

**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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Nevada

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**JOINT APPENDIX – VOLUME X**

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IN THE DISTRICT COURT  
CLARK COUNTY, NEVADA

JACQUELINE FRANKLIN; et	)	
al,	)	
	)	
Plaintiff,	)	
	)	Case No. A-14-709372-C
vs.	)	
	)	
RUSSELL ROAD FOOD AND	)	
BEVERAGE, LLC; et al.,	)	
	)	
Defendants.	)	

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DEPOSITION OF LILY SHEPARD  
Las Vegas, Nevada  
Monday, January 9, 2017

Reported by:  
CHRISTY I. ADLER  
CCR No. 683  
  
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1 Las Vegas, Nevada, Monday, January 9, 2017

2 LILY SHEPARD,

3 having been administered an oath, was examined and  
4 testified as follows:

5 EXAMINATION

6 BY MS. SMITH:

7 Q. Hi, how are you?

8 A. Good.

9 Q. We met off the record. You know I'm  
10 Stephanie Smith here representing Defendant Russell  
11 Road Food and Beverage and Crazy Horse III  
12 Gentleman's Club.

13 You were just given an oath by the court  
14 reporter. That oath is the same one that you would  
15 take in a court of law and carries with it penalties  
16 of perjury should you not be truthful here today.  
17 All right?

18 A. Yep.

19 Q. Have you consumed any drugs or alcohol in  
20 the past 12 hours?

21 A. No.

22 Q. Any reason we can't go forward today and  
23 obtain your best testimony?

24 A. No.

25 Q. After the deposition is over, at some

1 point you will receive a copy of the transcript. You  
2 will have the chance to review that.

3 There might be times during the  
4 questioning where we leave blanks. Maybe you forget  
5 someone's last name and I say, we're going to leave a  
6 blank in the transcript for you to fill in later.

7 A. Okay.

8 Q. Aside from that, if you make any changes  
9 that are substantive, such as you think of a lot of  
10 extra facts about a circumstance, or you change a yes  
11 to a no, then I most likely will be able to re-call  
12 you back in here and question you about those  
13 changes, all right?

14 As you can see, the court reporter is  
15 taking down everything that we're saying today. So  
16 it's really important that you try to have verbal  
17 responses.

18 It's normal just to nod or say "uh-huh"  
19 or "nah," but those are difficult to read later on  
20 and even you might not remember what that meant at  
21 the time. So just try and say "yes" or "no" or  
22 "okay," things like that, all right?

23 A. Okay.

24 Q. I'm going to try and ask very clear  
25 questions. That may not always occur, however. If

1 you don't understand what I'm asking, feel free to  
2 stop me and ask me for clarification.

3 From time to time your counsel may also  
4 have an objection to my question. I would just ask  
5 that you try to pause for a moment before answering  
6 so that your counsel's objection can be on the  
7 record.

8 It's important that we try to talk only  
9 one at a time. So just try and wait until I finish  
10 my questions. It's very natural to want to jump in  
11 and kind of finish the question or provide the  
12 answer, but try to hold off from doing that. And I  
13 will try to wait until you're finished providing your  
14 answer before I speak, okay?

15 A. Okay.

16 Q. Going forward, I do want your best  
17 testimony. So that means I would like your best  
18 estimate, but not any guesses.

19 Do you understand the difference between  
20 a guess and an estimate?

21 A. Yes.

22 Q. What's your understanding of the  
23 difference?

24 A. An estimate means you somewhat remember a  
25 bit; a guess is like a shot in the dark.

1 Q. Okay. Good. Be surprised how many  
2 people say yes and then when they're asked about it,  
3 they are kind of like clueless.

4 You have a right to take a break any  
5 time, you need to use the restroom, you need to make  
6 a call at some point, you'll be able to do that. But  
7 if I have a question pending, that you go ahead and  
8 answer that question and then we can go ahead and  
9 take a break, okay?

10 A. Okay.

11 Q. Can you state and spell your full name  
12 for the record?

13 A. Lily Shepard, L-I-L-Y S-H-E-P-A-R-D.

14 Q. Have you had your deposition taken  
15 before?

16 A. No.

17 Q. Okay. Have you been involved in any  
18 litigation before?

19 A. No.

20 Q. What's the highest level of education  
21 you've completed?

22 A. Bachelor's degree.

23 Q. Where from?

24 A. SUNY Brockport.

25 Q. What's your bachelor's in?

1 A. Dance.

2 Q. Wow. What year did you graduate?

3 A. 2003.

4 Q. So SUNY, is that in New York?

5 A. State University of New York.

6 Q. What brought you out to Las Vegas?

7 A. Dancing.

8 Q. All right. What year did you move to Las  
9 Vegas?

10 A. 2003.

11 Q. Have you lived here continuously since  
12 2003?

13 A. I moved to Austin, Texas in 2015.

14 Q. So from 2003 to 2015 you were here in Las  
15 Vegas?

16 A. Yes.

17 Q. Okay. What made you move to Austin?

18 A. Austin is much more family friendly than  
19 Las Vegas. I have a nine-year-old.

20 Q. Makes sense. Supposed to have a pretty  
21 good music scene, too?

22 A. Yes.

23 Q. What do you do now in Austin for income?

24 A. I just started a dance and fitness  
25 company called Body Bloom. So I'm a fitness

1 instructor and dance teacher.

2 Q. Congratulations.

3 A. Thank you.

4 Q. So prior to ever going into Crazy Horse  
5 and auditioning, did you work at any gentlemen's club  
6 prior to going into Crazy Horse?

7 A. Yes, I worked at Sapphire.

8 Q. Anywhere else?

9 A. Crazy Horse II.

10 Q. Anywhere else?

11 A. Not that I remember, no.

12 Q. Do you know if Crazy Horse II and Crazy  
13 Horse III are affiliated?

14 A. As I remember it, they are not.

15 Q. Okay.

16 A. I think it was a different company.

17 Q. Okay. Do you recall when you first  
18 auditioned at Crazy Horse III?

19 A. Yes.

20 Q. When was that?

21 A. Do I recall the actual date, no. I  
22 recall doing it.

23 Q. Do you have the year?

24 A. To the best of my memory, I think it was  
25 2010.

1 Q. Going forward, when I say Crazy Horse  
2 during the deposition, I'm going to use that to mean  
3 Crazy Horse III. Is that all right?

4 A. Yes.

5 Q. And then I'll probably use the term  
6 "dancing" quite a bit. When I use that, I mean the  
7 types of adult dancing, as opposed to like the  
8 dancing you're teaching currently in Austin, all  
9 right?

10 A. Yes.

11 Q. So after you stopped performing at Crazy  
12 Horse, did you perform at any other gentlemen's  
13 clubs?

14 A. Yes, at Sapphire.

15 Q. Okay. Do you recall the time period that  
16 you performed at Crazy Horse?

17 A. I think 2013 or '14 is when it was over.

18 Q. We're going to show you some documents  
19 later. I'm just trying to get your best recollection  
20 right now.

21 A. Okay.

22 Q. During the period of 2010 to 2013, 2014,  
23 did you perform at any other gentlemen's club?

24 A. Yes. Glitter Gulch, and, I believe,  
25 Larry's Villa once or twice.

1 Q. Are those the same types of gentlemen's  
2 clubs as Crazy Horse?

3 A. Yes.

4 Q. So is it a fair representation to say  
5 that you weren't exclusively performing at Crazy  
6 Horse?

7 A. Correct.

8 Q. Okay. Would you ever perform at one of  
9 the gentlemen's clubs earlier in an evening perform  
10 at a different one later on in an evening on a  
11 certain night?

12 A. Yes, I did that.

13 Q. What would cause you to make a decision  
14 to perform at two clubs in one evening?

15 A. To make as much money as I could.

16 Q. Did you file income tax in 2010 with the  
17 IRS?

18 A. Yes.

19 Q. What about 2011?

20 A. Yes.

21 Q. What about 2012?

22 A. Yes.

23 Q. 2013?

24 A. Yes.

25 Q. How about 2014?



1 A. Yes.

2 Q. When I say to those years, I mean income  
3 taxes for the representative years. Is that your  
4 understanding?

5 A. Yes.

6 Q. Okay. Do you have your tax records?

7 A. Yes.

8 Q. Have you provided those to your counsel?

9 A. No.

10 Q. Any reason why not?

11 A. Not yet. She asked for them, so I will  
12 be providing them, but I just haven't yet.

13 Q. Okay. Aside from filing with the IRS,  
14 did you file any Nevada state taxes for a business?

15 A. Not that I remember.

16 Q. Okay. During 2010, do you recall if you  
17 had a Nevada business license?

18 A. I don't remember if they were required at  
19 that time.

20 Q. Okay. What about 2011?

21 A. I don't remember. They were not required  
22 and then they were. So whenever they told me I  
23 needed to get one, that's when I got one.

24 Q. Do you recall what type of business  
25 license that was?

1 A. No.

2 Q. Do you still have a Nevada business  
3 license?

4 A. No, it's expired.

5 Q. Okay. Did you ever have a Sheriff's  
6 Card?

7 A. Yes.

8 Q. Do you recall what years you had a  
9 Sheriff's Card?

10 A. From the first year I started dancing it  
11 was a requirement.

12 Q. When did you start dancing in Nevada?

13 A. 2003.

14 Q. Okay. So from 2003 until 2015 did you  
15 have a Sheriff's Card?

16 A. Yes.

17 Q. Is 2015 when you last danced in Nevada --

18 A. Yes.

19 Q. -- where was the last club that you  
20 danced at?

21 A. Sapphire.

22 Q. Now, I'm going to go into more questions  
23 specifically about Crazy Horse, the Defendant in this  
24 litigation.

25 Going forward, I'm going to try to use

1 the term mandatory or required, what you understood  
2 to be an actual rule within the club, versus  
3 expected, which would be your understanding of that's  
4 just what occurred. Does that make sense to you?

5 A. Yes.

6 MS. CALVERT: I'm going to object as  
7 argumentative.

8 BY MS. SMITH:

9 Q. Let me ask you this. What made you  
10 choose to dance at Crazy Horse?

11 A. It was an opportunity to make more money.

12 Q. How did you hear about the club?

13 A. Girls at Sapphire.

14 Q. Okay. Anything in particular that they  
15 said that made you want to go and audition there?

16 A. I made money there.

17 Q. All right. So when you first went into  
18 audition, can you tell me what occurred?

19 A. I had an orientation -- well, that was  
20 when I got hired. When I auditioned, I went in. I  
21 was asked to get into stripper clothes and for a  
22 little walk around the pole. And that was it.

23 Q. You said "stripper clothes." What would  
24 that -- do you recall what that entailed?

25 A. Something revealing. I don't remember

1 exactly what I wore, but a bathing suit, a little  
2 bikini, something like that.

3 Q. Is that what you would typically dance  
4 in?

5 A. Not necessarily.

6 Q. Okay. So then what happened?

7 A. I was told, okay, you're hired. Go see  
8 the house mom.

9 Q. Then after you went and saw the house  
10 mom, what did you do then?

11 A. The house mom told me that I could work,  
12 but I would have to pay offstage fee. So she said --  
13 she gave me my shift and she said, "You can work when  
14 you want, but you have to pay offstage fee. You  
15 can't go on stage."

16 Q. The house mom told you that?

17 A. Yes.

18 Q. Did you ask her what she meant by that?

19 A. I knew what that meant.

20 Q. Okay. What did you think that meant?

21 A. That I was allowed to come in and work,  
22 but that I would have to pay a fee to not go on  
23 stage.

24 Q. Okay. Did you want to go on stage?

25 A. I did because it was less expensive.

1 Q. Okay. Were you ever able to go on stage?

2 A. Later I did. It was a weight issue. I  
3 asked why I had to pay an offstage fee. She said I  
4 had to lose some weight, then I would be able to go  
5 on or off as I so choose.

6 Q. Okay. Did you ever ask any management  
7 about what the house mom told you regarding the  
8 offstage fee and losing weight?

9 A. No. At the audition it was relayed to me  
10 that the house mom kind of ran the audition. So I  
11 didn't have a reason to question anyone else.

12 Q. Okay. Was the house mom actually at the  
13 audition?

14 A. Yes.

15 Q. Okay. So she watched you walk around the  
16 pole?

17 A. Yes.

18 Q. Was anyone else there?

19 A. A manager.

20 Q. Do you recall who?

21 A. No.

22 Q. So after the initial conversation with  
23 the house mom, then what happened?

24 A. I left.

25 Q. Okay. Did you perform that evening?

1 A. No.

2 Q. Any reason why not?

3 A. I just wanted to see if I was going to  
4 get hired. I wasn't prepared to work actually that  
5 day.

6 Q. Okay. So do you recall when you next  
7 decided to go back to Crazy Horse?

8 A. No.

9 Q. Do you remember what made you decide to  
10 want to go and actually perform for a shift?

11 A. Yeah, I had already decided that I wanted  
12 to try it out. I had heard that the money was good,  
13 so I had gotten hired.

14 Q. And you said you were on night shift?

15 A. Yes.

16 Q. Do you recall what hours you were told to  
17 work for a night shift?

18 A. No.

19 Q. Was there a certain amount of hours that  
20 you were supposed to be performing if you showed up  
21 for a night shift?

22 A. Six.

23 Q. Who told you six?

24 A. I believe it was written in the rules and  
25 the house mom told me that.

1 Q. Okay. So when you went in for a shift,  
2 how would you know when to start it?

3 A. You would start when you clocked in. As  
4 I remember, you had to be on the floor within, I  
5 don't remember, either 30 or 40 minutes of clock in.  
6 So you couldn't just clock in and be ready at your  
7 leisure. When you got there and it was clocked in  
8 that you were there, you had a certain amount of time  
9 in which you had to be out on the floor.

10 Q. Okay. Could you choose when you arrived  
11 at Crazy Horse to clock in?

12 A. Yes.

13 Q. Could you choose what days you wanted to  
14 perform?

15 A. Yes.

16 Q. Did anyone tell you a certain number of  
17 days per week they wanted you to perform?

18 A. No.

19 Q. So no requirement in terms of number of  
20 days per week?

21 A. That's correct.

22 Q. What about per month?

23 A. No.

24 Q. Did anyone ever require you to perform  
25 for over eight hours at a time?

1           A.    No.

2           Q.    Could you have performed for over eight  
3 hours?

4           A.    Yes.

5           Q.    Would you ever do that?

6           A.    I did.

7           Q.    Okay.  So when you checked in for a  
8 shift, what would that entail?  Can you walk me  
9 through that?

10          A.    You would have to -- it was required that  
11 you valet.  So you would have to valet.  You would  
12 walk in.  You were required to pay your house fee  
13 prior to being able to work.

14                So you would walk in, pay your house fee,  
15 go to the dressing room, and then you had 30 to  
16 40 minutes to get ready and then be out on the floor.

17          Q.    Okay.  When you say that you were  
18 required to valet, who required that?

19          A.    The house mom said that at the audition  
20 when she was kind of explaining if you get hired,  
21 you'll valet.  You have to valet.  You'll come in.  
22 You'll check in.  And you'll have certain amount of  
23 time to get ready and be on the floor.

24          Q.    Did you ever ask about getting dropped  
25 off at Crazy Horse?



1 A. No.

2 Q. Okay. Do you know if that would have  
3 been an option?

4 A. I don't know.

5 Q. Is there anywhere else you could have  
6 parked prior to starting a shift?

7 A. I don't know.

8 Q. Did anyone ever monitor whether you used  
9 valet?

10 A. I don't know.

11 Q. Okay. Did anyone ever come up and ask  
12 you if you had valeted a vehicle that evening from  
13 Crazy Horse?

14 A. No.

15 Q. You also mentioned when you checked in  
16 you needed to pay a fee; is that right?

17 A. Yes.

18 Q. Do you recall how much that was?

19 A. No. It varied depending on what hour you  
20 checked in.

21 Q. Okay. When you checked in, and you paid  
22 that house fee, is that also when you would pay an  
23 offstage fee?

24 A. Yes.

25 Q. Do you have any receipts from those fees?

1 A. Did I or do I?

2 Q. Do you?

3 A. No.

4 Q. Would those have been utilized as  
5 write-offs on your tax return?

6 A. I'm not sure.

7 Q. Do you recall ever writing off house fees  
8 on a tax return?

9 A. I don't remember.

10 Q. Do you recall how much income you would  
11 have reported in total from Crazy Horse in 2013?

12 A. No.

13 Q. How about 2014?

14 A. No.

15 Q. I'm guessing not 2010 either, right?

16 A. No.

17 Q. That's okay. And do you recall what the  
18 offstage fee was that you would pay?

19 A. I'm pretty sure it was \$40. I'm not  
20 absolutely sure.

21 Q. Does Crazy Horse have anything else,  
22 aside from ladies dancing in the club?

23 MS. CALVERT: Objection. Vague.

24 You can answer if you know.

25 THE WITNESS: Can you specify? Like what

1 do you mean?

2 BY MS. SMITH:

3 Q. Any other types of entertainment?

4 MS. CALVERT: Objection. Vague.

5 You can answer.

6 THE WITNESS: Not that I remember, no.

7 It's just --

8 BY MS. SMITH:

9 Q. How about TVs?

10 A. Yeah.

11 Q. What about bar area?

12 A. Yep.

13 Q. What about any food service?

14 A. I don't remember if they had food or not.

15 Q. Okay. What about VIP tables?

16 A. Yes.

17 Q. And VIP areas?

18 A. Yes.

19 Q. Do you know if they would ever, if Crazy

20 Horse would ever host any parties at the club?

21 A. Do you mean like other than a regular

22 night?

23 Q. Yes.

24 A. I don't remember that.

25 Q. Any special events, maybe like for

1 Christmas, for instance, or New Year's Eve, something  
2 to that effect?

3 A. Actually they did have fight, for the  
4 boxing fights, they would have, I guess you could  
5 call that a special party.

6 Q. Okay.

7 A. Or a Monday Night Football, they had a  
8 special event for that.

9 Q. Okay. Were you ever required to attend  
10 those?

11 A. No.

12 Q. Anything would anything happen if you  
13 chose not to perform on those evenings?

14 A. No.

15 Q. Did anyone contact you to request that  
16 you come in for those parties?

17 A. No.

18 Q. So when you would start a shift at Crazy  
19 Horse, what was your main goal for the evening?

20 A. To make money as much as I could.

21 Q. Okay. Did you ever have like a specific  
22 dollar amount that you wanted to reach?

23 A. No.

24 Q. What about a certain number individuals  
25 that you wanted to speak to?

1 A. No.

2 Q. Did Crazy Horse have a minimum number of  
3 dollars they wanted you to earn per shift?

4 A. No. You had to earn enough to pay back  
5 your fee.

6 Q. What if you didn't?

7 A. You couldn't work with a negative  
8 balance.

9 Q. Did that ever happen to you?

10 A. Leaving negative and not being able to  
11 work?

12 Q. Yes.

13 A. Yes.

14 Q. What would happen then if you came back  
15 the next time with negative balance?

16 A. Well, I wouldn't come back because I knew  
17 if I didn't have the money to pay the fee, I couldn't  
18 work.

19 Q. So would you just never return?

20 A. No, you would have to get the money from  
21 another source. It wouldn't be the money that you  
22 had made there. You would have to get the money to  
23 pay your fee so you could make money.

24 Q. Okay. Did you ever ask to perform if you  
25 had a negative balance?

1 A. Yes.

2 Q. And what were you told?

3 A. There was one time I can remember that I  
4 was allowed to work. I was allowed to pay the  
5 balance at the end.

6 Q. Okay.

7 A. But I was told that was a one time thing  
8 and not to expect that moving forward.

9 Q. Did Crazy Horse have a minimum number of  
10 lap dances you were supposed to perform during a  
11 shift?

12 A. No.

13 Q. What about a minimum number of  
14 individuals that you were supposed to approach?

15 A. No.

16 Q. What about a minimum number of drinks you  
17 were supposed to get patrons to purchase?

18 A. No.

19 Q. Would you ever try and get local parties  
20 of your own?

21 MS. CALVERT: Objection. Vague.

22 THE WITNESS: What do you mean?

23 BY MS. SMITH:

24 Q. Maybe get a group of individuals to come  
25 in on a specific night and purchase a bottle or

1 something to that effect?

2 A. No.

3 Q. Could you have?

4 MS. CALVERT: Objection. Calls for  
5 speculation.

6 But you can answer if you know.

7 THE WITNESS: I don't know.

8 BY MS. SMITH:

9 Q. Did you have your own customer base?

10 A. No.

11 Q. Would you have regulars that would come  
12 and see you perform at Crazy Horse?

13 A. No.

14 Q. What about at other clubs?

15 A. A very small number.

16 Q. Would that be -- so that number, would  
17 that be specific to the club that you were performing  
18 at or specific to you as a dancer?

19 A. Specific to the club.

20 Q. Okay. So maybe someone liked to see you  
21 perform at Sapphire specifically?

22 A. Correct.

23 Q. How would you contact those individuals  
24 to let them know that you were performing there?

25 A. I usually didn't contact them. I used to

1 have cards that I would say, call the club and see if  
2 I'm there.

3 Q. Okay. Like individual business cards?

4 A. Uh-huh.

5 Q. Okay. Did you get those made up?

6 A. Yes.

7 Q. Do you know about how much money you  
8 spent on those?

9 A. I don't remember. It was relatively  
10 inexpensive.

11 Q. Were those cards affiliated with any one  
12 club or just with you personally?

13 A. Just with me.

14 Q. Okay. So aside from those cards, did you  
15 do any other promotion of yourself as a dancer?

16 A. No.

17 Q. Any advertising?

18 A. No.

19 Q. What about on social media?

20 A. No.

21 Q. Did Crazy Horse ever require you to  
22 promote as a club?

23 A. No.

24 Q. After you had performed on a shift for, I  
25 think you said you believe the minimum to be six



1 hours; is that right?

2 A. (Witness nods head.)

3 Q. After six hours, if you wanted to stop  
4 performing, what would you do?

5 A. Stop performing or leave?

6 Q. Leave the premises?

7 A. You would have to get a slip signed from  
8 the DJ, the house mom, and the manager.

9 Q. Okay. And then what?

10 A. Then you would have to pay your tip  
11 outside and then claim your car from valet and leave.

12 Q. Okay. What about if you just wanted to  
13 stop performing, could you hang out at the club  
14 afterwards?

15 A. I don't know. I never did that.

16 Q. Okay. When you had testified earlier you  
17 had stopped performing or leave, what were you  
18 referring to when you said "stop performing"?

19 A. No longer go on stage or no longer  
20 interact with patrons.

21 Q. Okay. If you wanted to do that, what  
22 would your procedure be?

23 MS. CALVERT: Objection. Confusing.

24 THE WITNESS: I don't know. It usually  
25 -- when I wanted to do that, I would leave.

1 BY MS. SMITH:

2 Q. Okay. Did anyone ask you to stay longer  
3 if you had already decided to leave?

4 A. I was asked a few times -- not asked, but  
5 told there were good tables coming in and it wouldn't  
6 make sense for me to leave.

7 Q. Did you stay then after you heard that?

8 A. Yes.

9 Q. Okay. Did anyone require you to stay?

10 A. I was fearful if I did leave, I could not  
11 have a job when I came back.

12 Q. Did anyone prevent you from leaving?

13 A. Physically?

14 Q. Sure.

15 A. No.

16 Q. In those circumstances you were just  
17 referring to, did you ever decide that you did not  
18 want to stay longer and inform Crazy Horse that you  
19 wanted to leave regardless?

20 A. No.

21 Q. Okay. How come?

22 A. My job would be in jeopardy.

23 Q. How so?

24 A. If a manager would come over to you and  
25 say, "You know, I really don't think it's a good

1 idea that you should leave, we have good tables  
2 coming in," and you left anyway, probability was high  
3 that you would come in and find yourself on a  
4 different shift or kind of be snubbed or not informed  
5 when good tables were coming in again.

6 Q. Did that ever happen to you?

7 A. No, because I always stayed.

8 Q. Okay. So you're kind of speculating that  
9 that might occur?

10 A. I heard from more than one person that  
11 that would occur. And there was a way in which it  
12 was said that conveyed that understanding to me.

13 Q. Can you elaborate on that?

14 A. It was just known. It was just known if  
15 a manager asked you to stay or says, "You know, you  
16 probably shouldn't go," it wasn't forceful, but it  
17 was said in a not -- there was a tone that implied  
18 you really should stay here. The tone, the body  
19 language, that's what it conveyed.

20 Q. But you personally didn't try to leave  
21 after one of those circumstances would occur?

22 A. No.

23 Q. So what would happen if you were tired  
24 and wanted to leave the premises and had only been  
25 there for four hours?

1           A.     You would have to go get the three  
2     signatures and tip out the host. It would usually go  
3     something like, "Hey, I need to leave. I know it's  
4     only been four hours."

5                 "Well, take care of me and I'll sign your  
6     slip."

7           Q.     Okay. And that was the host that would  
8     request a tip?

9           A.     Yes.

10          Q.     Was there a certain amount that the host  
11     would request?

12          A.     No.

13          Q.     Did you understand that tipping the host  
14     was mandatory?

15          A.     Yes, to be able to leave before the six  
16     hours.

17          Q.     What would happen if you had said --  
18     sorry. Scratch that.

19                 Do you know what would have happened if  
20     you had said that you did not want to give the host a  
21     tip?

22          A.     No.

23          Q.     Okay. Did you ever report that request  
24     to anyone in management?

25          A.     No.

1 Q. Okay. So after the host, anyone else  
2 that you thought you were required to tip?

3 A. The house mom, and the valet.

4 Q. Was there a required amount that you were  
5 supposed to tip the house mom?

6 A. No.

7 Q. Were there times you did not tip the  
8 house mom?

9 A. No.

10 Q. Did you ever use of any her products or  
11 cosmetics or anything?

12 A. Occasionally. I tried not to.

13 Q. Okay.

14 A. Because it was understood the more you  
15 use, the more you tip.

16 Q. Who told that you it was required to give  
17 the host a tip?

18 A. The house mom said that upon my audition  
19 when I first got hired.

20 Q. Okay. And was it the house mom that  
21 informed you that she required a tip?

22 A. No. She had a jar.

23 Q. Okay. How would, if you know, how would  
24 the house mom monitor whether or not you had given  
25 her a tip versus someone else?

1 A. I don't know.

2 Q. Okay. Would you report to her that you  
3 had put in money in her tip jar?

4 A. No. I tried to make sure she saw me  
5 because I knew that there's an opportunity I could  
6 put 40 bucks in there, but if she didn't know it was  
7 me, then she would still be looking at me for a tip.  
8 So I tried to make sure that she saw me, but that  
9 wasn't always possible.

10 Q. Would you ever hand it to her directly?

11 A. On occasion.

12 Q. Do you remember who the house mom was?

13 A. I don't remember her name.

14 Q. Was it the same individual from 2010 when  
15 you first auditioned to 2014 or 2013?

16 A. I believe so.

17 Q. You don't recall more than one house mom?

18 A. No.

19 Q. So just to review, so I'm sure the house  
20 mom informed you you were required to tip the host  
21 and her?

22 A. She had the jar.

23 Q. Okay. And the jar was just for her; is  
24 that correct?

25 A. As far as I know.

1 Q. Okay. Did you ever ask anyone else if it  
2 was required to tip the house mom?

3 A. No.

4 Q. Was it ever your understanding it was  
5 just expected amongst the girls that they would tip  
6 the house mom?

7 A. I'm not sure of your question.

8 Q. Well, I'm going to go back to the  
9 original sort of definition of "required" being  
10 actually part of the rules, versus "expected," as in  
11 this is just sort of what everyone did.

12 MS. CALVERT: I'll make the same  
13 objection as to argumentative.

14 THE WITNESS: It's a rule.

15 BY MS. SMITH:

16 Q. Okay.

17 A. It was right there.

18 Q. It's a mandatory requirement?

19 A. Yeah.

20 Q. Were there any days of the week that you  
21 preferred to perform?

22 A. No.

23 Q. Would you try to assess which clubs you  
24 thought might be busier on certain weekends?

25 A. Yes.

1 Q. How would you go about doing that?

2 A. It didn't really work most of the time.  
3 It's a roll of the dice. But word of mouth, other  
4 dancers.

5 Q. Okay. Can you elaborate on that?

6 A. Sometimes other dancers would say, "I  
7 have a customer. He's coming with 20 guys to  
8 Sapphire or to Crazy Horse" type of thing.

9 Q. Okay. What about seeing if there were  
10 any conventions in town?

11 A. Yeah, but that didn't help me decide.  
12 All the clubs are busy during conventions.

13 Q. Okay. So would that just play into you  
14 deciding to work period?

15 A. Right.

16 Q. Okay. What about holidays, could you  
17 choose to work or not work holidays?

18 A. Yes.

19 Q. Would you usually work holidays or not?

20 A. No.

21 Q. Do you know if those are busy times?

22 A. I don't know.

23 Q. When you first auditioned at Crazy Horse,  
24 did you agree to be an independent contractor?

25 A. I signed, I believe that's what was on



1 the paperwork that I signed.

2 Q. So you agreed?

3 A. Yes.

4 MS. CALVERT: I'll object. Calls for  
5 legal conclusion. Sorry. I should have jumped in  
6 earlier on that.

7 BY MS. SMITH:

8 Q. Did you ever ask to be an employee?

9 A. No.

10 Q. Do you have an understanding of the  
11 differences between an independent contractor and an  
12 employee?

13 MS. CALVERT: Objection. Calls for legal  
14 conclusion, expert opinion.

15 THE WITNESS: Yeah.

16 BY MS. SMITH:

17 Q. What was your understanding?

18 A. Employees get paid. They can have  
19 benefits. They can have legal recourse with their  
20 employer.

21 An independent contractor can come and go  
22 as they please. And there's really no -- they are  
23 independent. There's no rules or regulations.

24 Q. So it's your understanding if you're an  
25 independent contractor, you have zero requirements?

1 MS. CALVERT: Objection. Misstates  
2 testimony.

3 THE WITNESS: I don't know about  
4 requirements, but you have freedom.

5 BY MS. SMITH:

6 Q. Freedom to do what?

7 A. As it relates to dancing?

8 Q. Just freedom?

9 A. I mean, as it relates to dancing, an  
10 independent contractor would be able to leave when  
11 they want, come in when they want, wear what they  
12 want, take a break when they want. Leave the  
13 premises to have a break if they want. They pay  
14 their money and they are free to work in the manner  
15 that they choose.

16 Q. Okay. Were you not free to leave Crazy  
17 Horse when you chose?

18 A. In the middle of a shift or after I was  
19 done?

20 Q. At any point?

21 A. Well, I could leave after I had completed  
22 the required hours.

23 Q. What you're saying is six, but what about  
24 before that?

25 A. You could leave, but there's a good

1 chance you wouldn't have a job when you came back if  
2 you were not tipping the required people.

3 Q. Who you said were the host, the house  
4 mom, and the valet?

5 A. Correct. You would tip extra to leave.  
6 You were supposed to tip those people regardless, but  
7 if you wanted to leave before the six hours, that  
8 required more.

9 Q. How much more?

10 A. I can't give you a certain number.

11 Q. Okay. I believe you testified there was  
12 not a requirement minimum amount that you were  
13 supposed to tip?

14 A. Correct.

15 Q. Were you free to come in when you chose  
16 at Crazy Horse?

17 A. Yes.

18 Q. This is a good moment to take a couple  
19 minute break. So feel free to help yourself to more  
20 coffee and water.

21 (Recess.)

22 BY MS. SMITH:

23 Q. Miss Shepard, we're back on the record.  
24 Just so you know, the oath you took this morning is  
25 still in effect after the break and it will continue

1 until the end of the deposition, but whenever we come  
2 back from a break, I'll just remind you that you're  
3 still under oath, all right?

4 A. Yes.

5 Q. So during a shift at Crazy Horse, if you  
6 wanted to take a break, what would your procedure be?

7 A. Take a break.

8 Q. Would you need to check out or report to  
9 anyone?

10 A. No.

11 Q. Would you need to tell anyone you were  
12 leaving the floor?

13 A. No.

14 Q. What about when you were finished taking  
15 a break, could you just start performing again right  
16 away or would you have to go through a procedure?

17 A. No procedure.

18 Q. Did Crazy Horse place any requirements on  
19 how long your breaks would be?

20 A. No, but if you were taking a break and  
21 your presence was requested, that was the end of the  
22 break.

23 Q. What do you mean if your presence was  
24 requested?

25 A. For example, a manager would come back in

1 the dressing room and say, "We need more girls on the  
2 floor. Everybody let's go."

3 Or sometimes they would page you to the  
4 front if a big group came in.

5 Q. Okay. But other than that, any  
6 monitoring of your breaks?

7 A. No.

8 Q. Was there any restriction on the number  
9 of breaks you could take during a shift?

10 A. No.

11 Q. Okay. What would you wear for a shift?

12 A. That varied.

13 Q. Do you recall any requirements on what  
14 you were supposed to wear during a shift?

15 A. Yes. High heels. You cannot -- you had  
16 to have 2T backs on. Your behind had to be partially  
17 covered. No baseball caps. No denim.

18 Q. Okay. Anything else?

19 A. No like hoodies or sweatshirts or  
20 anything like that, like coverup type things.

21 Q. Did you ever try and wear a hoodie or a  
22 sweatshirt?

23 A. Yeah.

24 Q. What happened?

25 A. You can't wear that.

1 Q. Did someone come and tell you you  
2 couldn't wear that?

3 A. House mom.

4 Q. Did you then choose to remove your  
5 covering?

6 A. Yes.

7 Q. Did you ever try to refuse to not wearing  
8 a hoodie or a coverup?

9 A. What do you mean? To refuse to take it  
10 off?

11 Q. Yes.

12 A. No.

13 Q. Did you ever ask any management about  
14 that?

15 A. No.

16 Q. Do you have any understanding of what the  
17 relationship was between Crazy Horse and the house  
18 mom?

19 A. No.

20 Q. Do you know if she was an employee of  
21 Crazy Horse?

22 A. I don't know.

23 Q. Aside from the things you just listed  
24 regarding outfits, any other guidelines or  
25 requirements?

1 A. As far as appearance?

2 Q. Yes.

3 A. I want to say your heels had to be a  
4 certain number of inches. I don't remember though if  
5 that was Crazy Horse or Sapphire or both of them but.

6 Q. Okay.

7 A. But there was kind of -- you couldn't  
8 have just like a little baby kitten heel. It had to  
9 be like five inches or so.

10 Q. You're not sure if that was Crazy Horse  
11 or someone else?

12 A. Not sure.

13 Q. Just with respect to Crazy Horse, any  
14 other requirements you recall about appearance or  
15 outfit?

16 A. No see-through. Yeah, no see-through, no  
17 denim or coverup. No baseball hat. That's pretty  
18 much what I remember.

19 Q. Okay. Did you have to check in with  
20 anyone when you started a shift about your  
21 appearance?

22 A. No, but house mom is in the dressing room  
23 and she would kind of make rounds on the floor. And  
24 just looking around, soon she would let you know if  
25 what you were wearing wasn't allowed.

1 Q. Did you ever change your outfit during a  
2 shift?

3 A. Yeah.

4 Q. Was that because it was requested of you  
5 or because you just wanted to change outfits?

6 A. Because I just wanted to change outfits.

7 Q. Okay. And any requirements that you had  
8 to wear two-piece or one-piece or anything to that  
9 effect?

10 A. No. I was once told that I needed to  
11 show a little more. I had like a long gown type of  
12 dress.

13 Q. Okay.

14 A. And a manager told me though, not house  
15 mom.

16 Q. Okay.

17 A. That I needed to show a little more.

18 Q. Did that manager make you go and change?

19 A. Yeah. He didn't physically make me, but  
20 he said, "That's not going to work. You need to show  
21 a little more."

22 Q. Okay. Did you go and change then?

23 A. Yeah.

24 Q. Are you aware of any laws that dancers  
25 are required to follow or set by Las Vegas



1 Metropolitan or the Nevada legislature type  
2 situation?

3 MS. CALVERT: Objection. Calls for a  
4 legal conclusion.

5 THE WITNESS: I know there are some, but  
6 I don't remember exactly which are the laws that are  
7 from the state and which are the laws that the club  
8 enforces.

9 BY MS. SMITH:

10 Q. Whose responsibility do you think it  
11 would be to follow rules set forth by the state or  
12 county?

13 A. Everyone.

14 Q. Okay. Do you have an estimate as to how  
15 much you would make per shift at Crazy Horse?

16 A. No.

17 Q. No range?

18 A. No.

19 Q. Did you ever keep track of that at the  
20 time that it occurred?

21 A. In spots sometimes.

22 Q. Okay. Would you report all those  
23 earnings to the IRS?

24 A. Yeah.

25 Q. By IRS, you know I mean Internal Revenue

1 Service of the United States?

2 A. Yes.

3 Q. Just want to make sure we're on the same  
4 page.

5 So you do think you would have reported  
6 all your earnings?

7 A. Yes.

8 Q. Do you know if you would have classified  
9 those or separated them by club?

10 A. I don't know.

11 Q. During the time you had a business  
12 license in Nevada, did you have one in any other  
13 state?

14 A. No.

15 Q. Did you file income taxes in any other  
16 state?

17 A. No.

18 Q. If you had wanted to perform for seven  
19 days in a row, could you have done that?

20 A. Yes.

21 Q. Do you know if you would have used  
22 expenses from your outfits, your dancing outfits, on  
23 your taxes?

24 A. What do you mean "used"?

25 Q. Like a business write-off or business

1 expense write-off?

2 A. I don't remember.

3 Q. What about for makeup?

4 A. I don't remember.

5 Q. What about hairstyling?

6 A. I don't remember.

7 Q. Okay. Have you had any plastic surgery?

8 A. No.

9 Q. Do you recall taking any business expense  
10 write-offs?

11 A. I'm not sure. I probably did, but really  
12 I'm not sure.

13 Q. Did you have someone else assist you in  
14 preparing your tax returns in 2014?

15 A. Yes.

16 Q. Who was that?

17 A. Corey Massey.

18 Q. Can you spell that?

19 A. C-O-R-E-Y M-A-S-S-E-Y.

20 Q. Is that someone in Las Vegas?

21 A. Uh-huh.

22 Q. Is that a guy or a girl?

23 A. Male.

24 Q. Okay. It's fine. Corey is one of those  
25 names that could go either way.

1                   And Corey helped you prepare your returns  
2 for 2013?

3                   A.     Yes.

4                   Q.     Does that individual still help you  
5 prepare your taxes?

6                   A.     No.

7                   Q.     Not since you moved?

8                   A.     Correct.

9                   Q.     So since you moved in 2015, did he assist  
10 for the return that you filed for your 2014 earnings?

11                  A.     I don't remember.

12                  Q.     Has anyone else assisted you since him?

13                  A.     No.

14                  Q.     Okay. How about 2014 earnings?

15                  A.     I believe he did those as well. I'm not  
16 sure.

17                  Q.     Okay. Does he have an office here in Las  
18 Vegas?

19                  A.     I believe so, yes.

20                  Q.     Would you be willing to sign a release  
21 for us to obtain your records from him?

22                  A.     Yes.

23                  Q.     Did you ever do any head shots or  
24 modeling promotional shots?

25                  A.     No.

1 Q. Aside from costumes and cosmetics, did  
2 you have any other expenses that you would incur to  
3 be a dancer?

4 A. Wigs, tan, gym membership.

5 Q. And?

6 A. Nails.

7 Q. I notice you have nice nails.

8 A. Thank you, so do you.

9 Q. Thanks. Do you recall if you wrote any  
10 of those things off as a business expense?

11 A. I don't remember.

12 Q. Did you have any signature outfits or  
13 something signature that you would wear?

14 A. No.

15 Q. When you would come on for a shift at  
16 Crazy Horse, would you bring any supplies with you?

17 A. What kind of supplies?

18 Q. Eyelash glue or extra cosmetics of any  
19 kind?

20 A. Yes.

21 Q. What kind of things would you bring?

22 A. Makeup, cotton balls, anything I thought  
23 I might need during the course of the shift.

24 Q. Okay. Aside from the guidelines you  
25 already spoke about with respect to an outfit, any

1 other requirements such as on your makeup or  
2 specifically to your hair?

3 A. No.

4 Q. Okay. Do you know if there were any city  
5 or county requirements about what you were supposed  
6 to be wearing in a gentleman's club?

7 A. I don't know.

8 Q. Aside from the guidelines you testified  
9 about earlier, how would you decide what to wear on  
10 an evening?

11 A. I would just pick what suited my  
12 personality for that day.

13 Q. Okay. Did you have a stage name?

14 A. Yes.

15 Q. What was that?

16 A. Lena.

17 Q. Would you utilize any other stage names?

18 A. I don't remember. I believe Joanna  
19 maybe. I don't think that was at Crazy Horse though.  
20 Pretty sure Lena was the one.

21 Q. Okay. How did you choose that name?

22 A. It's not too far from my name, so it  
23 wouldn't be hard to forget.

24 Q. Did you have to get that approved by  
25 someone?

1 A. Yes.

2 Q. What was that process?

3 A. You would just -- I can't remember if it  
4 was the manager or the house mom, but you kind of  
5 would just go through names until you found one that  
6 wasn't in use already.

7 Q. Okay. So you got to choose it as long as  
8 it wasn't already being used by someone?

9 A. Correct.

10 Q. They don't want 27 Lenas working?

11 A. Right.

12 Q. Okay. Do you recall when you started  
13 being able to perform on stage?

14 A. I don't.

15 Q. Don't recall if it was 2014?

16 A. No.

17 Q. Do you know if it was within the first  
18 few shifts you performed?

19 A. It was more than a few shifts. It was  
20 probably more than a month.

21 Q. Okay. And then how did you know that you  
22 could go on stage? Did someone notify you that you  
23 could finally perform on stage?

24 A. No, I asked.

25 Q. Okay. Who did you ask?

1 A. The manager.

2 Q. Okay. Did you have to do anything else?

3 A. No. I had asked several times before I  
4 was actually able to.

5 Q. Okay. After you had requested of a  
6 manager about dancing on stage, would you ever pay  
7 the offstage fee to not dance on a shift?

8 MS. CALVERT: Objection. Confusing.

9 THE WITNESS: So once I was allowed to  
10 dance on stage?

11 BY MS. SMITH:

12 Q. Yes.

13 A. Would I ever choose to pay offstage, is  
14 that what you're asking?

15 Q. Yes.

16 A. Yeah.

17 Q. Okay.

18 A. A few times.

19 Q. Why would that be?

20 A. My knees hurt. If I didn't feel  
21 particularly well.

22 Q. Okay. So once you started performing  
23 onstage, how would you go about determining what  
24 music you danced to?

25 A. The DJ determined that.



1 Q. Did you ever put any song requests in?

2 A. No, because you would have to tip extra  
3 for that.

4 Q. Okay.

5 A. You could.

6 Q. I'm sorry?

7 A. You could request.

8 Q. Okay.

9 A. But there were kind of guidelines as far  
10 as music. No heavy metal, no rap after certain time.  
11 No slow music. So you had to stay within those  
12 guidelines.

13 Q. Was there a specific genre of music that  
14 you would request to dance to?

15 MS. CALVERT: Objection. Contradicts  
16 prior testimony.

17 THE WITNESS: No.

18 BY MS. SMITH:

19 Q. Okay.

20 A. I didn't want to pay the money, you know.  
21 Whatever he played, that was fine with me.

22 Q. Okay. On stage did you have any special  
23 style of dance?

24 A. No.

25 Q. How did you learn how to dance on stage?

1 A. It's not really dancing.

2 Q. What would you describe it as?

3 A. Showing your body and moving around.

4 Q. Were there any signature moves that you  
5 used?

6 A. No.

7 Q. Would you say you performed in any  
8 specific style or manner?

9 A. No.

10 Q. Aside from what you just said?

11 A. Right, no.

12 Q. Could you have decided to dance in a  
13 different manner on stage?

14 A. I don't know.

15 Q. Would you use the pole?

16 A. No.

17 Q. Could you have used the pole?

18 A. Yes.

19 Q. What made you decide not to use the pole?

20 A. I didn't want to risk injury.

21 Q. Okay. So you didn't have to use -- there  
22 was no requirement on using the pole or not using the  
23 pole?

24 A. No.

25 Q. Any other requirements on the style of

1 dance you could do?

2 A. Not of the style. But there were  
3 requirements of clothing to be removed at certain  
4 parts of your stage performance.

5 Q. Okay. What would those be?

6 A. By the second song you would have to be  
7 topless. So the first song was in your outfit. And  
8 the second song you would have to be completely  
9 topless. And you were not allowed to kind of expose  
10 your breasts, but keep your bra on; you would have to  
11 totally remove whatever you had on top, if it was a  
12 bra or a bikini top.

13 Q. Okay.

14 A. Or if it was a dress, you couldn't just  
15 pull the top down. You would have to totally remove  
16 it.

17 Q. Did you ever try to keep your top  
18 partially on?

19 A. Yes.

20 Q. What happened when you would try to keep  
21 your top partially on?

22 A. The DJ actually will say it on the  
23 speaker while you're dancing.

24 Q. What do you mean he'll say it?

25 A. He'll say, "You know, tops all the way

1 off," on the second song. "All the way." He would  
2 say it as you're up there.

3 Q. Okay. What would happen if you had just  
4 kept it partially on, do you know?

5 A. I did not want to find out. I don't  
6 know.

7 Q. Okay. So you're not sure if anything  
8 would have occurred if you had just kept your top  
9 partially on?

10 MS. CALVERT: Objection. Asked and  
11 answered.

12 THE WITNESS: I don't know.

13 BY MS. SMITH:

14 Q. What about after performing on stage,  
15 what would you do?

16 A. That varied.

17 Q. Okay. What's an example?

18 A. Go to the bathroom, wash my hands. Come  
19 back on the floor. Make a round. And anyone that  
20 seemed particularly interested or tipped, go talk to  
21 them.

22 Q. Okay. So did you have a special approach  
23 for talking to individuals?

24 A. What do you mean by "special"?

25 Q. Put it this way. How would you -- let's

1 say someone tipped you if you were on stage. How  
2 would you go and approach that person?

3 A. I would say thank you first and express  
4 some gratitude and say, "Why don't I show you our lap  
5 dance area or VIP" or whatever.

6 Q. Okay. When you say "lap dance area," was  
7 that a separate area?

8 A. From the stage, yeah.

9 Q. Okay. So just off the stage on the main  
10 floor?

11 A. Right.

12 Q. Okay. Can you walk me through a  
13 conversation? You approach an individual. You thank  
14 them for the tip. Then you say?

15 A. "I'd love to dance for you. Let's go  
16 over here."

17 Q. Okay. And then if they said yes, what  
18 would occur?

19 A. We would go sit down. I would, you know,  
20 explain that the dance is \$20 and you were required  
21 to ask for that upfront. So that's what I did. And  
22 then once I was paid, then I would dance.

23 Q. And would the customers pay you directly?

24 A. Yes, unless he was using a credit card.

25 Q. Okay. You said you would get \$20; is

1 that correct?

2 A. Yes.

3 Q. Did you ever negotiate for more than \$20?

4 A. For a standard lap dance, not VIP?

5 Q. Yes.

6 A. Yes.

7 Q. How would you make that determination if  
8 you were going to negotiate for more than \$20?

9 A. Based on how well the customer had  
10 tipped. Based on if he looked like he had money.  
11 Based on how into me he seemed.

12 Q. Okay.

13 A. If he just wanted a dance and anybody  
14 would do or he really liked me.

15 Q. Did you have a range of what you would go  
16 up to ask for a lap dance?

17 A. I never asked for more than \$30.

18 Q. Okay. Could you have?

19 A. Possibly.

20 Q. Didn't want to find out, right?

21 A. Right, right.

22 Q. What about less than 20?

23 A. No.

24 Q. If the customer did not want a lap dance,  
25 then what would happen?

1           A.    I would talk to another customer.

2           Q.    Okay.  Were there any requirements placed  
3 on how long you could talk to an individual customer?

4           A.    No.

5           Q.    I know you testified you would possibly  
6 also ask them about going to the VIP area; is that  
7 correct?

8           A.    Yes.

9           Q.    Can you walk me through that scenario?

10          A.    Okay.  Basically, "I'd love to dance for  
11 you in the VIP area."  And I would just mostly  
12 sometimes ask to kind of give them a tour first and  
13 show them the different areas.

14                   Sometimes I would explain the prices.  
15 Sometimes there would be a host there and he would  
16 explain the different areas and the different prices.  
17 And then say, "So, which one do you want to do?"

18          Q.    Okay.  Do you recall what any of those  
19 prices were?

20          A.    As I remember, it was three songs for a  
21 hundred dollars.  And there was a two drink minimum.  
22 There was 30 minutes, don't remember if it was 200 or  
23 250, but one of those.  And there was a four drink  
24 minimum required.

25                   And then an hour -- there were different

1 sections. One was 400 and one was 500 and they both  
2 had bottle requirements. I don't remember how much  
3 the bottle had to cost.

4 Q. Okay. So going back to your testimony  
5 about three dances for a hundred dollars, would that  
6 hundred dollars go to you?

7 A. Yes.

8 Q. Could you negotiate for more than \$100?

9 A. Not in VIP. I mean, they could tip you.  
10 You could say, "Would you like to tip me on top of  
11 that?" But the hundred dollars was pretty much flat.

12 Q. Did you ever try to ask for more than a  
13 hundred dollars?

14 A. I asked for tips, but I didn't ever state  
15 that me dancing for three songs in that room would  
16 cost more than a hundred dollars.

17 Q. Once you went back into the VIP area,  
18 would you be required to dance?

19 A. No.

20 Q. Would anybody be monitoring your  
21 interaction in the VIP area?

22 A. Yes.

23 Q. Okay. Do you know why that would be?

24 A. I don't know.

25 Q. Do you know if solicitation is illegal?



1           A.     Solicitation, meaning like prostitution?

2           Q.     Yes.

3           A.     Well, prostitution is illegal, yes, I  
4 know that.

5           Q.     Okay. Were you monitored to see if you  
6 were engaging in solicitation?

7                   MS. CALVERT: Objection. Calls for  
8 speculation.

9 BY MS. SMITH:

10          Q.     If you know?

11          A.     I don't know.

12          Q.     In what way were you monitored in the VIP  
13 area?

14          A.     By the eyes of the host.

15          Q.     So the host would be in the room watching  
16 you?

17          A.     Not necessarily in the room, but walking  
18 back and forth, looking.

19          Q.     What about in the main floor, were the  
20 hosts monitoring you there?

21          A.     Yes.

22          Q.     What would they be doing in this  
23 monitoring?

24          A.     Looking, walking around.

25          Q.     Okay. And then once you were in the VIP

1 area, could you negotiate with the customer to stay  
2 longer?

3 A. Yes.

4 Q. How would that occur?

5 A. The host was actually in charge of  
6 keeping the time. So he would usually come over and  
7 say, "Your time is up. Did you want to stay another  
8 30 minutes, three songs" or whatever.

9 Q. You wouldn't engage in any of that  
10 conversation?

11 A. No.

12 Q. How come?

13 A. That was what the host was there to do.

14 Q. Okay. So if you were going to take a  
15 break, was there a specific place you were required  
16 to take your break?

17 A. In the dressing room.

18 Q. You had to only take breaks in the  
19 dressing room?

20 A. I was told they don't want girls just  
21 sitting on the floor not doing anything.

22 Q. Did you ever try to just sit on the floor  
23 and not do anything?

24 A. On busy nights.

25 Q. Would anything occur?

1           A.    A few times I had a manager say, "If  
2   you're not working, go sit in the dressing room."

3           Q.    Would you do that or would you continue  
4   to sit on the main floor?

5           A.    No, I would go.

6           Q.    Were you ever fined by Crazy Horse?

7           A.    Yes.

8           Q.    Do you remember how many times?

9           A.    No.

10          Q.    Was it more than one time?

11          A.    Yes.

12          Q.    Do you think it was more than five times?

13          A.    No.

14          Q.    When you were assessed a fine, can you  
15   tell me what would occur? Do you recall a specific  
16   instance?

17          A.    I remember one time once having a missed  
18   stage fee and trying to dispute it because when you  
19   go to VIP the VIP host is supposed to let the DJ know  
20   that you're in VIP, so you're not available for  
21   stage.

22                   Sometimes there's overlap. The DJ  
23   doesn't get notified. You can come and say, "Hey,  
24   look. I know you called me, but I was in VIP."

25                   And he says, "Well, no one told me, so

1     you still have to pay the fine."   So that's happened  
2     in my instance.

3             Q.     Who would you pay that fine to?

4             A.     Host.

5             Q.     You couldn't go to the check-in window  
6     and pay the fee?

7             A.     No.

8             Q.     The fine?   Do you know how the host would  
9     keep track of a fine?

10            A.     I don't know.

11            Q.     Did you ever obtain any receipts for  
12     fines?

13            A.     No.   I do recall paying the window once,  
14     but I also remember paying the host directly.

15            Q.     Would that have been sometime in the  
16     middle your shift or during your shift?

17            A.     I would try to pay it as soon as I knew.  
18     I wouldn't wait until the end to pay it.

19            Q.     Okay.   Would they ever -- do you know if  
20     Crazy Horse would have saved the fine amount and  
21     assessed it to you the next time you checked in?

22                   MS. CALVERT:   Objection.   Calls for  
23     speculation.

24                   THE WITNESS:   I don't know.

25

1 BY MS. SMITH:

2 Q. Would you have been able to check out if  
3 you had been fined during a shift?

4 A. I don't know.

5 Q. Did you ever report being fined to a  
6 manager?

7 A. No.

8 Q. How come?

9 A. There was no need.

10 Q. If you had only wanted to dance on the  
11 stage, whenever it was your turn up, and not give any  
12 lap dances during your shift, would you have been  
13 able to do that?

14 A. I don't know.

15 Q. What about if you only wanted to give  
16 private dances in the VIP area, could you have done  
17 that during a shift?

18 A. No.

19 Q. How do you know?

20 A. If a customer wanted to go to VIP, you  
21 can't decline that.

22 Q. You might have misunderstood my question.  
23 If you had wanted to start a shift and not give any  
24 lap dances on the main floor, would you have been  
25 able to do that?

1           A.    I don't know.

2           Q.    What about if you had only wanted to hang  
3 out in the dressing room area in between the times  
4 you were on stage, could you have done that?

5           A.    I don't know. I would have never wanted  
6 to do that.

7           Q.    Wouldn't help you make money, right?  
8 Would you sit in the bar area of the Crazy Horse?

9           A.    Yes.

10          Q.    During Crazy Horse on shift?

11          A.    Yes.

12          Q.    Would you ever drink alcohol on shift?

13          A.    Yes.

14          Q.    Were those usually drinks that customers  
15 would purchase or how would you obtain alcohol?

16          A.    Yes.

17          Q.    How would that interaction go? Would you  
18 request that a customer purchase you a drink or what  
19 would happen?

20          A.    Usually they offer.

21          Q.    During a shift, was there a certain  
22 amount of time you were supposed to spend walking  
23 around trying to talk to customers?

24          A.    Not that I'm aware of, no.

25          Q.    Were you supposed to stand in certain

1 areas to talk to customers?

2 A. No.

3 Q. Were you ever able to go and approach  
4 customers at the bar area to see if they wanted a  
5 dance?

6 A. Yes.

7 Q. What about a cell phone, were you able to  
8 use your cell phone on the main floor?

9 A. I think there was a rule about that and  
10 you're not supposed to have a cell phone on the main  
11 floor, but I don't remember.

12 Q. When you were on the main floor, would  
13 you carry around like a little purse or little book?

14 A. Yes.

15 Q. Do you recall ever keeping your cell  
16 phone in that?

17 A. Yes.

18 Q. But you don't recall using it during your  
19 shift?

20 A. No, I wouldn't pull it out and use it out  
21 on the floor.

22 Q. Okay. Is that mostly because of how you  
23 would be as a dancer?

24 A. No. I just didn't want to have any  
25 reason or any problem at all. I didn't want to be

1     like in trouble so to speak.

2             Q.     Okay.  So you weren't sure about your --  
3     you didn't want to possibly create an issue?

4             A.     Correct.

5             Q.     Did anyone tell you specifically that you  
6     couldn't use your phone when you were on the main  
7     floor?

8             A.     I think it might have been in the rules  
9     packet.

10            Q.     Okay.

11            A.     Or somehow posted in the dressing room.

12            Q.     Okay.  But you don't recall having any  
13     issues with that?

14            A.     No.

15            Q.     What about in the dressing room area,  
16     could you use your phone there?

17            A.     Yes.

18            Q.     Did you have to report to anyone at Crazy  
19     Horse how much income you earned during a shift?

20            A.     No.

21            Q.     How about check-in, any time you  
22     performed a lap dance?

23            A.     No.

24            Q.     Did you have to report to anyone at Crazy  
25     Horse how many lap dances you gave?



1 A. No.

2 Q. How about whenever those times were that  
3 you negotiated more than \$20 for a lap dance, did you  
4 have to inform anyone of that arrangement?

5 A. No.

6 Q. Did you have to keep track of how many  
7 customers that you approached?

8 A. No.

9 Q. Were there any quotas or requirements at  
10 Crazy Horse about how much time you needed to spend  
11 in VIP per shift or anything like that?

12 A. No.

13 Q. What about any repercussions if you  
14 didn't go to VIP area at all in a shift?

15 A. No.

16 Q. Overall do you recall how much you would  
17 tip other individuals at Crazy Horse at the end of a  
18 shift?

19 A. No.

20 Q. Did you ever try not to pay anyone?

21 A. No.

22 Q. Why is that?

23 A. You just don't do that.

24 Q. How come?

25 A. I was told from the beginning to take

1 care of the host. That was the first thing that was  
2 said when I got hired.

3 Q. Was that said by the house mom or by  
4 someone else?

5 A. By the house mom.

6 Q. Anyone else tell you that?

7 A. No, but I knew, you know. Like when I  
8 would have to leave early, when the host would say,  
9 "Take care of me and I'll sign your slip," so.

10 Q. And you never tried not to then tip more  
11 to obtain the early signature?

12 A. Yeah.

13 Q. But you would refuse to tip more?

14 A. No, I would tip more to get the  
15 signature.

16 Q. Do you know how frequently you would  
17 perform for less than six hours on the premises?

18 A. Frequently.

19 Q. Okay. So oftentimes you would tip a  
20 little extra just to be able to leave after four or  
21 five hours?

22 A. Correct.

23 Q. Okay. Did you keep track of those  
24 amounts that you would tip?

25 A. No.

1 Q. Would you tip different hosts different  
2 amounts?

3 A. No.

4 Q. You didn't recall an average what you  
5 would tip at the end of a shift?

6 A. No.

7 Q. Did you ever leave with any customers  
8 that you met at Crazy Horse?

9 A. No.

10 Q. Do you remember ever making arrangements  
11 to meet up later with someone that you met at Crazy  
12 Horse?

13 A. No.

14 Q. Did you ever date someone that you met at  
15 Crazy Horse?

16 A. No.

17 Q. What about someone who worked or  
18 performed there?

19 A. No.

20 Q. Okay. Was there a number of times that  
21 you would be required to go on stage during a shift?

22 A. Whenever you're called.

23 Q. So that could vary?

24 A. Yes.

25 Q. So in terms of -- I'll call it adult

1 dancing, since you do a different dance now -- in  
2 terms of adult dancing, where else would you be able  
3 to do that type of dance?

4 MS. CALVERT: Objection. Vague.

5 THE WITNESS: Do you mean outside of a  
6 gentleman's club?

7 BY MS. SMITH:

8 Q. Yes.

9 A. I don't understand the question.

10 Q. Just anywhere else where you would be  
11 able to perform adult dancing?

12 A. I don't know.

13 Q. Okay. Did you ever practice your  
14 dancing?

15 A. My adult dancing?

16 Q. Yes.

17 A. No.

18 Q. How come?

19 A. It's not really dancing.

20 Q. Okay. Could you have?

21 A. Sure.

22 Q. Other than dancing at gentlemen's club,  
23 did you have any other sources of income in 2013?

24 A. I don't remember. It's possible.

25 Q. What about 2014?

1 A. Yes.

2 Q. What were those?

3 A. I worked at Opportunity Village.

4 Q. What did you do there?

5 A. I was a dance mentor.

6 Q. Okay. Do you recall when you started at  
7 Opportunity Village?

8 A. No.

9 Q. Just sometime in 2014?

10 A. It could have even been at the end of  
11 2013. I just -- it's kind of, you know, before  
12 Austin, it's all jumbled up now. So I don't  
13 remember.

14 Q. Okay.

15 A. But I know for sure 2014, yes, I was  
16 working there.

17 Q. Do you recall when you stopped working at  
18 Opportunity Village?

19 A. I believe in May of 2015, right before I  
20 moved to Austin.

21 Q. Okay. So did you move to Austin in June  
22 of 2015?

23 A. July.

24 Q. As a dance mentor at Opportunity Village,  
25 how are you paid or were you paid?

1           A.    I was paid. I was an employee. So I got  
2 a check, I believe it was biweekly.

3           Q.    Do you recall if you were paid hourly or  
4 a salary?

5           A.    Hourly.

6           Q.    Do you recall the rate you were paid?

7           A.    I don't.

8           Q.    Do you think it was more than minimum  
9 wage?

10          A.    Yes.

11          Q.    Do you recall what the minimum wage was  
12 at that time?

13          A.    No.

14          Q.    Do you know what minimum wage is  
15 currently?

16          A.    In Nevada?

17          Q.    Yes.

18          A.    No.

19          Q.    What about in Texas?

20          A.    It's higher in Texas than it is in most  
21 places, I know that.

22          Q.    Okay.

23          A.    But I'm not sure exactly what the number  
24 is.

25          Q.    Do you have employees?

1 A. No, not yet.

2 Q. Do you have any relationships with  
3 independent contractors?

4 A. Business relationships?

5 Q. Yes. Excuse me. Any relationships with  
6 independent contractors, so, yes, business?

7 A. No.

8 Q. Okay. Does anyone else teach at your  
9 dance studio or just you?

10 A. I don't have a dance studio. I travel to  
11 several different studios and businesses and teach.

12 Q. Oh, okay. So do you have a Texas  
13 business license?

14 A. No.

15 Q. How do you earn income from traveling  
16 around and teaching dance?

17 A. I'm paid. What do you mean?

18 Q. Do you sign an individual contract with  
19 each studio you would go to or how would that work?

20 A. Yes. Most of it is my own. I teach my  
21 own classes, so I don't need to sign anything. I  
22 just rent a studio space and people pay. I pay for  
23 the space and people pay for the class and that's how  
24 I make the money.

25 Q. Okay. I understand. Do you promote

1     yourself now as an individual dance teacher?

2             A.     Yes.

3             Q.     Okay.  It would be like Lily Shepard  
4     Dance, something like that?

5             A.     Right.  It was Lily Shepard's Dance and  
6     Fitness.  But I'm starting Body Bloom, which is an  
7     umbrella so to speak, but I'm still the only  
8     instructor.

9             Q.     The Body Bloom --

10            A.     Uh-huh.

11            Q.     -- does that have a physical studio?

12            A.     No.

13            Q.     Okay.  Would that be like the ultimate  
14     goal, to get a permanent studio?

15            A.     No.

16            Q.     So if I had a dance studio and maybe I  
17     had taken one your classes and liked the way you  
18     taught, if I wanted you to come teach at my dance  
19     studio, how would that occur?

20                   MS. CALVERT:  Objection.  Incomplete  
21     hypothetical.  Calls for speculation.

22                   THE WITNESS:  We would have to discuss.  
23     Would I be just paying you a rental fee and then  
24     collecting the money per person per class?

25                   Or would there be some type of situation



1 where I didn't pay a fee, but we split the per person  
2 that came down the middle?

3 BY MS. SMITH:

4 Q. Okay. At Crazy Horse, did you consider  
5 the house fee a rental fee?

6 A. I don't know.

7 Q. Do you think that you should be able to  
8 use club space without paying any fees?

9 MS. CALVERT: Objection to form.

10 THE WITNESS: Do I think that I should be  
11 able to use club space without paying any fees? I  
12 don't know.

13 BY MS. SMITH:

14 Q. What makes you think you don't know?

15 MS. CALVERT: Objection. Vague and  
16 ambiguous.

17 THE WITNESS: There's a lot that goes  
18 into that with those fees, how am I restricted, what  
19 freedoms do I have, am I getting paid actual money?  
20 There's a lot of things to consider, so I don't know.

21 BY MS. SMITH:

22 Q. Okay. When you danced at Crazy Horse,  
23 would you get actual money?

24 A. Not from the club. I would get tips from  
25 the customers, yes.

1 Q. Okay. And those would come from lap  
2 dances and VIP dances?

3 A. Correct.

4 Q. So when you would negotiate somewhere  
5 between 20 and \$30 for a lap dance, did you consider  
6 that to be a tip?

7 MS. CALVERT: Objection. Confusing.

8 THE WITNESS: I don't know how. I'm not  
9 sure, because it is a tip. I mean, it's -- the dance  
10 cost money. But I wasn't being paid a wage, so I  
11 feel like anything I came away with was a tip.

12 BY MS. SMITH:

13 Q. Why is that?

14 A. Because no one had to buy a lap dance or  
15 a VIP. You don't have to do it.

16 Q. Like a customer wouldn't have to do it?

17 A. Right.

18 Q. Would you have had to give lap dances if  
19 you didn't want to?

20 A. I don't know. I always wanted to.

21 Q. If you hadn't paid a house fee to a club,  
22 not necessarily Crazy Horse, where else could you  
23 have performed your adult dancing?

24 MS. CALVERT: Objection. Speculation.

25 Asked and answered.

1 THE WITNESS: Anywhere.

2 BY MS. SMITH:

3 Q. What do you mean by "anywhere"?

4 A. I mean, I'm the person that's doing the  
5 dancing. So as long as I have a body to dance with,  
6 and I'm within the rules of the state, which I don't  
7 know what they are, but I would think that I would be  
8 able to do that wherever I wanted to.

9 Q. Did you do adult dancing outside of  
10 gentlemen's clubs?

11 A. No.

12 Q. How come?

13 A. I felt a little more safe in a little bit  
14 more of a controlled environment.

15 Q. Okay. Let's take another brief break and  
16 we'll come back and continue.

17 (Recess.)

18 BY MS. SMITH:

19 Q. We're back on the record.

20 A. Okay.

21 Q. Once again, your oath is still in effect  
22 that you took this morning, all right?

23 A. Yes.

24 Q. Okay. So I know that you testified  
25 earlier to possibly being assessed a missed stage

1 fee; is that correct?

2 A. Yes.

3 Q. Other than that fine, do you recall being  
4 fined for any other conduct?

5 A. No.

6 Q. Were you threatened with any fines or  
7 discipline?

8 A. Relating to the missed stage or just in  
9 general?

10 Q. Anything at Crazy Horse?

11 A. No.

12 Q. Why did you stop performing at Crazy  
13 Horse?

14 A. I wasn't making enough money there to  
15 deal with. It became a headache.

16 Q. Can you elaborate on that?

17 A. It's easier to deal with all of the rules  
18 and tips and monitoring if you're really making a  
19 whole lot of money. But I was no longer making the  
20 kind of money that I wanted to there and I didn't  
21 want to deal with that anymore.

22 Q. So when you say "no longer making," had  
23 you previously been making more money there?

24 A. Yeah.

25 Q. Okay. Why do you think it dropped off or

1      lessened?

2            A.      Natural flow.    Some clubs are busier at  
3      certain times, some clubs are dead.    It just -- you  
4      never really know.

5            Q.      So thinking back on your last shift that  
6      you performed at Crazy Horse, do you recall that  
7      shift?

8            A.      No.

9            Q.      Do you recall if you told anyone you were  
10     planning on not performing at Crazy Horse anymore?

11          A.      Pretty sure I didn't.

12          Q.      Okay.    Anyone contact you about where you  
13     were?

14          A.      No.

15          Q.      I mean, like from Crazy Horse?

16          A.      Right, no.

17          Q.      You okay?

18          A.      Yes.

19                    (Off the record.)

20      BY MS. SMITH:

21            Q.      So did anyone at Crazy Horse ask you to  
22     leave the premises?

23          A.      No.

24            Q.      Did you know whether Crazy Horse did any  
25     promotional events outside of the club premises?

1 A. Yes.

2 Q. Did you ever go on any of those events?

3 A. No.

4 Q. How come?

5 A. I didn't want to.

6 Q. Could you have?

7 A. Yes.

8 Q. Were those ever mandatory?

9 A. No.

10 Q. Did you get asked to go on commercial  
11 events?

12 A. Yes.

13 Q. And you would just say no?

14 A. I wouldn't say no. I would give a vague  
15 answer.

16 Q. Okay. And would anything happen after  
17 you gave your vague answer?

18 A. No.

19 Q. Okay. So you could have gone, correct?

20 A. Yes.

21 Q. Would you have received anything had you  
22 gone on the promotional events?

23 A. I think you would get a free house fee if  
24 you went.

25 Q. Okay. Did you ever hire any assistants

1 like for your hair and makeup?

2 A. No.

3 Q. Could you have, do you know?

4 A. To come into the club?

5 Q. Sure.

6 A. I don't know.

7 Q. What about before coming on a shift?

8 A. Like on my own residence?

9 Q. Yes. Or maybe a salon?

10 A. I don't see why not.

11 Q. Okay. Do you have any recollection of  
12 the amount you would have spent on specifically the  
13 dancer outfits in 2014?

14 A. No.

15 Q. What about in 2013?

16 A. No.

17 Q. Any years before that?

18 A. No.

19 Q. What about on hair or wigs?

20 A. No.

21 Q. No average monthly amount?

22 A. I had been dancing well before those  
23 years, so I had stuff. I accumulated some new stuff.  
24 I don't really know.

25 Q. Okay. Anything that you purchased

1 specifically for dancing at Crazy Horse?

2 A. No.

3 Q. Okay. So you would try to just get  
4 outfits you could wear at various clubs?

5 A. Correct.

6 Q. Same with wigs and cosmetics?

7 A. Yes.

8 Q. During your shift, would you have to  
9 periodically check in with anyone such as about your  
10 hair or makeup?

11 A. No.

12 Q. What about check in with anyone regarding  
13 what you were doing during the shift?

14 A. No.

15 Q. Did anyone monitor whether or not you  
16 would receive payment for a lap dance?

17 A. No.

18 Q. Okay. Could you dance for free if you  
19 wanted to?

20 A. I don't know.

21 Q. Never wanted to?

22 A. No.

23 Q. Okay. Fair enough.

24 How did you first hear about this  
25 lawsuit?



1 A. My friend that's also a dancer told me.

2 Q. Is she part of this lawsuit?

3 A. No.

4 Q. Was she part of another lawsuit?

5 A. In the beginning. She's no longer part  
6 of any lawsuit.

7 Q. Okay. Was she at the time that she told  
8 you about this specific lawsuit?

9 A. I don't know that she was part of it.

10 Q. Okay.

11 A. I know that she was thinking about it.

12 Q. Okay.

13 A. I don't know if -- I don't think she was  
14 part of it though.

15 Q. Have you been part of any other lawsuits  
16 in Las Vegas?

17 A. There was a class action against Sapphire  
18 that basically I was just sent something in the mail  
19 that said, "Did you work at Sapphire from this time  
20 to this time? If so, contact our office." And so I  
21 did.

22 Q. Okay. Did you have to provide any  
23 documentation for that?

24 A. No.

25 Q. Did you receive money from that notice?

1 A. Yes.

2 Q. Did you have to sign a confidentiality  
3 agreement?

4 A. I don't remember. I don't think so. I  
5 don't remember though.

6 Q. Do you recall if you were paid over a  
7 hundred dollars from that lawsuit?

8 A. Yes.

9 Q. Do you remember if you were paid over  
10 \$500 from that lawsuit?

11 A. Yes.

12 Q. How about over a thousand?

13 A. I believe it was like 3600, something  
14 like that.

15 Q. Were you a named plaintiff in that  
16 lawsuit?

17 A. No.

18 Q. So no one ever took your deposition?

19 A. No.

20 Q. Any other lawsuits?

21 A. No.

22 Q. Okay. Are you currently in any other  
23 active lawsuits aside from this one against Crazy  
24 Horse?

25 A. One against Sapphire, I believe.

1 Q. Okay. Like a current one?

2 A. The same thing that's here.

3 Q. Okay. With the same claims?

4 A. Yes.

5 Q. Okay. What about against any of the  
6 other clubs that you performed at?

7 A. No.

8 Q. So after you heard about this lawsuit  
9 from a friend of yours, what did you do? Did you  
10 contact an attorney?

11 A. Uh-huh.

12 Q. And who was that?

13 A. I believe the first person I contacted  
14 was John from Morris Anderson.

15 Q. Morris Anderson?

16 A. Yes.

17 Q. Are you aware of any other law firms  
18 currently representing you?

19 A. No.

20 Q. Do you recall when you joined this  
21 lawsuit?

22 A. No.

23 Q. Do you recall why you joined this  
24 lawsuit?

25 A. Yes. Because I felt like these clubs

1 have shitty practices and I wanted to -- I wanted  
2 something to be done about it.

3 Q. Okay. When you say shitty practices,  
4 what do you mean?

5 A. I mean performing, paying your money, but  
6 then being expected to pay more money to leave when  
7 you want. Not being able to wear what you want.  
8 Feeling intimidated.

9 Feeling like your job security was always  
10 at risk. Knowing that you could be terminated at any  
11 time without any reason, put on a different shift  
12 without any reason.

13 If there were girls that were kind of  
14 favorites of the club and they decided they didn't  
15 like you, you know, it could be hell to work there or  
16 you could just not be able to work there anymore.

17 Q. The first thing you listed, I believe,  
18 was performing?

19 A. Uh-huh.

20 Q. What did you mean by that?

21 A. Well, I just meant when performing at  
22 these clubs, this is what you had to deal with.

23 Q. Okay. Aside from a hoodie, how were you  
24 restricted in what you wanted to wear?

25 A. Well, the hoodies was major because it's

1 really freezing in those place when there's not a lot  
2 of people there and you're basically half naked,  
3 basically fully naked, just a little g-string and the  
4 little things covering your nipples, having to just  
5 be freezing. And if there's no one there, being able  
6 to be comfortable.

7 Not being able to wear a cap or denim  
8 shorts or whatever you felt like wearing that you  
9 thought was cute and you wanted to make money in.  
10 There were rules about that.

11 Or not if -- I always thought to expose  
12 your breasts, you could just expose your breasts, but  
13 it was not enough. You had to take your top  
14 completely off, things like that.

15 Q. Have you ever heard of the terms "at  
16 will" and "right to work" with respect to employment?

17 A. No.

18 Q. So what are you hoping to achieve with  
19 this lawsuit?

20 MS. CALVERT: Objection. Calls for a  
21 legal conclusion.

22 THE WITNESS: I want to be paid what I'm  
23 owed. I paid a lot of money for things that should  
24 have been afforded to me. I feel like the ability to  
25 leave, fines that didn't make sense.

1 I just want what's owed to me from a  
2 money perspective. But also I don't dance anymore,  
3 so it doesn't make a difference to me. But I feel  
4 strongly that women that choose to dance in these  
5 clubs, shouldn't be able to do just do whatever they  
6 want and take so much money from individuals and have  
7 these practices where there's kind of no limit to  
8 what they can do.

9 They have ultimate power. And at the end  
10 of the day, the women are the ones. Without them  
11 dancing, it's only a building. They bring the people  
12 in. They make the money for the place.

13 BY MS. SMITH:

14 Q. Do you know if Crazy Horse made any money  
15 from alcohol?

16 A. I'm pretty sure that they did.

17 Q. Do you know if customers would ever pay  
18 any cover fees to go into Crazy Horse?

19 A. I believe that there was a coverage  
20 charge, yes.

21 Q. Do you have an estimate as to how much  
22 you believe that you're owed from Crazy Horse?

23 A. No.

24 Q. Do you have an estimate as to how much  
25 you think you paid to Crazy Horse?

1           A.    I don't know.

2           Q.    Do you have an estimate as to how much  
3 you believe you tipped others at Crazy Horse?

4           A.    Too much. I don't know. I don't know  
5 any number.

6           Q.    Do you know what Club Tracks is?

7           A.    I believe that's the check-in system,  
8 computer system.

9           Q.    Okay. Are you aware that the Nevada  
10 legislature recently instituted a statute regarding  
11 independent contractors?

12          A.    No.

13          Q.    Had you ever heard of NRS 608.0155?

14          A.    No.

15          Q.    Do you know of any legal requirements  
16 pertaining to independent contractors?

17          A.    No.

18                MS. CALVERT: Strike.

19 BY MS. SMITH:

20          Q.    Did you ever complain about any of your  
21 perceived practices at Crazy Horse?

22          A.    To who?

23          Q.    Anyone at Crazy Horse?

24          A.    No.

25          Q.    Did you ever ask anyone at Crazy Horse

1 for wages?

2 A. No.

3 Q. How come?

4 A. That's not how they did business.

5 Q. But did you ask them for?

6 MS. CALVERT: Asked and answered.

7 Objection.

8 THE WITNESS: No.

9 BY MS. SMITH:

10 Q. I'm going to show you one document. I'm  
11 not going to introduce it and attach it to the  
12 transcript because it does reflect your full Social  
13 Security number.

14 It's been previously produced in this  
15 litigation. It's Bates numbered RR0076 through  
16 RR0077.

17 I'm just going to have you take a look at  
18 it and tell me if that's correct.

19 A. Yeah, but I don't believe Crazy Horse was  
20 open in 2005.

21 Q. Other than that?

22 A. Yes.

23 Q. Your personal information?

24 A. That's not my current address.

25 Q. That's fine.



1 A. Okay. Yeah.

2 Q. Okay.

3 (Exhibit A marked for identification.)

4 (Exhibit B marked for identification.)

5 BY MS. SMITH:

6 Q. Miss Shepard, I'm going to hand you  
7 what's Exhibit A. It's a document that's previously  
8 been produced in this litigation. I believe the  
9 Bates number is RR0609. It's an Entertainer Login By  
10 Date.

11 Can you take a look at that, please? Do  
12 you believe that accurately reflects the dates and  
13 times that you performed at Crazy Horse?

14 A. I suppose so.

15 Q. Let me clarify that. That's for the  
16 years of 2013 and 2014?

17 A. Yeah.

18 Q. Okay. I'm now going to hand you Exhibit  
19 B. This has also previously been produced in this  
20 litigation. It's Bates stamped RR00078 through  
21 RR0081. Give you a minute to review that.

22 A. Okay.

23 Q. Does this look like an accurate  
24 representation of charges that were assessed to you  
25 and paid by you at Crazy Horse in 2013 and 2014?

1 A. Yes.

2 Q. On Page 2 of 4, near about a third of the  
3 way down on an entry marked 9-19-2013 --

4 A. Uh-huh.

5 Q. -- there's one line that says "Adjustment  
6 Fri&Sat." Do you see that?

7 A. Yeah.

8 Q. Do you know what that would have been  
9 for?

10 A. I don't know. I don't remember.

11 Q. Okay. Further down on that page an entry  
12 on 9-30-2013 that says adjustment MNFB46?

13 A. Yeah, that would be Monday Night Football  
14 before 6:00 o'clock. They had a -- it was a  
15 different fee if you came in for Monday Night  
16 Football before 6:00.

17 Q. Okay. Do you believe you were given a  
18 credit for going in on Monday Night Football?

19 A. I don't know that it was a credit, but it  
20 was cheaper house fee.

21 Q. Okay. Going back to that same line that  
22 says MNFB46 on 9-30-2014, if you go to the right it  
23 says "amount." What does that reflect?

24 A. On 9-30-2013?

25 Q. Yes.

1 A. I don't know.

2 Q. What does that column say?

3 A. "Amount."

4 Q. Do you see it reflecting an amount?

5 A. \$90.

6 Q. Positive or negative?

7 A. Negative.

8 Q. Okay. And then right next to it under  
9 the running total column, what do you see reflected  
10 there?

11 A. Negative 50.

12 Q. So do you think that could have been you  
13 having a negative balance at that point?

14 A. I really don't know what this means.

15 Q. Okay. Do you remember ever getting  
16 credits for house fees?

17 MS. CALVERT: Objection as to form.

18 THE WITNESS: I don't know if you got a  
19 credit or it was just, you know, varying, like \$10 or  
20 something if you got there before 6:00.

21 Something good happened, that I know.  
22 That's why I did it. But I don't remember if it was  
23 a credit or if it was just, you know, no house fee  
24 before 6:00. I don't remember.

25

1 BY MS. SMITH:

2 Q. Okay. You testified earlier to having  
3 been assessed a missed stage fine?

4 A. Right.

5 Q. Can you show me on here where it reflects  
6 any missed stage fine?

7 A. I don't see that. But I would pay that,  
8 I remember it happening more than -- more than once.  
9 And the one time I do remember I paid in the middle  
10 of the shift to the host, not at the window where the  
11 Club Tracks was.

12 Q. So you're only recalling one time or  
13 you're recalling more than one time?

14 A. I recall having a missed stage more than  
15 once, but I remember actually making a payment to a  
16 host in the middle of the shift, like I remember that  
17 specific instance.

18 Q. Do you have any records of that?

19 A. No.

20 Q. And you didn't try and dispute that with  
21 management?

22 A. I tried to dispute it with the DJ.

23 Q. But what about with management?

24 A. No.

25 Q. I'm going to have you look at RR0081.

1 It's page 404. There's a series of entries in  
2 January of 2014 and February 2014.

3 Do you see that down at the bottom?

4 A. Uh-huh.

5 Q. On January 29, 2014, it appears there's  
6 an entry on 10:37:19 p.m. Do you see that?

7 A. Uh-huh.

8 Q. It appears as of that date you had a  
9 running total of \$0. Is that your understanding?

10 A. What does that mean, a running total of  
11 \$0?

12 Q. I believe it would be how much that the  
13 club had recorded as you owing them.

14 MS. CALVERT: Object. Counsel is  
15 testifying. No question pending.

16 THE WITNESS: Okay. I see that.

17 BY MS. SMITH:

18 Q. Okay. Going down that running total  
19 column, does it appear, based on the representation I  
20 made, that you did, in fact, have an outstanding  
21 balance prior to commencing the shift?

22 A. Are you saying that where there was a  
23 negative, that that means there's an outstanding  
24 balance?

25 Q. No. Let's try and go through it. So on

1 1-31-2014, do you see those entries? There's about  
2 three entries.

3 A. Yes.

4 Q. It looks like there's a house fee of \$75?

5 A. Uh-huh.

6 Q. Do you see that? It also looks like  
7 there was an offstage fee of \$40. Do you see that?

8 A. Uh-huh.

9 Q. It appears that you then made a payment  
10 of \$25. Do you see that?

11 A. Uh-huh.

12 Q. Okay. So that would make a running total  
13 of \$90. Do you see that?

14 A. (Witness nods head.)

15 Q. It then appears that the next entry is  
16 February 19th of 2014. Do you see that?

17 A. Uh-huh.

18 Q. Do you see where it says "charge house  
19 fee"?

20 A. Yes.

21 Q. And then \$50?

22 A. Uh-huh.

23 Q. And then \$140 in the running total?

24 A. Right.

25 Q. And then it appears you made a payment of

1 \$50?

2 A. It appears. I don't know how any of that  
3 worked.

4 Q. Okay.

5 A. As far as how they kept track or how it  
6 was recorded. I just came and paid and worked.

7 Q. Would you get a receipt after you checked  
8 in?

9 A. Yeah.

10 Q. Did you keep those at the time?

11 A. No. Sometimes, but not all the time.

12 Q. You didn't give those to your CPA?

13 A. No.

14 Q. I'm sorry. That was maybe an assumption.  
15 Do you know if Corey Massey, was he a CPA?

16 A. Yes.

17 Q. Okay. So you don't recall if you gave  
18 them to Mr. Massey or not?

19 A. I don't recall, no.

20 Q. Okay. Have you ever seen this document  
21 before?

22 A. Yes.

23 Q. Do you have any reason to doubt its  
24 veracity?

25 A. Yeah.

1 Q. Why?

2 A. Because the whole thing was shady and I  
3 don't know. I can't be sure.

4 Q. Do you have any documents that refute the  
5 information reflected on this?

6 A. No.

7 Q. Do you have any other personal records  
8 that would reflect or dispute the information  
9 presented on this?

10 A. Huh-huh.

11 Q. How about on Exhibit A, do you have any  
12 reason to doubt that this accurately reflects the  
13 dates and times that you performed at Crazy Horse in  
14 2013 and 2014?

15 A. No. I understand this document a little  
16 bit better.

17 Q. Okay.

18 A. But again, I don't know for sure.

19 Q. You don't know if it's accurate?

20 A. I can't say for sure that it's accurate.  
21 I understand it, but it makes more sense to me than  
22 this. I don't understand how they did all this.

23 Q. Okay.

24 A. But this is pretty clearcut from this  
25 time to this time and this is the total.



1 Q. Okay. So do you think that Exhibit A is  
2 incorrect?

3 A. It could be. I don't know.

4 Q. How so?

5 A. I don't have a lot of trust in Crazy  
6 Horse. It could be accurate. I don't know.

7 Q. Okay. Do you have any --

8 A. It looks about right.

9 Q. Do you have any records that would  
10 dispute this document?

11 A. I don't.

12 Q. Did you personally ever keep track of the  
13 hours that you performed at Crazy Horse?

14 A. No.

15 Q. Any other documentation that would  
16 evidence different login or logout times?

17 A. No.

18 Q. Now, going down this list, it appears  
19 that there are a number of shifts where you were on  
20 premises or had performed for less than six hours.

21 Do you agree with that assessment?

22 A. Yes.

23 Q. And I believe you previously testified  
24 that you would tip extra in order to be able to do  
25 that; is that correct?

1 A. Yes.

2 Q. Do you have any records evidencing that?

3 A. No.

4 Q. Do you have any other official  
5 documentation that would support your claim that you  
6 tip in order to be able to leave the premises prior  
7 to six hours?

8 A. No.

9 Q. Was there a specific host whose signature  
10 you would have to obtain on a shift to leave the  
11 premises prior to six hours?

12 A. Yes. I don't remember. It couldn't be  
13 just a floor guy. Had to be host or manager.

14 Q. Host or manager?

15 A. I believe so, yes.

16 Q. Do you remember the names of any hosts or  
17 managers?

18 A. Keyan was the only one. He wasn't there  
19 during the whole time, but he was the only one that I  
20 remember his name and what he looked like.

21 Q. Would you ever have to sign out  
22 specifically with him?

23 A. No.

24 Q. I'm sorry?

25 A. No.

1           Q.    In terms of the tips that you've  
2 testified to to the host, did you believe that you  
3 were paying that money to Crazy Horse or the  
4 individual?

5           MS. CALVERT:  Objection.  Calls for a  
6 legal conclusion.

7           THE WITNESS:  I didn't know.

8 BY MS. SMITH:

9           Q.    Okay.  Would some individual host ask you  
10 for more tips than other hosts?

11          A.    No.

12          Q.    Could you decide how much tip money, if  
13 any, to give to a host?

14          A.    Excuse me.  Yes.

15          Q.    Okay.  How would you decide how much to  
16 tip a host?

17          A.    Well, you knew that they saw how much  
18 money you made.  So it should be somewhat in line  
19 with what they saw you doing.

20          Q.    These were floor hosts?

21          A.    Floor hosts and VIP hosts.  And I didn't  
22 really tip floor hosts though, mostly VIP.

23          Q.    You didn't have to tip floor hosts?

24          MS. CALVERT:  Objection.  Asked and  
25 answered.

1 THE WITNESS: Everything was better when  
2 you tipped any type of host. VIP hosts were more  
3 pushed to tip than the floor hosts.

4 BY MS. SMITH:

5 Q. Was it mandatory for the rules to tip a  
6 floor host?

7 A. Well, it was told in the beginning, house  
8 mom said, "Make sure you take care of your hosts."

9 Q. Okay. So was it your understanding that  
10 it was a mandatory requirement to tip a floor host?

11 A. Yes.

12 Q. What about a VIP host?

13 A. Yes.

14 Q. So both?

15 A. Both.

16 Q. So every shift you would be required to  
17 tip both a floor host and a VIP host?

18 A. If you made money on the floor, you would  
19 tip a floor host.

20 If you made money in VIP, you would tip  
21 the VIP host.

22 If you made money in both, you would tip  
23 both.

24 Q. Who would enforce what you believe to be  
25 the tipping requirement?

1 MS. CALVERT: Objection as to form.

2 Vague.

3 THE WITNESS: Enforce how so?

4 BY MS. SMITH:

5 Q. In any way. What repercussions, if any,  
6 did you have to face if you did not tip either a  
7 floor or VIP host?

8 A. Your shift could be -- I never got my  
9 shift changed, but I saw plenty of dancers that  
10 didn't tip well and came in and were told that they  
11 were now on the day shift.

12 Q. What would tipping well be?

13 A. It was up to the host.

14 Q. Okay. So would you negotiate with  
15 different hosts different sums of money?

16 A. No. But I knew that if they saw me in  
17 the VIP room for an hour make \$400, a \$20 tip was not  
18 going to cut it.

19 Q. What do you mean, not going to cut it?

20 A. I would still be in jeopardy of being put  
21 on another shift or being blocked.

22 Q. Did someone tell you that?

23 A. No one told me that.

24 Q. Okay. What would go into your decision  
25 to stop performing on a shift and leave premises

1 prior to six hours?

2 A. Usually when I would leave early how  
3 tired I was. Part of that time I was working also at  
4 Opportunity Village, so I had a job to be at during  
5 the daytime.

6 There were times when, you know, I have a  
7 daughter. If something -- she was with the  
8 baby-sitter or something and wasn't feeling well or,  
9 you know, not having an easy time, I would leave  
10 early. If I didn't feel well, I would leave, I want  
11 to leave early.

12 Q. So the tipping more to leave prior to six  
13 hours that you testified to earlier, do you have any  
14 documentation evidencing the larger amount that you  
15 would tip?

16 A. I'm not sure what you mean.

17 Q. Let me try and rephrase that.

18 A. I don't have documentation of the tips.  
19 The tips were cashed. They were hand-to-hand so.

20 Q. Okay. So did you consider that to be  
21 more between you and the actual individual host?

22 A. As opposed to?

23 Q. Crazy Horse?

24 MS. CALVERT: Objection. Calls for a  
25 legal conclusion. Vague.

1 THE WITNESS: It didn't matter. Both.  
2 Crazy Horse was the establishment that I had to  
3 leave. The host was the person that I had to pay to  
4 leave, so I guess both.

5 BY MS. SMITH:

6 Q. Did you ever get a receipt for that?

7 MS. CALVERT: Objection. Asked and  
8 answered.

9 THE WITNESS: No.

10 BY MS. SMITH:

11 Q. Did you ever request one?

12 A. No.

13 Q. Any reason why not?

14 A. That's not how they operated.

15 Q. Did you review any documents prior to  
16 your deposition today?

17 A. A review? I mean I saw this. I saw  
18 that. I saw another deposition.

19 Q. Another deposition?

20 A. Or a -- what is it called? Recording  
21 minutes or something.

22 Q. Do you remember whose?

23 A. No.

24 (Exhibit C marked for identification.)  
25

1 BY MS. SMITH:

2 Q. I'm going to hand you what the reporter  
3 marked as Exhibit C. It's Plaintiff Lily Shepard's  
4 Answers to Defendant's Interrogatories. It was  
5 electronically served on 12-28-2016.

6 Take a moment to look at that.

7 A. Okay.

8 Q. Have you seen this document before?

9 A. Yes.

10 Q. When did you first see it?

11 A. It was sent to sign. I don't remember  
12 the date. I think you just said whatever date it was  
13 sent.

14 Q. Did you review it at that time?

15 A. Yes.

16 Q. Do you have any social media accounts?

17 A. Yes.

18 Q. What ones do you have?

19 A. Facebook and Instagram.

20 Q. Public or private?

21 A. Instagram is private. Facebook, I mean,  
22 you have to make a friend request, I guess, but.

23 Q. Do you know what your name is on  
24 Facebook?

25 A. Lily Shepard.



1 Q. What about on Instagram?

2 A. Skilletlil. S-K-I-L-L-E-T-L-I-L.

3 Q. Did you have Facebook in 2013 and 2014?

4 A. Yes.

5 Q. Would you ever use that to promote  
6 yourself as a dancer?

7 A. No.

8 Q. An adult dancer?

9 A. No.

10 Q. Okay. Instagram, did you have that in  
11 2014?

12 A. I believe so, yes.

13 Q. What about 2013?

14 A. I don't know.

15 Q. Okay. Do you ever use -- sorry.

16 Did you ever use that to promote yourself  
17 as an adult dancer?

18 A. No.

19 Q. In 2013 did you have any licenses outside  
20 of Nevada?

21 A. No.

22 Q. Just the Nevada business license and  
23 Nevada Sheriff's Card?

24 A. Yes.

25 Q. If it was required in 2013?

1 A. Yes.

2 Q. Same with 2014?

3 A. Yes.

4 Q. In 2013 did you obtain any credit or  
5 financing?

6 A. I don't remember.

7 Q. What about 2014?

8 A. I don't remember.

9 Q. Here it says you might have performed at  
10 Perfect Ten. Do you already say that?

11 A. Perfect Ten in Austin.

12 Q. Okay. When did you perform at Perfect  
13 Ten in Austin?

14 A. Shortly after moving there.

15 Q. Okay. So probably late 2015?

16 A. Yes.

17 Q. Is Larry's Villa in Las Vegas?

18 A. Uh-huh.

19 Q. Okay. Did you perform at any other clubs  
20 in Austin?

21 A. No.

22 Q. Just the Perfect Ten?

23 A. Yes.

24 Q. Okay. And then we have already gone  
25 through all the Las Vegas ones?

1 A. Yes.

2 Q. Okay. Did you perform as an adult dancer  
3 at any other clubs in any other states aside from  
4 Nevada and Texas?

5 A. No.

6 Q. Do you recall any names of persons that  
7 were allegedly treating you badly at Crazy Horse?

8 A. No.

9 Q. In your response to Interrogatory No. 13  
10 on Page 9, what were you referring to when you  
11 replied: "The managers treated her" which would be  
12 you, "badly"?

13 A. Where am I looking?

14 Q. Page 9.

15 A. Uh-huh.

16 Q. The response to Interrogatory No. 13?

17 A. Okay.

18 Q. The last sentence of that or last line.

19 A. Okay. Basically kind of blocking me from  
20 making money. Bringing up other dancers when I had  
21 been talking to a customer and about to go to VIP,  
22 they would bring over another dancer and say, "This  
23 is one of our girls. This is one our best girls.  
24 Isn't she hot?"

25 And kind of try to steer the attention

1 away from me into someone else resulting in me losing  
2 out on the sale and the money. There was just an  
3 overall rudeness.

4 Q. Did you complain about that to anyone?

5 A. No.

6 Q. Did you report it to anyone?

7 A. No.

8 Q. That same response also says: "Defendant  
9 employees, managers, and house mom."

10 We have touched on managers and house  
11 mom. Who were you referring to when you say  
12 "employees"?

13 A. Bartenders.

14 Q. Were you required to tip bartenders?

15 A. No. But they could kind of have an  
16 attitude or if they felt that you weren't having your  
17 customer tip them --

18 Q. Okay.

19 A. -- properly.

20 Q. Did you understand host and managers to  
21 be the same?

22 A. Kind of. Managers had more authority,  
23 but they were all people that wanted money, so they  
24 all were the same to me.

25 Q. Okay. Were you required to tip managers?

1           A.     You were required to tip everyone from  
2     the house mom, anyone, anyone that had a part in your  
3     -- the DJ, the house mom, a manager. If you made  
4     money in VIP, a VIP host. If you made money on the  
5     floor, a floor host, the valet.

6           Q.     Was it required to tip the DJ?

7           A.     Yeah.

8           Q.     Previously I thought you just needed to  
9     tip if you requested a song?

10           MS. CALVERT: Objection. Misstates prior  
11     testimony.

12           THE WITNESS: I'm pretty sure there was a  
13     minimum tip for the DJ. You did tip him extra if you  
14     needed a song, but I'm pretty sure there was a  
15     minimum DJ tip.

16     BY MS. SMITH:

17           Q.     At Crazy Horse?

18           A.     Uh-huh.

19           Q.     But you don't remember what it was?

20           A.     I don't.

21           Q.     Do you recall who told you that there was  
22     a required minimum tip for the DJ?

23           A.     I don't.

24           Q.     Do you recall paying a tip to the DJ?

25           A.     Yeah, I always tipped the DJ also because

1 the DJ is one of the people that signs your slip. So  
2 it's the trifecta of people you have to keep happy to  
3 have everyone sign and so you can go. If one person  
4 doesn't, then you can't go and there's a problem.

5 Q. Did you ever try not tipping any of those  
6 persons?

7 A. No.

8 Q. Did you request not to tip any of those  
9 persons?

10 A. Who would I request? They all are the  
11 people that I would tip.

12 Q. Right. Did you ever refuse to tip the  
13 DJ?

14 A. No.

15 Q. What about a manager?

16 A. No.

17 Q. What about a host?

18 A. No.

19 Q. What about a VIP host?

20 A. No.

21 Q. Okay.

22 A. They were there were times when my tips  
23 were small, but I would always have to say, "Hey, I  
24 had a bad night. Next time."

25 You have to kind of preface it by -- you

1 can't just give \$10 or something like that. You  
2 would have to say, "You know, my night wasn't good.  
3 I got you next time."

4 Q. Who told you you had to give them an  
5 explanation for the amount of tips?

6 A. No one told me, but it was understood.  
7 It was said nonverbally. There would be a definite  
8 look, body language and tone, that said, "This is not  
9 enough. Why are you giving me this amount?"

10 Q. But you don't know exactly what would  
11 happen if you had refused to tip one of those  
12 individuals?

13 A. I never did refuse to tip.

14 Q. Okay. So you're just speculating on what  
15 you think might happen?

16 A. What I've heard from other dancers that  
17 did happen, which is why I did not refuse or give a  
18 small tip or anything like that because I had seen  
19 what could happen.

20 Q. Okay. Could you have refused to give a  
21 tip?

22 MS. CALVERT: Objection. Asked and  
23 answered.

24 THE WITNESS: And still had a job?  
25

1 BY MS. SMITH:

2 Q. I'm just asking if you could have refused  
3 to tip?

4 A. I don't know if I could have refused a  
5 tip and continue to work at Crazy Horse.

6 Q. Did anyone at Crazy Horse specifically  
7 threaten you if you didn't tip, you would not be  
8 permitted to perform there?

9 A. No.

10 Q. Okay. That's all my questions for you.

11 THE REPORTER: Did you want her to read  
12 and sign?

13 MS. CALVERT: Yes.

14 THE REPORTER: Did you want a copy?

15 MS. CALVERT: Oh, heaven's yes.

16 BY MS. SMITH:

17 Q. Miss Shepard, I'm sorry that I  
18 represented to you that I had no more questions. I'm  
19 just going to show you a loose sheet and it was not  
20 attached originally to your document that was Exhibit  
21 C.

22 A. Okay.

23 Q. But that's why I missed asking you about  
24 it. I'm going to hand you Exhibit D.

25 (Exhibit D marked for identification.)



1 BY MS. SMITH:

2 Q. This sheet does not have a Bates number,  
3 but is titled "verification." Do you see that?

4 A. Yes.

5 Q. Do you recall receiving that document?

6 A. Yes.

7 Q. Do you remember signing that document?

8 A. Yes.

9 Q. Is that your signature?

10 A. Yes.

11 Q. That's all my questions. Thank you.

12 (The proceedings were adjourned at  
13 12:31 p.m.)

14 \* \* \* \* \*

15

16

17

18

19

20

21

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23

24

25

# EXHIBIT “9”

DISTRICT COURT  
CLARK COUNTY, NEVADA

JACQUELINE FRANKLIN, )  
ASHLEIGH PARK, LILY )  
SHEPARD, STACIE ALLEN, ) CASE NO.: A-14-709372-C  
MICHAELA DIVINE, VERONICA ) DEPT NO.: 31  
VAN WOODSEN, SAMANTHA )  
JONES, KARINA STRELKOVA, )  
LASHONDA STEWART, DANIELLE )  
LAMAR, and DIRUBIN 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 )  
(d/b/a CRAZY HORSE III )  
GENTLEMEN'S CLUB), DOE )  
CLUB OWNER, I-X, ROE CLUB )  
OWNER, I-X, and ROE )  
EMPLOYER, I-X, )  
 )  
Defendants. )  
 )  
AND RELATED COUNTERCLAIMS )

DEPOSITION OF JACQUELINE FRANKLIN  
Taken at Moran Brandon Bendavid Moran  
on Tuesday, January 10, 2017  
at 1:30 p.m.  
at 630 South Fourth Street  
Las Vegas, Nevada 89101

Reported by: Trina K. Sanchez, CCR No. 933, RPR

1 APPEARANCES:

2

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3

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6

7

For the Defendants:

8

9

STEPHANIE J. SMITH, ESQ.  
MORAN BRANDON BENDAVID MORAN  
630 South Fourth Street  
Las Vegas, Nevada 89101

10

11

12

I N D E X

13

WITNESS:

PAGE

14

JACQUELINE FRANKLIN

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Examination by Ms. Stephanie Smith

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Examination by Ms. Lauren Calvert

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20

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EXHIBIT D

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25

for Production of Documents

1 LAS VEGAS, NEVADA, TUESDAY, JANUARY 10, 2017;

2 1:30 P.M.

3 -000-

4

5 (In an off-the-record discussion held prior to the  
6 commencement of the deposition proceedings, counsel  
7 agreed to waive the court reporter requirements  
8 under Rule 30(b)(4) of the Nevada Rules of Civil  
9 Procedure.)

10

Whereupon,

11

12

JACQUELINE FRANKLIN,

13

having been first duly sworn to testify to the

14

truth, the whole truth and nothing but the truth,

15

was examined and testified as follows:

16

17

EXAMINATION

18

BY MS. SMITH:

19

Q. All right. Ms. Franklin, we just met off

20

the record, but my name is Stephanie Smith. I'm

21

here representing Defendant Russell Road Food and

22

Beverage, LLC, doing business as Crazy Horse III

23

Gentlemen's Club. Throughout the deposition, I'll

24

most likely just be using the term "Crazy Horse,"

25

and that's to mean defendant and/or the club

1       itself.

2                   Does that make sense?

3           A.     Okay.  Yes, it does.

4           Q.     All right.  You were just sworn in by the  
5       court reporter.  That oath is the same oath that  
6       you would take in a court of law and carries with  
7       it the penalties of perjury should you not tell the  
8       truth here today; all right?

9           A.     Okay.

10          Q.     After the deposition ends, at some point  
11       you will be sent a copy or likely your counsel will  
12       be sent a copy of your deposition transcript that's  
13       going to reflect everything that we say here today.  
14       You'll have the opportunity to make minor  
15       corrections, or in some cases, there might be a  
16       space for someone's last name or a precise year,  
17       where you lived somewhere, for example.  You can  
18       make those changes, and then, you know, counsel  
19       will be able to review them.  I'll see the changes  
20       that you make.  If you change something  
21       substantive, such as a "yes" to a "no" or you start  
22       filling in more facts to a question, something like  
23       that, then I'll most likely be able to recall you  
24       in here and question you about those changes.

25                   Does that make sense?

1           A.    Okay.  Yes.

2           Q.    Have you consumed any drugs or alcohol in  
3 the last 12 hours?

4           A.    No, I haven't.

5           Q.    Okay.  So is there any reason that we  
6 cannot move forward today and take your best  
7 testimony?

8           A.    No.

9           Q.    Any medications?

10          A.    No.

11          Q.    Okay.  So since the court reporter is  
12 taking down everything we're saying, you're doing a  
13 good job of it already, but it's important to try  
14 to answer with "yes" or "no" or "okay," just clear  
15 responses.  "Uh-huh," stuff like that, nodding, it  
16 just makes it difficult for the court reporter to  
17 take down the actual response.  I'm going to try to  
18 ask you clear questions.  That might not always  
19 happen.  So if you have a question about what I've  
20 asked you, let me know if you need a clarification  
21 or you're confused about what I've asked.

22          A.    Okay.

23          Q.    I will try to wait until you're finished  
24 answering a question before I start my next  
25 question, and I would just ask that you try to do

1 the same. A lot of times, it's natural to sort of  
2 jump in or you might anticipate what I'm asking and  
3 already have the answer. Just, again, it makes it  
4 hard for the court reporter to record two people  
5 talking at the same time.

6 From time to time after a question, your  
7 attorney might have an objection. So try to pause  
8 before you respond to a question so that she can  
9 make her objection clear for the record. Sometimes  
10 that doesn't happen. That's perfectly natural.  
11 It's okay. We would just pause and let Ms. Calvert  
12 make her objection. However, you will have to go  
13 ahead and answer that question after her objection  
14 unless she specifically instructs you not to.

15 A. Okay.

16 Q. Okay. Now, going forward, I am entitled  
17 to your best estimate. However, I do not want you  
18 guessing.

19 Do you know the difference between a  
20 guess and an estimate?

21 A. Yes.

22 Q. What's your understanding of an estimate  
23 versus a guess?

24 A. An estimate is more educated.

25 Q. Okay. Perfect. Right.



1                   If I asked you how tall my mom was, you  
2                   would completely be guessing, right?

3                   A.     Correct.

4                   Q.     Okay.   Perfect.

5                   You can take a break whenever you would  
6                   like.   I know that you mentioned a situation with  
7                   your friend, so if you have to take a phone call or  
8                   use the restroom, it's perfectly fine.   I would  
9                   just ask that if I have a question pending, that  
10                  you wait until after you respond to the question  
11                  and then we can go ahead and take a break; okay?

12                  A.     Okay.

13                  Q.     Can you go ahead and state your full name  
14                  and spell it for the record, please.

15                  A.     Jacqueline, J-a-c-q-u-e-l-i-n-e,  
16                  Franklin, F-r-a-n-k-l-i-n.

17                  Q.     All right.   Have you had your deposition  
18                  taken before?

19                  A.     No.

20                  Q.     We'll try to make this painless.

21                  Are you currently involved in any other  
22                  litigation in Nevada?

23                  A.     No.

24                  Q.     What about in any other states?

25                  A.     No.

1           Q.    Have you ever been part of a class in  
2 Nevada, in a class action lawsuit?

3           A.    No.

4           Q.    Okay. Do you understand that you are a  
5 named plaintiff in this current lawsuit?

6           A.    Yes.

7           Q.    Okay. And you understand that you're  
8 bringing claims against my client, Russell Road  
9 Food and Beverage?

10          A.    Yes, I do.

11          Q.    Okay. What's the highest level of  
12 education you've received?

13          A.    I have an EMT certification and a high  
14 school diploma.

15          Q.    Where did you go to high school?

16          A.    West Virginia.

17          Q.    What year did you graduate?

18          A.    2004.

19          Q.    And when did you get your EMT  
20 certification?

21          A.    December of 2016, last month.

22          Q.    Congratulations.

23          A.    Thank you.

24          Q.    That is quite an accomplishment.

25          A.    (Witness nods head.)

1 Q. And is that EMT certification for here in  
2 Las Vegas?

3 A. Yes.

4 Q. Or the State of Nevada?

5 A. Southern Nevada, yes.

6 Q. Okay. I don't -- I'm not sure how the  
7 regions work. So Southern Nevada?

8 A. Correct. Well, the certification is  
9 national, but my license to practice is given out  
10 by the Southern Nevada Health District.

11 Q. Oh, okay. And are you currently working  
12 anywhere?

13 A. No, I'm not.

14 Q. Okay. Have you applied for any  
15 positions?

16 A. No. I'm still building my resume.

17 Q. Okay. What is your current source of  
18 income?

19 A. I -- I work with a couple of agencies  
20 doing private entertainment in the adult industry.

21 Q. Okay. Is that like private parties?

22 A. Correct. Bachelor parties mostly and  
23 party buses.

24 Q. Okay. How are you compensated doing  
25 that?

1 A. Cash.

2 Q. Okay.

3 A. Directly from the clients.

4 Q. Is there a set amount or a set rate that  
5 you charge for attending a party?

6 A. No.

7 Q. Okay. Is that something that's set by  
8 the agency?

9 A. The agency only charges the clients their  
10 fee, the agency fee. And then the entertainers, we  
11 work on tips.

12 Q. Okay. Any particular agencies?

13 A. Several. I don't know all of them by  
14 name.

15 Q. Okay. Do you have a main couple that you  
16 try and work with?

17 A. Yes. I know mostly the phone operators'  
18 names because that's who I deal directly with. I  
19 don't exactly know the agencies and what name  
20 they're licensed under.

21 Q. Okay. Would you be able to get that  
22 information to your counsel?

23 A. I may be able to.

24 Q. Okay.

25 A. I can't make any promises.

1           Q.    All right.  And how long have you been  
2   working with these agencies?

3           A.    Some of them just this year.  This past  
4   year since I stopped working in the clubs, but some  
5   of them I've been dealing with for several years  
6   picking up gigs.

7           Q.    Okay.

8           A.    In addition to this club.

9           Q.    Okay.  Do you have an estimate as to when  
10   you started being, I guess, booked through the  
11   agencies?

12          A.    Like I said, some of them have been  
13   years.

14          Q.    Do you think you might have started in  
15   2012?

16          A.    Yeah.  I think the -- the one I've been  
17   working with the longest might be the Party Bus  
18   Company, and that's probably about -- this summer  
19   would be my fourth.

20          Q.    Okay.  All right.  So maybe 2013?

21          A.    Summer of 2013, probably.

22          Q.    Okay.  You said that was the Party Bus  
23   Company?

24          A.    Party Bus Company, yes.  And then some  
25   party planning services --

1 Q. Okay.

2 A. -- that have booked, like, bachelor  
3 parties. And then, like I said, others I just  
4 started this past summer.

5 Q. Okay. When did you stop performing in  
6 gentlemen's clubs?

7 A. February of 2016. Valentine's Day,  
8 actually. February 14th was my last day.

9 Q. All right. Well, that's easy to  
10 remember.

11 What was the last club you performed at?

12 A. Hustler.

13 Q. And about how long did you perform at  
14 Hustler?

15 A. One year.

16 Q. What about prior to Hustler?

17 A. Crazy Horse III.

18 Q. About how long did you work for Crazy  
19 Horse III?

20 A. Just over one year. Fourteen months, I  
21 think.

22 Q. Okay. We'll go over some documents  
23 later, so we'll go over that timeline.

24 What about prior to Crazy Horse III?

25 A. Spearmint Rhino.

1 Q. Okay. And about how long were you there?

2 A. 4 1/2 years.

3 Q. Okay. And prior to the Rhino, anywhere?

4 A. I worked on the East Coast for an agency  
5 doing bachelor parties out of Baltimore.

6 Q. Okay. What brought you out to Vegas?

7 A. The recession.

8 Q. All right. How long have you lived in  
9 Las Vegas?

10 A. Since April of 2009.

11 Q. And do you currently reside here?

12 A. Yes, I do.

13 Q. Okay. So have you continuously lived in  
14 Las Vegas from 2009 until present?

15 A. Yes, I have.

16 Q. Okay. Well, you stayed. So it must have  
17 worked out.

18 When did you start dancing in gentlemen's  
19 clubs?

20 A. June of 2004.

21 Q. Okay. And how about in Las Vegas?

22 A. April of 2009.

23 Q. Okay. Now, I know we went through a few  
24 clubs sequentially. Did you perform at more than  
25 Crazy Horse during that time that you were

1 performing at Crazy Horse?

2 A. No.

3 Q. Any particular reason?

4 A. I like just doing one at a time.

5 Q. Okay. Do you know if you could have  
6 performed at another club while you were performing  
7 at Crazy Horse?

8 A. I believe that would have been  
9 acceptable. I choose not to.

10 Q. Okay. But no one said that you couldn't?

11 A. Not that I recall.

12 Q. Okay. During the years that you were at  
13 Crazy Horse, did you have any other sources of  
14 income aside from --

15 A. No.

16 Q. Okay. So while you were with Crazy  
17 Horse, did you work with any of the agencies?

18 A. I believe I did party buses.

19 Q. The party buses maybe?

20 A. Occasionally. Yes. I'm sorry about  
21 that.

22 Q. No. It's fine. It's hard to remember  
23 back.

24 A. Yeah. They just come in so rare.

25 Q. Okay.



1 A. That's all.

2 Q. All right. How would these agencies  
3 contact you? Do they reach out to you or --

4 A. Yes.

5 Q. -- do you reach out to them?

6 They reach out to you?

7 A. Yes. Almost all of them have contacted  
8 me because I've been referred by somebody else.

9 Q. Oh, okay. Now I'm going to move on a  
10 little bit more specifically to Crazy Horse.

11 Do you recall the first time you went  
12 into the club?

13 A. Yes, I do.

14 Q. And when was that?

15 A. October of 2013. Yeah.

16 Q. And did you go in with the intent to  
17 audition?

18 A. Yes.

19 Q. Okay. And did you audition at that time?

20 A. I didn't have an audition exactly. I  
21 said I wanted to dance, and they gave me a packet  
22 to sign.

23 Q. Okay. Fair enough.

24 How did you first hear about Crazy Horse?

25 A. I had been as a customer before.

1           Q.    Okay.  What made you decide you wanted to  
2   go in there and dance there?

3           A.    Because I wasn't happy at Spearmint Rhino  
4   anymore.

5           Q.    Okay.  Do you recall who you met with in  
6   October of 2013 when you first went in?

7           A.    Kewan, K-e-w-a-n.

8           Q.    Okay.  You said you didn't audition?

9           A.    Correct.

10          Q.    Why is that?

11          A.    I can't answer that.  Kewan would have to  
12   answer that.

13          Q.    Okay.  Had you been referred by another  
14   dancer or manager?

15          A.    No.

16          Q.    Okay.  Sounds good.  Okay.

17                So do you recall any of the -- of the  
18   paperwork that you were given?

19          A.    Vaguely.  It was typical to what I had  
20   seen at other clubs.

21          Q.    Okay.  At that point in time, did you  
22   agree to be an independent contractor?

23                MS. CALVERT:  Objection.  Calls for a  
24   legal conclusion.

25                You can still answer, if you know.

1           THE WITNESS: It was kind of assumed. I  
2       assumed that's what I was signing up for because  
3       that's generally how entertainers were able to work  
4       at clubs in Las Vegas.

5       BY MS. SMITH:

6           Q.    Okay. So had you previously been an  
7       independent contractor?

8           MS. CALVERT: Objection. Calls for a  
9       legal conclusion.

10          You can answer, if you know.

11          THE WITNESS: At Spearmint Rhino, they  
12       had a lawsuit while I worked there and we went from  
13       independent contractor to employee, then back to  
14       independent contractor. So I was familiar with  
15       that.

16       BY MS. SMITH:

17          Q.    Okay. What's your understanding of any  
18       differences between an independent contractor and  
19       an employee?

20          MS. CALVERT: Objection. Calls for a  
21       legal conclusion/expert opinion.

22          Go ahead.

23          THE WITNESS: Yeah. I can't answer that  
24       exactly. I have no formal education in anything  
25       having to do with that.

1 BY MS. SMITH:

2 Q. Well, you just testified that you went  
3 back and forth at the Rhino.

4 A. Right. So I was -- I understood that  
5 they were two different types of -- what would you  
6 call -- I understand that there's a difference  
7 between an employee and an independent contractor.  
8 I do not know all the details and what makes them  
9 different.

10 Q. Okay. You don't know any differences?

11 A. An employee receives a wage or a salary,  
12 and an independent contractor does not.

13 Q. Okay. Anything else?

14 A. Not specifically, no.

15 Q. Okay. So that first evening you went  
16 into Crazy Horse -- and sometimes I might call it  
17 "the club" or "the premises." I just mean that to  
18 mean Crazy Horse on Russell Road; all right?

19 A. Okay.

20 Q. If you're ever unsure if I'm specifically  
21 referring to Crazy Horse III, just let me know.

22 A. Okay.

23 Q. So when you went into the club in October  
24 of 2013 to, I guess, possibly dance there, did you  
25 dance that evening?

1 A. I did.

2 Q. Okay. So did you have things that you  
3 brought with you?

4 A. Yes.

5 Q. And do you recall what kinds of things  
6 that you brought with you?

7 A. An outfit and a pair of shoes probably.

8 Q. Okay. What -- is there a particular kind  
9 of outfit you would have worn?

10 A. Probably a two-piece outfit. That's  
11 generally what I wore.

12 Q. Okay. At that time that you started  
13 dancing, were you given any information on days of  
14 the week that you could perform at the club?

15 A. I was told I could work any day I wanted.

16 Q. Okay. What about any times you could  
17 be --

18 A. I was told I could come in any time.

19 Q. Okay. Did anyone tell you there was a  
20 minimum amount of days that you had to perform at  
21 Crazy Horse?

22 A. Only if I wanted to keep a locker.

23 Q. Okay. What -- what were you told in  
24 respect to that?

25 A. If I was issued a locker, I needed to

1 show up at least three days a week.

2 Q. Okay. Were you issued a locker?

3 A. Yes, I was.

4 Q. So then did you perform three days a  
5 week?

6 A. I believe I always did or close to it, at  
7 least.

8 Q. Did you have to pay any fee for that  
9 locker?

10 A. I was told that I should tip the house  
11 mom for it.

12 Q. Okay. Was there a specific amount you  
13 were told to tip the house mom?

14 A. I don't remember.

15 Q. Okay. Was that a requirement or just  
16 something that was suggested to you?

17 A. I was just told that I was supposed to  
18 tip her.

19 Q. Okay. Did you think that, that was a  
20 rule of the club?

21 A. I believe it was just something that was  
22 expected of us, but --

23 Q. Okay.

24 A. -- that's about it.

25 Q. Did you ever not perform three days in a

1 week?

2 A. That I can't remember. That may have  
3 happened, but I can't say for sure.

4 Q. Okay. Do you recall getting disciplined  
5 in any way for not performing three days in a week?

6 A. No.

7 Q. Okay. So no fines?

8 A. No.

9 Q. Okay. So aside from the three days a  
10 week for the locker, what other rules did they have  
11 about what days and times you could perform at the  
12 club?

13 A. For me, I didn't have any.

14 Q. Okay. So just whenever you wanted to  
15 check in?

16 A. Correct.

17 Q. Okay. What about in terms of checking  
18 out, did they tell you any rules regarding checking  
19 out of a shift?

20 A. Do you mean the process we had to go  
21 through?

22 Q. Sure.

23 A. We needed to obtain a slip from the DJ.

24 Q. Okay.

25 A. And it would state that we had been

1 checked in for at least five hours.

2 Q. Okay.

3 A. And then we had that slip signed by a  
4 manager.

5 Q. Okay.

6 A. And then we had that slip signed by a  
7 house mom.

8 Q. Okay.

9 A. And then we dropped it off at the cage at  
10 the back door.

11 Q. Okay. So let me take you back towards  
12 the start of the shift.

13 What would you do when you came in and  
14 wanted to perform?

15 A. We would show our sheriff's card at the  
16 cage at the back door.

17 Q. Okay.

18 A. And then we had to pay our house fee.

19 Q. Okay.

20 A. And then we would go in the dressing room  
21 and get ready.

22 Q. Okay. Was there a certain amount of time  
23 you could spend getting ready?

24 A. You could be called on stage, I believe  
25 it was within an hour of checking in. That may not



1       be exact, but I think that was it.

2               Q.     So possibly the earliest they would want  
3       you on the main floor would be an hour.

4               Is that your recollection?

5               A.     On stage anyway.

6               Q.     On stage. Okay. Okay. Sorry.

7               So when you checked in, did you get any  
8       receipt or a slip showing that you had paid a house  
9       fee?

10              A.     Yes.

11              Q.     Okay. Did you keep any of those?

12              A.     No, I didn't.

13              Q.     Okay. So once you started your shift,  
14       what would you do?

15              A.     Try to sell dances.

16              Q.     Okay. Did you have any goal when you  
17       would start a shift, such as a number of customers  
18       you wanted to talk to or a number of lap dances you  
19       wanted to perform?

20              A.     As many as I could.

21              Q.     Okay. Did you set a -- like a dollar  
22       amount that you wanted to achieve an evening?

23              A.     No.

24              Q.     Okay. You mentioned your sheriff's card.  
25       Did you also have a business license?

1           A.    I did.

2           Q.    Do you still have a Nevada business  
3 license?

4           A.    Not a current one, no.

5           Q.    What about your sheriff's card, is that  
6 current?

7           A.    It is.

8           Q.    Okay. So during the time that you were  
9 performing at Crazy Horse, you think you had a  
10 Nevada business license?

11          A.    I did, yes.

12          Q.    Did you understand that to be a  
13 requirement to perform at Crazy Horse?

14          A.    Yes. It was required.

15          Q.    Okay. All right. Did you need to have  
16 those items to perform at other clubs?

17          A.    Yes.

18          Q.    Okay. I guess I wasn't very clear about  
19 items. I meant the business license and the  
20 sheriff's card.

21                Did you file income tax with the Internal  
22 Revenue Service?

23          A.    No. I never have.

24          Q.    Not for any of the time you performed at  
25 Crazy Horse?

1           A.    No.

2           Q.    Did you keep any personal logs about how

3 much income you made in a given year?

4           A.    No.   I never did.

5           Q.    Okay.   Do you have an estimate as to how

6 much you would make per shift at Crazy Horse?

7           A.    No.   I couldn't do that.

8           Q.    Okay.   Do you have an estimate to the

9 overall amount of income you earned at Crazy Horse?

10          A.    No, I don't.

11          Q.    Not even a range?

12          A.    No.

13          Q.    All right.

14          A.    No.   I didn't keep track of that.

15          Q.    Okay.   Did you have a bank account?

16          A.    No, I didn't.

17          Q.    Okay.   Any kind of other savings account

18 or online income tracker?

19          A.    No.   I just kept cash at home.

20          Q.    Okay.   Did you ever pay any taxes related

21 to your Nevada business license?

22          A.    No.

23          Q.    Are you a U.S. citizen?

24          A.    Yes, I am.

25          Q.    Okay.   Did you ever file taxes of any

1 kind in a state other than Nevada?

2 A. West Virginia.

3 Q. Okay. And was that prior to you moving  
4 to Nevada?

5 A. Yes, it was.

6 Q. Okay. Since you've lived in Nevada, no  
7 income tax filing?

8 A. Correct.

9 Q. Okay. Did you obtain any financing  
10 during the time you performed at Crazy Horse, such  
11 as a vehicle?

12 A. I already had a vehicle that was financed  
13 at that time, yes.

14 Q. Okay. Did you ever do any headshots or  
15 promotional shots?

16 A. No.

17 Q. Did you ever independently promote  
18 yourself as a dancer/entertainer?

19 A. No.

20 Q. Any reason why not?

21 A. I am not on any social media. I never  
22 had the desire to do any of that.

23 Q. Okay. No social media whatsoever?

24 A. No.

25 Q. Oh, all right. What about any promotions

1 specifically for Crazy Horse?

2 A. Yes. I did those.

3 Q. Okay. And what would that entail?

4 A. Handing out cards for various managers

5 and VIP hosts.

6 Q. Okay. Did you have your own cards?

7 A. No. We would hand out their cards.

8 Q. Okay. Was that mandatory?

9 A. No.

10 Q. Okay. How would you --

11 A. Or I'm sorry. Do you mean attending the

12 promotions?

13 Q. Yes.

14 A. No. That wasn't...

15 Q. Okay. How did you go about being able to

16 attend the promotions?

17 A. We would usually just ask Justin if there

18 were any coming up and text him if we wanted to

19 attend.

20 Q. Okay. But there was no requirement that

21 you do a certain number of promotional events?

22 A. No.

23 Q. What about events on premises? Did you

24 do any of those? Any special events?

25 A. Such as what?

1           Q.    Maybe like a New Year's party or a  
2 Christmas party, something to that affect?

3           A.    Well, the club was open 24/7 so if they  
4 were having an event like an anniversary party or a  
5 featured entertainer, it was still the same as  
6 working a normal shift.

7           Q.    Okay. All right. So there was no  
8 additional requirement that you come in for, like,  
9 holidays or special occasions that they were  
10 having?

11          A.    No.

12          Q.    Okay. So you mentioned earlier that you  
13 would typically wear a two-piece outfit?

14          A.    Correct.

15          Q.    Did Crazy Horse have any requirements on  
16 what kind of outfits you needed to wear while  
17 performing?

18          A.    I believe what was in our contract and  
19 what was enforced by the house mom was very vague.  
20 Such as neat, put together, professional. They  
21 were kind of vague words.

22          Q.    Okay. Do you remember anything specific?

23          A.    No. I was never told that I needed to  
24 change.

25          Q.    Okay. Could you have changed if you

1       wanted to during a shift?

2           A.     Yes.

3           Q.     Okay.  What about any requirements on  
4       your hair or makeup?

5           A.     Same thing.  They would always just tell  
6       us we needed to look neat and presentable and  
7       professional.

8           Q.     Okay.

9           A.     It was usually at the discretion of the  
10       house moms.

11          Q.     Okay.  Did you need to check in with or  
12       report to someone about your outfit?

13          A.     No.

14          Q.     Okay.  What about hair and makeup?

15          A.     No.  But if they didn't like it, they  
16       could tell you to do something about it.

17          Q.     Did that ever happen to you?

18          A.     Not to me.

19          Q.     Okay.  Any other rules about what you  
20       could or couldn't wear?

21          A.     No.

22          Q.     Okay.  Did you have a stage name?

23          A.     I used my middle name, Sarah.

24          Q.     Well, I don't have to ask you how you  
25       came up with that.

1                   Was that something that you had to get  
2                   approved by anyone at Crazy Horse?

3               A.    You put it on your paperwork when you got  
4                   hired.

5               Q.    Okay. So did it need to be actually  
6                   approved? Like, did someone sign off on that?

7               A.    Yes. They just want to make sure that it  
8                   wasn't already being used at the club.

9               Q.    Okay. So not 100 Sarahs on the floor?

10              A.    Correct.

11              Q.    Okay.

12              A.    The guy that worked the cage.

13              Q.    Okay. Were you ever required to wear any  
14                   special costumes or special accessories?

15              A.    No.

16              Q.    Okay. Did you have any signature items  
17                   that you would wear?

18              A.    No.

19              Q.    Did you have any signature dance moves?

20              A.    No.

21              Q.    So if you were going to approach an  
22                   individual that came into the club, can you walk me  
23                   through what you would do?

24              A.    Introduce myself, strike up a  
25                   conversation, and then offer a dance and VIP room.



1 Q. Okay. If they said yes to a VIP room  
2 dance, then what would occur?

3 A. I would generally give them a tour of the  
4 different rooms that we had to see which one he  
5 wanted.

6 Q. Do you remember any pricing or was there  
7 any pricing?

8 A. Yes. We had three songs for 100. A half  
9 hour, I believe, was 200-plus some drinks. An hour  
10 in the same room was 400-plus some drinks. And  
11 then we had private suites that were, I believe,  
12 500 --

13 Q. Okay.

14 A. -- for the entertainer and then a pretty  
15 substantial bar tab or bottle.

16 Q. Okay. And how was that paid?

17 A. Either cash from the client or if he paid  
18 with a credit card, then we got funny money or  
19 dance dollars.

20 Q. Okay. When the client had cash, was that  
21 paid directly to you?

22 A. Yes.

23 Q. Okay. And then with the dance dollars,  
24 how did that work?

25 A. He paid at the cashier cage, and the

1 cashier printed our dance dollars for us.

2 Q. Okay. And then you would get the dance  
3 dollars directly handed to you?

4 A. Correct.

5 Q. Gotcha.

6 Did you ever negotiate for more than,  
7 say, the \$100 for three songs?

8 A. No. We couldn't do that.

9 Q. What do you mean when you say you  
10 couldn't do that?

11 A. It was very clear by management and by  
12 the hosts that worked the room, we could only  
13 charge the set amount. And if the client wanted to  
14 tip, he could tip, but we couldn't tell him that he  
15 needed to give us any more than the set price.

16 Q. Okay. So once you were in the room, did  
17 you then negotiate for more money?

18 MS. CALVERT: Objection as to form.  
19 Contradicts prior testimony.

20 Go ahead and answer, if you know.

21 THE WITNESS: No. At the end we could  
22 mention, Hey, if you want to tip me, you can. But  
23 that's it.

24 BY MS. SMITH:

25 Q. Okay. All right.

1           A.    We were never allowed to demand more  
2 money from them, no.

3           Q.    Okay.  Do you know what a lap dance is?

4           A.    On the floor, \$20.

5           Q.    Okay.  Did you give lap dances on the  
6 floor?

7           A.    Yes, I did.

8           Q.    Okay.  You just said \$20.  Was that what  
9 you charged for a lap dance?

10          A.    No.  That was set by the club as well.

11          Q.    Okay.  Did you ever try and ask for more  
12 from a customer for a lap dance?

13          A.    No.

14          Q.    And how come?

15          A.    Fear, I guess, of being reprimanded.

16          Q.    Okay.  So you never really tried it?

17          A.    No.

18          Q.    Do you know if you could have asked for  
19 more?

20                MS. CALVERT:  Objection.  Calls for  
21 speculation.

22                THE WITNESS:  No.  The prices were given  
23 to us, and we were told we weren't supposed to  
24 charge them more than what was written.

25                /////

1 BY MS. SMITH:

2 Q. Okay. Did anyone in particular tell you  
3 that?

4 A. It was in our initial packet of  
5 paperwork.

6 Q. Okay. All right. Do you know what would  
7 have occurred if you had asked a customer for more  
8 than \$20 for a lap dance?

9 A. No.

10 Q. What about for more than the dollar  
11 amounts you stated for the VIP areas?

12 A. The host wouldn't allow it.

13 Q. Okay. Okay. Were there any requirements  
14 on the number of lap dances you needed to perform  
15 during a shift?

16 A. No.

17 Q. What about requirements on the number of  
18 individuals Crazy Horse wanted you to approach on a  
19 shift?

20 A. No. There was no number.

21 Q. Okay. Were there any requirements on how  
22 long you could speak with a guest?

23 A. No.

24 Q. Okay. Moves, did you ever dance on the  
25 stage?

1           A.    Yes, I did.

2           Q.    Do you have any particular style that you  
3   dance on the stage?

4           A.    I'm not sure I understand the question.

5           Q.    Any particular moves or artistic style  
6   that you used while on stage?

7           A.    I did what was comfortable for me.

8           Q.    Okay.

9           A.    Yes.

10          Q.    Were there any rules about how you were  
11   supposed to be performing on stage?

12          A.    Not other than the laws.

13          Q.    Okay.  What did you understand the laws  
14   to be?

15          A.    Things like not removing your panties or,  
16   you know, touching your genitals and things like  
17   that while you danced.

18          Q.    Okay.

19          A.    It was very simple.  Just a couple of  
20   things that were laws.

21          Q.    Okay.  So you mean like State or County  
22   laws?

23          A.    Correct.

24          Q.    Okay.  What about rules or restrictions  
25   regarding lap dances?

1           A.    No.  We were pretty free to lap dance how  
2   we wanted.

3           Q.    Okay.  Maybe just the same legal  
4   restrictions?

5           A.    Correct.

6           Q.    Okay.  And who do you think would be  
7   responsible for following the legal requirements on  
8   dancers?

9                   MS. CALVERT:  Objection.  Vague.

10                  THE WITNESS:  I'm not sure I understand.

11   BY MS. SMITH:

12           Q.    I mean, do you think you personally were  
13   responsible for knowing the laws that applied to  
14   dancers?

15           A.    I'm not sure.

16           Q.    Other than the laws that you just cited  
17   about dancing and touching genitals, are you aware  
18   of any other laws that dancers are supposed to  
19   follow?

20           A.    From my time working at Spearmint Rhino,  
21   yes.

22           Q.    Okay.  What do you mean from the time you  
23   spent at Spearmint Rhino?

24           A.    Because while I was at Spearmint Rhino,  
25   they got in trouble by VICE, and so we had to go

1 over most of the laws --

2 Q. Okay.

3 A. -- while we were there.

4 Q. Okay. Was that the club that got in  
5 trouble?

6 A. Yes.

7 Q. Okay. Did you personally get a citation?

8 A. No.

9 Q. Okay. Have you ever personally been  
10 cited for unlawful dancing?

11 A. No.

12 Q. Okay. How about for solicitation?

13 A. No.

14 Q. Okay. So during your shift, were there  
15 requirements by Crazy Horse on where you were  
16 supposed to hang out during your shift?

17 A. There weren't requirements where we were  
18 supposed to be, but there were parts of the club  
19 where we were not supposed to be without  
20 permission.

21 Q. What were those areas?

22 A. Like bottle service areas.

23 Q. Okay. Do you know any particular reason  
24 why that might have been?

25 MS. CALVERT: Objection. Calls for

1 speculation.

2 THE WITNESS: Yeah. There were VIP hosts  
3 that I guess you could say guarded the bottle  
4 service area, and they would only let certain girls  
5 up. And, again, it was their discretion.

6 BY MS. SMITH:

7 Q. Did you ever go up to those bottle  
8 service areas?

9 A. I would occasionally.

10 Q. Okay. Could you ever hang out by the bar  
11 inside of Crazy Horse?

12 A. Occasionally.

13 Q. Okay. So could you hang out there during  
14 a shift if you wanted?

15 A. You could.

16 Q. Okay. What about breaks? Would you --  
17 how would you decide when you wanted to take a  
18 break?

19 A. You could take a break whenever you  
20 wanted.

21 Q. Okay. Did you have to check out with  
22 someone?

23 A. No.

24 Q. Do you remember any rules about how many  
25 breaks you could take during a shift?



1 A. No.

2 Q. Okay. What about how long a break could  
3 be? Any rules on that?

4 A. No. But if you got called on stage, you  
5 had to go.

6 Q. Okay. Did you ever pay a fee to not  
7 dance on stage?

8 A. Yes.

9 Q. So you mentioned -- I think you called it  
10 "funny money" or "dance dollars" earlier.

11 A. Yes.

12 Q. Do you know if you could refuse to accept  
13 those from a customer?

14 A. I suppose you could.

15 Q. Did you ever?

16 A. No, because then you wouldn't get paid.

17 Q. Okay. Didn't -- you didn't ever ask just  
18 for cash?

19 A. You could ask the customer to go to the  
20 ATM. But if that wasn't an option, then you had no  
21 choice but to take the funny money or not make  
22 money.

23 Q. Okay. They would probably just find  
24 another dancer that would take the dance dollars?

25 A. Right.

1           Q.    Okay.  If you had just wanted to dance on  
2   the stage during shift and not talk to customers on  
3   the floor, would you have been able to do that?

4           A.    No.  There was a rotation.

5           Q.    Okay.  So you could just go up at your  
6   times?

7           A.    You had to go up at your time and only at  
8   your time.

9           Q.    Okay.  Could you ever ask to go on stage  
10  at a time that was not technically your slot?

11          A.    That would be up to the DJ.

12          Q.    Okay.  Did you ever ask to do that?

13          A.    No.

14          Q.    How come?

15          A.    You're not compensated for going on  
16  stage.

17          Q.    What about if a customer requested to see  
18  you on stage?

19          A.    Then you could ask the DJ, I suppose.

20          Q.    Okay.  You don't recall that happening to  
21  you?

22          A.    No.  But there's no way to know what he  
23  would say.  That's up to him.

24          Q.    Okay.  When you say "no way to know," are  
25  you referring to the DJ?

1 A. Correct.

2 Q. Okay. What about if you only wanted to  
3 give dances in the VIP area and not perform any  
4 dances in the main floor area, would you have been  
5 allowed to do that?

6 A. Yes.

7 Q. Okay. So in terms of interactions that  
8 were not you on the stage, you had free reign?

9 A. You mean who I talked to?

10 Q. Yes.

11 A. Like I mentioned earlier, the customers  
12 in bottle service areas were not exactly  
13 approachable all the time.

14 Q. Other than that?

15 A. Other than that, we were free to talk to  
16 anyone on the main floor.

17 Q. Okay. What about if you just wanted to  
18 hang out on the main floor, could you do that?

19 A. Yes.

20 Q. Okay. Would you carry around, like, a  
21 little purse or a pouch with you?

22 A. Yes.

23 Q. All right. Would you keep your phone in  
24 that?

25 A. Yes.

1 Q. Could you use your phone during a shift?

2 A. It was kind of frowned upon.

3 Q. Would you ever use your phone when you  
4 were on the main floor?

5 A. Same thing. You could, but it was  
6 frowned upon.

7 Q. Okay. Did you ever use your phone on the  
8 main floor?

9 A. Yes.

10 Q. Did you get fined for that?

11 A. No.

12 Q. Any other kind of discipline?

13 A. They would mention, you know, if they saw  
14 you on it for a while to put it away.

15 Q. Okay. What about in the backstage or  
16 dressing room area?

17 A. We were free to use it as we wanted.

18 Q. Okay. Could you just hang out in the  
19 dressing room area if you wanted to during a shift?

20 A. Yes.

21 Q. Okay. Probably not too much point in  
22 that for you, right?

23 A. (Witness shakes head.)

24 Q. All right. I usually like to take a  
25 couple-minute break about once an hour. So we've

1       been going for a little bit now. We'll just come  
2       back in about five minutes.

3             A.     Okay.

4                     (A short break was taken.)

5       BY MS. SMITH:

6             Q.     Okay. Ms. Franklin, we are back on the  
7       record. The oath that you took earlier in the  
8       afternoon is still in effect. That will carry on  
9       throughout the depo. I'll remind you whenever we  
10      come back from a break, though.

11            A.     Okay.

12            Q.     Now, you had already testified that you  
13      believed it was expected that you tip the house mom  
14      for the locker; is that right?

15            A.     Correct.

16            Q.     What about tips to anyone else at Crazy  
17      Horse?

18            A.     Yes. It was expected of us.

19            Q.     Okay. Was it actually a rule that was  
20      required?

21            A.     It wasn't in writing.

22            Q.     Okay. Who did you believe expected tips?

23            A.     The DJ, the house mom, the valet, the VIP  
24      hosts on the floor and in the dressing rooms, the  
25      cashier, the back door guy, and managers all got

1 tipped.

2 Q. Okay. How much would you tip the DJ?

3 A. On a typical night, I would usually tip  
4 10. If I ever asked anything of him, then I would  
5 have to tip him more.

6 Q. What do you mean ask anything of him?

7 A. For example, if I was up in rotation and  
8 I wanted him to push me back because I was talking  
9 to a client that I thought might spend money.

10 Q. Okay. What about for a song request?

11 A. No. We didn't do those.

12 Q. Okay. So you could ask to be moved  
13 around in the -- on stage rotation?

14 A. You could ask, but you wouldn't always  
15 get the answer you wanted.

16 Q. Okay. So was tipping the DJ a required  
17 rule?

18 A. No.

19 Q. Okay.

20 A. They just -- sorry. Like I said, it  
21 wasn't in writing. It was just expected.

22 Q. Okay. Did you ever tip the DJ \$0?

23 A. I believe if it was a night I didn't make  
24 money myself and I had no money to tip.

25 Q. Okay. Would anything happen if that

1 occurred?

2 A. Not at the time, no.

3 Q. What do you mean "not at the time"?

4 A. If you repeatedly went without tipping  
5 people, then there would be maybe long-term  
6 consequences. But at the time, no. If you had a  
7 bad night and you didn't make money, nothing would  
8 happen if you didn't tip.

9 Q. Okay. Were you then required to tip more  
10 the next time you worked or performed?

11 A. Tipping was never required.

12 Q. Okay. How much would you tip the  
13 cashier?

14 A. I didn't always tip the cashier.

15 Q. Okay. Any repercussions if you didn't  
16 tip the cashier?

17 A. No. I would usually ask the customer to  
18 tip the cashier instead.

19 Q. Okay. When you say "cashier," where was  
20 that person located in the club?

21 A. We had two cashier cages inside the club  
22 where the customers would run their credit cards  
23 for dance dollars.

24 Q. Okay. So when you said the "backdoor  
25 guy," did you mean a check-in guy?

1 A. Correct.

2 Q. Okay. So the check-in guy, how much  
3 would you tip him?

4 A. I didn't tip him.

5 Q. You didn't? Okay.

6 Any repercussions from not tipping the  
7 check-in guy?

8 A. No. He didn't have a lot of affect on  
9 our money or anything.

10 Q. Okay.

11 A. Girls tipped him to be nice.

12 Q. Okay. What about the valet?

13 A. If I valeted, I would tip the valet.

14 Q. Did you -- were you required to valet?

15 A. No.

16 Q. Did you think the valet was employed by  
17 Crazy Horse?

18 A. I don't know the answer to that.

19 Q. Okay. You also mentioned VIP hosts.

20 A. Correct.

21 Q. So previously I heard VIP hosts and main  
22 floor hosts. Is that how you understood them to be  
23 stationed?

24 A. From my understanding, they're all  
25 employed the same as hosts. Some were just



1 positioned on the main floor, some were positioned  
2 at various VIP rooms, but it's my understanding  
3 they were all employed the same way. If that makes  
4 sense.

5 Q. Okay. I'm going to use the designation  
6 "VIP host" to refer to hosts that were stationed by  
7 the VIP areas.

8 Does that make sense?

9 A. Okay. Yes.

10 Q. How much would you tip VIP hosts?

11 A. The standard was about 10 percent of your  
12 earnings for the time you're in the VIP room if you  
13 took your own customer in there.

14 Q. Okay.

15 A. If they called you to the VIP room and  
16 put you on a customer, it was expected that you tip  
17 at least 20 percent.

18 Q. Okay.

19 A. That was pretty standard.

20 Q. But that wasn't a rule?

21 A. Correct.

22 Q. Okay. What about tipping main floor  
23 hosts? Would you tip them in that same way that  
24 you tipped VIP hosts?

25 A. The 20 percent, if they helped you with a

1 customer, meaning they called you over and  
2 introduced you to him.

3 Q. Okay. And, again, was that a mandatory  
4 20 percent tip?

5 A. No. It was just expected.

6 Q. Okay. What would happen if you didn't  
7 give a 20 percent tip on a customer that the main  
8 floor host introduced you to?

9 A. They would threaten -- they would  
10 threaten to prevent you from making money in the  
11 future. They would say they would talk to other  
12 hosts and tell them not to help you anymore. They  
13 would not let you into bottle service areas where  
14 the high spending customers were sitting, things  
15 like that. A lot of threats.

16 Q. Did that happen to you?

17 A. Yes, it did.

18 Q. Any particular main floor host?

19 A. Yes.

20 Q. Do you know their names?

21 A. One of them I don't remember by name, and  
22 he's specifically threatened me. And there was  
23 another one who would frequently push me out of  
24 bottle service areas, and he still works there.

25 Q. Did you ever report that to anyone?

1           A.    I did.  I would tell Kewan a lot of  
2   times --  
3           Q.    Okay.  
4           A.    -- when the hosts would say things like  
5   that.  
6           Q.    Do you know what would occur?  
7           A.    Nothing.  
8           Q.    You don't think anything would occur?  
9           A.    No.  He would listen, but he wouldn't act  
10   on it, no.  
11          Q.    Okay.  What about another manager?  
12          A.    No.  Kewan was really the only one that I  
13   talked to.  
14          Q.    Okay.  All right.  So you mentioned  
15   managers.  In terms of tipping, how much did you  
16   tip managers?  
17          A.    I didn't tip them regularly.  Only if I  
18   asked something of them, like cashing funny money  
19   on a time when it wasn't scheduled or to go home  
20   early or anything like that.  
21          Q.    Okay.  All right.  So you said to go home  
22   early.  Are you referring to you wanting to leave  
23   prior to five hours?  
24          A.    Correct.  
25          Q.    Okay.  What would happen if you wanted to

1 leave after you had been on premises for five  
2 hours?

3 A. What would happen?

4 Q. What was the procedure for you to check  
5 out?

6 A. What I mentioned earlier. We would get  
7 the slip from the DJ, have the manager sign it, and  
8 have the house mom sign it and give it to the guy  
9 at the back door.

10 Q. Okay. Did you ever have anyone withhold  
11 their signature?

12 MS. CALVERT: Objection. Sorry. Vague  
13 as to referring before or after the five hours?

14 You can answer.

15 THE WITNESS: After the five hours?

16 BY MS. SMITH:

17 Q. Yes.

18 A. No, not that I can recall.

19 Q. Okay. If you wanted to stop performing  
20 if you had been on premises for less than five  
21 hours, what would your procedure be?

22 A. Ask a manager if you could leave, and  
23 then he would have to give the DJ the okay to issue  
24 the slip.

25 Q. Were you told you could not stop

1 performing if you hadn't been there for five hours?

2 A. Yes. I would be told that I had to stay.

3 Q. For how long?

4 A. Just until the five hours is up.

5 Q. And did that happen to you specifically?

6 A. Yes, it would happen.

7 Q. Do you recall how often?

8 A. I didn't ask to go home that often.

9 Q. Okay. If -- do you recall if you're --  
10 scratch that.

11 On times that you testified that you were  
12 not permitted to depart the premises prior to five  
13 hours, were you required to keep performing?

14 A. We were only ever required to perform on  
15 stage.

16 Q. Okay. So if you actually wanted to stop  
17 interacting with customers but the manager would  
18 not sign your slip because it was less than five  
19 hours, could you just hang out in the dressing  
20 room?

21 A. Yes.

22 Q. Okay. Okay. So we talked about the tips  
23 for DJ, house mom, cashier, manager, valet, the two  
24 kinds of hosts, and the back door guy.

25 Is that it?

1           A.    I believe that's it.

2           Q.    Okay.  When you were on the main floor,  
3           was anyone monitoring what you were doing?

4           A.    I don't think so.

5           Q.    Okay.  Did you ever have to check in with  
6           anyone after you had gotten payment for a lap  
7           dance?

8           A.    No.

9           Q.    Did you need to report to anyone at Crazy  
10          Horse how much you earned during a shift?

11          A.    Not during a whole shift, no.

12          Q.    When you say "not during a whole shift,"  
13          was there another time you had to report how much  
14          you earned?

15          A.    If a host introduced you to a customer  
16          and you went off with that customer to make money,  
17          they would expect you to report back to them how  
18          much you made off that customer.

19          Q.    Do you know why they would want that  
20          information?

21          A.    So that they would get their tip out.

22          Q.    Okay.  Did you ever date anyone that you  
23          met at Crazy Horse?

24          A.    No.

25          Q.    Did you ever leave the premises with

1 anyone you met at Crazy Horse?

2 A. No.

3 Q. Did you ever date anyone who worked or  
4 performed at Crazy Horse?

5 A. No.

6 Q. What about arranged to meet someone that  
7 you met at Crazy Horse later on after you were done  
8 performing?

9 A. I'm sorry. I don't understand.

10 Q. Did you ever meet any customers, maybe  
11 during a shift, that you then arranged to meet  
12 later on after you would stop performing?

13 A. No.

14 Q. Did you have your own customer base?

15 A. No.

16 Q. Any particular reason why not?

17 A. It's a very tourist-driven town, so we  
18 don't see a lot of the same faces.

19 Q. Okay. Did you have any regulars?

20 A. No.

21 Q. Okay.

22 A. Well, yes, actually. But very, very,  
23 very -- in fact, I can only recall one specific  
24 local guy at the time who was a regular.

25 Q. Okay. Was that person familiar with your

1 dancing from Spearmint Rhino or is that someone you  
2 met at Crazy Horse?

3 A. No. He was a regular at Crazy Horse.  
4 And I wasn't the only dancer he paid there, but I  
5 was one of his favorites.

6 Q. Okay.

7 A. But that's so rare to have regulars.

8 Q. Okay. All right. Now, you also  
9 testified that you didn't always tip managers.  
10 Would anything occur if you didn't tip managers?

11 A. Again, there wouldn't be immediate  
12 consequences. But in the long run, they can sway  
13 you in one direction or another as far as how much  
14 money you make and how much access to money you  
15 have in the club. So it was more of a long-term  
16 consequence, I guess.

17 And then, like I said, if you ask for  
18 something, such as going home earlier and you don't  
19 tip them, they're more likely to say no than if you  
20 do or if you ask to cash funny money earlier. If  
21 you tip them, they're more likely to do it for you.  
22 Just things like that.

23 Q. Okay. Could you choose to stop  
24 performing at Crazy Horse and go dance at another  
25 club?



1 A. Yes.

2 Q. Any restrictions on the term that you had  
3 to perform at Crazy Horse?

4 A. As far as how many days or weeks or  
5 months you had to work there? Is that what you're  
6 asking?

7 Q. Yeah.

8 A. No. No requirement. No minimum.

9 Q. Okay. It wasn't that you only had to  
10 dance at Crazy Horse for six months or something  
11 like that?

12 A. No.

13 Q. Okay. How did you learn how to dance?

14 A. You learn as you go.

15 Q. Okay. Is that the same with dancing on  
16 stage?

17 A. Yes.

18 Q. Would you ever practice dancing on stage?

19 A. No. Only during a shift.

20 Q. Okay. Have you had any plastic surgery?

21 A. Yes, I have.

22 Q. What have you had done?

23 A. I've had my breasts done. I've had my  
24 lips and parts of my face injected. I've had  
25 cosmetic veneers. That's it.

1           Q.    Did you get any of those things because  
2           you were an adult dancer?

3           A.    That probably had a lot to do with it,  
4           yes.

5           Q.    Any of those things in particular?

6           A.    The breasts, at least.

7           Q.    Do you recall how much you paid for that?

8           A.    6,000.

9           Q.    Okay.  Do you know what year you got that  
10          done?

11          A.    2007.

12          Q.    Aside from gentlemen's clubs and the  
13          private parties that you mentioned earlier and the  
14          party buses that you mentioned earlier, any other  
15          places where you could be an adult dancer?

16          A.    No.  Clubs, bachelor parties, and suites  
17          and party buses.  That's it.

18          Q.    Okay.  What made you choose to dance in  
19          gentlemen's clubs over just doing the private  
20          parties that you do now?

21          A.    I guess because it was instant when I  
22          moved out here.  The clubs were available 24 hours  
23          a day.  It was easier to just go into Spearmint  
24          Rhino and start working right away as opposed to  
25          trying to work my way into an agency, which can

1 take time to get regular bookings.

2 Q. Okay. Any reasons that you would prefer  
3 to dance in a gentlemen's club over an agency  
4 booking?

5 A. Just the fact that they're available 24  
6 hours a day.

7 Q. Okay. So if you wanted to perform, there  
8 was a place you could go?

9 A. Correct.

10 Q. All right. Earlier you testified to a  
11 house fee, I believe?

12 A. Yes.

13 Q. Do you recall how much that was?

14 A. It varied depending on the time of day we  
15 checked in.

16 Q. Okay. Do you recall a range?

17 A. I usually paid 75.

18 Q. Do you know what dictated the range of  
19 fees?

20 A. The time you checked in.

21 Q. Sorry. I think you said that and somehow  
22 I missed it.

23 How did you select what times you would  
24 go in to start a shift?

25 A. I would usually try to come in when it

1 was the busiest or about to be the busiest.

2 Q. Okay. Did you have specific days that  
3 you preferred to perform?

4 A. No. I believe I worked all different  
5 days.

6 Q. Okay. Would you do any research to try  
7 and determine certain times when the club might be  
8 busier than other times?

9 A. No. They would let us know when  
10 conventions were coming in and we may be busier,  
11 but not always.

12 Q. Okay. So that wasn't something you  
13 researched independently?

14 A. No.

15 Q. Okay.

16 A. They made us aware if it was a big enough  
17 convention.

18 Q. Okay. Now, earlier we talked a little  
19 bit about the promotional events you attended off  
20 of club premises.

21 A. Yes.

22 Q. Would you receive anything in exchange  
23 for doing that?

24 A. We would be given a free house fee.

25 Q. Okay. Is that why you would go on the

1        promo events?

2            A.     Yes.

3            Q.     Okay.    Would you ever drink alcohol  
4        during your shift?

5            A.     No.    I don't like alcohol.

6            Q.     Okay.    Would you sell any alcohol or try  
7        to sell any bottles of alcohol?

8            A.     Only in combination of selling a VIP  
9        room.

10          Q.     Okay.    Did Crazy Horse have any  
11        requirements that you were supposed to sell  
12        bottles?

13          A.     No.

14          Q.     Just the VIP minimum that you mentioned  
15        earlier, right?

16          A.     Correct.    If your customer was purchasing  
17        a VIP dance with you, he was also required to  
18        purchase drinks or a bottle.

19          Q.     Okay.    So that was just sort of tied into  
20        the VIP experience?

21          A.     Yes.

22          Q.     Okay.    Other than that, did Crazy Horse  
23        require you to sell a certain amount of VIP time or  
24        VIP experiences?

25          A.     No.

1           Q.    Okay.  Do you recall if Crazy Horse  
2   served food?

3           A.    They did.

4           Q.    Okay.  Do you remember if that was on  
5   site?

6           A.    Yes.  The kitchen was inside the club.

7           Q.    Would you ever eat during your breaks?

8           A.    The food from the club?

9           Q.    Any food.

10          A.    House mom's food.

11          Q.    Okay.  What kinds of things would she  
12  bring?

13          A.    She would make a variety of different  
14  things.  She made tacos, quesadillas, sandwiches,  
15  soup, anything like that.  It's always different.

16          Q.    Wow.  Nice.

17                If you were taking a break where you were  
18  going to eat something, was there a particular  
19  place you were supposed to be?

20          A.    In the dressing room.  We weren't  
21  supposed to eat on the floor.

22          Q.    Did you ever try to eat on the floor?

23          A.    No.  I knew we weren't supposed to.

24          Q.    Could you eat with a customer?

25          A.    You could probably eat with a customer,

1       yes, if the customer ordered food.

2           Q.     Okay. Was there a requirement that you  
3       would have to eat with a customer if they ordered  
4       food?

5           A.     No.

6           Q.     And what about alcoholic drinks, was  
7       there a requirement that you had to have alcoholic  
8       beverages with a customer?

9           A.     It's -- it's kind of expected if he  
10       offers you a drink that you accept it, but I don't  
11       remember if it was a rule and if there was a  
12       punishment for not accepting it.

13          Q.     Okay. If you accepted it, did you have  
14       to drink it?

15          A.     No.

16          Q.     Okay.

17          A.     I threw many drinks over my shoulder onto  
18       the floor. Yeah. Absolutely.

19          Q.     Okay. Splash another dancer while doing  
20       that?

21          A.     Maybe.

22          Q.     Good to know.

23                 Did you have any specialty, such as did  
24       you consider dancing on the pole your specialty  
25       versus a lap dance?

1           A.    No.

2           Q.    What about any special lap dance moves?

3           A.    No.

4           Q.    Did you have any special way of

5   approaching a customer?

6           A.    A friendly smile.  I don't know.

7           Q.    How would you go about determining

8   whether or not someone was interested in you?

9           A.    I guess you just learn to read people

10   over the years.

11          Q.    Okay.  What would happen if you

12   approached someone about a dance and then they said

13   no?

14          A.    Then you would just try a different one.

15          Q.    Were there any consequences if a customer

16   refused a lap dance from you?

17          A.    No.

18          Q.    What about if they refused to go into the

19   VIP area with you?

20          A.    No consequences.

21          Q.    Okay.  Did Crazy Horse ever fine you for

22   any conduct?

23          A.    Not conduct.  I believe I was only fined

24   for missing stage.

25          Q.    Do you recall when that would have been?



1           A.    Are you asking a date?  
2           Q.    Yes.  
3           A.    No. I think it happened throughout the  
4   time I was working there.  
5           Q.    So you think that, that occurred more  
6   than once?  
7           A.    Yes.  
8           Q.    Do you have an approximation of how many  
9   times you were fined for missing stage?  
10          A.    No. I would say quite a few.  
11          Q.    Do you think over five?  
12          A.    Probably.  
13          Q.    How about over ten?  
14          A.    Maybe not.  
15          Q.    Okay. So you think between five and ten?  
16          A.    If I had to estimate, yes.  
17          Q.    Do you have any idea how they kept track  
18   of that?  
19          A.    The DJ kept track and then reported it at  
20   the end of the night.  
21          Q.    Okay. How would you know how much you  
22   had been fined for missing stage?  
23          A.    You would find out the next time you  
24   checked in, and it was on your balance.  
25          Q.    Okay. So someone would tell you?

1           A.    The guy at the back door that you checked  
2    in with would tell you, you needed to pay that  
3    day's house fee plus a fine from the last day that  
4    you worked.

5           Q.    Okay. Do you recall what was told to you  
6    as a fine for missing stage?

7           A.    It was usually \$40, which was a two-song  
8    set. I believe the exact way they calculated a  
9    fine was \$20 per song.

10          Q.    Okay.

11          A.    And so if only one stage was open, a set  
12    would be 40. So my typical missed stage fee was  
13    40.

14          Q.    What do you mean by if only one stage was  
15    open?

16          A.    If the club was busy and our overflow  
17    area was open, we had a second stage.

18          Q.    Okay.

19          A.    And you would perform back to back, so  
20    that would be a total of four songs.

21          Q.    Okay. So would you start out on the main  
22    stage and then go on the other stage?

23          A.    Yes. That's correct.

24          Q.    Okay. Was two songs what you believed to  
25    be the minimum amount of songs you were supposed to

1 be on stage for?

2 A. That was every stage set.

3 Q. Only two songs?

4 A. Correct.

5 Q. Okay.

6 A. Each girl would do two songs.

7 Q. Okay. Did you ever ask to do only one

8 song?

9 A. No. You couldn't do that. You were

10 required to do the entire set.

11 Q. Who said you couldn't do that?

12 A. The club.

13 Q. Do you recall anyone in particular saying

14 that to you?

15 A. That was made very clear when you're

16 first hired, your first day, and they go over the

17 rules that you must perform an entire stage set

18 every time you're called up in rotation unless you

19 pay an offstage fee at the beginning of the night.

20 Q. What about if you're in the VIP room?

21 A. Then that's the only exception.

22 Q. What about if you're in the middle of

23 giving someone a lap dance on the main floor?

24 A. No. Then you have to leave and do stage.

25 Q. Okay. But did you ever ask if you could

1       only do one song?

2           A.    No.   I would ask the DJ if I could do no  
3       songs.

4           Q.    Okay.   What would that response be?

5           A.    No.   Unless you tipped him, and then  
6       sometimes it was yes.

7           Q.    Okay.   When you say "no, unless you  
8       tipped him," was that tipping in addition to an  
9       offstage fee or you would not pay an offstage fee  
10      and just tip the DJ?

11          A.    If you tipped the DJ and he said he would  
12      skip you, then you didn't have to pay a missed  
13      stage fee or an offstage fee.

14          Q.    Do you think a missed stage fee and an  
15      offstage fee are the same thing?

16          A.    No.   An offstage fee is paid at the  
17      beginning of the night with your house fee.

18          Q.    Okay.

19          A.    Then you're not required to go on stage.  
20      If you don't pay the offstage fee and you miss  
21      stage, then you're fined a miss stage fee.

22          Q.    Okay.   Did you ever ask to stay on stage  
23      for three songs?

24          A.    No.

25          Q.    Did you like dancing on stage?

1 A. No.

2 Q. Why is that?

3 A. You weren't compensated for it.

4 Q. What do you mean you weren't compensated  
5 for it?

6 A. There was no guaranteed compensation for  
7 going on stage. You just got topless, put in the  
8 work, and hoped that a patron would tip you, but it  
9 was not -- not guaranteed.

10 Q. Okay. Did you ever meet any customers by  
11 performing on stage?

12 A. That could happen if they saw you  
13 perform, they might notice you, and notice that  
14 they like you.

15 Q. Okay. So during a shift when you weren't  
16 on stage, what would you be doing?

17 A. Mingling.

18 Q. Okay. Would you walk around?

19 A. Yes.

20 Q. Were there any requirements on the amount  
21 of time you were supposed to be walking around  
22 while you were performing?

23 A. No.

24 Q. Okay. Could you just hang out in the bar  
25 area and try to meet customers that way?

1 A. If that's what you wanted to do, yes.

2 Q. Okay. Do you think that you were a good  
3 entertainer?

4 A. Yes.

5 Q. Do you think that you were better than  
6 the average entertainer?

7 A. Definitely more experienced at that  
8 point.

9 Q. Okay. Do you think it was your  
10 experience that made you better?

11 A. Yes.

12 Q. Do you think anyone could be a good  
13 dancer?

14 A. No.

15 Q. Why not?

16 A. It's a lot about reading the customers  
17 and recognizing what they like and what they don't  
18 like, what they want, and I don't think everybody  
19 has that gift.

20 Q. Fair enough.

21 Did you ever ask anyone at Crazy Horse  
22 for wages?

23 A. No.

24 Q. Any reason?

25 A. It was just common knowledge that

1       entertainers did not earn a wage.

2           Q.     Did you ever ask to be hired by Crazy  
3     Horse?

4           A.     No.

5           Q.     Okay. And by "hired by Crazy Horse," I  
6     mean as an employee.

7           A.     No. I never did.

8           Q.     Okay. Did you ever ask Crazy Horse to  
9     monetarily compensate you in any other way?

10          A.     I was compensated for a promotion I did  
11     by check one time.

12          Q.     Okay. Do you know how much that was?

13          A.     \$100. I'm sorry. I believe it was cash.  
14     I'm sorry. I think it was cash.

15          Q.     Okay.

16          A.     Because it was a promotion I did with  
17     cocktail servers. And since they were employees,  
18     they got paid, so I got paid also.

19          Q.     Okay.

20          A.     Cash or check, but I believe it was cash.

21          Q.     Were you aware of any different  
22     requirements on the cocktail servers versus the  
23     dancers?

24          A.     They were required to wear uniforms that  
25     were issued to them. They were required to only

1 take breaks when they were assigned breaks.

2 Q. Okay. Anything else?

3 A. They were required to show up in the  
4 event designated times.

5 Q. Do you recall what the promo was that you  
6 did with the cocktail servers that you got  
7 compensated on?

8 A. Yes. It was a convention at Sands. I  
9 believe it was Global Gaming Expo.

10 Q. Okay. What were you doing during that  
11 promo?

12 A. Handing out cards.

13 Q. Okay.

14 A. Not supposed to be doing that at  
15 convention centers.

16 Q. Okay. Just sort of speaking to people  
17 and letting them know about Crazy Horse III?

18 A. Giving them cards and telling them to  
19 call for a limo to go to the club after their  
20 convention.

21 Q. Okay. Was that promotional event  
22 required?

23 A. No.

24 Q. Did you have to wear something specific?

25 A. No. It was just understood that we were



1       supposed to look, I guess, "cute" when we did  
2       promotions.

3             Q.     Okay.   Not rolling out of bed, huh?

4             A.     Right.

5             Q.     Okay.   What made you choose to do  
6       promotional events for Crazy Horse?

7             A.     I was really struggling for money at the  
8       time, so any way I could save money on house fees,  
9       I would usually try to do it.

10            Q.     Okay.   Did you -- sorry.

11                    Do you have an estimate as to how much  
12       you would spend on costumes per month while  
13       performing at Crazy Horse?

14            A.     No.   I didn't really buy a lot of  
15       costumes at the time because I had so many years  
16       worth of outfits I had accumulated by that point.

17            Q.     Okay.   What about expenditures on hair  
18       and makeup?

19            A.     I wouldn't keep track of that stuff.

20            Q.     Okay.   Did you ever hire anyone to help  
21       you with your hair and makeup?

22            A.     No.

23            Q.     Could you have?

24                    MS. CALVERT:   Objection.   Calls for  
25       speculation.

1 THE WITNESS: I believe -- I -- you mean  
2 inside the club or outside the club?

3 BY MS. SMITH:

4 Q. Either or.

5 A. Not inside the club, no. But outside the  
6 club, I guess I would have been free to hire  
7 whoever I wanted to help me.

8 Q. Was there any set individual that you had  
9 to report to during a shift at Crazy Horse?

10 A. The DJ.

11 Q. Was that for your stage sets?

12 A. Yes. When you were ready, you were  
13 supposed to let the DJ know that you were ready and  
14 available to be called on stage.

15 Q. Okay. What made you decide to stop  
16 performing at Crazy Horse?

17 A. I felt like the hosts were rude to me.

18 Q. Any particular host?

19 A. Yes.

20 Q. Do you recall their names?

21 A. Do I have to name?

22 MS. CALVERT: If you remember.

23 THE WITNESS: Yeah. Tommy Van was  
24 especially rude to me.

25 /////

1 BY MS. SMITH:

2 Q. Anyone else?

3 A. There were a couple others that got fired  
4 before I left, so they weren't really a problem  
5 anymore. But, no, just Tommy Van at that point.

6 Q. Okay. Other than rude hosts, any other  
7 reason you decided to stop performing at Crazy  
8 Horse?

9 A. Because they played favorites a lot. And  
10 when I felt like I didn't have access to money that  
11 was in the club and I was being pushed away, I  
12 decided to go look for a club where I had more of  
13 an equal opportunity to make money.

14 Q. Okay. After the last time you performed  
15 at Crazy Horse, did you tell anyone that you  
16 weren't going to return?

17 A. I think I told the house moms I was  
18 leaving. I would go back and sell outfits to the  
19 house moms, so they would see me even after I  
20 stopped working there.

21 Q. Okay. Why would you do that?

22 A. Because I was a seamstress, and they sold  
23 my outfits.

24 Q. Okay. Did you ever make some of your own  
25 outfits?

1           A.    Yeah.  Occasionally, yes.

2           Q.    What other kinds of things do you sell?

3           A.    Just bikinis and lingerie, G-strings for  
4   male entertainers as well.  So that was also  
5   another reason I went to Hustler.  They had male  
6   entertainers, and I would sell outfits to them.

7           Q.    That must be interesting.

8                   Do those come in different sizes?

9           A.    Short, long, extra long.

10          Q.    That's okay.

11                   Let's take a brief break, and we will  
12   come back and I'll go over some documents with you.

13          A.    Okay.

14                   (A short break was taken.)

15   BY MS. SMITH:

16          Q.    Ms. Franklin, we're back on the record.  
17   Once again, the oath that you took earlier today is  
18   still in effect; okay?

19          A.    Okay.

20          Q.    How did you first hear about this  
21   lawsuit?

22          A.    I overheard some girls I was working with  
23   at Hustler at the time talking about it.

24          Q.    Do you recall what they said about it?

25          A.    They said they were involved in it.

1           Q.    In this current lawsuit?

2           A.    Yes.

3           Q.    Do you recall who that was?

4           A.    Yes.  It was Danielle and Ashleigh.

5           Q.    Do you know their last names?

6           A.    Lamar.  Danielle Lamar and Ashleigh

7   Holzman, H-o-l-z-m-a-n, I believe.

8           Q.    Did she have a different name?

9           A.    Not that I'm aware of.

10          Q.    Do you know if you're still, if -- not

11   you, sorry.

12                  Do you know if they're still involved in

13   the case?

14          A.    I don't speak to them anymore, so I can't

15   confirm that.

16          Q.    Okay.  Any particular reason?

17          A.    We just aren't friends anymore.

18          Q.    Okay.  So after you heard about Danielle

19   and Ashleigh speaking about the lawsuit, what did

20   you do?

21          A.    I asked them who they were in contact

22   with, and they provided a name and a phone number

23   for me.

24          Q.    Okay.  Did they ask you to get involved

25   in the lawsuit?

1           A.    No.  They just told me, I guess, the  
2           premise of it and that they were involved in it.  
3           And it was something I was interested in learning  
4           more about so I contacted the lawyer that they gave  
5           me the number for.

6           Q.    Okay.  Do you recall who you contacted?

7           A.    John.  I believe his last name is Taylor.

8           Q.    Do you know what law firm?

9           A.    I believe I met him in the same building  
10          where I met Lauren.

11          Q.    Okay.  So maybe Morris Anderson or Big  
12          Horn Law?

13          A.    Correct.  It was the same building, yeah.

14          Q.    Okay.  And it was your understanding  
15          that, that same firm is still your legal counsel?

16          A.    I'm not exactly sure.

17          Q.    Okay.  Are you aware of any other firms  
18          that are representing you in this case?

19          A.    No.

20          Q.    Okay.  Aside from Danielle and Ashleigh,  
21          have you spoken to any other dancers about this  
22          lawsuit?

23          A.    No.

24          Q.    Aside from your attorney, have you spoken  
25          with anyone about this lawsuit?

1 A. No.

2 Q. What about your deposition today?

3 A. Other than mentioning I have to be here  
4 for a deposition, but no -- no details to anyone  
5 about it.

6 Q. Okay. Did you go over any documents for  
7 your deposition today?

8 A. I did.

9 Q. Do you know what you reviewed?

10 A. The paperwork that I signed at Crazy  
11 Horse III, the various rules that were posted  
12 around the club.

13 Q. Okay. Anything else?

14 A. Some depositions from a prior lawsuit.

15 Q. Do you recall what lawsuit?

16 A. Against Sapphire.

17 Q. Do you recall whose depositions they  
18 were?

19 A. No.

20 Q. Anyone you knew?

21 A. No.

22 Q. Did you have those documents on your own  
23 or were they given to you?

24 A. They were given to me.

25 Q. So what made you exactly want to join

1       this lawsuit against Crazy Horse?

2           A.    I believe that the entertainers were  
3       being treated unfairly, and I guess everything the  
4       lawsuit stands for, I stand behind.  I believe in  
5       it.

6           Q.    What do you mean by that?

7           A.    Specifically, I believe that the  
8       entertainers were taken advantage of by the club.

9           Q.    What do you mean by -- what do you mean  
10      by "taken advantage of"?

11          A.    We weren't compensated by the club, yet  
12      we weren't given a lot of the freedom that I feel  
13      we should have had for not being compensated.  I  
14      also believe they took an unfair amount of money  
15      from us.  We were often threatened if we didn't tip  
16      more money on top of what we're required to tip  
17      out.  I believe it's all very unfair, and they were  
18      taking advantage of us.

19          Q.    Okay.  What did you -- what did you mean  
20      when you said you weren't given freedom?

21          A.    I know a lot of other people that work as  
22      contractors, such as hairdressers.  I have friends  
23      that do hair, eyelash extensions, things like that,  
24      and they're contractors and they're given the right  
25      to do a lot of things that we as entertainers



1 weren't allowed to do.

2 Q. Are you thinking of anything specific?

3 A. Yeah. Like charge clients by credit card  
4 on your own.

5 Q. Did anyone tell you, you couldn't charge  
6 credit card -- client's credit cards on your own at  
7 Crazy Horse?

8 A. Oh, absolutely. If a client wanted to  
9 pay with a credit card, he had to go to the cashier  
10 and the club charged his card. They charged him a  
11 surcharge, then they charged us a fee to cash those  
12 out. We could not charge the clients on our own  
13 with a Square Reader or whatever.

14 Q. Did you ask to be able to charge a client  
15 on your own with a Square Reader?

16 A. No. No. We knew we weren't supposed to.

17 Q. What do you mean you knew were weren't  
18 supposed to?

19 A. It was just one of those things that was  
20 just common knowledge. We knew we had to take them  
21 to the cashier. They always said that we had to  
22 take them to the cashier cage.

23 Q. Did you ever ask?

24 A. Specifically about using a Square Reader  
25 or something?

1 Q. Yes.

2 A. No, because I was scared.

3 Q. What about PayPal?

4 A. I believe also, same thing. You --  
5 you're afraid. Like, if you do it, you don't want  
6 to get caught doing it because you're afraid of the  
7 consequences.

8 Q. Do you have a PayPal?

9 A. I do.

10 Q. Could you have told a customer your email  
11 to receive a PayPal payment from them?

12 MS. CALVERT: Objection. Calls for  
13 speculation.

14 THE WITNESS: I would have been afraid of  
15 the consequences if the club found out.

16 BY MS. SMITH:

17 Q. What do you mean "afraid"?

18 A. I think the club would look at me like I  
19 was stealing money from them because they aren't  
20 getting either those surcharge from the credit card  
21 or the ATM fee.

22 Q. Did anyone specifically tell you, you  
23 couldn't do that?

24 A. No. PayPal was never mentioned  
25 specifically.

1           Q.    How would someone have known if you gave  
2   a customer your email address, for instance, on  
3   PayPal?

4           MS. CALVERT:  Objection.  Calls for  
5   speculation.

6           THE WITNESS:  I guess they wouldn't, but  
7   we were also told specifically that we weren't  
8   allowed to give out private or personal  
9   information.  I know for a fact that was in our  
10  rules.  We could not give out phone numbers,  
11  contact information, things like that.  I believe  
12  it wasn't only a rule, I believe it's a law.

13  BY MS. SMITH:

14          Q.    Do you think that's because it could be  
15  considered solicitation?

16          A.    Yes.

17          MS. CALVERT:  Objection.  Calls for  
18  speculation.  Legal conclusion.

19  BY MS. SMITH:

20          Q.    It's okay.  It's normal to want to  
21  answer, and then Lauren wants to make her  
22  objection.  Don't worry about it.

23          A.    That's what we were told at Spearmint  
24  Rhino.

25          Q.    Okay.

1           A.    Again, I don't -- I don't know that it's  
2   a fact, but that's what I was told.

3           Q.    Okay.  Have you ever heard of Apple Pay?

4           A.    Yes.

5           Q.    Could you have taken an Apple payment?

6           MS. CALVERT:  Objection.  Calls for  
7   speculation.

8           THE WITNESS:  My answer would be the same  
9   as with PayPal.

10          BY MS. SMITH:

11          Q.    Okay.  The friends that you have that you  
12   are referring to that you said were contractors,  
13   where would they provide their services at?

14          A.    In like a studio suite or -- it's like --  
15   they would rent a space from an establishment.

16          Q.    Okay.  So they would have to rent an area  
17   to do their eyelash extensions or hairstyling?

18          A.    Correct.

19          Q.    Okay.  What are are you hoping to achieve  
20   out of this lawsuit?

21          A.    I'm hoping that the clubs will change the  
22   way they operate, to kind of leave a better future  
23   for future entertainers.  And also, I hope to get  
24   some compensation from all of the fees and all of  
25   the tipping and all of the ways they prevented me

1 from making money and things like that.

2 Q. Do you have a calculation as to how much  
3 you think that you're entitled to for this lawsuit?

4 A. I can only calculate the house fees and  
5 the fines that I paid because they're recorded in  
6 the computer. I can't put a number on how much  
7 money I paid out in just tips to hosts and managers  
8 and various employees.

9 Q. Okay. But that wasn't required?

10 MS. CALVERT: Objection. Asked and  
11 answered.

12 THE WITNESS: It --

13 BY MS. SMITH:

14 Q. I'm sorry. I believe you testified  
15 previously that it wasn't mandatory?

16 MS. CALVERT: Objection. Misstates prior  
17 testimony.

18 THE WITNESS: Tipping employees was not  
19 required, but it's something that we did out of  
20 fear.

21 BY MS. SMITH:

22 Q. Fear of what?

23 A. Being "black listed" as they call it.

24 Q. Can you just go perform at another club?

25 A. Yeah. That's what I did.

1           Q.    Okay.  Why did you perform at Crazy Horse  
2   for over a year?

3           A.    For a while, I feel like I kind of flew  
4   under the radar.  And eventually, the favoritism of  
5   other dancers started to take over and I was  
6   getting pushed out of the way a lot more often.  
7   The black listing that they threatened me with  
8   ended up coming to fruition.

9           Q.    Do you know what Club Tracks is?

10          A.    I believe that's their software system we  
11   use.

12          Q.    Was that what you were referring to  
13   regarding a record of house fees and fines paid by  
14   you?

15          A.    Yes.

16          Q.    Okay.  Are you aware that the Nevada  
17   Legislature issued a statute regarding independent  
18   contractors?

19          A.    I'm not familiar with that.

20          Q.    Have you ever heard of NRS 608.0155?

21          A.    No.

22          Q.    Do you know personally of any criteria  
23   that would be used to assess an independent  
24   contractor or whether someone was an independent  
25   contractor?

1           A.    I don't know the specific criteria.

2           Q.    As an entertainer at Crazy Horse, did you  
3    feel that you were responsible for the customer's  
4    experience?

5                   MS. CALVERT:  Objection.  Vague.

6                   THE WITNESS:  Some of it.  I could only  
7    provide entertainment.  I couldn't be responsible  
8    for the rest of their experience.

9    BY MS. SMITH:

10           Q.   As opposed to -- what do you mean by  
11   that?

12           A.   The drink service and things like that.  
13   Where they sat in the club, that was not my  
14   territory.

15           Q.   Okay.  I'm going to show you a document  
16   that has previously been produced in this  
17   litigation.  It's an Entertainer Login by Date.  It  
18   reflects a stage name "Sarah" and what I believe to  
19   be your name, Jacqueline Franklin.  It's been  
20   produced in a couple of different formats.  I was  
21   trying to see if a different one was attached.

22                   Okay.  I'm going to have the court  
23   reporter mark that as Exhibit A.

24                   (Exhibit A was marked for the record.)

25    /////

1 BY MS. SMITH:

2 Q. I'm going to also hand you another  
3 document -- sorry. Exhibit A, I believe, was  
4 produced under the Bates No. RR0607. Sorry.

5 I'm going to also show you something I'm  
6 going to have the court reporter mark as Exhibit B.  
7 This has also been previously produced in this  
8 litigation. It's been Bates stamped RR0057 through  
9 RR0067.

10 I'm also going to show you a document  
11 that I'm not going to attach because it does  
12 reflect your full social security number. I'm  
13 going to have you review it and tell me if that  
14 information is accurate or if it was accurate at  
15 the time.

16 A. Okay.

17 MS. SMITH: We can go off the record for  
18 a second.

19 (Exhibit B was marked for the record.)

20 (A short break was taken.)

21 THE WITNESS: Okay. I looked them over.

22 BY MS. SMITH:

23 Q. Okay. Ms. Franklin, that document I had  
24 you review that reflected your social security  
25 number that had been Bates stamped RR0055 and also



1 has an accompanying picture Bates stamped RR0056,  
2 was that correct?

3 A. Yes. Everything on it is correct.

4 Q. Okay. Thank you. I can take that back.

5 Now, the exhibits that the court reporter  
6 actually marked, it's important that you leave  
7 those at the end of the deposition. If you want  
8 copies, I believe your counsel will probably have  
9 some. Otherwise, the court reporter and probably  
10 Lauren will have to chase you down for the  
11 documents.

12 A. Okay.

13 Q. I'm going to turn your attention to  
14 Exhibit A, the Entertainer Login.

15 Does this appear to be an accurate  
16 reflection of the dates and times you performed at  
17 Crazy Horse?

18 A. Yes. It appears accurate.

19 Q. Do you see anything that you believe to  
20 be incorrect?

21 A. No, I do not.

22 Q. Do you believe 12/19 to 12/20/2014 to be  
23 the last time you performed at Crazy Horse?

24 A. Yes.

25 Q. Okay. Do you have any reason to doubt

1 the accuracy of this document?

2 A. I do not.

3 Q. Okay. Do you have any documents in your  
4 possession that would refute the information on  
5 Exhibit A?

6 A. No.

7 Q. I'm going to direct your attention to  
8 Exhibit B.

9 Does this appear to be an accurate  
10 reflection of fees that were charged and paid by  
11 you?

12 A. Yes, it appears correct.

13 Q. Any reason to doubt the accuracy of this  
14 document?

15 A. No. No reason.

16 Q. Do you have any documents in your  
17 possession that would refute the information in  
18 this document?

19 A. No.

20 Q. Can you show me where in Exhibit B it  
21 would reflect a missed stage fine?

22 A. No. I see a lot that are labeled  
23 "offstage fee," and I could speculate that it's  
24 written the same way because it's the same amount  
25 of money.

1           Q.    Do you have any basis for that belief  
2    aside from that it shows a \$40 offstage fee?

3           A.    That would be it.

4           Q.    Do you have any documents that would  
5    support that belief?

6           A.    No.

7           Q.    Did you ever pay an offstage fee?

8           A.    I paid offstage fees many times when I  
9    first started working there, and later on, I would  
10   never pay an offstage fee. And when I would miss  
11   stage, they would fine me. That's the only reason  
12   I can speculate that it's the same charge.

13          Q.    Do you have any documentation evidencing  
14   a missed stage fee?

15          A.    No. I keep no documents.

16          Q.    So is it your recollection that at some  
17   point in time, you stopped ever paying an offstage  
18   fee?

19          A.    Yeah. I stopped paying offstage fees  
20   shortly after starting to work there because \$40  
21   every night in addition to my house fees was  
22   becoming too expensive.

23          Q.    So was the offstage fee, to your  
24   recollection, the same amount as a missed stage  
25   fine?

1 A. Yes. It's \$40.

2 Q. Okay. I'm going to turn your attention  
3 to RR0063. It's page 7 of 11 in Exhibit B.

4 A. Okay. Okay.

5 Q. There's an entry on 3/29/2014. Do you  
6 see that?

7 A. Yes.

8 Q. Do you recall if that was a date that you  
9 missed stage?

10 A. I can't recall.

11 Q. Do you think you would have paid an  
12 offstage fee in March 29th of 2014?

13 A. I don't believe I was paying offstage  
14 fees that far into working there, but I can't say  
15 for sure. I don't remember.

16 Q. I'm going to have you review the rest of  
17 the document.

18 Does it appear that after March 29th,  
19 2014, that you paid any offstage fees?

20 A. It doesn't appear that I did, no.

21 Q. Do you think you may have been paying  
22 offstage fees periodically up until March of 2014?

23 A. I don't know how many times I paid a  
24 missed stage fee to the club versus just tipping  
25 the DJ to skip me, which I frequently did.

1           Q.    That circumstance you were just referring  
2   to, tipping the DJ to skip you, would that be for  
3   him to skip you for the entire night?

4           A.    Sometimes.   Yes.

5           Q.    Okay.

6           A.    Yes.   It also depended on which DJ was  
7   working.

8           Q.    What do you mean by that?

9           A.    I got along pretty well with one DJ in  
10   particular who would skip me for the whole night,  
11   and the other DJ would put me on rotation and call  
12   me up.   And if I asked him to skip me for a set, I  
13   would tip him for that.

14          Q.    So in terms of what you had testified to  
15   earlier about at some point not paying an offstage  
16   fee, do you think that could have stopped in March  
17   of 2014?

18          A.    Yes.

19          Q.    Okay.   Did you ever ask for a refund of  
20   any of your house fees?

21          A.    I never asked for a refund.   However,  
22   there were times I accumulated a substantial  
23   balance and I would ask to have that balance  
24   cleared.

25          Q.    When you say "accumulated a substantial

1 balance," do you mean money -- I'm sorry.

2 When you say "substantial balance," what  
3 do you mean by that?

4 A. If I wouldn't pay my house fee on my way  
5 in and then I would also leave without paying it,  
6 it would accumulate.

7 Q. Okay. And you would sometimes ask for  
8 that to be cleared?

9 A. Yes.

10 Q. And would that occur?

11 A. Sometimes. Yes.

12 Q. Okay. Could you dance on a shift then  
13 with a running balance?

14 A. Yes.

15 Q. Did you do that?

16 A. Yes, I did.

17 Q. Okay. I'm going to turn your attention  
18 to RR0059. I'm sorry. Exhibit B.

19 A. 57?

20 Q. I'm going to direct your attention to  
21 page RR0059. Inside it's page 3 of 11. I'm sorry.

22 A. Okay.

23 Q. There's a lot of numbers on here and  
24 unfortunately for you, us attorneys try to use the  
25 Bates numbers because it makes it easier later on.

1 In particular, I'd like to draw your attention to  
2 the entry on 12/18/2013.

3 A. Yes.

4 Q. And do you see where it states "Went home  
5 sick so we gave her credit"?

6 A. Yes.

7 Q. Do you recall that happening?

8 A. I do.

9 Q. Okay. So do you think that the  
10 corresponding entertainer login also reflected on  
11 12/18 -- well, it starts on 12/17, I believe, of  
12 1.07 hours.

13 Do you think that's accurate?

14 A. Yes.

15 Q. Okay.

16 A. I believe I recall that day,  
17 specifically.

18 Q. Okay. So did you go up and ask for a  
19 credit because you were sick?

20 A. Yes. I asked if I could just put it  
21 toward the next day.

22 Q. Okay. If you wanted to be on premises  
23 for, what you previously testified to as five  
24 hours, would you need to pay a checkout fee?

25 A. I'm sorry. Repeat that.

1           Q.    If you wanted to leave the premises prior  
2           to the five hours, which you testified to  
3           previously, would you need to pay a specific  
4           checkout fee?

5           A.    No.  It was more like tipping the manager  
6           to get him to agree to it.

7           Q.    Okay.

8           A.    It was not a fee.  It was generally a  
9           tip.

10          Q.    Okay.

11          A.    Or a good reason why you had to leave.

12          Q.    Okay.  Would you do that frequently?

13          A.    I wouldn't say frequently, no.

14          Q.    Okay.  Do you believe that you would do  
15          that on each of the dates reflected in Exhibit A  
16          where it appears you were on premises for less than  
17          five hours?

18          A.    Yeah.  I would say this is accurate.  I  
19          would generally tip the manager unless I had a  
20          really good reason why I needed to leave early.

21          Q.    Okay.  Did anyone ever require you to  
22          stay on premises for over eight hours?

23          A.    No.

24          Q.    What about perform or be on premises for  
25          over 40 hours in a given week?



1 A. No.

2 Q. If you had wanted to work every day,  
3 could you have?

4 A. Yes.

5 Q. What about if you did not want to perform  
6 three days in a week?

7 A. That's fine. I just would have had my  
8 locker revoked, from my understanding.

9 Q. Did everyone have a locker?

10 A. No. It was optional.

11 Q. Okay. So you chose to have, what, an  
12 assigned locker there?

13 A. Yes.

14 Q. Did you bring your own lock for that?

15 A. I don't remember.

16 Q. Okay.

17 A. Probably.

18 Q. Otherwise, could you have just chosen to  
19 bring whatever you needed for a shift with you each  
20 shift?

21 A. Right.

22 Q. Okay. So the idea was to probably, what,  
23 leave some cosmetics?

24 A. Outfits and shoes. The shoes were big.

25 Q. Do you have an estimate on how much you

1 would spend on shoes per month?

2 A. Shoes would usually last a couple of  
3 months. They're about 120. I might get three  
4 months out of them.

5 Q. Okay. That's true while you were  
6 performing at Crazy Horse?

7 A. Yes.

8 Q. I'm going to turn your attention to  
9 RR0063. It's page 7 of 11.

10 A. Okay.

11 Q. And, in particular, the entry -- the  
12 first entry that's dated 4/19/2014.

13 Do you see that?

14 A. Yes.

15 Q. It says, "promo minus 375."

16 Do you see that?

17 A. Yes.

18 Q. Do you understand that to be a credit you  
19 were given for a promo?

20 A. I don't remember why I was given that  
21 credit.

22 Q. Do you remember getting that credit?

23 A. Yeah. I remember not having to pay house  
24 fees for a while until it ran out, but I can't  
25 remember why I got it.

1           Q.    Okay.  What about higher up on that page  
2   for the entry dated 4/7/2014?  It says, "Adjustment  
3   comp minus 125," and that brought your running  
4   total to zero.

5                   Is that your understanding of that line?

6           A.    Yes.  I'm sure that was one of the times  
7   that I referred to earlier where I would accumulate  
8   a little bit of a balance, and I would ask Kewan to  
9   clear it for me.

10          Q.    Okay.  Do you think that's also what  
11   occurred, for instance, on RR0060, page 4 of 11,  
12   those adjustments that said, "Kewan"?

13          A.    No.  Because when those were issued, I  
14   didn't have a balance or they're issued for more  
15   than what my balance was.  So those may have  
16   legitimately been from promos or something.

17          Q.    Okay.  All right.

18          A.    Unless he was just feeling incredibly  
19   generous.  I don't know.

20          Q.    Okay.  Are there any times you recall  
21   paying an offstage fee when you would still go up  
22   on stage anyway?

23          A.    No.  If the offstage fee was paid at the  
24   beginning of the night, then you were not on  
25   rotation and never asked to go on stage.

1           Q.    Okay.  I'm going to turn your attention  
2   to RR0066.  It's page 10 of 11.  And, in  
3   particular, the second entry on 9/8/2014.  It says,  
4   "Adjustment JL minus 350."

5                   Do you see that?

6           A.    Yes.

7           Q.    Do you recall what that was?

8           A.    Well, I had a balance of 350.  They  
9   cleared my balance.  That's Justin Lohrman, I'm  
10  assuming that's what that means, was who I would do  
11  promos with.  That may have been one of the  
12  conventions I worked with him, gee, two years or  
13  something like that.  I don't know.

14          Q.    Okay.  Those times that you mentioned  
15  that you would request for your running total to be  
16  cleared, did the club then request something of you  
17  in exchange for clearing your running total?

18                   MS. CALVERT:  Objection.  Vague.

19                   THE WITNESS:  No.

20   BY MS. SMITH:

21          Q.    So you would just ask and maybe they  
22  would clear it?

23          A.    Yeah.

24          Q.    Okay.  Any time you recall you asking and  
25  them not clearing it?

1           A.    Of course.

2           Q.    Do you have any dates of that?

3           A.    No.   No.   There were quite a few times I  
4 accumulated a balance.   Sometimes I would ask if I  
5 owed maybe just one house fee, and they would say  
6 no.   And then I would let it go for a while, and I  
7 would keep complaining and eventually Kewan would  
8 almost always clear it for me or I would end up  
9 doing a promo and then Justin would clear it for  
10 me.

11                   MS. SMITH:   Okay.   All right.   I'm going  
12 to have the court reporter mark another exhibit.   I  
13 believe this will be Exhibit C.

14                   (Exhibit C was marked for the record.)

15                   MS. SMITH:   I'm going to also have her  
16 mark an Exhibit D.

17                   (Exhibit D was marked for the record.)

18                   MS. SMITH:   Just for the record, because  
19 these aren't Bates stamped yet, Exhibit C is  
20 labeled "Plaintiff Jacqueline Franklin's Answers to  
21 Defendant's Interrogatories" electronically served  
22 12/28/2016.   And Exhibit D is "Plaintiff Jacqueline  
23 Franklin's Responses to Defendant's Requests for  
24 Production of Documents" also electronically served  
25 on December 28th, 2016.

1                   We're going to go off the record for a  
2                   minute and have you review that and then let us  
3                   know when you are ready.

4                   THE WITNESS: Okay.

5                   (A short break was taken.)

6                   BY MS. SMITH:

7                   Q.    So, Ms. Franklin, you took a moment to  
8                   look over Exhibit C and Exhibit D that were marked  
9                   by the court reporter. I'm going to turn your  
10                  attention to Exhibit C first.

11                  In your response to Interrogatory No. 20,  
12                  I believe -- I'm sorry, Interrogatory No. 2, the  
13                  answer, which starts on page 3 of 14 and goes into  
14                  page 4 of 14, do you see that?

15                  A.    Yes.

16                  Q.    Okay. It says here that you also worked  
17                  at Treasures?

18                  A.    Yes, that's correct.

19                  Q.    I'm sorry. Did you list Treasures  
20                  earlier?

21                  A.    No, because I did Treasures  
22                  simultaneously with Spearmint Rhino for a short  
23                  period.

24                  Q.    Do you recall when that was?

25                  A.    I'm going to say late 2010 into 2011. I

1       only did Treasures Friday and Saturday nights, and  
2       I still worked Spearmint Rhino through the week.

3             Q.     Okay.

4             A.     I never worked solely at Treasures for  
5       any extended amount of time.

6             Q.     Okay. And you didn't perform at  
7       Treasures at all while you were performing at Crazy  
8       Horse?

9             A.     No. Only at Rhino. And that's exactly  
10       why because Spearmint Rhino was too crowded on  
11       Fridays and Saturdays. There often weren't seats  
12       available for floor dances and the lines to get  
13       into the VIP rooms had too long of a wait,  
14       sometimes hours for fully private suites.

15            Q.     Wow. I had no idea.

16            Q.     Okay. So then did Crazy Horse III and  
17       Spearmint Rhino ever overlap?

18            A.     No.

19            Q.     Okay. Do you have a LinkedIn account?

20            A.     I do not.

21            Q.     Okay. Sometimes that doesn't get counted  
22       as social media because it's more for business  
23       connections.

24            Q.     On page 5 of 14, your response to  
25       Interrogatory No. 4, it says, "TAM card."

1 Do you still have that?

2 A. I do.

3 Q. Prior to me handing you Exhibit C, had  
4 you seen this document before?

5 A. Yes.

6 Q. I'm going to have you turn to page --  
7 it's not numbered, but it's right after page 13 and  
8 right before page 14 of the document.

9 A. Okay.

10 Q. Do you recall receiving this page?

11 A. Yes.

12 Q. Do you recall signing this?

13 A. Yes.

14 Q. Just for the record, the title of this  
15 page is "Verification," and it does not have a page  
16 number.

17 Is that your signature?

18 A. Yes, it is.

19 Q. Do you believe that you signed this  
20 document on the 12th of December?

21 A. Yes.

22 Q. In your response to Interrogatory No. 7  
23 on page 7 of 14, the answer starts on the previous  
24 page 6 but goes into page 7. It says that you also  
25 use the stage name "Honey."



1                   Where did you use that one at?

2           A.     Spearmint Rhino and probably Treasures.

3           Q.     How did you select Honey?

4           A.     It was more like it was assigned to me.

5     There were thousands of entertainers in the system  
6     at Spearmint Rhino and stage names were very hard  
7     to get. So if an entertainer was not present for  
8     so many days, they would give away her stage name.

9           Q.     Okay. I was going to say Honey seems  
10    like it would be common.

11                   And I believe you previously testified  
12    that you didn't keep track of any of the tips or  
13    gratuities that you paid out at Crazy Horse?

14          A.     Paid out?

15          Q.     Yeah

16          A.     Tips that I paid out? No. I wouldn't  
17    keep track of that, no.

18          Q.     What about tips that you received?

19          A.     No. I didn't keep track of those either.

20          Q.     I believe earlier you testified that you  
21    didn't have a bank account, but did you --

22          A.     Correct.

23          Q.     -- keep a ledger at home of any sums of  
24    money that you earned?

25          A.     No.

1 Q. Okay. Any particular reason why not?

2 A. It just wasn't important to me. I would  
3 just throw cash in my safe, and when I needed to  
4 pay for something, I would take out what I needed.  
5 It was never important to me how much money was in  
6 my safe. It didn't matter.

7 Q. Okay.

8 A. As long as I had enough to pay my bills.

9 Q. I'm sorry.

10 Going back to that question about the TAM  
11 card, did you have to obtain that for another club?

12 A. I was an employee at Hustler.

13 Q. Okay. What were you doing at Hustler?

14 A. Cashiering.

15 Q. Oh, okay.

16 A. Worked as an entertainer from, I think,  
17 February '15 to February '16. And then I was a  
18 cashier after that, so I was required to obtain a  
19 TAM card.

20 Q. Okay. When did you stop being a cashier?

21 A. April 28th.

22 Q. Of 2016?

23 A. Yes.

24 Q. How come?

25 A. I was fired.

1 Q. Why were you fired?

2 A. A cashier who was not on the schedule  
3 showed up by mistake and they put her in my cashier  
4 cage and I threw a fit and I got fired for being  
5 insubordinate.

6 Q. Okay. So during the time that you were  
7 cashiering at Hustler, did you stop performing?

8 A. Correct. That was required.

9 Q. Okay. Throughout this deposition, we've  
10 been sort of using the terms "entertaining" or  
11 "entertainer" and "performing," "performers,"  
12 "dancer." Is it your understanding that those were  
13 all the same thing?

14 A. Yes.

15 Q. Okay. Do you know what minimum wage is?

16 A. I believe it's what I was paid at  
17 Hustler, 7.25 an hour.

18 Q. Okay. I'm going to refer you to page 10  
19 of 14.

20 A. Okay.

21 Q. It's your response to Interrogatory  
22 No. 13. The response actually begins on page 9.  
23 It appears that you're referring to a single host  
24 at Crazy Horse.

25 Was that the person that you referred to

1 earlier, Tommy Van?

2 A. There were more than one.

3 Q. Okay. You don't know any other names?

4 A. I can't remember the other guy that  
5 threatened me by name, no.

6 Q. When you say "threatened," what do you  
7 mean?

8 A. He followed me to the dressing room,  
9 cornered me, and demanded a 20 percent tip out from  
10 me because the client who I took to the VIP room,  
11 he said was a regular of his and would call him  
12 when he came into town. And by me taking him to  
13 the VIP room, he didn't get to put, I guess, his  
14 girls on that client. And so he said I was taking  
15 money out of his pocket so I owed him 20 percent.

16 Q. Did you report that?

17 A. I did mention that to Kewan. Nothing was  
18 done about it.

19 Q. How do you know that?

20 A. Because other girls would make the same  
21 complaints about him, chasing them down and shaking  
22 them down for tips.

23 Q. Did you know a manager named Keith?

24 A. Yes.

25 Q. Who did you understand him to be?

1           A.    The general manager.

2           Q.    Did you ever report that you were being  
3 threatened to him?

4           A.    Not that incident. I did -- Keith got  
5 involved in one incident that I had with a host,  
6 but for the most part, entertainers didn't have a  
7 lot of interaction with Keith. He would spend a  
8 lot of time in the office.

9           Q.    But he would be on premises?

10          A.    Yes. Yes. And he would only be called  
11 out if it was, I guess, a pretty heated incident.

12          Q.    Did you have access to the office door?

13          A.    Yes.

14          Q.    Could you have gone and reported it to  
15 him?

16          A.    I suppose I could have, yes.

17          Q.    Previously you mentioned Justin Lohrman.  
18 Do you recall him?

19          A.    Yes. He would take us on promos.

20          Q.    What was your understanding of who he  
21 was?

22          A.    Assistant general manager.

23          Q.    Did you ever report this host behavior to  
24 Justin?

25          A.    No.

1 Q. Could you have?

2 A. I could have. I guess it was my  
3 understanding that Kewan was, like, the floor  
4 manager and his duties were more dealing with  
5 entertainers than Justin and Keith, who were more  
6 on the office side of things. If that makes sense.

7 Q. Was there more than one floor manager on  
8 duty during a shift?

9 A. I'm not too clear about who was the  
10 manager versus who was a host. I just know Kewan  
11 was a manager because he was the one that hired me,  
12 and he was the one I interacted with the most.

13 Q. Okay. Did you recall -- or I'm sorry.  
14 Do you recall interacting with any other  
15 floor managers or people you understood to be floor  
16 managers?

17 A. No. I don't think I could even name  
18 another manager.

19 Q. Did you ever ask about other floor  
20 managers?

21 A. Yeah. I know that there were times when  
22 Kewan wasn't working, and I would have to have  
23 someone else sign my slip. And if I didn't know  
24 who the manager was at that time, I would ask the  
25 DJ when I picked up the slip from him who I was

1       supposed to take it to.

2           Q.     Okay.

3           A.     But at this point, I've forgotten names  
4       and faces.

5           Q.     All right. Understandable.

6                    Okay. I'm going to refer you to your  
7       response to Interrogatory No. 14.

8           A.     Okay.

9           Q.     Interrogatory 14 requests whether or not  
10       you were a party to other class actions in which  
11       you were either a lead plaintiff or a member of a  
12       class in the past five years.

13                   Do you see that?

14          A.     Yes, I see that.

15          Q.     Now, previously I believe you stated you  
16       weren't involved in any litigations.

17                   Do you know what Barber VD.2801 Westwood,  
18       Inc., is?

19          A.     Westwood, Inc., is the name that  
20       Treasures operates under, I believe.

21          Q.     So were you part of a lawsuit against  
22       Treasures?

23          A.     No.

24          Q.     Okay. You didn't receive any money from  
25       a lawsuit against Treasures?

1 A. No.

2 Q. Do you know if that case is ongoing?

3 A. I was told they had a case brought  
4 against them when I became part of this lawsuit. I  
5 was told there were several clubs that had cases  
6 being brought against them at that time, but I've  
7 never been questioned specifically about Treasures.

8 Q. Okay. So no deposition?

9 A. No.

10 Q. No Responses to Discovery?

11 A. No, nothing really related to Treasures  
12 so far.

13 Q. Okay. So you're not a named plaintiff in  
14 that case?

15 A. It's ongoing. I don't -- I don't know.

16 Q. Do you understand that you're a named  
17 plaintiff in this case?

18 A. Yes.

19 Q. Okay. But you don't know if you're a  
20 named plaintiff in the case against D. Westwood,  
21 Inc.?

22 A. Correct. When I initially met with John  
23 Taylor, he was the one I first had contact with, he  
24 told me there were several clubs that had suits  
25 being brought against them and he asked me which



1 clubs I worked with.

2 MS. CALVERT: He's an attorney, so I  
3 probably should have objected to attorney/client  
4 privilege. Sorry. I was just thinking -- I'm,  
5 like, John's an attorney.

6 THE WITNESS: Okay.

7 MS. SMITH: All right.

8 MS. CALVERT: Sorry.

9 MS. SMITH: I don't know that that's  
10 rendering legal advice that she was just informed  
11 of other lawsuits.

12 MS. CALVERT: I'm okay with what's been  
13 said so far. I don't think it has anything weird,  
14 but I can see it going that way.

15 BY MS. SMITH:

16 Q. What about Smith versus The Spearmint  
17 Rhino Companies Worldwide, Inc.? Do you know what  
18 that case is?

19 A. I know there was a case years ago against  
20 all Spearmint Rhinos. I was not part of that, and  
21 I do not know that this Smith versus Spearmint  
22 Rhino is that case or a different one.

23 Q. Did you receive any monies from the  
24 previous Spearmint Rhino case you were just  
25 referring to?

1           A.    I did not.

2           Q.    Okay.  This current -- well, when I say  
3    "current," I mean the Spearmint Rhino case listed  
4    in this response.  Are you aware if you're a named  
5    plaintiff in that case?

6           A.    I am not aware.

7           Q.    Okay.  Do you know why those cases are  
8    listed in your Answers to Interrogatory No. 14?

9           A.    Because in my initial meeting when I  
10   named the clubs I worked at, I was told that Crazy  
11   Horse III, Treasures, and Spearmint Rhino all had  
12   suits being brought against them.  I was eligible  
13   to be part of those suits because of the times I  
14   worked there.

15          Q.    Okay.  So you're unaware if the Spearmint  
16   Rhino case reflected in your responses is still  
17   going on?

18                MS. CALVERT:  Objection.  Asked and  
19   answered.

20                You can go ahead.

21                THE WITNESS:  I've not been updated or  
22   given any information.

23   BY MS. SMITH:

24          Q.    Okay.  So no deposition or discovery  
25   responses such as in this case?

1           A.    No.  I -- I was asked a few questions  
2           initially, specifically Spearmint Rhino, I believe,  
3           but that was a long time ago, and I haven't been  
4           contacted since then and I've never done a  
5           deposition.

6           Q.    When you say "asked a few questions," are  
7           you referring to a conversation you had with your  
8           attorney?

9                   MS. CALVERT:  John?

10                  THE WITNESS:  An attorney?  No.  A  
11           different guy.

12                  MS. CALVERT:  Was it John Taylor?

13                  THE WITNESS:  No.

14                  MS. CALVERT:  Oh.

15                  THE WITNESS:  It was a different guy.

16   BY MS. SMITH:

17           Q.    Was it an attorney?

18           A.    It was my understanding that he was.

19           Q.    Okay.  So someone --

20           A.    Someone --

21           Q.    -- with the Law Firm Morris Anderson,  
22           also know as Big Horn Law?

23           A.    Yes.  Called me in, asked me a few  
24           questions --

25           Q.    Okay.

1 MS. CALVERT: And just stop there.

2 THE WITNESS: I answered them, I signed  
3 it, and I have not heard anything since then.

4 BY MS. SMITH:

5 Q. So like filled out a questionnaire, not  
6 filled out a response like the responses I'm having  
7 you review right now?

8 A. Right. He asked me questions, he wrote  
9 down my answers, and then I signed the bottom of  
10 it.

11 Q. Okay. All right. And I know I asked you  
12 this earlier, but no receipts or documents in your  
13 possession?

14 A. No.

15 Q. Maybe hidden away in that safe?

16 A. No.

17 Q. Okay. What about expense receipts?

18 A. No. I don't keep those.

19 Q. So you wouldn't keep receipts for clothes  
20 or shoes or anything like that?

21 A. No, because I never filed taxes. I  
22 didn't see a purpose for saving receipts.

23 Q. Okay. So I'm going to direct your  
24 attention to page 11 of 14, your response to  
25 Interrogatory No. 16.

1           A.    Okay.

2           Q.    The last sentence of your response, it's  
3   kind of like lines 9 through 11-ish on page 11.

4                   Do you see that?

5           A.    Yes.

6           Q.    Aside from your independent recollection  
7   of being fined for a missed stage, you have no  
8   documents to reflect that?

9           A.    No, I do not.

10          Q.    Okay.  And after looking at Exhibit B,  
11   did you see anything labeled as a missed stage fee?

12          A.    No, I did not.

13          Q.    Or a missed stage fine?

14          A.    No.

15          Q.    Okay.  Do you think you needed to utilize  
16   any specific skills to be a good entertainer?

17          A.    Sure.  It took skill.

18          Q.    With what kind?

19          A.    As I mentioned earlier, just being able  
20   to recognize what the client was looking for.  
21   Sometimes it was just attention.  Sometimes it  
22   was -- they wanted you to dance for them and be  
23   sexy.  And everyone wanted something different, so  
24   just recognizing what that client wanted from you.

25          Q.    Okay.  I'm going to have you look at page

1 13 of 14 -- sorry. You're probably looking forward  
2 to being done with the document.

3 A. Okay.

4 Q. Is this response accurate? Actually,  
5 scratch that. Let me just move onto the next.

6 Okay. So I'm going have you look at  
7 Exhibit D, which is your Responses to Requests for  
8 Production of Documents.

9 You looked over this document also?

10 A. Yes.

11 Q. Okay. In your response to Request No. 9,  
12 which requests copies of your licenses, permits,  
13 and other documentation, you referred to Exhibit 1  
14 attached to this.

15 A. Okay. Yes.

16 Q. Okay. It appears that Exhibit 1 reflects  
17 your name at the top and is for a sole  
18 proprietorship?

19 A. Yes.

20 Q. Okay. Do you recall if back in 2010 the  
21 expiration date for sole proprietor business  
22 licenses is longer?

23 A. No. I believe as long as I've had my  
24 license, it expired every year. The only thing  
25 that changed was the cost.

1           Q.    Okay.  And then it appears that Exhibit 1  
2   does not have a copy of your sheriff's card.  Would  
3   you have that still?

4           A.    I do have that, yes.

5           Q.    Okay.  Would you be able to provide that  
6   to your counsel?

7           A.    Yes.

8           Q.    Is that true of your TAM card as well?  
9   Do you still have a hard copy of that?

10          A.    Yes.

11          Q.    Okay.

12          A.    I have all of my cards.

13          Q.    You could provide that to your counsel?

14          A.    Yes.

15          Q.    Okay.  I actually don't see in here where  
16   you refer to the additional exhibits.  Do you  
17   see -- sorry.

18                Ms. Franklin, do you see in your  
19   Responses to Requests for Production where you  
20   referred to Exhibits 2 and 3?  You know, that's  
21   okay.  I don't see it in your interrogatory  
22   responses either.  We can just look at the  
23   document.

24                MS. CALVERT:  It's --

25   /////

1 BY MS. SMITH:

2 Q. Jacqueline, it's okay. You can just look  
3 at the exhibits.

4 A. Okay.

5 Q. Will you look at Exhibit 2 that's  
6 attached to Exhibit D?

7 A. Okay.

8 Q. Can you tell me what this single page  
9 reflects?

10 A. Text messages between --

11 Q. Do you know from whom?

12 A. Justin Lohrman.

13 Q. Do you know when you received these?

14 A. It would be in my cell phone.

15 Q. Do you have other text messages from  
16 Justin Lohrman?

17 A. Probably on other cell phones.

18 Q. Okay. Do you recall providing this  
19 document to your attorneys?

20 A. Yes.

21 Q. Do you recall what this was supposed to  
22 be in response to?

23 A. Why did I produce this?

24 Q. Yes.

25 A. The topic of, I guess, events and things



1 we could work outside of the club came up.

2 Q. Okay. So that was just to demonstrate  
3 that you attended other promotional events?

4 MS. CALVERT: Objection. Legal  
5 conclusion. Misstates.

6 THE WITNESS: I think it's supposed to  
7 show that we had the opportunity to work events  
8 outside of the club.

9 BY MS. SMITH:

10 Q. Okay. So these weren't required events?

11 A. No, they weren't required. They were  
12 optional.

13 Q. Did you go to the CH3 Golf Tournament?

14 A. I don't believe so, no.

15 Q. Okay. How about Exhibit 3? I'll have  
16 you take a look at that.

17 A. Okay.

18 Q. Can you tell me what this is?

19 A. One of the many papers that were posted  
20 around the dressing room.

21 Q. Did you -- how do you have this in your  
22 possession?

23 A. I took a picture of it because I thought  
24 it was funny and I sent it to my friend.

25 Q. Okay. Do you have any pictures of any

1 other signs?

2 A. Not that I found, no. I think this was  
3 the only one that was hilarious enough to deserve a  
4 picture.

5 Q. Did you shower at Crazy Horse?

6 A. I did not.

7 Q. Okay. So it wasn't required that you  
8 shower at Crazy Horse?

9 A. No.

10 Q. Do you know what you provided this  
11 document for?

12 MS. CALVERT: Objection. Calls for a  
13 legal conclusion.

14 Go ahead, if you know.

15 THE WITNESS: Again, it came up because  
16 we were discussing various rules that were posted  
17 around the club that weren't actually written in  
18 the initial paperwork that we signed.

19 BY MS. SMITH:

20 Q. Okay.

21 A. This is just one example of many things  
22 that were hanging up.

23 Q. So -- I'm sorry.

24 Showering wasn't a rule?

25 A. Showering at the club was not a rule.

1           Q.    In fact, it says "at own risk."  
2                    Did you ever shower at Crazy Horse?  
3           A.    No.  
4           Q.    Okay.  
5           A.    There was no door on the shower. It was  
6 weird.  
7           Q.    Since you stopped performing at Crazy  
8 Horse, have you contacted the club?  
9           A.    No. I haven't contacted them for  
10 anything.  
11          Q.    Have you contacted any individual at the  
12 club?  
13          A.    No. I've visited the club as a customer.  
14          Q.    Okay. Did you fill out any applications  
15 at the club?  
16          A.    No.  
17          Q.    Did you ever text Justin Lohrman to see  
18 if there were openings at the club?  
19          A.    Yes.  
20          Q.    When was that?  
21          A.    When I got fired from Hustler.  
22          Q.    What did you inquire about?  
23          A.    A cashier position because that's what I  
24 had been trained on.  
25          Q.    Okay. All right. Why did you contact

1 Crazy Horse?

2 MS. CALVERT: Objection. Asked and  
3 answered.

4 THE WITNESS: I --

5 BY MS. SMITH:

6 Q. Let me rephrase that.

7 Why did you contact Crazy Horse as  
8 opposed to another club?

9 A. I did go to other clubs as well.

10 Q. Which other one?

11 A. Sapphire.

12 Q. Any others?

13 A. No.

14 Q. Have you ever been a part of a lawsuit  
15 against Sapphire?

16 A. No. I've never worked at Sapphire.

17 Q. Okay. Sorry.

18 If you had previously felt that VIP hosts  
19 and managers were rude to you as you responded in  
20 your -- or I'm sorry, maybe not managers, VIP hosts  
21 and other employees were harassing and bullying,  
22 why would you want to return to Crazy Horse?

23 A. Because as a cashier, they would have no  
24 affect on the money that I made, as opposed to  
25 being an entertainer where they directly affected

1       how much money I could make.

2                   MS. SMITH:   Okay.   I don't have any  
3       further questions.

4                   MS. CALVERT:   I have a couple.

5                                   EXAMINATION

6       BY MS. CALVERT:

7           Q.     Will you look at Interrogatory No. 1,  
8       specifically your answer to -- yeah.   Interrogatory  
9       No. 1.

10          A.     Okay.

11          Q.     It starts on the -- or am I looking at  
12       the wrong one?   Oh, I'm sorry.   The Document 1,  
13       No. 1.   Golly gee, my brain is gone.

14          A.     Okay.

15          Q.     And then look on to page 3 where your  
16       answer continues.   Let me know what you see at the  
17       very top of page 3.   You're on page 2.

18                   Do you see where it says Exhibit 2 and  
19       Exhibit 3?

20          A.     Yes.

21          Q.     Do you think that Exhibit 2 and Exhibit 3  
22       are referenced in your response to RFP No. 1?

23          A.     Yes.

24          Q.     Okay.   There we go.

25                   MS. SMITH:   I apologize.   I was looking

1 for Exhibit 2 and 3 to be referenced after 1.

2 MS. CALVERT: No.

3 BY MS. CALVERT:

4 Q. Let's see here.

5 Were you ever prevented from accessing  
6 patrons by someone working for Crazy Horse?

7 MS. SMITH: Objection. Form.

8 THE WITNESS: Yes, a few times.

9 BY MS. CALVERT:

10 Q. Do you remember anything specific about  
11 those times?

12 A. Yes. There -- I specifically remember  
13 trying to go up into bottle service areas before,  
14 and hosts, specifically Tommy, but also other hosts  
15 would tell me I wasn't allowed to go up there. And  
16 also at the front door, I specifically remember  
17 trying to greet a group of customers coming in the  
18 front door and Tommy Van ran past me so fast to get  
19 to them that he literally knocked me to the ground.

20 Q. Okay. Do you recall -- I think that  
21 might be at the same time.

22 Looking at Exhibit A and Exhibit B, how  
23 do you know those are accurate? What are you  
24 basing your -- that statement on?

25 A. My own recollection.

1           Q.    Do you know that the exact minutes on  
2           there are correct?

3           MS. SMITH:  Objection.  Form.

4           THE WITNESS:  I do not know without a  
5           doubt that they are exactly correct.  However, to  
6           my recollection, they seem accurate.

7           MS. CALVERT:  Okay.  That's it.

8           MS. SMITH:  Okay.  Two more quick ones.

9           THE WITNESS:  Okay.

10                           EXAMINATION

11       BY MS. SMITH:

12           Q.    Did you think that Tommy Van was a  
13           manager?

14           A.    No.

15           Q.    Okay.  Did you consider him and the club  
16           to be the same?

17           MS. CALVERT:  Objection.  Legal  
18           conclusion.  Calls for speculation.

19           THE WITNESS:  To my understanding, he was  
20           a floor host.  However, he was given free reign to  
21           act the way he did by management.  He was never  
22           reprimanded or stopped.

23       BY MS. SMITH:

24           Q.    How do you know he was never reprimanded?

25           A.    Because he continued to do that.  And to

1       this day, he still continues to do that.

2           Q.     So you don't actually know whether or not  
3       he has been reprimanded?

4           A.     No.

5           Q.     Okay. And as for Exhibit A and Exhibit  
6       B, do you have any records to refute any of the  
7       information reflected?

8                   MS. CALVERT: Objection. Asked and  
9       answered.

10                   THE WITNESS: I do not.

11       BY MS. SMITH:

12           Q.     Okay. One more question.

13                   Did you think that the house mom was an  
14       employee of Crazy Horse?

15           A.     They --

16                   MS. CALVERT: Objection. Calls for a  
17       legal conclusion. Speculation.

18                   THE WITNESS: I believe that they were  
19       both at some point. I mean, I believe at one point  
20       they weren't employed, and at one point they were  
21       employed.

22       BY MS. SMITH:

23           Q.     Okay.

24           A.     From what I was told.

25           Q.     Okay.



1           A.    It changed.

2           Q.    Okay.  And did anyone at Crazy Horse ever  
3 tell you that you needed to leave the premises?

4           A.    No.

5           MS. SMITH:  Okay.  No more questions.

6           MS. CALVERT:  None.

7           MS. SMITH:  Thank you.

8           MADAM REPORTER:  Counsel, would you like  
9 a copy of the transcript?

10          MS. CALVERT:  Yes.  Electronic version  
11 would be great.

12               (The deposition concluded at 5:19 p.m.)

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