after the DJ called your
6 name would you have to report to the stage?

7 A. Uh, well, he would usually give us a
8 two-song warning so that we know we have to be there
9 in two songs.

10 Q. Okay.

11 A. Um, I guess there's maybe like a grace
12 period of -- I don't know, I want to say maybe 30
13 seconds after he has called me to be there to get
14 there.

15 Q. Okay. And what would happen if you were --
16 you had commenced a lap dance that you were still in
17 the middle of?

18 A. I -- I would have to stop and then go to the
19 stage.

20 Q. And then would you return to the individual
21 that had purchased a lap dance?

22 A. If they wanted me to, yes.

23 Q. Okay. I'm going to have you turn, still in
24 Exhibit B, to the page marked RR0117 at the bottom.

25 Do you see that?

1 A. Yes.

2 Q. Okay. Then I'm going to have you look back
3 at Exhibit A.

4 And on the first page, I would say about
5 two-thirds of the way down, there's a log-in entry
6 on -- dated 8/4/13.

7 Do you see that?

8 A. (Witness reading.) Yes.

9 Q. And that appears to reflect 4.35 hours? Is
10 that your understanding?

11 A. Yes.

12 Q. Okay. Do you think that you performed for
13 longer than that amount of time on that day?

14 A. I don't know.

15 Q. Okay. So on Exhibit -- is it possible that
16 you would have worked less than -- or you would have
17 performed for less than six hours on that day?

18 A. I didn't think I ever did. But I -- I guess
19 anything's possible.

20 Q. Okay. So if you had been there -- been at
21 Crazy Horse for 4.35, would you have been required to
22 pay a fee to leave?

23 A. Yes.

24 Q. Okay. Going back to Exhibit B, on 8/4,
25 2013, that we looked at just prior, can you show me

1 where it reflects a fee for leaving early -- or
2 leaving before the six hours?

3 A. (Witness reading.) I -- I don't see a fee.

4 Q. Okay. So going down further on that page
5 for an entry that is dated August 15th, 2013.

6 Do you see -- it is actually a series of
7 entries. But do you see the four entries that are
8 dated that? I believe it's four?

9 A. Yes.

10 Q. Okay. Do you see -- I guess on the third
11 one, and it says adjustment, promo, 8/15/13?

12 A. Yes.

13 Q. Do you recall going on that promo?

14 A. No.

15 Q. Okay. Is there a reason that Crazy Horse
16 has a record of you going on a promo --

17 MS. CALVERT: Object --

18 Q. (BY MS. SMITH) -- on that day?

19 MS. SMITH: Objection. Calls for
20 speculation.

21 THE WITNESS: (Witness reading.) Yes, they
22 could.

23 Q. (BY MS. SMITH) Does it appear that you
24 received a 75 dollar credit for that --

25 A. Yes.

1 Q. -- promo?

2 A. (Witness nodding head.)

3 Q. Were you ever given credits for things that
4 you didn't engage in? Were you ever given credits for
5 bottles you didn't sell?

6 A. Possibly.

7 Q. Okay.

8 A. I mean, if they -- they could have just gave
9 a -- a credit for a promo that I didn't go on and just
10 called it that.

11 Q. Why do you think that they would do that?

12 MS. CALVERT: Objection. Calls for
13 speculation.

14 MS. SMITH: Just if you know.

15 THE WITNESS: Because they can do whatever
16 they want.

17 Q. (BY MS. SMITH) Okay. So you think that
18 Crazy Horse may have given you credits that you
19 weren't aware of?

20 MS. CALVERT: Objection. Misstates prior
21 testimony.

22 THE WITNESS: I don't know.

23 Q. (BY MS. SMITH) Do you recall ever, for lack
24 of a better term, earning any credits, aside from the
25 credits that you said were given to you when you very

1 first started performing there?

2 A. No.

3 Q. Okay. I'm going to have you turn to the
4 next page, marked RR0118. Toward the bottom of the
5 page, do you see an entry dated 9/27, 2013?

6 A. (Witness reading.) Yes.

7 Q. It looks like one of those 9/27, 2013
8 entries says 9, dash, 25, promo.

9 Do you know what that is?

10 A. No.

11 Q. Okay. What about on RR0119, on 12/20, 2013,
12 do you know what that promo is?

13 A. No.

14 Q. Okay. Okay. I'm going to direct your
15 attention back to -- or on RR -- okay, back to RR0118.

16 A. (Witness reading.) Okay.

17 Q. It looks like there were four changes dated
18 8/31, 2013.

19 Do you see that?

20 A. Yes.

21 Q. Okay. Do you see on Exhibit A, for 8/31,
22 2013, it reflects an entry -- the time entry of 5.63?

23 A. (Witness reading.) I'm sorry. Did you say
24 on Exhibit --

25 Q. Exhibit --

1 A. -- A?

2 Q. -- A.

3 A. Oh.

4 Q. Sorry. There's a little bit of
5 cross-reference --

6 A. Oh --

7 Q. -- there.

8 A. -- it's okay. (Witness reading.) Yes.

9 Q. Do you think you would have performed for
10 only 5.63 hours?

11 A. I don't know. I didn't think I ever worked
12 under six hours.

13 Q. Okay. So in Exhibit B, the 8/31, 2013
14 entries, it appears to show a house fee and an
15 off-stage fee.

16 Do you see that?

17 A. Yes.

18 Q. It also appears to reflect two payments.

19 Do you see that?

20 A. Yes.

21 Q. Do you think that you would have made those
22 payments?

23 A. Yeah. It appears that way.

24 Q. When the -- okay.

25 Did you have the option to pay an off-stage

1 fee when you commenced shift, when you checked in?

2 A. Yes.

3 Q. Okay. During the shift, could you have then
4 later requested to go on stage?

5 A. I don't know. I guess I would think so.

6 Q. Okay. So I'm going to direct your attention
7 back to 8/31. It appears to reflect a 1:07:53 a.m.
8 charge of the house fee.

9 Do you see that? Would you agree?

10 A. Uh, yeah.

11 Q. Okay.

12 A. Yes.

13 Q. And then it looks like maybe five minutes
14 later, there was a charge for an off-stage fee.

15 Do you see that?

16 A. Yes.

17 Q. Okay. And then subsequently, the two
18 payments.

19 Do you see that?

20 A. Yes.

21 Q. Now, on the entry just above the 8/31, 2013,
22 the last 8/24, 2013 entry, does it appear that you had
23 a running total?

24 A. In Exhibit B?

25 Q. Yes.

1 A. (Witness reading.) Um, are you asking at
2 the end of that?

3 Q. Yes.

4 A. No.

5 Q. Okay. So it appears that you had no
6 outstanding house fees; is that correct? Is that your
7 understanding?

8 A. Yes.

9 Q. Okay. So when you checked in on 8/31, do
10 you -- do you think you would have been charged an
11 off-stage fee and then paid it without being aware?

12 MS. CALVERT: Objection. Confusing.

13 THE WITNESS: I'm not sure. Um -- no, I
14 don't -- I don't think I would have paid it if I
15 wasn't going off stage.

16 Q. (BY MS. SMITH) Okay. However, at least
17 in -- on 8/31, do you agree that it looks like you did
18 pay an off-stage fee?

19 A. Yes.

20 Q. Okay. But you think you recall -- I mean,
21 did you go on stage every shift you worked at Crazy
22 Horse?

23 A. I was pretty sure, yes.

24 Q. Okay. But perhaps you didn't?

25 A. Perhaps.

1 MS. SMITH: All right. Let's take one more
2 five-minute break, and then I can look at my notes.

3 (Short recess taken.)

4 (Defendant's Exhibit C was marked for
5 identification.)

6 MS. SMITH: We can go back on the record.

7 All right, Ms. Lamar, once again, we are
8 back on the record. And that original oath you took
9 this morning is still in effect. Okay?

10 THE WITNESS: Okay.

11 Q. (BY MS. SMITH) Let me circle back around
12 just a little bit.

13 Have you spoken to other dancers about this
14 lawsuit, the Crazy Horse lawsuit?

15 A. Yes.

16 Q. And what have you spoken to them about?

17 A. Uh, they have just asked if I knew when it
18 would be settled. Because some of them are my
19 friends, and they knew that I was a representative.

20 Q. Okay. Did you talk to any of them about
21 your deposition today?

22 A. No.

23 Q. Okay. Did you review any documents before
24 you came in for your deposition?

25 A. Yes.

1 Q. Okay. So going back to Exhibits A and B,
2 aside from your opinion, do you have any evidence to
3 dispute either Exhibit A or Exhibit B?

4 A. No.

5 Q. Okay. Do you think those could be accurate
6 reflections of what occurred?

7 A. Uh, no.

8 Q. They could not be?

9 A. Correct.

10 Q. Okay. All right. I'm going to have you
11 look at what was marked off record as Exhibit C.

12 The document is titled Plaintiff Daniella
13 Lamar's Answers to Defendant's Interrogatories.

14 Have you seen this document before? I'll
15 give you a minute to look at it.

16 A. Um, Exhibit C, you're referring to?

17 Q. Yes.

18 A. (Witness reading.)

19 MS. SMITH: Helen, we can go off record for
20 a minute if you want to.

21 THE WITNESS: (Witness reading.)

22 Q. (BY MS. SMITH) Okay. Ms. Lamar, we went
23 off the record for a few moments so that you could
24 look at what has been marked as Exhibit C.

25 Have you had a chance to do so now?

1 A. Yes.

2 Q. Okay. Do you recognize this document?

3 A. No.

4 Q. So you've never seen this document before?

5 A. No.

6 Q. Okay. I'm going to ask you to turn -- okay.

7 It doesn't have a page number, but it's the
8 second to last page, in between pages -- numbered
9 pages 13 and 14.

10 Do you see that page?

11 A. (Witness reading.) Oh, okay. So after 13?

12 Q. Yes. After 13, just before the numbered 14.

13 And the --

14 A. Okay.

15 Q. -- top of it says verification?

16 A. Okay. Yeah.

17 Q. Have you seen this page before?

18 A. Uh, yes.

19 Q. Okay. Do you recall signing this page?

20 A. I don't remember signing it, no.

21 Q. Does that look like your signature, on the
22 line that says Daniella Lamar?

23 A. Yes.

24 Q. Okay. So do you believe that to be your
25 signature?

1 A. Yes.

2 Q. Okay. And once again, you have not seen any
3 of these pages in Exhibit C previously?

4 A. I don't -- yeah. I don't remember seeing
5 them.

6 Q. Okay. All right. I am now going to show
7 you what is marked as --

8 MS. SMITH: Well, sorry. It's not marked
9 yet. I'm going to have the court reporter mark it as
10 Exhibit D.

11 (Defendant's Exhibit D was marked for
12 identification.)

13 Q. (BY MS. SMITH) I'm going to hand you what
14 has now been marked as Exhibit D. It's titled
15 Plaintiff Danielle Lamar's Responses to Defendant's
16 Requests for Production of Documents.

17 Do you see this?

18 A. (Witness reading.)

19 Q. Have you seen this document before?

20 A. It doesn't look familiar.

21 Q. Okay. You may not have. I would like to
22 mostly direct your attention towards the back of the
23 document.

24 There are -- I'll represent to you that
25 there are three exhibits attached. And I'll let you

1 take a moment to look at those.

2 A. (Witness reading.)

3 Q. Have you had a chance to look at those --

4 A. Are you --

5 Q. -- exhibits?

6 A. -- referring to these?

7 Q. Yes.

8 A. Oh, okay. Yes.

9 Q. Okay. What do these appear to be to you?

10 A. Uh, receipts from the store Ulta.

11 Q. Sorry. Let's go on to -- to make it easier
12 too.

13 So Exhibit 1 -- okay. What does Exhibit 1
14 show?

15 A. It's two different receipts from Ulta.

16 Q. Okay. Do those appear to be --

17 MS. CALVERT: You're at the wrong one.
18 Here's Exhibit 1.

19 THE WITNESS: Oh, I'm sorry.

20 MS. CALVERT: It's okay. I just noticed that
21 she was --

22 MS. SMITH: Oh.

23 MS. CALVERT: -- looking at the wrong --

24 MS. SMITH: Okay. I'm like oh, do I have --

25 MS. CALVERT: That's okay.

1 THE WITNESS: Oh, okay. Well, looks like
2 there's three different receipts all under Exhibit 1.

3 Q. (BY MS. SMITH) Okay. And can you describe
4 to me what the first receipt is?

5 A. Uh, a receipt from Deja Vu Showgirls.

6 Q. Do you recall this receipt?

7 A. No.

8 Q. Okay. What about receipt number 2?

9 A. Yes.

10 Q. Do you recall that receipt?

11 A. Yes.

12 Q. Okay. Is that your receipt? Is that a
13 receipt that you gave to your counsel?

14 A. Uh, yes.

15 Q. Okay. How about the third receipt?

16 A. Yes. I'm not saying I didn't give the first
17 one. I just don't remember buying that.

18 Q. So do you think that that is yours?

19 A. Yes.

20 Q. Okay. So the items reflected in the Ulta
21 receipts -- I'll just have you take a look at them.

22 A. (Witness reading.)

23 Q. Do those appear to be the types of items
24 that you would write off with respect to your reported
25 income?

1 A. (Witness reading.) Yes. Maybe not all of
2 them. Maybe not the acne wash, but --

3 Q. Okay. So that might have just been
4 something you needed?

5 A. Yeah.

6 Q. Okay.

7 A. Yes.

8 Q. All right. Would you say that most of the
9 other items appear to be items that would you use for
10 dancing -- or while dancing? Sorry, not for dancing.

11 A. Yes.

12 Q. Okay. Do you know if you would have used
13 all of these items, minus the face wash, only at Crazy
14 Horse?

15 A. Um -- (Witness reading.) There's
16 something -- there's a date on the receipt. I just --
17 oh, yeah, 6/1, and so -- well, yeah -- yes.

18 At that time, I was only working at that
19 club. So yes.

20 Q. Okay. So in June of 2013, you were only
21 performing at Crazy Horse?

22 A. Yes, from what I remember.

23 Q. Okay. When was the last time, before June
24 of 2013, that you performed at a different club?

25 A. (No response.)

1 Q. Let me try and rephrase that a little
2 better.

3 Do you recall which club or clubs you
4 performed at prior to commencing performing at Crazy
5 Horse in June 2013?

6 A. Yes. Spearmint Rhino and Treasures.

7 Q. Okay. Do you recall when you stopped
8 performing at Spearmint Rhino?

9 A. Yes. It was either the very end of -- no.
10 I think it was -- yeah. It was December of 2009.

11 Q. Okay. And I'm sorry. I spaced it. What
12 about the other club that you just listed?

13 A. Treasures?

14 Q. Treasures? When was your -- or do you
15 recall leaving Treasures prior to June of 2013?

16 A. No. I went directly from Treasures to Crazy
17 Horse III --

18 Q. Okay.

19 A. -- in June.

20 Q. But in June, you stopped performing
21 completely at Treasures.

22 A. No.

23 Q. Okay. Is it --

24 A. I mean, I stopped at that time, yes. But I
25 went back.

1 Q. Okay. Do you recall when you went back to
2 Treasures?

3 A. No.

4 Q. Do you think it would have been in 2013?

5 A. Yes.

6 Q. Okay. Do you think it would have been in
7 December of 2013?

8 A. I didn't think so.

9 Q. Okay. All right. I'm going to have you
10 skip ahead.

11 Okay. I'm going to direct your attention to
12 what is labeled as Exhibit 3 in Exhibit D.

13 All right. It's going to be a little bit
14 difficult to read.

15 On the first page, they're not labeled. It
16 appears to be maybe a photocopy or a scan of two
17 receipts.

18 Do you see that?

19 A. Yes.

20 Q. Okay. Do those appear to be yours?

21 A. Yes.

22 Q. On the right-hand side, it looks like
23 there's maybe a written number 12.

24 Do you know what that is?

25 A. No.

1 Q. Did you write that, do you know?

2 A. I don't know. It doesn't look like my
3 handwriting.

4 Q. Okay. And then I'm going to -- okay.
5 Do you -- do you think that that handwriting was on
6 the original, do you know?

7 A. I don't know.

8 Q. The reason I'm asking the it just appears to
9 be a lot darker. So I wasn't sure if that was on the
10 original -- sorry, let me lay a little bit of
11 foundation.

12 Did you give copies of these receipts to
13 your counsel?

14 A. No. I gave them the original receipts.

15 Q. Oh, the original ones. Okay.

16 A. Yeah.

17 Q. Okay. So do you recall if the originals had
18 any what appear to be handwritten numbers on them?

19 A. No.

20 Q. Okay. Do you know if this is all of your
21 receipts from 2013 from Crazy Horse?

22 A. (Witness reading.) Um, I don't know.

23 Q. Okay.

24 A. There's a possibility that we wouldn't get
25 one a certain night or --

1 Q. Okay.

2 A. -- or I accidentally threw one away.

3 Q. But it's what you have currently?

4 A. Yes.

5 Q. Okay. No problem. Okay. I'm going to --
6 the first page is a little -- but the second -- can
7 you have -- please turn to the second page.

8 So the second page that I'm looking at
9 appears to perhaps have four receipts.

10 Are you seeing that?

11 A. Yes.

12 Q. Okay. In the bottom left-hand corner
13 receipt, do you see that one?

14 A. Yes.

15 Q. What date do you have on that?

16 A. 8/24, 2013.

17 Q. Okay. Can you tell me what it says under
18 the -- well, can you tell me what the receipt says?

19 A. (Witness reading.) Yes. It says Russell
20 Road Food and -- F and B, 3550 West Quail Road, LV,
21 payment receipt, stage name, Madison, Entertainer ID,
22 3045344.

23 Logged in 8/24, 2013, 11:36:07 p.m. 8/24,
24 2013. 11:36:07 p.m. Description, amount, house fees,
25 \$75.

1 Q. Okay.

2 A. 8/24, 2013, 11:36:09 p.m. Description,
3 amount, off-stage fee, \$40.

4 Q. Okay. I'll have you stop right there.

5 When during a shift would you have received
6 a receipt like this?

7 A. In the beginning.

8 Q. Okay. So when you checked in?

9 A. Yes.

10 Q. Okay. Now, going back to that receipt that
11 you've just read, it says -- can you tell me what it
12 says for total due?

13 A. \$115.

14 Q. And how about amount paid?

15 A. \$115.

16 Q. Would you have paid the off-stage fee and
17 still gone on stage?

18 A. Uh, no.

19 Q. Okay. Do you have any recollection of this
20 specific receipt?

21 A. No.

22 Q. Okay. Do you think it's accurate?

23 A. I don't -- I don't know. I don't remember
24 ever going off stage, so I would say no.

25 Q. Did you utilize these receipts in the filing

1 of your income taxes?

2 A. I would think so.

3 Q. Okay. Do you think, at the time you
4 received them, that you would have believed them to be
5 correct?

6 A. No.

7 Q. Would you have submitted incorrect
8 information to the IRS?

9 A. Not intentionally.

10 Q. Okay. So you think this might have been a
11 mistake receipt or there might be a mistake reflected
12 on this receipt?

13 A. That's a possibility.

14 Q. Would you have questioned that at the time
15 that you received it?

16 A. Yes.

17 Q. Do you recall questioning this receipt?

18 A. No.

19 Q. Okay. Do you recall ever receiving any
20 receipts, when you checked in at Crazy Horse, that
21 reflected a charge for a stage fee that you contested
22 or that you complained about?

23 A. No.

24 Q. Okay. So when you checked in, if the
25 check-in guy told you your house fee amount was \$75

1 and then your off-stage fee was \$40, would you have
2 just gone ahead and paid that, regardless of whether
3 or not you wanted to go off stage?

4 A. I -- I would have paid whatever they made me
5 pay.

6 Q. Who?

7 A. The cashier.

8 Q. Did you think that the cashier was a
9 manager?

10 A. No.

11 Q. Do you recall the cashier making you pay a
12 fee that you didn't -- or that you contested being
13 charged for?

14 A. That could have happened.

15 Q. But do you recall it happening?

16 A. No.

17 Q. Okay. I'm sorry. I'm just trying to
18 decipher more of these receipts.

19 Okay. Can you turn to the last page of
20 Exhibit C -- or sorry, Exhibit D?

21 A. (Witness complying.)

22 Q. Okay. Now, on this page, almost unreadable,
23 but it looks like maybe there are six receipts, do you
24 think?

25 A. Yes.

1 Q. Possibly?

2 A. Yeah.

3 Q. Again, do you recall those hand -- what
4 appear to be handwritten numbers on the original
5 receipts?

6 A. I don't. But that looks like my
7 handwriting.

8 Q. Okay. Any idea what those numbers might be?

9 A. No.

10 Q. Okay. That's fine. So I'm going to just
11 direct you down to the bottom left corner receipt. It
12 looks like it's dated 6/28, 2013.

13 A. Okay.

14 Q. Okay. Would that have been shortly after
15 you very first started performing at Crazy Horse?

16 A. Yes.

17 Q. Okay. Now, the amount of the house fee, I
18 cannot read. Do you know what that might be?

19 A. It looks like \$90 -- well -- or -- oh, 50
20 for --

21 Q. Okay.

22 A. -- the house fee.

23 Q. Now, do you see another fee on that receipt?

24 A. Yes.

25 Q. Okay. What other fee do you see?

1 A. An off-stage fee.

2 Q. Okay. Do you think you would have paid that
3 and gone on stage?

4 A. Uh, no and yes.

5 Q. And what do you mean by that?

6 A. I mean no, I don't think I would have paid
7 it, but yes, I went on stage.

8 Q. So you remember going on stage in June of --
9 June 28th of 2013?

10 A. No.

11 Q. Okay. Okay. Would you have continued to
12 perform at a place that forced you to pay fees that
13 you did not think you should be required to pay?

14 A. No.

15 Q. Okay. Did you continue performing at
16 Russell -- or at Crazy Horse after 6/28, 2013?

17 A. Yes.

18 Q. Okay. I mean, at the time, did you -- okay.
19 So at the time, do you think you actually did want to
20 pay the off-stage fee?

21 A. No. I guess kind of the -- the point of all
22 this -- I know we're circling back -- is it could
23 have -- it could say one thing, but it didn't really
24 happen.

25 Q. So you think this might say that you were

1 charged and paid an off-stage fee, but you were
2 neither charged nor paid that off-stage fee?

3 A. It could be.

4 Q. Okay. What makes you think that?

5 A. Because I've been there when they -- they
6 adjusted things on the computer and just said they're
7 doing one thing, when really, that's not how it was.

8 Q. Do you recall repeatedly being told that you
9 were going to be charged but that a receipt would
10 reflect that you paid an off-stage fee?

11 A. No.

12 Q. Okay. Do you have any documentation to
13 dispute that these receipts are accurate?

14 A. No.

15 Q. Okay. Did you rely on them as accurate when
16 you filed your income taxes in 2013 and 2014?

17 A. Yes.

18 Q. Okay. And then let me just circle back real
19 quick.

20 Right at the beginning, you had -- I believe
21 you testified that you were required to work six
22 hours; is that correct?

23 A. Yes.

24 Q. Was that written down somewhere?

25 A. I thought so. But I don't remember exactly.

1 Q. Okay. Do you know -- do you recall anyone
2 telling you that?

3 A. Yes.

4 Q. Who?

5 A. Justin.

6 Q. Okay. Anyone else?

7 A. Yeah. Able.

8 Q. Okay. Did you ever complain about that?

9 A. Yes.

10 Q. To who?

11 A. I don't remember which manager, but a
12 manager.

13 Q. Did you ever complain to Keith?

14 A. I don't remember.

15 MS. SMITH: Okay. I think that's actually
16 all of my questions.

17 MS. CALVERT: I just have one follow-up,
18 because I know what those numbers might be on the
19 dance dollars.

20 CROSS-EXAMINATION

21 BY MS. CALVERT:

22 Q. Will you take a look at the dance dollar
23 receipt on the first page after Exhibit 3. It has --

24 A. Oh, okay.

25 Q. Sorry.

1 A. Oh, it's okay.

2 Q. It's on the first right-hand corner, 8/31,
3 2013.

4 A. Okay.

5 Q. And you see the 12?

6 A. Yes.

7 Q. 12 plus the 108 would be how much?

8 A. Uh, 120.

9 Q. And is that probably what you gave to the
10 cashier in diamond dollars?

11 MS. SMITH: Objection. Form.

12 Q. (BY MS. CALVERT) Would that be the ten
13 percent that the club kept?

14 MS. SMITH: Objection. Form.

15 THE WITNESS: Oh. Yes.

16 Q. (BY MS. CALVERT) Okay. So look down to the
17 next one that has a number. Looks like it's a few
18 pages down, but you'll see a handwritten four and a
19 handwritten six.

20 They're not numbered. And that's our fault,
21 so --

22 A. It's okay. Oh, yes.

23 Q. So one of them is for \$36. Do you see that?

24 A. Yes.

25 Q. The other one's for 54?

1 A. Yes.

2 Q. What do you think those numbers might
3 reflect that are handwritten?

4 A. What -- they would definitely be the ten
5 percent that the club took.

6 Q. Okay. Let's see here.

7 A. The same with the next page.

8 Q. Okay.

9 A. A 90 and a ten. Yeah. It's definitely one
10 of those.

11 Q. Okay. And I think the only other question I
12 had, the entertainment charge summaries and the
13 clock-in, clock-out spread sheets that we've been
14 discussing today, do you know who created those?

15 MS. SMITH: Objection. Form.

16 THE WITNESS: Sorry.

17 MS. CALVERT: Oh, let me -- the Exhibit A,
18 and Exhibit --

19 THE WITNESS: B?

20 MS. CALVERT: B. Thank --

21 THE WITNESS: Okay.

22 MS. CALVERT: -- you.

23 Q. (BY MS. CALVERT) Do you know who created
24 those?

25 A. No.

1 Q. Did you create them?

2 A. No.

3 Q. Were you present when someone was creating
4 them?

5 A. No.

6 MS. SMITH: Objection. Form.

7 MS. CALVERT: And that's it.

8 MS. SMITH: Okay. I just have one more
9 quick follow-up.

10 MS. CALVERT: That's always the problem with
11 doing the follow-up.

12 REDIRECT EXAMINATION

13 BY MS. SMITH:

14 Q. Do you --

15 A. Yeah.

16 Q. Do you have any personal records where you
17 tracked the days and/or hours that you performed at
18 Crazy Horse?

19 A. No.

20 Q. Do you have any personal documentation,
21 aside from the receipts that we were just discussing,
22 to evidence house fees or other charges or monies
23 exchanged between you and Crazy Horse?

24 A. No.

25 Q. Okay. I'm sorry. I think that I asked you

1 this earlier:

2 But did you ever report to anyone at the end
3 of each shift that you performed at Crazy Horse how
4 much total monies you earned that evening or of that
5 day?

6 MS. CALVERT: Objection as to form.
7 Confusing.

8 THE WITNESS: Uh --

9 MS. SMITH: Let me restate it.

10 Q. (BY MS. SMITH) At the end of a shift at
11 Crazy Horse, did you tell anyone how much money you
12 made?

13 A. If they asked, yes.

14 Q. But you didn't have to report it to anyone
15 at Crazy Horse?

16 A. In a way, sometimes.

17 Q. Okay. Did you have to report it or not?

18 A. Yes, sometimes.

19 Q. What do you mean by sometimes?

20 A. If I had diamond dollars, there was a
21 manager standing over my shoulder.

22 Q. Okay. What about the overall amount of
23 money earned per shift?

24 A. Uh, no.

25 MS. SMITH: Okay. That's all. We can go

1 off the record.

2 THE COURT REPORTER: Lauren, did you want a
3 copy?

4 MS. CALVERT: Yes, an E-trans.

5 (The deposition concluded at
6 5:20 p.m.)

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