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Electronically Filed
Sep 03 2020 11:07 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

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

9 JANE DOE DANCER, I; JANE DOE
10 DANCER, II; JANE DOE DANCER, III;
11 and JANE DOE DANCER, V,
12 individually, and on behalf of Class of
13 similarly situated individuals,

Appellants,

13 vs.

14 LA FUENTE, INC., an active Nevada
15 Corporation,

16 Respondent.

SUPREME COURT NO.: 78078

District Court Case No.: A-14-
709851-C

17 **APPELLANTS' MOTION FOR**
18 **LEAVE TO FILE AN AMENDED**
19 **APPENDIX**

20 Appellants, individually and on behalf of all persons similarly situated,
21 hereby file this Motion for Leave to File an Amended Appendix.
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. Introduction**

3
4 This is an employee misclassification case commenced in the Eighth Judicial
5 District Court on November 6, 2014. Appellants, dancers at Defendants’ Las Vegas
6 gentlemen’s club (the “Club”), claim they are the Club’s employees within the
7 meaning of the Minimum Wage Amendment to the Nevada Constitution, Nev.
8 Const. Art. XV, sec. 16. (the “MWA”) and that the Club has been unjustly enriched
9 by retention of monies paid by the dancers for fees, fines and mandatory tip-outs.
10 Defendants require that all dancers sign an “Entertainer Agreement” which purports
11 to characterize dancers as licensees who must pay to rent space in the Club to
12 conduct their own allegedly independent business with their “clients” (i.e., the
13 Club’s patrons).
14

15
16 On March 10, 2020, Appellants filed their Opening Appellants’ Brief.
17
18 Appellants also filed their seven-volume appendix with this Brief. Appellants
19 inadvertently filed a Appendix Volume I in which the identities of the Jane Doe
20 Appellants were redacted.
21

22
23 On September 1, 2020, the Court requested that Appellants file an un-
24 redacted appendix for the Court’s examination. Appellants would therefore request
25 leave of the Court to file the unredacted Volume I of Appellants’ Appendix for the
26 Court’s use in examining Appellants’ claims. See Exhibit “1,” attached hereto.
27
28

1 Appellants would ask that the Court take note that Volume 1 of the Appendix
2 is now free from redactions. Volumes 2 and 3 of the Appendix already filed with
3 the Court contained documents which were redacted by Respondents in their
4 original filing. Appellants have no ability to remove the redactions from
5 Respondents' Original Filings in the underlying case. All other Volumes of
6 Appellants' Appendix are free from redactions.
7
8

9 **II. CONCLUSION**

10
11 Based on the above, Appellants Respectfully Request that this Honorable
12 Court Grant Leave to Appellants to File an Amended, Unredacted, Appendix
13 Volume I, in this matter.
14

15 DATED this 3rd day of September, 2020.

16 **BIGHORN LAW**

17
18 By: /s/ Kimball Jones
19 **KIMBALL JONES, ESQ.**
20 Nevada Bar No.: 12982
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23 Las Vegas, Nevada 89119
24 *Attorneys for Appellants*
25
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28

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of **BIGHORN LAW**, and on the 3rd
3 day of September, 2020, an electronic copy of the ***APPELLANTS' MOTION FOR***
4 ***LEAVE TO FILE AN AMENDED APPENDIX*** as follows:
5

- 6 Electronic Service – By serving a copy thereof through the Court’s
7 electronic service system; and/or
8 U.S. Mail—By depositing a true copy thereof in the U.S. mail, first
9 class postage prepaid and addressed as listed below:

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18 *Attorneys for Respondent*
19

20
21 /s/ Erickson Finch
22 An employee of **BIGHORN LAW**
23
24
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EXHIBIT “1”

IN THE SUPREME COURT OF THE STATE OF NEVADA

JANE DOE DANCER, I; JANE DOE
DANCER, II; JANE DOE DANCER, III;
and JANE DOE DANCER, V,
individually, and on behalf of Class of
similarly situated individuals,

Appellants,

vs.

LA FUENTE, INC., an active Nevada
Corporation,

Respondent.

CASE NO.: 78078

District Court Case No. A-14-709851-C

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

**APPELLANTS' AMENDED
APPENDIX VOLUME I**

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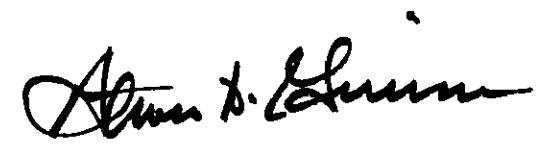
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CHRONOLOGICAL INDEX TO APPENDIX

VOL.	PAGES	DOCUMENT
I.	APP0001 – APP0017	Plaintiffs' Complaint
I.	APP0018 – APP0033	Defendant's Answer to Plaintiffs' Complaint
I.	APP0034 – APP0089	Deposition of Diana Pontrelli
I.	APP0090 – APP0134	Deposition of Shanon Steel
I.	APP0135 – APP0187	Deposition of Jessica Hedrick
II.	APP0188- APP0438	Defendant's Motion for Summary Judgment (Part One)
III.	APP0439- APP0654	Defendant's Motion for Summary Judgment (Continued)
IV.	APP0655- 0794	Plaintiffs' Opposition to Defendant's Motion for Summary Judgment
V.	APP0795 -APP0932	Errata to Plaintiffs' Cross-Motion for Summary Judgment and Opposition to Defendant's Motion for Summary Judgment
V.	APP0933- APP0951	Reply in Support of Plaintiff's Cross-Motion for Summary Judgment
V.	APP0952- APP0961	Order Granting Defendant's Motion for Summary Judgment and Denying Plaintiffs' Counter-motion for Summary Judgment

TRANSCRIPTS		
VI.	APP0962- APP1069	Transcript—October 4, 2018



CLERK OF THE COURT

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11 **DISTRICT COURT OF THE STATE OF NEVADA**
12 **IN AND FOR CLARK COUNTY**

13 JANE DOE DANCER, I through V,
individually, and on behalf of Class of
similarly situated individuals,

14 Plaintiffs,

15 v.

16 LA FUENTE, INC., an active
Nevada Corporation, WESTERN
PROPERTY HOLDINGS, LLC, an
17 active Nevada Limited Liability
Company (all d/b/a CHEETAHS
LAS VEGAS and/or THE NEW
18 CHEETAHS GENTLEMAN'S
CLUB), DOE CLUB OWNER, I-X,
DOE EMPLOYER, I-X, ROE CLUB
19 OWNER, I-X, and ROE EMPLOYER,
I-X,

20 Defendants.

CASE NO.: A-14-709851-C
DEPT.: 4

**PLAINTIFFS' FIRST
AMENDED CLASS ACTION
COMPLAINT FOR:**

FAILURE TO PAY WAGES;
WAIT-TIME PENALTY; UNJUST
ENRICHMENT; ATTORNEY
FEES; EXEMPLARY &
PUNITIVE DAMAGES

DEMAND FOR JURY TRIAL

ARBITRATION EXEMPTION: CLASS
ACTION

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FIRST AMENDED CLASS ACTION COMPLAINT

Plaintiffs JANE DOE DANCER, I through V, on behalf of themselves and a class of all persons similarly situated allege as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over the claims alleged herein pursuant to Article XV, Section 16 of the Nevada Constitution (the “Minimum Wage Amendment”), Chapter 608 of the Nevada Revised Statutes (the “Nevada Wage and Hour Law” or “NWHL”), NRS § 14.065, and Rule 23 of the Nevada Rules of Civil Procedure.

2. Venue is proper in this Court pursuant to NRS § 13.040 because Defendants are located in Clark County, Nevada, and the acts, obligations, and debts complained of in this Complaint occurred and arose in Clark County, Nevada.

PARTIES AND JURISDICTION

3. Plaintiff JANE DOE DANCER, I, was at all times relevant to this action a resident of Clark County, Nevada and, at the present time and at various other relevant times, has been employed by Defendants as an exotic dancer.

4. Plaintiff JANE DOE DANCER, II, was at all times relevant to this action a resident of Clark County, Nevada and, at the present time and at various other relevant times, has been employed by Defendants as an exotic dancer.

5. Plaintiff JANE DOE DANCER, III, was at all times relevant to this action a resident of Clark County, Nevada and, at the present time and at various other relevant times, has been employed by Defendants as an exotic dancer.

1 6. Plaintiff JANE DOE DANCER, IV, was at all times relevant to this action
2 a resident of Clark County, Nevada and, during 2014 and at other relevant times, has
3 been employed by Defendants as an exotic dancer.

4 7. Plaintiff JANE DOE DANCER, V, was at all times relevant to this action a
5 resident of Clark County, Nevada and, at all relevant times, has been employed by
6 Defendants as an exotic dancer.

7 8. Defendant LA FUENTE, INC., is an active Nevada Corporation.

8 9. Defendant WESTERN PROPERTY HOLDINGS, LLC, is an active
9 Nevada Limited Liability Company.

10 10. On information and belief, LA FUENTE, INC. and WESTERN
11 PROPERTY HOLDINGS, LLC are owners/operators of CHEETAHS LAS VEGAS
12 (a/k/a THE NEW CHEETAHS GENTLEMAN'S CLUB) ("CHEETAHS" or
13 "DEFENDANTS"). CHEETAHS is a "gentleman's club" and "topless cabaret" located
14 at 2112 Western Avenue, Las Vegas, NV 89102.

15 11. On information and belief, Defendant DOE CLUB OWNER is a resident
16 of Clark County, Nevada, and is owner/operator of CHEETAHS.

17 12. On information and belief, Defendant ROE CLUB OWNER is Nevada
18 business entity and is owner/operator of CHEETAHS.

19 13. On information and belief, Defendant DOE EMPLOYER is a resident of
20 Clark County, Nevada, and employed Plaintiff and the Class at CHEETAHS at all
21 times relevant to this action.
22

1 19. The Class consists of: All persons who work or have worked at
2 CHEETAHS as dancers and/or were employed by Defendants in Clark County,
3 Nevada as dancers at any time during the Class Period.

4 20. The Class is so numerous that it is impracticable to join all the Class
5 members before the Court. The exact number of Class members is unknown, but is
6 believed to be in excess of 3000 past and present, part-time and full-time dancers.

7 21. There are questions of law and fact common to the Class that
8 predominate over any questions solely affecting individual Class members including,
9 but not limited to, whether Defendants violated the Nevada Constitution and the
10 NWHL by classifying the Class as “independent contractors” as opposed to
11 employees and by not paying them any wages, and are thereby liable to the class
12 members.

13 22. Plaintiffs’ claims are typical of the claims of the Class. Plaintiffs, like
14 other members of the Class, were misclassified by Defendants as independent
15 contractors and denied their rights to a minimum wage under the Nevada
16 Constitution and the NWHL. Defendants’ misclassification was done pursuant to a
17 common business practice which affected all Class members in a similar way.
18 Plaintiffs challenge Defendants’ business practices under legal theories common to all
19 class members.

20 23. Plaintiffs will fairly and adequately protect the interests of the Class, and
21 there are no conflicts with respect to the claims herein between the Plaintiffs and the
22 Class.

1 31. Plaintiffs and the Class were or are employees of Defendants within the
2 meaning of the Minimum Wage Amendment and the NWHL, notwithstanding any
3 designation given to their relationship by Defendants.

4 32. Defendants were or are the employer(s) of Plaintiffs and the Class within
5 the meaning of the Minimum Wage Amendment and the NWHL.

6 33. The employment duties of Plaintiffs and the Class include, among other
7 things, dancing and stripping on stage at CHEETAHS at the direction and control of
8 Defendants, and entertaining customers off-stage at the bars of CHEETAHS and on
9 couches and tables surrounding the bar (performing “couch dances” and/or “table
10 dances”) at the direction of Defendants.

11 34. Plaintiffs and the Class were required by Defendants to fulfill the
12 conditions of employment and to follow other rules and regulations prescribed by
13 Defendants, as specified in more detail below, or suffer termination or suspension of
14 employment or imposition of monetary fines and/or other penalties.

15 35. As a “gentlemen’s’ club” and “adult entertainment venue,” Defendants’
16 business success was dependent upon the work performed by the Plaintiffs and the
17 Class, which work was integral to the Defendants’ business operations.

18 36. As Defendants’ employees, Plaintiffs and the Class were and are entitled
19 to the minimum wage guaranteed by the Minimum Wage Amendment and the
20 NWHL.

21 37. At no time were Plaintiffs or the Class paid any wages by the Defendants
22 as required by the Minimum Wage Amendment and the NWHL.

1 38. Defendants required Plaintiffs and the Class, as a condition of
2 employment, regularly to pay fixed sums established by Defendants to Defendants'
3 management and other employees, including but not limited to, the "house mom(s),"
4 the Director/DJ, the manager, the bartenders and security guards/bouncers,
5 including, but not limited to, a fee to work a shift and another fee if Plaintiffs chose
6 not to dance on the stage.

7 39. Defendants controlled various aspects of Plaintiffs' employment at
8 CHEETAHS, including, but not limited to, the length of each shift, Plaintiffs' clothing
9 while at work (such as no street clothes in the presence of customers, the type and
10 style of footwear and lingerie and/or bra and panties), a requirement to remove their
11 tops when dancing on the stage, requirements related to physique and grooming, a
12 prohibition against physical contact with customers, limitations on what Plaintiffs
13 could say to customers, a requirement to dance on stage or pay a fee, and whether
14 Plaintiffs could chew gum or use a cellular telephone.

15 40. Defendants maintained and enforced an employment policy of imposing
16 monetary fines on Plaintiffs and the Class for lateness and/or misconduct.

17 41. Defendants have a statutory duty to inform Plaintiffs and the Class of
18 their legal rights guaranteed by the Minimum Wage Amendment and the NWHL.

19 42. At no time was a copy of an abstract of Nevada Wage and Hour Laws
20 entitled "Rules to be Observed by Employers" posted at CHEETAHS where Plaintiffs
21 and the Class worked.

22

1 51. Contrarily, Defendants required as a condition of employment that
2 Plaintiffs and the Class pay Defendants for the privilege of being employed, as
3 described herein.

4 52. There remains due, owing and unpaid by Defendants to Plaintiffs and
5 each member of the Class a sum, to be proven at trial, representing unpaid back
6 wages at no less than the rate specified in the Minimum Wage Amendment.

7 53. Defendants have failed and refused, and continue to fail and refuse, to
8 acknowledge the employee status of Plaintiffs and the Class and to pay all back wages
9 earned and unpaid.

10 54. Defendants were aware that Plaintiffs and the Class members were
11 entitled to a minimum wage guaranteed by the Minimum Wage Amendment.

12 55. Defendants' misclassification of Plaintiffs and the Class members as
13 "independent contractors" was willful and not the result of mistake or inadvertence.

14 56. Defendants intentionally misclassified Plaintiffs and the Class members
15 as independent contractors and improperly withheld payment of minimum wages to
16 them and disregarded state law so as to increase their profits.

17 57. Defendants' conduct described herein constitutes oppression, fraud
18 and/or malice and entitles Plaintiffs and the Class to exemplary and punitive
19 damages in an amount to be determined at trial.

20 58. Plaintiffs and the Class are entitled to an award of reasonable attorney
21 fees and costs upon successful prosecution of this case pursuant to the Minimum
22 Wage Amendment and NRS 608.140.

1 63. Contrarily, Defendants required as a condition of employment that
2 Plaintiffs and the Class pay Defendants for the privilege of being employed, as
3 described herein.

4 64. There remains due, owing and unpaid by Defendants to Plaintiffs and
5 each member of the Class a sum, to be proven at trial, representing unpaid back
6 wages at no less than the statutory rate.

7 65. Defendants have failed and refused, and continue to fail and refuse to
8 acknowledge the employee status of Plaintiffs and the Class and to pay all back wages
9 earned and unpaid.

10 66. Defendants were aware that Plaintiffs and the Class members were
11 entitled to a minimum wage guaranteed by Nevada's Minimum Wage Law.

12 67. Defendants' misclassification of Plaintiffs and the Class members as
13 "independent contractors" was willful and not the result of mistake or inadvertence.

14 68. Defendants intentionally misclassified Plaintiffs and the Class members
15 as independent contractors and improperly withheld payment of minimum wages to
16 them and disregarded state law so as to increase their profits.

17 69. Defendants' conduct described herein constitutes oppression, fraud
18 and/or malice and entitles Plaintiffs and the Class to exemplary and punitive
19 damages in an amount to be determined at trial.

20 70. Plaintiffs and the Class are entitled to an award of reasonable attorney
21 fees and costs upon successful prosecution of this case pursuant to the Minimum
22 Wage Amendment and NRS 608.140.

1 75. Pursuant to NRS 608.040-050, the wages or compensation due and owing
2 Plaintiffs and the Class whose employment so ended, continues at the same rate from
3 the day she resigned, quit or was discharged until paid or for 30 days, whichever is
4 less.

5 76. Plaintiffs and the Class are entitled to a lien to secure the payment of the
6 penalty amount to which they were entitled pursuant to NRS 608.050.

7 77. Defendants have failed and refused, and continue to fail and refuse, to
8 acknowledge the employee status of Plaintiffs and the Class and to pay all back wages
9 earned and unpaid.

10 78. Defendants were aware that Plaintiffs and the Class members were
11 entitled to a minimum wage guaranteed by Nevada's Minimum Wage Law.

12 79. Defendants' misclassification of Plaintiffs and the Class members as
13 "independent contractors" was willful and not the result of mistake or inadvertence.

14 80. Defendants intentionally misclassified Plaintiffs and the Class members
15 as independent contractors and improperly withheld payment of minimum wages to
16 them and disregarded state law so as to increase their profits.

17 81. Defendants' conduct described herein constitutes oppression, fraud
18 and/or malice and entitles Plaintiffs and the Class to exemplary and punitive
19 damages in an amount to be determined at trial.

20 82. Plaintiffs and the Class are entitled to an award of reasonable attorney
21 fees and costs upon successful prosecution of this case pursuant to the Minimum
22 Wage Amendment and NRS 608.140.

1 85. Defendants' enrichment occurred under circumstances in which it would
2 be unjust for them to retain the benefits received without compensating Plaintiffs and
3 the Class.

4 **WHEREFORE**, Plaintiffs and the Class pray for judgment on the Fifth Cause of
5 Action against Defendants as follows:

- 6 a. for restitution of all funds improperly and unlawfully taken from
7 Plaintiffs and the Class in an amount to be proven at trial;
- 8 b. for an award equal to, and representing a disgorgement of, all profits
9 earned by Defendants from the uncompensated for labor and benefits
10 provided by Plaintiffs and the Class;
- 11 c. for an award equal to all costs and expenses for uniforms, costumes and
12 accessories and maintenance of same as described herein incurred by
13 Plaintiffs and the Class; and
- 14 d. for such other relief as would be fair and equitable under the
15 circumstances.

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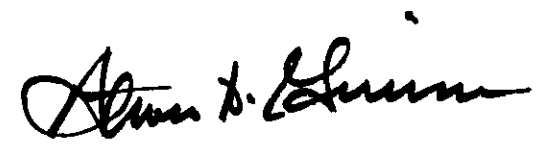
CLASS ACTION PRAYER

Plaintiffs further request that the Court certify this action as a Class Action pursuant to N.R.C.P. 23 and designate Plaintiffs as Class Representatives and their counsel as Class Counsel for all claims stated herein

Dated: May 1, 2015.

MORRIS ANDERSON LAW

By: /s/ Ryan M. Anderson
Ryan M. Anderson
Jacqueline Bretell
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CLERK OF THE COURT

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8
9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 **JANE DOE DANCER, I through V,**)
Individually, and on behalf of Class of)
12 **Similarly Situated Individuals,**)
13 **Plaintiffs,**)

CASE NO. A-14-709851-C
Dept. No. 4

14 **v.**)

15 **LA FUENTE, INC., an active Nevada**)
Corporation, WESTERN PROPERTY)
16 **HOLDINGS, LLC, an active Nevada**)
Limited Liability Company (all d/b/a/)
17 **CHEETAHS LAS VEGAS and/or THE**)
18 **NEW CHEETAHS GENTLEMAN'S**)
CLUB), DOE CLUB OWNER, I—X,)
19 **DOE EMPLOYER, I—X, ROE CLUB**)
OWNER, I-X, ROE EMPLOYER, I-X,)
20 **Defendants.**)

DEFENDANT LA FUENTE, INC.'S
ANSWER TO PLAINTIFFS' FIRST
AMENDED CLASS ACTION
COMPLAINT

21
22 DEFENDANT LA FUENTE, INC. ("La Fuente") hereby timely submits its Answer to
23 the First Amended Class Action Complaint on file herein, and alleges and avers as follows:
24

25 **JURISDICTION AND VENUE**

26 1. Answering Paragraph 1, La Fuente admits that this Honorable Court has jurisdiction over
27 Plaintiffs' claims, but asserts that all or part of Plaintiffs' and the proposed Class
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Members' claims must be heard by an arbitrator individually and not by this Court as a class action.

2. Answering Paragraph 2, La Fuente admits that venue is proper in this Honorable Court in that La Fuente operates a business in Clark County, Nevada and the events alleged in the First Amended Complaint occurred and arose in Clark County, Nevada. However, La Fuente denies that it is liable for the "acts, obligations and debts complained of" in the First Amended Complaint.

PARTIES AND JURISDICTION

3. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of Plaintiffs' First Amended Complaint and, therefore, denies the allegations.

4. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 of Plaintiffs' First Amended Complaint and, therefore, denies the allegations.

5. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 of Plaintiffs' First Amended Complaint and, therefore, denies the allegations.

6. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6 of Plaintiffs' First Amended Complaint and, therefore, denies the allegations.

7. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 7 of Plaintiffs' First Amended Complaint and, therefore, denies the allegations.

8. La Fuente admits the allegations of Paragraph 8 of Plaintiffs' First Amended Complaint.

- 1 9. La Fuente admits the allegations of Paragraph 9 of Plaintiffs' First Amended Complaint.
- 2 10. Answering Paragraph 10, La Fuente admits that it owns and operates Cheetah's, and that
- 3 Cheetah's is a "gentleman's club" and "topless cabaret" located at 2112 Western Avenue,
- 4 Las Vegas, NV 89102. La Fuente denies the remaining allegations in Paragraph 10.
- 5 11. La Fuente is without knowledge or information sufficient to form a belief as to the truth
- 6 of the allegations in Paragraph 11 of Plaintiffs' First Amended Complaint and, therefore,
- 7 denies the allegations.
- 8 12. La Fuente is without knowledge or information sufficient to form a belief as to the truth
- 9 of the allegations in Paragraph 12 of Plaintiffs' First Amended Complaint and, therefore,
- 10 denies the allegations.
- 11 13. La Fuente is without knowledge or information sufficient to form a belief as to the truth
- 12 of the allegations in Paragraph 13 of Plaintiffs' First Amended Complaint and, therefore,
- 13 denies the allegations.
- 14 14. La Fuente is without knowledge or information sufficient to form a belief as to the truth
- 15 of the allegations in Paragraph 14 of Plaintiffs' First Amended Complaint and, therefore,
- 16 denies the allegations.
- 17 15. La Fuente is without knowledge or information sufficient to form a belief as to the truth
- 18 of the allegations in Paragraph 15 of Plaintiffs' First Amended Complaint and, therefore,
- 19 denies the allegations.
- 20 16. The allegations of Paragraph 16 of Plaintiffs' First Amended Complaint are not
- 21 statements of fact, and therefore require no response.
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25 **CLASS ACTION ALLEGATIONS**

- 26 17. Answering Paragraph 17, La Fuente admits that Plaintiffs' Amended Complaint purports
- 27 to be an "action pursuant to Rule 23 of the Nevada Rules of Civil Procedure on their own
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behalf and on behalf of a class of all persons similarly situated,” but denies that Plaintiffs may bring this claim as a Class Action before this Court.

18. The allegations of Paragraph 18 of Plaintiffs’ First Amended Complaint are legal conclusions, and therefore require no response. To the extent that Paragraph 18 of Plaintiffs’ First Amended Complaint contains any factual allegations and misstates the applicable statutes of limitation, La Fuente denies those allegations.

19. La Fuente denies the allegations of Paragraph 19 of Plaintiffs’ First Amended Complaint.

20. La Fuente denies the allegations of Paragraph 20 of Plaintiffs’ First Amended Complaint.

21. La Fuente denies the allegations of Paragraph 21 of Plaintiffs’ First Amended Complaint.

22. La Fuente denies the allegations of Paragraph 22 of Plaintiffs’ First Amended Complaint.

23. La Fuente denies the allegations of Paragraph 23 of Plaintiffs’ First Amended Complaint.

24. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 24 of Plaintiffs’ First Amended Complaint and, therefore, denies the allegations.

25. La Fuente is without knowledge or information sufficient to form a belief as to whether “[i]ndividual members of the Class have little interest in controlling the prosecution of separate actions,” but denies that the “amounts of their claims are too small to warrant the expense of prosecuting litigation of this volume and complexity.”

26. La Fuente denies the allegations of Paragraph 26 of Plaintiffs’ First Amended Complaint.

27. La Fuente denies the allegations of Paragraph 27 of Plaintiffs’ First Amended Complaint.

28. La Fuente denies the allegations of Paragraph 28 of Plaintiffs’ First Amended Complaint.

29. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 29 of Plaintiffs’ First Amended Complaint and, therefore, denies the allegations.

FACTUAL ALLEGATIONS

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30. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 30 of Plaintiffs’ First Amended Complaint and, therefore, denies the allegations.

31. La Fuente denies the allegations of Paragraph 31 of Plaintiffs’ First Amended Complaint.

32. La Fuente denies the allegations of Paragraph 32 of Plaintiffs’ First Amended Complaint.

33. Answering Paragraph 33, La Fuente admits that some or all exotic dancers who currently perform at Cheetah’s, or who previously performed at Cheetah’s, danced or stripped on stage, and/or entertained customers off-stage at bars, couches, and/or tables, but denies these were “employment duties” or that La Fuente “directed” or “controlled” this conduct.

34. Answering Paragraph 34, La Fuente admits that some or all exotic dancers who currently perform at Cheetah’s, or who previously performed at Cheetah’s, followed certain reasonable regulations of La Fuente, and were subject to suspension, or termination of the business relationship or other adverse consequences for failing to comply with such regulations. However, La Fuente denies that these regulations constituted “conditions of employment” and that “employment” was suspended or terminated. La Fuente is without knowledge or information sufficient to form a belief as to the truth of the remaining factual allegations in Paragraph 34 of Plaintiffs’ First Amended Complaint and, therefore, denies the allegations.

35. Answering Paragraph 35, La Fuente admits that it referred to Cheetah’s as a “gentlemen’s club” and “adult entertainment venue,” and that exotic dancers are central to Cheetah’s business model. The remaining allegations of Paragraph are vague and ambiguous and,

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therefore are insufficient for La Fuente to form a response and, on that basis, La Fuente denies the allegations.

36. La Fuente denies the allegations of Paragraph 36 of Plaintiffs' First Amended Complaint.

37. Answering Paragraph 37, La Fuente admits that it did not pay wages to exotic dancers who currently perform, or have previously performed, at Cheetah's, but denies that it was required to do so by the Minimum Wage Amendment and the NWHL. Additionally, La Fuente states that exotic dancers at Cheetah's received service charges, that these service charges were not tips or gratuities, and that these service charges were sufficient to satisfy any putative minimum wage that La Fuente allegedly owes or owed to exotic dancers.

38. Answering Paragraph 38, La Fuente admits that some dancers performing at Cheetah's voluntarily chose to give tips to other individuals working at Cheetah's, including but not limited to the "house mom[s]," the Director/DJ, the manager, the bartenders, and security guards/bouncers. However, tipping these employees was at all relevant times purely voluntary, and was never a requirement of any exotic dancer. La Fuente admits that dancers paid a fee to work a shift and another fee if such dancers chose not to dance on the stage. However, La Fuente denies that any dancer was ever required to dance on stage, and further states that the fee for choosing not to dance on stage was waived in the event that a dancer performed in a "VIP Room." La Fuente denies that any of these regulations constituted "conditions of employment." La Fuente is without knowledge or information sufficient to form a belief as to the truth of the remaining factual allegations in Paragraph 38 of Plaintiffs' First Amended Complaint and, therefore, denies the allegations.

///

1 39. Answering Paragraph 39, La Fuente denies that “Defendants controlled various aspects of
2 Plaintiffs’ employment” but admits that there were certain fees charged, as well as
3 reasonable operational rules (some of which were dictated by applicable laws, regulations
4 and licensing requirements) related to contact and communication with customers, and
5 general guidelines as to clothing and grooming/hygiene (such as no street clothes in the
6 presence of customers and a requirement that dancers wear heeled shoes). With regard to
7 Plaintiffs’ allegation that Cheetah’s controlled the type and style of lingerie and/or bra
8 and panties, La Fuente admits that it did not permit cotton lingerie, due to concerns
9 regarding compliance with applicable vice laws and municipal licensing. La Fuente
10 admits that it does not permit exotic dancers to chew gum, due to legitimate concerns
11 about the cleanliness of its facilities. La Fuente admits that it does not permit exotic
12 dancers to use cellular telephones, in an effort to thwart prostitution and maintain legal
13 compliance. With regard to Plaintiffs’ allegation that they were required to dance on
14 stage or pay a fee, La Fuente states that no dancer was ever required to dance on stage,
15 and that any fee for not dancing on stage was waived if a dancer performed in a “VIP
16 Room.” La Fuente admits that it expects dancers to remove their tops while dancing on
17 stage. La Fuente denies that these regulations and guidelines constituted “aspects of
18 Plaintiffs’ employment.” La Fuente denies all other factual allegations of Paragraph 39
19 of Plaintiffs’ First Amended Complaint.
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23 40. La Fuente denies the allegations of Paragraph 40 of Plaintiffs’ First Amended Complaint.

24 41. La Fuente denies the allegations of Paragraph 41 of Plaintiffs’ First Amended Complaint.

25 42. La Fuente denies the allegations of Paragraph 42 of Plaintiffs’ First Amended Complaint.

26 43. La Fuente denies the allegations of Paragraph 43 of Plaintiffs’ First Amended Complaint,
27 and further states that it was not legally required to notify Plaintiffs and the Class of legal
28

1 rights pursuant to NRS 608.013 because it was not the “employer” of Plaintiffs and they
2 were not “employees” of La Fuente.

3 44. La Fuente denies the allegations of Paragraph 44 of Plaintiffs’ First Amended Complaint.

4 45. La Fuente denies the allegations of Paragraph 45 of Plaintiffs’ First Amended Complaint.

5
6 **FIRST CAUSE OF ACTION**

7 46. La Fuente incorporates the foregoing responses as though fully set forth herein.

8 47. La Fuente denies the allegations of Paragraph 47 of Plaintiffs’ First Amended Complaint.

9 48. La Fuente denies the allegations of Paragraph 48 of Plaintiffs’ First Amended Complaint.

10 49. La Fuente denies the allegations of Paragraph 49 of Plaintiffs’ First Amended Complaint.

11 50. Answering Paragraph 50, La Fuente admits that it did not pay wages to exotic dancers
12 who currently perform, or have previously performed, at Cheetah’s, but denies that it was
13 required to do so by the Minimum Wage Amendment because such exotic dancers are
14 independent contractors who are not entitled to wages. Additionally, La Fuente states
15 that exotic dancers at Cheetah’s received service charges, that these service charges were
16 not tips or gratuities, and that these service charges were sufficient to satisfy any putative
17 minimum wage that La Fuente owes or owed to exotic dancers.
18

19 51. La Fuente denies the allegations of Paragraph 51 of Plaintiffs’ First Amended Complaint.

20 52. La Fuente denies the allegations of Paragraph 52 of Plaintiffs’ First Amended Complaint.

21 53. La Fuente admits that it does not acknowledge the alleged “employee status” for exotic
22 dancers who perform at Cheetah’s. La Fuente denies all remaining allegations of
23 Paragraph 53 of Plaintiffs’ First Amended Complaint.
24

25 54. La Fuente denies the allegations of Paragraph 54 of Plaintiffs’ First Amended Complaint.

26 55. La Fuente denies the allegations of Paragraph 55 of Plaintiffs’ First Amended Complaint.

27 56. La Fuente denies the allegations of Paragraph 56 of Plaintiffs’ First Amended Complaint.
28

1 57. La Fuente denies the allegations of Paragraph 57 of Plaintiffs' First Amended Complaint.

2 58. La Fuente denies the allegations of Paragraph 58 of Plaintiffs' First Amended Complaint.

3 **WHEREFORE**, La Fuente prays that this Honorable Court DENY all relief which
4 Plaintiffs request in their first cause of action.

5 **SECOND CAUSE OF ACTION**

6
7 59. La Fuente incorporates the foregoing responses as though fully set forth herein.

8 60. Answering Paragraph 60, La Fuente expressly denies that any services of exotic dancers
9 were rendered as "employees." La Fuente is without knowledge or information sufficient
10 to form a belief as to the truth of the remaining allegations in Paragraph 60 of Plaintiffs'
11 First Amended Complaint, and, therefore, denies the allegations.

12 61. La Fuente denies the allegations of Paragraph 61 of Plaintiffs' First Amended Complaint.

13
14 62. Answering Paragraph 62, La Fuente admits that it has never paid wages to any exotic
15 dancers who currently perform, or who have previously performed, at Cheetah's but
16 denies that it was required to do so by statute because such exotic dancers are
17 independent contractors who are not entitled to wages. Additionally, La Fuente states
18 that exotic dancers at Cheetah's received service charges, that these service charges were
19 not tips or gratuities, and that these service charges were sufficient to satisfy any putative
20 minimum wage that La Fuente owes or owed to exotic dancers.

21
22 63. La Fuente denies the allegations of Paragraph 63 of Plaintiffs' First Amended Complaint.

23 64. La Fuente denies the allegations of Paragraph 64 of Plaintiffs' First Amended Complaint.

24 65. La Fuente admits that it does not acknowledge the alleged "employee" status of exotic
25 dancers who perform at Cheetah's. La Fuente denies all remaining allegations of
26 Paragraph 65 of Plaintiffs' First Amended Complaint.

27
28 66. La Fuente denies the allegations of Paragraph 66 of Plaintiffs' First Amended Complaint.

- 1 67. La Fuente denies the allegations of Paragraph 67 of Plaintiffs' First Amended Complaint.
2 68. La Fuente denies the allegations of Paragraph 68 of Plaintiffs' First Amended Complaint.
3 69. La Fuente denies the allegations of Paragraph 69 of Plaintiffs' First Amended Complaint.
4 70. La Fuente denies the allegations of Paragraph 70 of Plaintiffs' First Amended Complaint.

5 **WHEREFORE**, La Fuente prays that this Honorable Court DENY all relief which
6 Plaintiffs request in their second cause of action.
7

8 **THIRD CAUSE OF ACTION**

- 9 71. La Fuente incorporates the foregoing responses as though fully set forth herein.
10 72. Answering Paragraph 72, La Fuente admits that it terminated the independent contractor
11 relationship with some exotic dancers who previously performed at Cheetah's and that
12 other exotic dancers voluntarily stopped performing at Cheetah's, but denies that this was
13 a termination or resignation "of employment." La Fuente further denies that there was
14 any employment relationship between Plaintiffs and La Fuente. La Fuente is without
15 knowledge or information sufficient to form a belief as to the truth of the remaining
16 factual allegations in Paragraph 72 of Plaintiffs' First Amended Complaint and, therefore,
17 denies the allegations.
18 73. La Fuente denies the allegations of Paragraph 73 of Plaintiffs' First Amended Complaint.
19 74. Answering Paragraph 74, La Fuente denies that it was required to make any payments to
20 exotic dancers within the time period required by NRS 608.020-50. La Fuente denies all
21 remaining allegations contained within Paragraph 74 of Plaintiffs' First Amended
22 Complaint.
23 75. La Fuente denies the allegations of Paragraph 75 of Plaintiffs' First Amended Complaint.
24 76. La Fuente denies the allegations of Paragraph 76 of Plaintiffs' First Amended Complaint.

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1 77. Answering Paragraph 77, La Fuente admits that it does not acknowledge the alleged
2 “employee” status of exotic dancers who perform at Cheetah’s. La Fuente denies all
3 remaining allegations of Paragraph 77 of Plaintiffs’ First Amended Complaint.

4 78. La Fuente denies the allegations of Paragraph 78 of Plaintiffs’ First Amended Complaint.

5 79. La Fuente denies the allegations of Paragraph 79 of Plaintiffs’ First Amended Complaint.

6 80. La Fuente denies the allegations of Paragraph 80 of Plaintiffs’ First Amended Complaint.

7 81. La Fuente denies the allegations of Paragraph 81 of Plaintiffs’ First Amended Complaint.

8 82. La Fuente denies the allegations of Paragraph 82 of Plaintiffs’ First Amended Complaint.

9
10 **WHEREFORE**, La Fuente prays that this Honorable Court DENY all relief which
11 Plaintiffs request in their third cause of action.

12 **FOURTH CAUSE OF ACTION**

13 83. La Fuente incorporates the foregoing responses as though fully set forth herein.

14 84. La Fuente denies the allegations of Paragraph 84 of Plaintiffs’ First Amended Complaint.

15
16 **WHEREFORE**, La Fuente prays that this Honorable Court DENY all relief which
17 Plaintiffs request in their fourth cause of action.

18 **AFFIRMATIVE DEFENSES**

19 **FIRST AFFIRMATIVE DEFENSE**

20 The First Amended Complaint in this civil action fails to state a claim for which relief
21 can be granted.

22 **SECOND AFFIRMATIVE DEFENSE**

23
24 La Fuente was never the “employer” of any exotic dancers who currently dance, or who
25 have ever danced, at Cheetah’s Las Vegas or the New Cheetahs Gentleman’s Club
26 (“Cheetah’s”), as the term “employer” is defined by the Nevada Wage and Hour Law (“NWHL”) or
27 Article 15, Section 16 of the Constitution of the State of Nevada (“Nevada Constitution”).
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THIRD AFFIRMATIVE DEFENSE

No exotic dancers who currently dance, or who have ever danced, at Cheetah's were ever La Fuente's "employees" as that term is defined by the NWHL or Article 15, Section 16 of Nevada Constitution.

FOURTH AFFIRMATIVE DEFENSE

Any claims by exotic dancers who currently dance, or who have ever danced, at Cheetah's are barred in whole or in part by the applicable statute of limitations.

FIFTH AFFIRMATIVE DEFENSE

Punitive or exemplary damages are not appropriate to the extent that the claims asserted in the First Amended Complaint sound in contract and not in tort.

SIXTH AFFIRMATIVE DEFENSE

The claims asserted in the First Amended Complaint should not proceed as a class action to the extent that the factual and legal issues will not be similar to all members of the putative class, and to the extent they seek to assert or recover on claims on behalf of individuals who are not fairly representative of the class as required by N.R.C.P. 23.

SEVENTH AFFIRMATIVE DEFENSE

Because there is no named or representative Plaintiff in this case, no representative Plaintiff can fairly and adequately protect the interests of the entire class of Plaintiffs, as required by N.R.C.P. 23(a).

EIGHTH AFFIRMATIVE DEFENSE

No exotic dancers who currently dance, or who have ever danced, at Cheetah's are entitled to pursue a claim of attorneys' fees against La Fuente because no such dancers made a written demand on La Fuente for a sum not exceeding the amount of wages due at least five days before filing this civil action, as required by N.R.S. § 608.140.

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NINTH AFFIRMATIVE DEFENSE

At all relevant times, to the extent it is subject to the NWHL or Article 15, Section 16 of the Nevada Constitution, La Fuente acted in good faith reliance upon its interpretation of these laws.

TENTH AFFIRMATIVE DEFENSE

At all relevant times, all exotic dancers who currently dance, or who have ever danced, at Cheetah's are barred from bringing suit against La Fuente for any violations of the NWHL or Article 15, Section 16 of the Nevada Constitution by the application of the doctrines of unclean hands and in pari delicto, to the extent that such dancers incorrectly reported to La Fuente the time worked or money earned while performing at Cheetah's, and now seek to take unfair advantage of such misreporting.

ELEVENTH AFFIRMATIVE DEFENSE

No exotic dancers who currently dance, or who have ever danced, at Cheetah's have ever performed any work for La Fuente. Instead, La Fuente offered a venue for such dancers to operate as independent contractors, allowing such dancers the opportunity to make as much money as their skill afforded.

TWELFTH AFFIRMATIVE DEFENSE

If and to the extent La Fuente has liability to Plaintiffs under the NWHL or Article 15, Section 16 of the Nevada Constitution, it is entitled to certain credits or set-offs from certain house-set services charges received by Plaintiffs, so long as those set-offs do not drive Plaintiffs' wages below Nevada's minimum wage for each hour worked during any given workweek, because such service charges were not tips or gratuities for the purposes of Article 15, Section 16 of the Nevada Constitution or NWHL.

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THIRTEENTH AFFIRMATIVE DEFENSE

At all relevant times, all exotic dancers who currently dance, or who have ever danced, at Cheetah’s received more than the Nevada minimum wage for each hour they performed.

FOURTEENTH AFFIRMATIVE DEFENSE

Upon information and belief, one or more Plaintiff and/or proposed Class Member in this civil action has signed a valid and binding agreement to submit all claims asserted in this civil action to individual arbitration. La Fuente reserves the right to request that this Honorable Court submit all such Plaintiffs’ claims to individual arbitration.

FIFTEENTH AFFIRMATIVE DEFENSE

The Amended Complaint’s Fourth Cause of Action (Unjust Enrichment) is preempted by Article 15, Section 16 of the Nevada Constitution and NWHL.

SIXTEENTH AFFIRMATIVE DEFENSE

The Amended Complaint’s Fourth Cause of Action (Unjust Enrichment) is barred by agreements of the parties governing the terms of their relationship.

SEVENTEENTH AFFIRMATIVE DEFENSE

The Amended Complaint’s Third Cause of Action is barred because there is no private right of action under the statutes cited therein.

RESPONSE TO PLAINTIFFS’ CLASS ACTION PRAYER

La Fuente requests that this Honorable Court NOT CERTIFY this action as a Class Action pursuant to N.R.C.P. 23, NOT DESIGNATE Plaintiffs as Class Representatives, and NOT DESIGNATE their counsel as Class Counsel for all claims stated herein.

RESPONSE TO PLAINTIFFS’ JURY TRIAL DEMAND

All or part of Plaintiffs’ and the proposed Class Members’ claims in the Amended Complaint are subject to mandatory individual arbitration and, therefore, La Fuente requests that

1 Plaintiffs' Jury Trial Demand be denied.

2 **WHEREFORE**, La Fuente prays for relief as follows:

- 3 1. That this Court will dismiss the Amended Complaint with prejudice;
- 4 2. That Plaintiffs take nothing by way of this Amended Complaint;
- 5 3. That this Court award La Fuente its costs; and
- 6 4. That this Court award La Fuente such other and further relief as the Court deems
- 7 just and proper.

8

9 Respectfully submitted this 9th day of June, 2015

10 Respectfully submitted,

11 HARTWELL THALACKER, LTD.

12

13 /s/ Laura J. Thalacker
14 LAURA J. THALACKER
15 Nevada Bar No. 5522
16 DOREEN SPEARS HARTWELL
17 Nevada Bar No. 7525
18 11920 Southern Highlands Pkwy.
19 Suite 201
20 Las Vegas, NV 89141
21 Attorneys for Defendant La Fuente,
22 Inc.

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CERTIFICATE OF SERVICE

I certify that on this 9th day of June, 2015, the foregoing **DEFENDANT LA FUENTE, INC.'S ANSWER TO PLAINTIFFS' FIRST AMENDED CLASS ACTION COMPLAINT**

was served via Odyssey electronic service on the following:

Ryan M. Anderson
ryan@morrisonandersonlaw.com
Jacqueline Bretell
jacquie@morrisonandersonlaw.com
Morris Anderson Law
716 Jones Blvd.
Las Vegas, NV 89107
Attorneys for Plaintiffs

/s/ Laura J. Thalacker
An Employee of Hartwell Thalacker, Ltd.

DIANA PONTRELLI
 JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 1

DISTRICT COURT
 CLARK COUNTY, NEVADA

JANE DOE DANCER, I through V,
 Individually, and on behalf)
 of Class of similarly)
 situated individuals,)
)
 Plaintiffs,)
)
 vs.) CASE NO.
) A-14-709851-C
)
 LA FUENTE, INC., an active)
 Nevada Corporation, WESTERN)
 PROPERTY HOLDINGS, LLC, an)
 active Nevada Limited)
 Liability Company (all d/b/a/
 CHEETAHS LAS VEGAS and/or)
 THE NEW CHEETAHS LAS VEGAS)
 and/or THE NEW CHEETAHS)
 GENTLEMAN'S CLUB, DOE CLUB)
 OWNER, I-X, DOE EMPLOYER,)
 I-X, ROE CLUB OWNER, I-X,)
 and ROE EMPLOYER, I-X,)
)
)
 Defendants.)

VIDEO DEPOSITION OF DIANA PONTRELLI

Taken at Dalos Legal Services
 2831 St. Rose Parkway
 Suite 200
 Henderson, Nevada 89052

Thursday, March 16, 2017
 12:57 P.M.

Reported by: Angela Campagna, CCR #495

Page 2

1 APPEARANCES:
 2 For the Defendants:
 DEAN R. FUCHS, ESQ.
 Schulten Ward & Turner
 260 Peachtree Street NW
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 Atlanta, GA 30303
 D.fuchs@swtlaw.com
 6
 7 For the Plaintiffs:
 MICHAEL J. RUSING, ESQ.
 Rusing, Lopez & Lizardi
 6363 North Swan Road
 Suite 151
 Tucson, AZ 85718
 Rusinglopez@rlaz.com
 11
 LAUREN CALVERT, ESQ.
 Morris Anderson Law
 716 Jones Boulevard
 Las Vegas, Nevada 89107
 Lauren@morrisandersonlaw.com
 14
 15 Also Present: Cheryl Godfrey
 16 Videographer
 Dennis Williams
 Business Representative
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Page 3

1 INDEX
 2
 3 EXAMINATION
 4 By Mr. Rusing: 5
 By Mr. Fuchs: 135
 5
 6 EXHIBITS MARKED
 Exhibit 1 - Dancer Performance 38
 Cheetahs Las Vegas
 7 Exhibit 2 - Dancer Performance 49
 Lease Cheetahs Las Vegas
 8 Exhibit 3 - Miscellaneous documents 65
 Exhibit 4 - Cheetahs Arbitration 70
 Policy
 10 Exhibit 5 - Cheetahs Lounge Rules 76
 Exhibit 6 - Documents posted in 90
 workplace at Cheetahs
 11 Exhibit 7 - E-mail exchange 90
 Exhibit 8 - Interrogatories 90
 Exhibit 9 - Response to Plaintiff's 122
 First Set of Requests
 For Admissions
 14 Exhibit 10 - Defendant Response 122
 To Second Set of
 Requests for Admissions
 15 Exhibit 11 - Notice of Deposition 12
 16
 17 CERTIFIED QUESTIONS
 (NONE)
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 19 INFORMATION TO BE SUPPLIED
 (NONE)
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Page 4

1 THE VIDEOGRAPHER: Good afternoon. Today is
 2 Thursday, March 16th. This begins the video
 3 deposition of Diana Pontrelli. The time is
 4 approximately 12:57 p.m. We are located at Dalos
 5 Legal Services, 2831 St. Rose Parkway, Suite 200,
 6 Henderson, Nevada 89052, my name is Cheryl Godfrey,
 7 court videographer of Las Vegas Legal Video.
 8 This is District Court, Clark
 9 County, Nevada, case number A-14-709851-C in the
 10 matter of Jane Doe Dancer, et al., plaintiff, versus
 11 La Fuente, Incorporated, et al, defendants.
 12 This video deposition is requested
 13 by the attorneys for the plaintiffs.
 14 Will counsel and all present
 15 please identify themselves for the record?
 16 MR. RUSING: Mick Rusing and Lauren Talbot for
 17 the plaintiffs.
 18 MR. FUCHS: Dean Fuchs for the defendants.
 19 MR. WILLIAMS: Dennis Williams for the
 20 defendant.
 21 THE WITNESS: Diana Pontrelli.
 22 THE VIDEOGRAPHER: And the deponent may now --
 23 I'm sorry, the deponent may now be sworn in by
 24 Angela Campagna.
 25 ///

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 5

1 DIANA PONTRELLI,
2 Having been first duly sworn, testified as follows:
3 EXAMINATION
4 BY MR. RUSING:
5 Q. Good afternoon. Could you state your
6 name for the record, please?
7 A. Diana Pontrelli.
8 Q. Ms. Pontrelli, you're here for your
9 deposition. You understand that; correct?
10 A. Yes.
11 Q. Have you ever had your deposition taken
12 before?
13 A. Yes.
14 Q. How many times?
15 A. Twice.
16 Q. Okay. Well, then you probably know the
17 drill a little bit. I'm here to ask you questions
18 and you're to answer fully, completely and
19 truthfully to the best of your ability. Do you
20 understand that?
21 A. Yes.
22 Q. You understand that in order for there
23 to be a good record you have to answer audibly so
24 the court reporter can pick it up. Okay?
25 A. Yes.

Page 6

1 Q. And if you're not, I'll give a little
2 head up, if you're nodding your head or whatever.
3 A. Okay.
4 Q. All right?
5 A. Yes.
6 Q. You also have to let me finish asking
7 my question before you start answering. In normal
8 conversation we talk over each other all the time
9 and I'll wait for you to finish your answer. Okay?
10 A. Okay.
11 Q. And if for some reason I interrupt your
12 answer because sometimes people pause and I think
13 they're done, tell me you're not finished and I'll
14 let you finish. All right?
15 A. Okay.
16 Q. If you need a break at any time, let us
17 know. This is not an endurance contest and I'll try
18 and get through with this as quickly as I can.
19 A. Okay.
20 Q. If I ask you any question that you
21 don't understand for any reason, I use a word or a
22 date or something that doesn't make sense, ask me so
23 that you and I are always on the same page. Okay?
24 A. Okay.
25 Q. All right. What would you like me to

Page 7

1 refer to you as during this deposition?
2 A. Diana.
3 Q. All right. You can refer to me as
4 Mick. All right?
5 A. Mick, okay.
6 MR. FUCHS: I'm sorry, Mick, before you begin,
7 can I just ask one clarification? Are you taking
8 this deposition for both the civil action and the
9 arbitration? I -- I know I discussed that briefly
10 with Andrew, but I don't know if we ever kind of
11 connected the dots on that.
12 MR. RUSING: I was under the impression you
13 guys had come to an accord on that and then that is
14 the case just to get it over with.
15 MR. FUCHS: Yes, just wanted to confirm that
16 today.
17 BY MR. RUSING:
18 Q. How old are you?
19 A. 56.
20 Q. What is your educational background?
21 A. High school, some college.
22 Q. When did you graduate high school?
23 A. '78.
24 Q. What college and when?
25 A. Clark County Community College, three

Page 8

1 different times, so in and out while I've been here
2 in Vegas.
3 Q. Did -- did you go to high school in
4 Vegas?
5 A. No.
6 Q. When did you get to Vegas?
7 A. 1980.
8 Q. Give me a brief synopsis of your
9 employment history from then to the present.
10 A. Arriving in Vegas or before?
11 Q. 1980 is fine.
12 A. Oh, okay. Let's see, worked at a
13 couple of waitress jobs here in town when I first
14 got here. Worked at the California Casino. Then
15 the following year started working for Mr. Galardi
16 and been with him since.
17 Q. I'm sorry?
18 A. Been with him since.
19 Q. Okay.
20 A. I mean I've left maybe twice, but three
21 months.
22 Q. And when you say Mr. Galardi --
23 A. Refer to La Fuente. It was many
24 buildings, sports bars, bartending for him
25 throughout the years.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 9	Page 11
<p>1 Q. All right. And -- and -- and when you 2 say Mr. Galardi, he's the person who owned these 3 various entities? 4 A. He used to. He's -- he's passed. 5 Q. Oh, okay. All right. And keep going. 6 A. I still work for them, but I work for a 7 different member of the family, so... 8 Q. Who do you work for now? 9 A. I work for Teri Galardi. 10 Q. Galardi. And how long have you worked 11 for him? 12 A. Her. 13 Q. Her? 14 A. Be four years. Coming -- well, three 15 and a half years since her father's passing. 16 Q. Are you -- are you a salaried employee? 17 A. Yes. 18 Q. Who writes your checks, what's the name 19 on it? 20 A. La Fuente. 21 Q. And how long has it been La Fuente? 22 A. Since 1991. I'm roughing it. I think 23 that's when it accepted the name was 1991. 24 Q. And how long have you been -- where do 25 you work currently, what entity?</p>	<p>1 so there is a general manager that works with me. 2 Q. Okay. I -- I lost you there a little 3 bit. 4 A. We make decisions together, but we 5 report -- I report to the general manager and then 6 we report to the owner. 7 Q. Okay. So technically you're a direct 8 report to the general manager, but you tend to work 9 collectively together? 10 A. Correct. 11 Q. All right. Got it. Now, as we were 12 talking earlier, we're here today about two matters 13 really; one is a class action regarding the dancer's 14 employment status which was filed on November 14, 15 2014. You're aware of that? 16 A. Correct. 17 Q. And then there's also an arbitration 18 pending? 19 A. Correct. 20 Q. And we're going to ask questions 21 about -- relevant to both of those. All right? 22 A. Yes. 23 Q. In the relevant class period is some 24 number of years prior to the filing of the class 25 action. I don't know if we've ever come to an</p>
Page 10	Page 12
<p>1 A. At Cheetahs. 2 Q. So it's La Fuente, d/b/a Cheetahs? 3 A. Correct. 4 Q. And how long have you worked there? 5 A. On and off since it's opened. 6 Q. And when was that? 7 A. 1991. 8 Q. What have your positions been there? 9 A. Management. 10 Q. Specifically? 11 A. Operations manager. 12 Q. That whole time? 13 A. Yes. 14 Q. What does an operations manager do? 15 A. Daily duties. Make banks, check in 16 employees, keep an eye on the bar, the floor. 17 You're in charge of all the employees that are in 18 the building, making sure that they're doing their 19 job. 20 Q. Who do you report to? 21 A. The owner. 22 Q. Teri? 23 A. Well, now -- yeah. It was Jack and 24 when Teri took over I report to -- we have a 25 decision with the general manager, now and myself,</p>	<p>1 agreement on that, but either two or four years 2 prior to that. Okay? 3 A. Okay. 4 Q. Did you do anything to prepare for your 5 deposition today? 6 A. Can you kind of give me an idea what do 7 you mean by "prepare"? 8 Q. Well, did you visit with any of your 9 colleagues -- well, let me -- handing you what's 10 been marked as Exhibit 11. 11 (Exhibit 11 marked.) 12 BY MR. RUSING: 13 Q. This is the notice of the deposition 14 that is being taken place right now. Have you seen 15 that before? 16 A. Yes. Maybe when it first arrived at my 17 office. 18 Q. Now, this notice contains 15 different 19 categories of -- of areas upon which you're being 20 proffered as the person most knowledgeable at La 21 Fuente. Do you understand that? 22 A. Yes. 23 Q. So I guess my question is in looking at 24 these categories and in preparing to come here as 25 the person most knowledgeable, did you do anything</p>

3 (Pages 9 to 12)

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 13

1 to learn about these categories or refresh your
2 recollection by virtue of either talking to
3 colleagues, looking at documents, anything like
4 that?
5 A. Just went over -- most of it was from
6 what I was reading here. Most of it was just common
7 knowledge. As far as looking up, there's really
8 nothing to look up, I mean -- to my knowledge.
9 Q. After -- after reviewing the notice you
10 felt that you could answer those things based on
11 knowledge you had in your head?
12 A. 95 percent of it.
13 Q. Did you look at any documents?
14 A. A dancer list, I don't know. I don't
15 know what you mean by documents.
16 Q. Well, in looking at this and -- and
17 seeing the category, did you think, oh, okay, I need
18 to review something to refresh my recollection to be
19 able to answer that?
20 A. Not at the moment, but if you bring it
21 up, I will let you know.
22 Q. Did you -- I assume you met with
23 counsel in preparation for this?
24 A. Yes.
25 Q. For how long did you meet?

Page 14

1 A. One hour, 45 minutes.
2 Q. When was that?
3 A. Last night.
4 Q. During the course of this litigation,
5 have you been asked to gather documents for the
6 litigation?
7 A. Not asked, assume what I might need.
8 Q. Let me ask you some questions about the
9 corporate structure. Where is La Fuente
10 headquartered?
11 A. At 2112 Western Avenue.
12 Q. Is it a Nevada corporation?
13 A. As far as I know, yes.
14 Q. And who or what entity owns La Fuente?
15 A. As far as the name, I don't know who it
16 be under. All I know is La Fuente.
17 Q. Right. But who -- it's a corporation,
18 so somebody owns shares in it. Who is the
19 shareholder?
20 A. Well, my boss is, Teri Galardi.
21 Q. Do you know if she owns the shares
22 individually or through a holding company --
23 A. I don't have that knowledge.
24 MR. FUCHS: You got to -- you got to let him
25 finish.

Page 15

1 THE WITNESS: I apologize.
2 MR. FUCHS: Otherwise it will make for kind of
3 a muddled record.
4 MR. RUSING: You're Italian, I know you want
5 to --
6 THE WITNESS: Hey, I'm doing everything I can
7 to slow down on talking.
8 MR. RUSING: You're not moving your hands as
9 much as my wife does though. She does it when she's
10 on the phone which is always a funny thing.
11 BY MR. RUSING:
12 Q. So I was asking you if you knew how the
13 shares were held, whether it was a holding company
14 or her individually and you don't know; correct?
15 A. I do not.
16 Q. All right. Do you understand if there
17 is a parent corporation that runs various Galardi
18 entities?
19 A. Can you break that down, like do you
20 mean do I --
21 Q. Well, do you -- let me ask you, are you
22 aware that the Galardi's own or have owned other
23 men's clubs other than Cheetahs?
24 A. Yes.
25 Q. And where do they own those?

Page 16

1 A. At the moment, to my knowledge,
2 Florida, Georgia, South Carolina.
3 Q. Over the years, have they owned more
4 than that?
5 A. Going back many years, California.
6 Q. But in recent years just those places?
7 A. To my knowledge, yes.
8 Q. And are these all owned by Teri Galardi
9 now?
10 A. I would assume. I don't get into that
11 end of it.
12 Q. Do you know how many clubs there are?
13 A. No, I do not.
14 Q. Do you ever have retreats or meetings
15 where the people running all these various clubs get
16 together somewhere and talk about what's going on?
17 A. No.
18 Q. Do you have any contact with the other
19 clubs whatsoever?
20 A. No.
21 Q. Do you even know who runs those other
22 clubs?
23 A. As far as managers on shift, no.
24 Q. In -- with regard to Cheetahs who,
25 other than you and the general manager, comprise

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 17	Page 19
1 management there? 2 A. We have on-shift managers, but they 3 take rules from us. 4 Q. These are sort of like floor managers? 5 A. Yeah, the shift managers. 6 Q. Shift managers, okay. 7 What is the general manager's 8 name? 9 A. Charles White. 10 Q. Is there any -- is there someone 11 called -- is there a director of entertainment or 12 anything like that? 13 A. No. 14 Q. Are there any other marketing managers 15 or anything like that? 16 A. No. 17 Q. Who -- who's responsible for promotions 18 and marketing at Cheetahs? 19 A. Charles and myself. 20 Q. The dancers don't have any involvement 21 in that; correct? 22 A. No. 23 Q. When you communicate with Ms. Galardi, 24 do you do it -- do you communicate by e-mail? 25 A. No.	1 BY MR. RUSING: 2 Q. Well, I've seen lounge rules and this 3 rules and that rules that I know don't come from the 4 City of Las Vegas, like size of heels and things 5 like that. Who prepares those kinds of work rules 6 that are not governed by some governing authority? 7 A. House rules, that would be myself but 8 they're very common sense where the dancers 9 automatically know when they come in they've 10 already -- but that's as far as dress and things 11 like that, everything is -- I said to the standards 12 up -- what the City of Las Vegas requires them to 13 wear and what Metro allows them, as far as heels, 14 yeah, that's our discretion. It's a two to three 15 inch heel minimum unless they have a doctor's note 16 stating they have a bad ankle, knee, turn around, 17 then they can go to flats. 18 Q. All right. So anything other -- it 19 would be you that would be putting them together, 20 those rules together if they weren't -- 21 A. Correct. 22 Q. Okay. Who, at the club, is in charge 23 of like the ambiance, layout, decor, things of that 24 nature? 25 A. The owner.
Page 18	Page 20
1 Q. Never? 2 A. I maybe received two e-mails from her. 3 We talk or we text. 4 Q. Okay. Okay. You text or talk on the 5 phone? 6 A. Yes. 7 Q. Who's responsible for rules and 8 policies regarding the dancers? 9 MR. FUCHS: Objection to form. If you 10 understood the question, you can answer it. 11 THE WITNESS: Are you saying as far as the 12 house or as far as me following the law? 13 BY MR. RUSING: 14 Q. At Cheetahs, who's responsible for 15 setting rules, work rules and policies et cetera for 16 the dancers? 17 A. Most of our rules are obtained from the 18 City of Las Vegas or Metro. 19 Q. To the extent that they're not obtained 20 from them and are indigenous to Cheetahs, who 21 promulgates those? 22 MR. FUCHS: I'll just object to the form. You 23 used a big word there. But if -- but if you 24 understood his question, break it down. 25 ////	1 Q. Not the dancers? 2 A. Maybe I'm misunderstanding the 3 question. 4 Q. All right. Who's in charge of the 5 setup of the club in terms of layout, decor, the 6 ambiance you're attempting to achieve? 7 A. That would be the owner, DJ with the 8 lighting, the club is -- there's no moveable objects 9 inside there. 10 Q. The dancers wouldn't have anything to 11 do with those items; correct? 12 A. Correct. 13 Q. Who's in charge of special promotions 14 at the club? 15 A. Got to be Charles and myself. 16 Q. And the dancers wouldn't have anything 17 to do with those; correct? 18 A. Not unless they were hired to work with 19 the promotion. 20 Q. Right. They might participate in the 21 promotion -- 22 A. Correct. 23 Q. -- but you or Chuck would come up with 24 it? 25 A. Correct.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 21

1 Q. And in terms of the club's licensing
2 and fees and things like that, that is something
3 that you or Chuck would do, not the dancers;
4 correct?
5 A. Correct.
6 Q. And in terms of hiring and paying
7 employees and workers other than the dancers, that's
8 something you and Chuck do; right?
9 A. Correct.
10 Q. Not the dancers?
11 A. I don't do the checks, but yes, I
12 gather the information for the employees; correct.
13 Q. And the dancers wouldn't have anything
14 to do with that; correct?
15 A. Correct.
16 Q. Same thing with bar and kitchen
17 inventory --
18 A. I don't have a kitchen.
19 Q. Okay. Bar inventory, you and Chuck?
20 A. That would be Charles.
21 Q. Not the dancers; correct?
22 A. Correct.
23 Q. Repairs, maintenance, rents and
24 utilities, things like that having to do with the
25 physical structure, you or Chuck or the owner would

Page 22

1 take care of that, not the dancers; right?
2 A. Correct.
3 Q. Do you know if Club Onyx in Atlanta is
4 still owned by the Galardis?
5 A. I have no knowledge.
6 Q. King of Diamonds in Miami?
7 A. No knowledge.
8 Q. Have you ever heard of an entity called
9 Galardi South Enterprises?
10 A. Yes. The name itself, yes. My office,
11 the -- the company office. That's it.
12 Q. Does it have any ownership in Cheetahs,
13 to your knowledge?
14 A. I don't know who's got financial
15 anything, but I would assume -- assume Teri being
16 the boss, I would assume that she has her clubs and
17 all that, but I work for her. So what she owns, I
18 don't know or how much.
19 Q. Now, what are the hours of operations
20 at Cheetahs?
21 A. 24/7.
22 Q. And who set those hours?
23 A. They were set back in 1992, November
24 17th of 1992.
25 Q. By whom?

Page 23

1 A. By the previous owner.
2 Q. Mr. Galardi?
3 A. Mr. Galardi and his son -- his son.
4 Q. The -- I want to talk a little bit
5 about some of the other workers at the club.
6 A. Okay.
7 Q. The floor or shift managers, are
8 they -- are they treated as employees?
9 A. I want to say yes.
10 Q. They receive a paycheck?
11 A. Correct.
12 MR. FUCHS: I'm sorry, Mick, I don't mean
13 to -- was it floor managers, is that who you asked
14 about?
15 MR. RUSING: Shift managers.
16 MR. FUCHS: Shift manager, I'm sorry. I just
17 didn't hear that.
18 BY MR. RUSING:
19 Q. Is there -- is there something called a
20 floor manager that's --
21 A. No. People use the phrase, they'll use
22 it as both, but I don't use it so I wouldn't refer
23 to it.
24 Q. Okay. If -- so if there's a -- is
25 there one shift manager at any given time?

Page 24

1 A. There's one shift manager. There's two
2 for mornings, two for afternoons, two for
3 graveyards.
4 Q. Okay. And other than the shift
5 managers, are there people on the floor other than
6 the dancers and cocktail waitresses?
7 A. There's a floor man.
8 Q. A --
9 A. A floor man. The floor man are my --
10 what you guys would refer to as bouncers, but we
11 don't refer to them as bouncers. They're floor men.
12 They're doormen.
13 Q. Okay. And they hang out at the door?
14 A. One is at the door and they're
15 distributed throughout the floor like the City of
16 Las Vegas requires us.
17 Q. And they're employees?
18 A. Yes.
19 Q. Do they and the managers get benefits,
20 employee benefits, medical insurance, things like
21 that?
22 A. It's offered at a discount rate.
23 Q. What about VIP hosts?
24 A. We don't have one.
25 Q. Who performs that function, the floor

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 25

1 managers?
2 A. The floor men or the manager on shift
3 duty. When greeting the customer, but there is no
4 VIP. We're small.
5 Q. Is there -- do you have VIP rooms?
6 A. Yes.
7 Q. What are they called?
8 A. We have one called the Cheetah room.
9 One called the G Spot and one's the back VIP.
10 Q. Do you have a DJ?
11 A. Yes.
12 Q. How is he paid or she paid?
13 A. Check.
14 Q. Employee?
15 A. Correct.
16 Q. Do you have a house mom?
17 A. Yes.
18 Q. Is there one house mom or a series of
19 them?
20 A. One house mom per shift.
21 Q. Are there three shifts?
22 A. Three shifts.
23 Q. And what are they called?
24 A. Employees.
25 Q. No. I mean -- good answer. That saves

Page 26

1 me a question, but what are the shifts called?
2 A. Day, swing, grave.
3 Q. Okay. What is the day shift?
4 A. Day shift is from 5:00 in the morning
5 to 1:00 in the afternoon. Swing is from 1:00 in the
6 afternoon till 9:00p.m. Graveyard is 9:00 p.m.
7 until 5:00 a.m.
8 Q. Now, you have cashiers there too;
9 right?
10 A. Front door cashier type thing?
11 Q. Yeah.
12 A. Yes.
13 Q. And are they employees?
14 A. Yes.
15 Q. And you have servers, like cocktail
16 waitresses?
17 A. Yes.
18 Q. Are they employees?
19 A. Yes.
20 Q. Bartenders?
21 A. Yes.
22 Q. Do you have cleaners or is that subbed
23 out?
24 A. It's subbed out.
25 Q. How -- how many dancers work there at

Page 27

1 any given time in a month?
2 A. Oh, I couldn't even go there. I
3 couldn't tell you. Here's what -- they come and go
4 as they please. I could have anywhere from two
5 girls to 15 girls on a shift. If there's a
6 convention in town, I could go up to 25 girls, so I
7 can't give an answer on that.
8 Q. Okay. In terms of gross numbers, in
9 the course of an average month, how many different
10 girls would probably dance there over that course of
11 that month?
12 A. Guessing 75. It's just a guess.
13 Q. Do you have a -- a list of like active
14 dancers that are approved, they've been turned in
15 the license and all that kind of stuff and are on
16 your -- so if they show up they can just dance?
17 A. They have their work card and when they
18 auditioned -- well, filled out their paperwork and
19 been put into the system. They will stay active on
20 a list until their sheriff's card expires and -- so
21 we have a notation if they worked there and on whose
22 shift, who hired them.
23 Q. So that way if someone who hasn't
24 danced in a few months shows up and their card is
25 still good, they can just take a shift?

Page 28

1 A. No. They have to fill out paperwork
2 all over again.
3 Q. After how long?
4 A. My ruling is three months.
5 Q. So within three months they can just
6 show up again and dance whenever they want?
7 A. After three months?
8 Q. No. Within the three months?
9 A. Within the three, yes. There could be
10 some questions in there on their attitudes.
11 Q. Okay. How many dancers would you say
12 are in that category at any given time, in other
13 words, they've been auditioned, approved and they're
14 within that three month thing? So, in other words,
15 how many dancers, at any given time, would be in
16 that category where they could show up and dance?
17 A. How many have done that?
18 MR. FUCHS: I'm just going to object to the
19 form of the question. Make sure you understand his
20 question.
21 THE WITNESS: No, that's why I'm kind of --
22 well, if I have -- if I have ten girls and three
23 disappear and then two of them decide to come back
24 in that three-month period, then I would take the
25 two. I don't know. The only time most of the girls

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 29

1 will disappear and then come back is only during
2 convention time. Work the four days and I don't see
3 them again for another year.
4 BY MR. RUSING:
5 Q. Right. And I guess I'm talking about
6 how many -- we've talked about what would be an
7 active dancer and that would be someone who had
8 auditioned and within three months of some period of
9 time they're entitled to just -- they're considered
10 sort of active.
11 How many dancers, at any given
12 time, are in that sort of active approved list, a
13 couple hundred?
14 A. I'm guessing -- I'm just doing a guess
15 on it. I would probably say less but...
16 Q. Who does the hiring of dancers?
17 A. The shift manager.
18 Q. So if a woman shows up and wants to
19 become a dancer, whoever happens to be the shift
20 manager is responsible for processing that person?
21 A. Correct.
22 Q. And what does that process consist of?
23 A. A sheriff's card and ID, state license,
24 and that's to fill out for the paperwork and then
25 have their outfit with them.

Page 30

1 Q. I'm sorry?
2 A. Their outfit.
3 Q. Oh --
4 A. Whatever they were going to put on and
5 we see what they look like and talk to them just to
6 get a vibe where they're coming from.
7 Q. All right. It sounds like you've been
8 involved in that process too?
9 A. I've done it.
10 Q. So when you say they put on a cos --
11 they would put on what they would wear to dance so
12 you would see what they look like in a dance outfit?
13 A. Correct.
14 Q. Do they actually audition by dancing
15 around or --
16 A. No.
17 Q. -- do they just turn in circles?
18 A. No.
19 Q. You don't make them do anything like
20 that; correct?
21 A. No. Never have.
22 Q. Okay. Do you ever turn down people who
23 apply?
24 A. Yes.
25 Q. Why?

Page 31

1 A. Drugs, intoxicated, belligerent, nasty,
2 talking when they first walk in and -- it takes a
3 lot not to get hired.
4 Q. They got to rub you the wrong way?
5 A. Well, you get them where they kind of
6 float around on the streets and all of a sudden they
7 ran out of money and it's shoot through the door and
8 hi, can I dance and they're trashed. They're not
9 even standing up, yes.
10 Q. Okay. What -- what percentage get
11 hired do you reckon?
12 A. 90 percent of them.
13 Q. Is any experience required?
14 A. No.
15 Q. No formal dance training required?
16 A. No.
17 Q. Do men ever apply?
18 A. I do not have a separate area. At one
19 time I did have them back in '91. But the law
20 required I have a separate entity of dressing room,
21 a separate part of the building. So we're not
22 allowed by law.
23 Q. Do you ever have transgender
24 applicants?
25 A. Well, I know of one, but when I call on

Page 32

1 the city, they said body parts have to be completely
2 removed type situations. If they have any male body
3 parts, I cannot have them in the dressing room.
4 Q. Do you have any sort of weight
5 parameters?
6 A. Common sense. I don't know.
7 Q. You don't want them too heavy?
8 A. I have them heavy. You know, I have
9 them all sizes and shapes and believe me, I have
10 every size and shape in there that I think, you
11 know.
12 Q. Do you ever turn them down because you
13 think they're too obese?
14 A. Personally I have not been in that
15 situation, but then again, if they're not applying,
16 maybe they went to a day shift. They didn't come to
17 a graveyard and a swing when I'm in the building.
18 Q. Do you ever turn down dancers,
19 potential dancers because they're just, for lack of
20 a better word, too ugly?
21 A. There's a variety out there. Where I
22 may not think that something is pretty enough,
23 you're in love with it. Okay. There's a variety
24 out there. They're not all blond hair, you know,
25 six foot and, you know, voluptuous. Okay. My goal

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 33

1 is not to stereotype in my building.
2 Q. Do you ask for and/or check references?
3 A. No.
4 Q. Now, would you agree with me that the
5 exotic dancers are critical for Cheetahs operation
6 as a men's club?
7 A. Well, it is a men's club and I do need
8 entertainers, so I think that would be a part of
9 operation.
10 Q. Right. You can't be a men's club
11 without exotic dancers; right?
12 A. Entertainers, yes.
13 Q. Did you ever become aware of lawsuits
14 that were challenging the classification of dancers
15 as anything other than employees?
16 A. Have I heard? Yes.
17 Q. When did you first hear?
18 MR. FUCHS: I'm going to object to the form of
19 the question. It's a little vague, but if you
20 understood it, you can answer.
21 A. Well, they were trying to stop us back
22 in '96. Then it stopped for many, many years and
23 then it came about again when Spearmint Rhino was
24 approached on this situation, so probably in the
25 last year.

Page 34

1 Q. Did you understand that these kind of
2 cases were going on throughout the country?
3 A. Couple of states.
4 Q. Did you understand that the courts were
5 routinely ruling against the clubs and determining
6 that the dancers were, in fact, employees?
7 MR. FUCHS: I just object to form.
8 THE WITNESS: Different states, different
9 laws. I don't know. I mean --
10 BY MR. RUSING:
11 Q. Did you ever hear of a club winning one
12 of these cases?
13 A. Yes.
14 Q. Which one was that?
15 A. Here in Las Vegas.
16 Q. Who won -- who won that one?
17 A. That would be Sapphire's.
18 Q. Sapphire's lost that.
19 A. Then I'm wrong, see.
20 Q. Well, they won and then they lost.
21 A. Okay. I have no knowledge. Okay.
22 Q. Were you aware of one involving a
23 Galardi-owned club, Clincy versus Galardi S.
24 Enterprises, Inc. in 2011?
25 A. I know nothing about it.

Page 35

1 Q. But you're aware as early as mid '90s
2 that there was some legal challenges being mounted
3 as to how men's club treated dancers in terms of
4 their employment status; correct?
5 A. In the '90s it was a handful of dancers
6 walking up and down Las Vegas Boulevard chanting
7 this in 1996. So as far as the law was concerned, I
8 didn't have any knowledge that the law was anything
9 involved with it besides a handful of dancers
10 walking up and down Las Vegas Boulevard.
11 Q. You -- you didn't hear that there was a
12 handful of cases that were filed back in the '90s
13 here?
14 A. No.
15 Q. Did you ever get any communications
16 from your -- any of the owners that this was an
17 issue and how to deal with it or anything like that?
18 A. No, to one part of that question. What
19 happens -- I just follow my laws out here so I
20 didn't think that it was going to become out here so
21 it was not pertinent to my knowledge to what went on
22 on the east coast.
23 Q. So you had heard about what was going
24 on on the east coast, but you didn't think it was
25 going to be relevant here?

Page 36

1 A. You can -- true.
2 Q. And when did you -- were you aware of
3 the east coast things going on?
4 A. When they sent me the forms for where
5 the girls had to fill out paperwork.
6 Q. For the what?
7 A. The paperwork, the arbitration
8 paperwork.
9 Q. When was that?
10 A. April of 2014.
11 Q. And how did you learn about what was
12 going on in the east coast, did they tell you that?
13 A. I didn't learn what was going on on the
14 east coast. They sent me the paperwork and said do
15 it. I did it.
16 Q. Okay. Well, you said you heard about
17 something going on back east about this.
18 A. Well, different clubs but I -- it's not
19 my concern. That's not my location. My location is
20 Las Vegas, Nevada. I do not get involved in other.
21 Q. I understand that, but you became aware
22 of that and I'm just trying to figure out when did
23 you become aware that those kind of things were
24 happening in the east.
25 A. When --

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 37	Page 39
1 MR. FUCHS: I'm going to object to the form of 2 the question. You can answer, if you -- if you 3 understood the question. 4 THE WITNESS: Maybe I'm misunderstanding it. 5 When I got sent the paperwork in April of 2014. 6 BY MR. RUSING: 7 Q. Right. And how did that educate you as 8 to what was going on back east, was there a cover 9 letter saying, We're doing this because of stuff 10 going on back east? 11 A. No. 12 Q. Then how did you learn that there -- 13 A. They said here, do it. 14 Q. But that doesn't tell you there's stuff 15 going on back east? 16 A. There's always something going on, but 17 didn't know that there's any cases out there from 18 back east. They said here, do it. I assumed 19 because of Las Vegas was already starting up here in 20 Las Vegas and it was starting in Arizona and it was 21 starting in different states. 22 Q. I'm not trying to badger you about it, 23 but you said that when you got this arbitration 24 thing in April of 2014, that was when you realized 25 there was things going on back east?	1 use the one that was actually executed. Do you 2 recognize Exhibit 1? 3 A. Yes. 4 Q. Tell me what it is. 5 A. It is a dancer contract stating that 6 I'm -- I'm going to try to do this from memory, that 7 we are not responsible for their makeup, their 8 music, their taxes, things like that. Just 9 basically telling them what's going on on the floor, 10 that -- just to follow the rules of the City and the 11 laws that we have there and I would have to go over 12 each individual. 13 Q. No, I'm not going to ask you. I'll ask 14 you about a few specific things. 15 A. Okay. 16 Q. I guess my -- this is something called 17 a dancer performance lease; correct? 18 A. Correct. 19 Q. And this is something that Cheetahs 20 Las Vegas utilized; correct? 21 A. It's been changed over the time but 22 yes. 23 Q. Okay. When did they start utilizing 24 the dancer performance lease? 25 A. To be honest, I don't know. I don't
Page 38	Page 40
1 A. Well, back east sent me the paperwork. 2 Q. Right. 3 A. Correct. 4 Q. And did they say because of issues 5 going on back east with classification, we're going 6 to do this arbitration? 7 A. No. They just said here, do it. 8 Q. And so you assumed it was because of 9 things going on back there? 10 A. I assumed because of things going on, 11 it was in the newspapers everywhere that different 12 clubs were going through problems. I assumed this 13 was being done for the point of preventative 14 maintenance. 15 Q. And when you say that you were seeing 16 in the newspapers that other clubs were having 17 problems, you're referring to problems with 18 classification of the dancers? 19 A. Yes. 20 Q. Now, let me hand you what we'll mark as 21 Exhibit 1. 22 (Exhibit 1 marked.) 23 BY MR. RUSING: 24 Q. And this is a bad copy and I'll give 25 you a better one in -- in a minute, but I wanted to	1 remember the year. 2 Q. Was it prior to 2010? 3 A. I'm -- I'm guessing, yes. 4 Q. Okay. And do you still use some 5 version of this? 6 A. Yes. 7 Q. You said it might be -- been slightly 8 modified? 9 A. It's been modified, yes. 10 Q. Do you recall any specific 11 modifications that were made to it? 12 A. In the right hand corner, second 13 paragraph where there is an amount, we have no 14 amounts there because we do not charge for missing 15 an item or finding and things like that and this is 16 a bad copy, but I assume it says each day missed, 17 that was eventually crossed out after a certain 18 amount of time. I know it's an old copy. Once they 19 sign, we do not charge for days off, missing days, 20 late time, we don't charge. 21 Q. Okay. And what you're referring to is 22 the second paragraph of section four? 23 A. Correct. 24 Q. And where it requires the performer to 25 pay to the owner liquidated damages for certain

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 41

1 things; correct?
2 A. Yes.
3 Q. And at some point you say you
4 eliminated that provision?
5 A. Yeah. It didn't take us long, but it
6 was eliminated because it was -- it was done wrong.
7 It was filled out wrong.
8 Q. Okay. When did that provision get
9 eliminated?
10 A. Probably three to six months after this
11 was put out and we make copies and somewhere along
12 the way an old copy had got in there. It went loose
13 for about six months and then it got corrected
14 again. They weren't -- we've never had a dollar
15 amount. This is from other clubs or whatever that
16 we received this and we never corrected it, and at
17 that -- when we first got it and then when it got
18 sent out, we noticed that there was an amount there,
19 it got corrected.
20 Q. All right. Were performers ever -- did
21 they ever have the liquidated damages imposed on
22 them?
23 A. Never.
24 Q. Who drafted this agreement?
25 A. I don't remember. It -- I'd be lying

Page 42

1 if I told you.
2 Q. All right. The dancers didn't draft it
3 though?
4 A. No.
5 Q. So it would be your best recollection
6 that this agreement or something similar to it was
7 in place throughout the class action period?
8 A. During the class action period -- well,
9 you're saying as far as your date as your class
10 action period?
11 Q. Yeah.
12 A. This was corrected -- I see that hers
13 was not corrected, but the new sheets were out with
14 the date on it to -- the new sheets were put out,
15 but a lot of them have the X's through it. They
16 were corrected along the way as they got handed back
17 in.
18 Q. And -- and some version of a dancer
19 performance lease is still used today?
20 A. Yes.
21 Q. Were these signed by all the dancers?
22 A. Yes.
23 Q. What was your understanding of what the
24 intent of this agreement was?
25 A. I mean as far as the girls signing

Page 43

1 them?
2 Q. To have them sign it, yes.
3 A. Was to inform basically we're not --
4 for them to follow the rules, what is put out there
5 by the City or the State or Metro and the point is
6 that we do not cover their makeup, equipment,
7 outfits, things like that. They're responsible for
8 their own personal being. They're self-employed.
9 Q. Right. So the purpose of the dancers
10 performance lease was to establish the relationship
11 between the owner and performer is that of lessor
12 and lessee; correct?
13 A. I don't know. Say that again.
14 Q. Well, it's -- it's called a lease
15 agreement --
16 A. Correct.
17 Q. -- Right? And the purpose of the lease
18 agreement was to establish that the relationship
19 between the dancer and the club was that of lessee
20 and lessor?
21 A. Okay.
22 Q. Correct?
23 A. Correct.
24 Q. And the purpose of this agreement
25 amongst other things were that the dancers were

Page 44

1 lessees and not employees; right?
2 A. Correct.
3 Q. And that the dancers were lessees and
4 not independent contractors; correct?
5 A. I'm -- I lost you there.
6 Q. The -- that the -- that the dancers
7 were lessees, not independent contractors?
8 MR. FUCHS: Object to the form.
9 THE WITNESS: I have no idea what you're
10 saying. You sound like you're contradicting
11 yourself.
12 BY MR. RUSING:
13 Q. I'm not.
14 A. I'm lost. I'm lost.
15 Q. Okay. The relationship that this is
16 establishing is that of lessee, not employee or
17 independent contractor; correct?
18 A. Okay. But I'm misunderstanding
19 something.
20 Q. Okay. Okay, that doesn't help me.
21 A. I'm misunderstanding something because
22 you keep saying they're not an independent
23 contractor which they're sole proprietors. But this
24 is an agreement for them to follow the rules and the
25 laws of the City of Las Vegas and Metro that are put

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 45	Page 47
<p>1 in place to the club. This is to follow what the 2 rules make them do inside the club to follow. It's 3 not -- I could hand you a lease -- I don't know. 4 I'm lost. I'm lost on this. I'm lost where you're 5 going because you keep -- it sounds like you're 6 saying one thing and then you're jumping over it. 7 Q. I'm not at all. 8 A. Okay. 9 Q. So just try and focus and listen, okay, 10 and okay doesn't help me, okay. Okay -- you answer 11 okay sometimes and I need either yes or no. Okay -- 12 A. Okay means I'm confused. 13 Q. Okay, that's why I can't have okay. 14 A. Okay. 15 Q. All right. Do you see there's whereas 16 provisions and it talks about the owner desires to 17 lease to performer, blah, blah and they desire to 18 lease the premises; right? 19 A. Yes. 20 Q. And it's called a performance lease; 21 correct? 22 A. Correct. 23 Q. And you already testified that the 24 relationship that this agreement created was that of 25 lessor and lessee; correct?</p>	<p>1 that existed -- existed between the relevant time 2 periods and this agreement establishes that 3 relationship as that being of a lease, with a lessor 4 and a lessee; correct? 5 A. Okay. An agreement to do the rules of 6 the building. 7 Q. Is that correct? It established their 8 relationship of that of lessor and lessee? 9 A. Yes. 10 Q. Okay. And that is lessee as opposed to 11 an employee or an independent contractor; correct? 12 MR. FUCHS: Objection to form. 13 THE WITNESS: Going back to the same thing, 14 I'm misunderstanding. You're telling me that no -- 15 because -- 16 BY MR. RUSING: 17 Q. I'm asking you a question. I'm not 18 telling you anything. 19 A. Well, you're -- you're telling me 20 they're either a lessee or they're an independent 21 contractor, they can't be both. 22 Q. I'm not -- I'm asking you questions. 23 Because you've been tendered here as the person who 24 can answer questions about the employment or other 25 business relationship.</p>
Page 46	Page 48
<p>1 A. Okay. They signed it, yes. 2 Q. All right. And they were -- and that 3 means that the dancers were lessees and not 4 independent contractors; correct? 5 MR. FUCHS: Okay. I have to place an 6 objection here. I'm not trying to disrupt anything, 7 but you're starting to get into asking her for legal 8 conclusions and I think that's where she may be 9 confused. 10 MR. RUSING: Well, I hear your objection and 11 I'd like her to answer the question. 12 THE WITNESS: Okay. From what I gather from 13 this contract, this was the compliance for being on 14 the premises -- for the dancer to be on the premises 15 and understand that there's rules for lockers, 16 there's rules for -- I have to follow that the point 17 is that they will follow the rules that are in place 18 for that building. 19 BY MR. RUSING: 20 Q. I get that and I get that's part of 21 this agreement. 22 A. Okay. 23 Q. I'm looking to the heart of the 24 agreement and one of the areas you were tendered on 25 is the employment or other business relationship</p>	<p>1 Does -- this established what 2 their relationship was; correct? 3 A. Correct. 4 Q. And it does not mention independent 5 contractor anywhere in here, does it? 6 A. Yeah, but this is for the premises. 7 This is a contract for the premises. This is on the 8 premises; correct? This is for the building, when 9 they're in the building? This is means so they're 10 just going to follow the rules to the building; that 11 they will not destroy property; that they -- while 12 in there they will have a locker. There is -- I 13 can't define them what -- if I have a guy come in 14 and do plumbing, he has his own business. He came 15 in, but has to follow the rules to my building, yes. 16 Q. Well, look at page 2 then. Paragraph 17 7A, and this specifically talks about the business 18 relationship of the parties; correct? 19 A. Okay. All right. 20 Q. And it specifically says that the 21 parties specifically disallowed any employment 22 relationship; correct? 23 A. Okay, it says that. 24 Q. All right. And there's nothing in here 25 that says it's an independent contractor</p>

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 49

1 relationship, does it?
2 A. Not on that line.
3 Q. And all it says is a rather to perform
4 consistent -- everything in here says consistent
5 with the provisions of this lease as a tenant;
6 correct?
7 A. My glasses are in the car.
8 Q. Look over to the bolded language to the
9 right, middle of the page.
10 MR. FUCHS: Can you read it without your
11 glasses?
12 A. I'm getting my words. It's deforming
13 in there.
14 MR. RUSING: I have a cleaner copy, if you
15 would like.
16 THE WITNESS: Glasses are still in the car.
17 MR. RUSING: Exhibit 2. Here is Exhibit 2.
18 This is a little cleaner copy.
19 (Exhibit 2 marked.)
20 THE WITNESS: Okay. Saying that she's not an
21 employee.
22 BY MR. RUSING:
23 Q. No, and it specifically says that she
24 wants to perform consistent with the provisions of
25 this lease as a tenant; correct?

Page 50

1 A. Correct.
2 Q. All right. And --
3 A. That's what it says.
4 Q. And she's a tenant or a lessee, same
5 thing, it doesn't say she's a worker; correct?
6 A. A performer that does not desire to
7 perform as an employee, okay. I read that part and
8 now you're saying that she wants to be?
9 Q. I'm not -- I'm just asking questions.
10 MR. FUCHS: Yeah, let -- let him ask you a
11 question and you try to answer the question.
12 THE WITNESS: I'm -- I'm -- I'm trying to
13 understand his question because he goes from one and
14 then he says to the other. It's just not --
15 BY MR. RUSING:
16 Q. I do not.
17 A. Maybe that's what --
18 MR. FUCHS: That's how she perceives it.
19 BY MR. RUSING:
20 Q. All right. Does this performance lease
21 indicate in any way that the performer is going to
22 be an independent contractor?
23 A. Well, when it states that she doesn't
24 want to become an employee on the second page I'm
25 sure.

Page 51

1 Q. It says she wants to be a tenant, not
2 an independent contractor --
3 A. Okay.
4 Q. -- correct?
5 A. Okay, that's where you're reading,
6 okay. Okay.
7 Q. Is there anything in this agreement
8 that provides that the dancers' relationship with
9 the club is anything other than a tenant?
10 A. I would look at it differently. But
11 I -- legal terminology I'm not good with, as far as
12 what you can say to one or the other, but does it
13 say the word independent -- independent contractor
14 in here? I do not know. I would have to re-read
15 the whole thing, but she's a performer and does not
16 want to become an employee. So if somebody is not
17 an employee and they still work in a place, what do
18 you call them?
19 MR. RUSING: Read the question back and please
20 answer it.
21 THE WITNESS: I'm doing the best I can.
22 (Record read by reporter.)
23 THE WITNESS: In the section I'm reading, no.
24 BY MR. RUSING:
25 Q. Anywhere in the agreement?

Page 52

1 A. I'd have to re-read it, but okay,
2 I'm -- I'm known as a tenant.
3 Q. And there's nothing in here that says
4 that they are a worker; correct?
5 A. Could you define what you mean by
6 "worker"?
7 Q. Well, there's nothing in here that says
8 that the dancer is going to work for the club;
9 correct?
10 A. Performer.
11 Q. Okay. Performer is different than a
12 worker.
13 A. Could you define that?
14 Q. I'll move on.
15 Was there a period of time that
16 Cheetahs was in existence before the performance
17 lease was executed by the dancers on a routine
18 basis?
19 A. I'm sure.
20 Q. And what were they before the contract
21 was signed?
22 A. Entertainers. Non-employees.
23 Q. Did Cheetahs ever treat the dancers as
24 employees?
25 A. No.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 53

1 Q. Have any of the Galardi clubs ever
2 treated the dancers as employees?
3 A. I would have no knowledge of that.
4 Q. Do you know the circumstances under
5 which this -- these leases are provided to the
6 dancers and executed by the dancers?
7 A. Can you repeat that?
8 Q. Yeah. What are the circumstances of
9 how the dancer is provided with the lease and they
10 execute it, how and when does that occur?
11 A. When they first apply for -- when they
12 first come in to apply for the job as an
13 entertainer.
14 Q. This is handed to them at that time?
15 A. Yes.
16 Q. And do they have to execute it at that
17 time?
18 A. You have to fill out all paperwork
19 before you may go on the floor.
20 Q. Are they allowed to take it with them
21 and look it over before they sign it?
22 A. I've never had anybody ask.
23 Q. And this agreement has no arbitration
24 provision; correct?
25 A. Has no arbitration agreement in it?

Page 54

1 Q. Correct.
2 A. Not to my knowledge.
3 Q. There's no waiver class action rights
4 in this agreement; correct?
5 A. Correct.
6 Q. No waiver of a right to a jury;
7 correct?
8 A. Correct.
9 Q. And there's nothing in here about the
10 club paying the dancers; right?
11 A. Correct.
12 Q. In other words, the club is not
13 obligated to pay an hourly wage or other fees to the
14 dancers under this agreement; correct?
15 A. On that contract; correct. But they do
16 get commissions.
17 Q. The only money they get under this
18 agreement comes from the customers; correct?
19 A. As far as dancing, yes, correct.
20 Q. All right. Now, looking at the
21 contract and you might want to look -- get a better
22 one. I'm just going to go through a few provisions
23 here --
24 A. Can I just talk to him for a second?
25 MR. RUSING: Yeah. Do you want to take a

Page 55

1 break?
2 MR. FUCHS: Why don't take a -- why don't we
3 take a break. Hang on. First of all, you're
4 tethered. You've got to take that off.
5 MR. RUSING: Normally we have a pool for
6 the --
7 THE VIDEOGRAPHER: The time is
8 approximately --
9 MR. RUSING: First person who stands up with
10 that on.
11 THE VIDEOGRAPHER: -- the time is
12 approximately 1:58 p.m. We are going off the
13 record.
14 (Short break.)
15 THE VIDEOGRAPHER: The time is approximately
16 2:09 p.m. We are going back on the record.
17 BY MR. RUSING:
18 Q. Diana, you asked to take a break to
19 speak with your counsel. What did you talk about?
20 MR. FUCHS: Objection. Don't answer that.
21 MR. RUSING: And what's the basis for the
22 objection?
23 MR. FUCHS: Attorney/client privilege.
24 MR. RUSING: There's a case in Nevada called
25 Coyote Springs.

Page 56

1 MR. FUCHS: I'm not familiar with it.
2 MR. RUSING: It provides that if the counsel
3 or party asks to take a break to speak with counsel,
4 you're entitled to the -- attorney/client privilege
5 does not apply to that discussion.
6 MR. FUCHS: Mick, that's news to me. I've
7 never heard of that before, but I'm going to
8 instruct the witness not to answer. If you -- if
9 you -- if what you say is correct, I'm sure you can
10 address it with the discovery commissioner.
11 MS. TALBOT: We can get her on the phone.
12 MR. RUSING: Yeah, maybe -- let me forge ahead
13 here, but we may come back to that. It's very -- I
14 had never heard of it either, but it is Nevada
15 Supreme Court right on the money.
16 MR. FUCHS: I'm not -- I'm not familiar with
17 the case.
18 MR. RUSING: I mean it's different than the
19 Federal Court ruling.
20 BY MR. RUSING:
21 Q. All right. We're about ready to go
22 through the agreement here. Let me find my copy I
23 can read. Now, this agreement --
24 MR. FUCHS: Hang on a second, Mick. Diana,
25 you got to put your microphone on.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 57

1 THE WITNESS: Oh, I apologize.
2 BY MR. RUSING:
3 Q. The lease agreement which is Exhibits 1
4 and 2, provides at section 3 that the performer
5 shall schedule days to perform at least one week in
6 advance; correct?
7 A. It says that here.
8 Q. Okay. And it also provides that each
9 day so as scheduled shall consist of a minimum of
10 six consecutive hours as set; correct?
11 A. Correct. It says that there.
12 Q. Okay. And I've seen that stated on
13 other materials from Cheetahs; is that correct?
14 A. No. Not correct.
15 Q. There's not other materials that say
16 six hour shifts?
17 A. Six hours. If they wish to receive a
18 discount on house fees.
19 Q. All right. So unless they work a full
20 six hours, they pay more?
21 A. No, they pay their regular house fee.
22 We give them a discount if they work at least six
23 hours.
24 Q. When did you start that practice?
25 A. Four years ago.

Page 58

1 Q. And prior to that you fined them;
2 correct?
3 A. Never fined. We've never fined a girl
4 in any of the places I've worked for the company
5 since the beginning when I started working for them.
6 Q. What happens if they didn't work six
7 hours?
8 A. As far as you mean a financial fine, if
9 they want to leave early? It was no money. It was
10 not anything to do with money. If they left early,
11 then they would work -- take the next day off or
12 whatever. There would have to be a reason for them
13 to leave early.
14 Q. What if they just wanted to leave and
15 they left?
16 A. Well, back at that time we were written
17 by -- to the laws of Metro that we had to watch for
18 them engaging with customers, to leave with
19 customers. If we saw them to the point that they
20 left early to leave with customers, we are subject
21 to a very large fine for the club. So we kept it at
22 that so they wouldn't be meeting up with the
23 customers.
24 Q. Okay. But what if they left?
25 A. They would be asked why they left, if

Page 59

1 they said they just felt like leaving. They didn't
2 have to work the next day or whatever, they would be
3 subject to not working the next day.
4 Q. Okay. Just to distill this so we can
5 move on, so before they got a discount for working a
6 full six hours, if they worked less than six hours
7 and didn't have a good excuse, some sort of
8 discipline would be imposed; correct?
9 A. No. If they worked less than six
10 hours, then they turned on -- they pay the regular
11 house fee. If you worked six hours or more, you pay
12 less of a house fee. We -- Cheetahs gives them a
13 discount.
14 Q. Yeah. I'm talking before that.
15 A. Before that it was just a regular house
16 fee.
17 Q. Right. But if they left early before
18 you had this discount thing, if they left early and
19 they didn't have a good reason, you would discipline
20 them by not letting them work the next day or
21 something like that; correct?
22 A. Sometimes.
23 Q. Yeah. And if they did that
24 continuously, you would occasionally fire them;
25 correct?

Page 60

1 A. Well, yes.
2 Q. All right.
3 A. Well, there's always more to that.
4 Q. Now, in section four at the beginning
5 at the top it says, "Owner hereby leases the
6 premises for a minimum of one set per week."
7 Do you see that? It's the very
8 first sentence, section four?
9 A. Okay.
10 Q. Does that mean the performer has to
11 work a minimum of one set per week?
12 A. Well, this was made up for multiple
13 places. As far as one dance, yes.
14 Q. And then the next paragraph provides --
15 okay. Let's go back to three for a second, I'm
16 sorry. 3-I says that "The performer will produce
17 the maximum gross sales possible for dance
18 performances during the term of this lease for the
19 benefit of both owner and performer."
20 Do you see that?
21 A. Okay.
22 Q. What does that mean?
23 A. We would ask them to sell waters, sell
24 a drink. Didn't necessarily mean alcohol. No other
25 way of putting. It just --

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 61

1 Q. And number two says "assure regular
2 maximum operation of entertainment at premises for
3 the benefit of both owner and performer."
4 What does that mean?
5 A. I would assume that means their dance
6 performance, as far as putting their best foot
7 forward. It benefits them. It benefits the club
8 if everybody looks good.
9 Q. You -- you made a reference to them
10 getting a commission on something. What was that a
11 reference --
12 A. They used to get commission on when
13 they sold their drinks. To this day if they get a
14 commission, if they sell a bottle of champagne or
15 they can ask -- they can get it -- it's one or the
16 other. They can get a free house fee or they can
17 get cash and that's their choice. And that's always
18 been -- been that way over ten years.
19 Q. Is it a percentage commission?
20 A. No, it's just a flat fee.
21 Q. Okay. Going back to the liquidated
22 damages provision, we talked about that a little bit
23 earlier and you -- it was your testimony that that
24 was -- although it was in the contract, it was never
25 applied; correct?

Page 62

1 A. As far as the dancers being fined or?
2 Q. Right.
3 A. Yeah. We've never -- never. I've
4 never -- on the west coast have ever fined.
5 Q. So it's your testimony that Cheetahs
6 has never fined a dancer?
7 A. Never.
8 Q. Now, going down to section six provides
9 that "The owners shall establish a fixed fee for the
10 price of table, taxi and couch dances performed on
11 the premises and performer agrees not to charge a
12 customer more than the fixed price for any such
13 dance performance."
14 Do you see that?
15 A. Yes.
16 Q. Is that true?
17 A. The dancers do overcharge.
18 Q. No. But does the owner establish
19 fixed --
20 A. We have pricing that is put on the
21 walls. We do have signs that states what -- how
22 much our dancers are in what area. There are signs
23 that are placed throughout the club in front of each
24 room or on the floor. We advertise it with the DJ
25 and saying this is what it is and the girls get a

Page 63

1 hundred percent of it.
2 Q. Okay. And then going on to the next
3 page it says compliance with rules and regulations.
4 It's kind of the first section there on the left.
5 It says "Owner shall have the right to impose such
6 rules and regulations upon the use of premises by
7 performer as owner in its sole and absolute
8 discretion." Do you see that?
9 A. Correct.
10 Q. Is that true?
11 A. Yes.
12 Q. All right. And then in 7 when it talks
13 about the business relationship of the party like we
14 talked about before, it says the parties acknowledge
15 that the business relationship created between owner
16 and performer is that of landlord and tenant."
17 Do you see that?
18 A. Yes.
19 Q. And that this relationship is material
20 consideration of this lease; correct?
21 A. Okay.
22 Q. All right. And that is the sole
23 business relationship that is created in this
24 agreement; correct?
25 A. Owner/performer, correct.

Page 64

1 Q. Well, landlord --
2 A. Above it it says owner/performer.
3 Q. Right.
4 A. Okay. I'm just --
5 Q. But it says "The relationship between
6 the owner and performer. It doesn't say the
7 relationship is that of owner and performer. It
8 says the relationship is that of landlord and
9 tenant; correct?
10 MR. FUCHS: Diana, don't -- don't read out
11 loud.
12 THE WITNESS: I apologize.
13 MR. FUCHS: Just read it to yourself.
14 THE WITNESS: I apologize. Okay. Yes.
15 BY MR. RUSING:
16 Q. The answer is yes?
17 A. I read it, yes.
18 Q. You've read it and you're ready to
19 answer questions or you're ready and --
20 A. Continue.
21 Q. Well, there was a question pending.
22 A. Okay.
23 Q. But I'll re-ask it. Section 7 provides
24 that the sole relationship between the owner and
25 performer is that of landlord and tenant; correct?

16 (Pages 61 to 64)

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 65

1 A. Correct.
2 Q. And that's the only thing referenced
3 under this section called business relationship of
4 parties; correct?
5 A. I just wanted to finish the sentence
6 because you're only giving half a sentence. Go
7 ahead, yes.
8 Q. The answer to the question is yes?
9 A. Yes.
10 Q. Okay.
11 A. You have to finish the sentence.
12 Q. Now, let me hand you a set of documents
13 here. It's going to be Exhibit 3.
14 (Exhibit 3 marked.)
15 BY MR. RUSING:
16 Q. And these are --
17 A. Okay.
18 Q. Now, there is a number of different
19 documents here and they're not necessarily related,
20 but I just put them together for convenience sake.
21 But the first one talks about Wrangler hockey
22 parties. Do you see that?
23 A. Yes.
24 Q. And do you -- do you still have these
25 kind of sports parties?

Page 66

1 A. No.
2 Q. Back then, in it looks like 2013, could
3 a customer invite one of their entertainers and they
4 would go to the sporting event with them?
5 A. Yes.
6 Q. Okay. And if they were invited, did
7 the girls have to go with that customer?
8 A. No. Tickets had to be purchased.
9 Q. All right. And what did they have to
10 pay the entertainer to join them?
11 A. We didn't invite the entertainers. The
12 entertainers, if they went, purchased a ticket to go
13 to the hockey time -- hockey game on their off time.
14 Q. All right, okay. The next page is an
15 advertisement about Cheetahs hiring new
16 entertainers. I don't really have any questions
17 about this. Go to the next one, arena football
18 parties.
19 A. Okay.
20 Q. This one specifically it says "Buy your
21 favorite entertainer a ticket and we'll bring them
22 along."
23 Do you see that?
24 A. Okay. Yes.
25 Q. Okay means nothing to me.

Page 67

1 A. I know, I apologize. Yes.
2 Q. So this one you said with regard to
3 hockey the entertainers had to buy a ticket. This
4 one tells the customer to buy your entertainer a
5 ticket.
6 A. They can -- okay. They can go to the
7 hockey game, the ticket has got to be purchased,
8 okay. There's nothing -- it's not a freebie, hey, I
9 brought girls along and it's a party bus. Everybody
10 purchased a ticket for a seat if they wanted to go.
11 They dressed in hockey jerseys. Everybody went as a
12 friend.
13 Q. Okay. My question survived your
14 answer.
15 A. Okay.
16 Q. We're off hockey. We're on football.
17 A. Same deal.
18 Q. Wait for a question and the question is
19 this time it says, "Buy your favorite entertainer a
20 ticket and we'll bring them along."
21 Do you see that?
22 A. Yes.
23 Q. With regard to hockey you said the
24 entertainer had to buy a ticket, this one
25 specifically says, The customer can buy an

Page 68

1 entertainer a ticket and you'll bring them along;
2 correct, that what it says?
3 A. Your interpretation, yes.
4 Q. Well, that's what it says. It's not my
5 interpretation.
6 A. Yes.
7 Q. It says "Buy your favorite entertainer
8 a ticket --
9 A. And over here --
10 Q. -- and bring them along."
11 A. They buy a ticket, and as I said, it's
12 a purchased ticket.
13 Q. You're -- you're back to hockey. Let's
14 answer my questions, not what you want to answer.
15 This will go a lot quicker.
16 A. Go for it.
17 Q. Okay. This says "Buy your favorite
18 entertainer a ticket and we'll bring them along";
19 correct?
20 A. Correct.
21 Q. And that -- this is something that the
22 customer would see and if they wanted their favorite
23 entertainer to come along, they would buy them a
24 ticket; correct?
25 A. Correct.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 69	Page 71
<p>1 Q. Were the entertainers paid anything 2 else to go to these parties? 3 A. No, not to my knowledge. 4 Q. Cheetahs didn't pay them? 5 A. Not to my knowledge, no. 6 Q. If the customer wanted to pay them 7 something, that would be up to them I guess? 8 A. They're off duty, yes. 9 Q. Well, would the entertainers be 10 entertaining before the -- at the pregame party? 11 A. No. 12 Q. Or the after party? 13 A. No. They all off shift. 14 Q. Now, the next one is -- next page is 15 lap dance happy hour, two for 20 lap dances; 16 correct? 17 A. Correct. 18 Q. So if a girl was working at that time 19 she would be obligated to do two lap dances for \$20; 20 correct? 21 A. She's asked to do that, yes. 22 Q. And the next page, same thing, Super 23 Bowl Sunday at Cheetahs, two for 20 lap dances 24 during the game; correct? 25 A. Correct.</p>	<p>1 date. 2 Q. All right. And if girls -- if women 3 had danced prior to this time and did not come back 4 after 2014, they would not have signed the 5 arbitration policy; correct? 6 A. Before 2014? 7 Q. Right. 8 A. Yes. 9 Q. When the dancers signed this policy, 10 what does -- did Cheetahs do with the signed 11 arbitration policy? 12 A. It's put in a file. 13 Q. Is an electronic copy made and kept? 14 A. No. 15 Q. What -- where is the paper document 16 kept, what is the file called, where is it located? 17 A. Arbitration in my office. 18 Q. So there's one file that has all the 19 signed arbitration agreements? 20 A. Yes. 21 Q. And so obviously dancers who performed 22 at Cheetahs before the implementation and roll out 23 of this arbitration policy and did not come back 24 afterwards presumably didn't sign any arbitration 25 agreements obviously; right?</p>
Page 70	Page 72
<p>1 Q. And this was something that was 2 advertised and the customers would expect from the 3 girls; correct? 4 MR. FUCHS: Objection to form. If you know, 5 you can answer. 6 THE WITNESS: Correct. 7 BY MR. RUSING: 8 Q. And you would expect the girls to do 9 the two for 20; correct? 10 A. I would expect them, not saying they 11 did. 12 (Exhibit 4 marked.) 13 BY MR. RUSING: 14 Q. Now -- Exhibit 4 I guess. Let me hand 15 you what has been marked as Exhibit 4 and that's 16 entitled arbitration policy Cheetahs; correct? 17 A. Yes. 18 Q. And at some point Cheetahs started 19 asking the girls to sign these agreements, those 20 policies; correct? 21 A. Correct. 22 Q. And I think that we were told that that 23 started happening some time in like June of 2014; is 24 that correct? 25 A. April of '14. Somewhere close to that</p>	<p>1 A. Yes. 2 Q. Does Cheetahs use the club track 3 system? 4 A. No. 5 Q. Are all dancers logged in a log out 6 times recorded anywhere? 7 A. On a piece of -- well, in the computer 8 that we print the paper and it goes in my file. 9 There was no computer, anything. Everything was 10 hand looked at. 11 Q. Okay. So how do you -- would you 12 determine if X dancer had danced this many times, 13 would it be in a file kept by person or by day or by 14 year? 15 A. It's kept by day. 16 Q. So giving you the -- if you had a name 17 of someone, you'd have to try to figure out what 18 time frame they worked in and just go through page 19 by page? 20 A. It takes me before. 21 Q. Maybe go through page by page looking 22 for it? 23 A. Yes. 24 Q. Is there any way to electronically 25 search it?</p>

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 73

1 A. No.
2 MR. RUSING: I guess this is probably a good
3 time to break since we have one minute left.
4 MR. FUCHS: Okay.
5 THE VIDEOGRAPHER: This is the end of tape
6 number one in the videotape deposition of Diana
7 Pontrelli. The time is 2:31 p.m. We are going off
8 the record.
9 (Short break.)
10 THE VIDEOGRAPHER: This is the beginning of
11 tape number two in the video tape deposition of
12 Diana Pontrelli. The time is approximately 2:32
13 p.m. we are back on the record.
14 BY MR. RUSING:
15 Q. Is there any reason -- do you -- do you
16 know what Club Tracks is?
17 A. Yes.
18 Q. Is there a reason why you haven't
19 adopted that?
20 A. Financial.
21 Q. Is it expensive?
22 A. Yes.
23 Q. Don't all the other clubs use it
24 basically?
25 A. Some.

Page 74

1 Q. Do you know -- do you go to any sort of
2 conventions of managers or owners and men's clubs.
3 Trade show association, that kind of things?
4 A. Do I attend them?
5 Q. Yes.
6 A. No.
7 Q. You know they occur; right?
8 A. Yes.
9 Q. Isn't it hot in here? So how would you
10 determine how many dancers performed at Cheetahs
11 prior to the arbitration policy being ruled out and
12 never came back during the four years prior to that?
13 MR. FUCHS: Objection to form. If you
14 understood, you can answer.
15 THE WITNESS: I don't. I'm not quite
16 understanding the full question on that.
17 MR. FUCHS: All right. Let me come at it a
18 little different. So how would you find out which
19 dancers -- the identity of dancers who worked at
20 Cheetahs for the four years prior to the arbitration
21 agreement rule out who did not come back afterwards?
22 A. Well, I have a sheet of the
23 entertainers that when they filled out the
24 arbitration, they have put on my sheet, I have to
25 keep a recording every month for the police

Page 75

1 department to who works at the club every month.
2 Q. Okay. So if you went back and looked
3 at those records for however many times prior to
4 April and compared them against who you had
5 arbitration agreements with, you could find out who
6 had worked there during that time and were not
7 subject to an arbitration; correct?
8 A. I probably have it somewhere. It's not
9 required that I keep that.
10 Q. Let me hand you what's been marked as
11 Exhibit 6. Do you recognize that document in front
12 of you?
13 A. Yes.
14 Q. What is it?
15 A. It's a sign-in sheet.
16 Q. All right. And above it are Cheetahs'
17 lounge rules?
18 A. Yes. Or reminder.
19 Q. So what we're seeing at the bottom of
20 Exhibit 5 is an actual sheet showing the girls
21 signing in to dance at the club?
22 A. Correct.
23 MR. FUCHS: I'm sorry, is this 5 or 6? I
24 thought you said 6, I'm not sure.
25 MR. RUSING: Five.

Page 76

1 THE WITNESS: Six, that's number six.
2 MR. RUSING: It should be five. It should be
3 five, but we'll change it to five. Okay.
4 (Exhibit 5 marked.)
5 MR. FUCHS: I'm sorry, you want me just to
6 change it on the exhibit, would that be --
7 MR. RUSING: Sure. That's fine.
8 MS. CALVERT: Yeah, I'll just put this on top.
9 So it doesn't look...
10 MR. FUCHS: Okay. So we don't get confused.
11 MS. CALVERT: That's why they don't let me
12 teach math.
13 MR. FUCHS: No worries. Okay. Five. Sorry.
14 MS. CALVERT: Thank you.
15 BY MR. RUSING:
16 Q. So we started talking about this, this
17 is a sign-up sheet?
18 A. Sign-in.
19 Q. Sign-in sheet. And what are the three
20 columns?
21 A. Where the girls put their names,
22 sign-in when they walk in.
23 Q. Yeah, why there's three columns?
24 A. Why they make a bigger paper for them
25 to -- it could be how many dancers are coming in.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 77	Page 79
<p>1 Q. Right. But why -- why are they not all 2 in a row, why is there three -- there's three 3 divided columns here. 4 A. Right. 5 Q. Why? 6 A. To add more names on the front sheet. 7 Q. Okay. Do they -- I don't see any times 8 or anything or dates. 9 A. Correct. It's a sign-in. 10 Q. Okay. So -- 11 A. This is just the acknowledgement, 12 that -- just a reminder of basic rules when they go 13 on the floor. 14 Q. Okay. So this is just a sign-in to 15 acknowledge the rules -- 16 A. Correct. 17 Q. -- this is not their formal sign-in? 18 A. No. 19 Q. Okay. That's where you threw me off. 20 Okay. So everyday they have to 21 acknowledge the rules? 22 A. It's a reminder, yeah. 23 Q. And these rules have been in effect for 24 some period of time? 25 A. I usually go every couple of years,</p>	<p>1 A. There are reasons that go with that -- 2 to go with the police department with that. 3 Q. That wasn't my question. 4 A. Okay. 5 MR. RUSING: Read the question back. 6 THE WITNESS: Okay. No street clothes; 7 correct. 8 (Record read by reporter.) 9 BY MR. RUSING: 10 Q. And you expect the girls to abide by 11 that rule; correct? 12 A. Correct. 13 Q. Number two, high heels required. No 14 clog-type shoes? 15 A. Clogs. Clogs. 16 Q. Clog-type shoes. That's not a law; 17 correct? 18 A. Correct. 19 Q. It's a Cheetahs' rule; correct? 20 A. Correct. 21 Q. And Cheetahs expects the dancers to 22 abide by these rules? 23 A. Correct. Safety issue. 24 Q. Did I ask you if it was a safety issue? 25 A. No.</p>
Page 78	Page 80
<p>1 they'll change, add or subtract. 2 Q. Okay. I've seen some more recent. 3 They're are pretty close to the same though; right? 4 A. Correct. 5 Q. And you've been using these for a long 6 time; right? 7 A. Correct. 8 Q. Since the 1990s or -- 19 -- 9 A. '91. 10 Q. '91, okay. And you expect the girls to 11 abide by these; correct? 12 A. When it becomes to Metro City or state 13 law, yes. 14 Q. Okay. Well, some of these don't apply, 15 don't have anything to do with the law; correct? 16 A. Correct. 17 Q. All right. Let's talk about those. 18 Costumes only, no street clothes -- 19 A. Correct. 20 Q. -- that's not a law -- 21 A. Correct. 22 Q. -- that's a Cheetahs' rule? 23 A. Yes. 24 Q. And you expect the girls to abide by 25 that; correct?</p>	<p>1 Q. Okay. Number eight, do not leave your 2 shift without checking out with the manager and 3 the -- 4 A. DJ. 5 Q. -- DJ, Cheetahs' rule? 6 A. Yes. 7 Q. Do you expect the women dancers to 8 abide by it? 9 A. Yes. 10 Q. Number 11, you must not refuse a drink 11 or a shooter from the customer; correct? 12 A. Correct. 13 Q. That's not a law? 14 A. Correct. 15 Q. It's a Cheetahs' rule? 16 A. Correct. 17 Q. And you expect the girls to abide by 18 it? 19 A. Correct. 20 Q. You must change costumes at least three 21 times during your shift. That's not a law; correct? 22 A. Correct. 23 Q. It's a Cheetahs' rule; correct? 24 A. Suggestion; correct. 25 Q. And you expect the girls to abide by</p>

20 (Pages 77 to 80)

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 81	Page 83
<p>1 it; correct? 2 A. Correct. 3 Q. All right. Cabs and rides must pick 4 you up at the back door. That's not a law; correct? 5 A. Correct. 6 Q. You may never leave with a customer? 7 A. Correct. 8 Q. That's not a law? 9 A. That's a law. 10 Q. That's a law saying you can't leave 11 with a customer? 12 A. Correct. 13 Q. Where does it -- where does it say 14 that? 15 A. Metro law states that any -- any dancer 16 that was an entertainer, performer on the floor 17 receiving cash from a customer as tipping wise does 18 not know the denominations being handed to them 19 leaving with the customers would constitute 20 prostitution. 21 Q. That's an actual law? 22 A. That is law and that's what SIS and SIB 23 and vice arrest the girls for. 24 Q. You are not allowed to carry a purse or 25 cell phone on the floor is a Cheetahs' rule;</p>	<p>1 Q. What happens if they refuse a drink or 2 shooter from the customer? 3 A. It doesn't have to be alcohol. It 4 doesn't -- we're suggesting it to them. It's a 5 suggestion. 6 Q. And it says you must not in capitals? 7 A. Right. It says must not. Do we stand 8 over the girls and say you have to, no. 9 Q. If the girls routinely violate these 10 rules you discipline them; correct? 11 A. No. 12 Q. Do you ever fire them for violating the 13 rules? 14 A. No. 15 Q. What do you fire them for then? 16 A. Sexual acts, drugs, stealing. It takes 17 a lot to get fired from an adult club. 18 Q. What if they showed up in flats and you 19 said you need high heels and they said, I'm not 20 going to wear high heels? 21 A. There's got to be a reason. 22 Q. What if they said I just don't like to? 23 A. Well, then why did they come to be a 24 performer? 25 Q. Well, have you ever had someone refuse</p>
Page 82	Page 84
<p>1 correct? 2 A. Going back to that time? 3 Q. Yes. 4 A. All right. Correct. 5 Q. No smoking or gum chewing on the floor, 6 another Cheetahs' rule; correct? 7 A. Correct. 8 Q. And those things you expected the girls 9 to abide by? 10 A. Correct. 11 Q. What would happen if the girls violated 12 it? 13 MR. FUCHS: I'm sorry. You're talking about 14 the gum chewing rule? 15 BY MR. RUSING: 16 Q. Any of these rules, how -- how would 17 you enforce the rules? 18 A. Take it off the bar where you stuck it 19 under it and throw it away. Take your cigarettes to 20 the dressing room. And what was the other one? 21 Q. Well, any of these rules. 22 A. Oh, and the purse if it becomes stolen, 23 we are not liable for it and we will not chase down 24 the customer. All actual incidents that have 25 happened.</p>	<p>1 to do -- abide by any of these rules? 2 A. Well, then they don't go on stage. 3 Q. Okay. So they don't get to work? 4 A. No. They just have to work the floor. 5 They can be off stage. They can't be in sneakers on 6 my stage. 7 Q. But you'd let them wear sneakers in -- 8 on the floor? 9 A. They would have to have a reason for 10 it, a broken ankle, sprained or something to that. 11 Q. No reason except desire? 12 A. No. 13 Q. You wouldn't let them do it? 14 A. No. 15 Q. Okay. 16 A. That's a personal opinion. 17 Q. All right. I may -- I may have asked 18 you but I'm forgetting. Are -- are house moms 19 employees? 20 A. Yes. 21 Q. What is Cheetahs' current policy 22 regarding dancers tipping other employees at the 23 club? 24 A. Nothing is mandatory. They don't have 25 to.</p>

21 (Pages 81 to 84)

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 85

1 Q. Is it expected?
2 A. No.
3 Q. Do they ever get in trouble with anyone
4 for not tipping?
5 A. Never.
6 Q. What percent of the dancers tip the DJ?
7 A. 60 percent.
8 Q. What percent tip the house mom?
9 A. 40 to 50 percent.
10 Q. What percent tip whoever is running the
11 VIP show.
12 A. That's a 50/50 shot. This is -- I'm
13 only filling, I'm not standing in their position and
14 I'm not the one receiving the tip, so I do not know.
15 I'm assuming.
16 Q. Have you ever received a tip from an
17 entertainer?
18 A. Yes.
19 Q. How often?
20 A. Three times a year. Once a year.
21 Something I've sewn an outfit for or fixed her shoe.
22 Q. Do you treat all entertainers equally
23 regardless of whether they tip you?
24 A. Yes.
25 Q. Do you know if any managers, hosts or

Page 86

1 other employees treat entertainers differently based
2 on whether or how much they are tipped?
3 A. They do not and I will -- with
4 explanation?
5 Q. Sure.
6 A. Managers never received a tip before
7 two years ago. They were not allowed to. And maybe
8 in the last year and a half they've never been
9 allowed to accept a tip. And that has been house
10 rules since the day we opened.
11 Q. Does Cheetahs have a policy for
12 management hosts and other employees regarding
13 fraternization with the entertainers?
14 A. A written policy, not to my knowledge.
15 Q. Unwritten policy?
16 A. Common sense, yes.
17 Q. Have managers ever dated Cheetahs'
18 entertainers?
19 A. Maybe one.
20 Q. Is dating customers allowed?
21 A. No. Continue with -- explain or add to
22 that?
23 MR. FUCHS: If you feel like you need to,
24 explain.
25 THE WITNESS: They date a customer, they're

Page 87

1 not allowed back in.
2 BY MR. RUSING:
3 Q. It's fair to say that all of the clubs'
4 rules and policies for dancers apply across the
5 board to all dancers without discrimination?
6 A. All clubs?
7 Q. All of the clubs.
8 A. I don't know what the other club rules
9 are.
10 Q. No. No.
11 MR. FUCHS: You're missing.
12 BY MR. RUSING:
13 Q. Clubs plural.
14 A. All right, sorry. I apologize.
15 Q. Let me try again.
16 MR. FUCHS: Yeah.
17 BY MR. RUSING:
18 Q. Does all of Cheetahs' rules and
19 policies for dancers apply across the board to all
20 dancers without discrimination?
21 A. Yes.
22 Q. Now, the dancers are entitled to wear
23 yoga pants but not street clothes; correct?
24 A. She wore them, yes.
25 Q. Are some dancers allowed to dance only

Page 88

1 during the day?
2 A. They are hired per manager. Whoever
3 hires them, that's who they work for.
4 Q. Okay.
5 A. If they was to work another shift, they
6 ask another manager. If they can work into their
7 shift. They weren't hired. Girls do not get hired
8 for a shift, they get hired for that particular
9 manager. Whatever day he works.
10 Q. Okay. So a dancer doesn't have
11 discretion just to show up and work on other shifts
12 other than what the manager who hired them?
13 A. Correct.
14 Q. And if they want to change shifts for
15 whatever reason, they have to go talk to the manager
16 of that shift?
17 A. Correct.
18 Q. And is permission normally granted or
19 not?
20 A. It depends on the individual.
21 Q. We've had some dancers tell us that
22 they are only allowed to dance during the day
23 because they're overweight and if they lose weight,
24 they will be allowed to dance at night.
25 A. That's their perception.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 89

1 Q. Do you know if they've ever been told
2 that?
3 A. I do -- I do not know that they were
4 never told that or ever told that. Most of them
5 will say their own reason.
6 Q. Most of them will say what?
7 A. Their own reason. They will tell
8 somebody else what their reason is why they can't
9 work a night shift or a swing shift or -- they may
10 not just get along with their manager so they make
11 up things along the way.
12 Q. Are dancers ever restricted to specific
13 shifts because of their race?
14 A. No.
15 Q. Now, one of the areas that were added
16 to the PMK and I think was agreed to that she could
17 testify was any past -- any past and present
18 relationship between La Fuente, Inc. and other
19 similar clubs and their owners operators and I think
20 that your testimony was that you know that Galardis
21 owns some other clubs in the south, but you're not
22 familiar with exactly how many or what their -- who
23 owns them exactly or anything like that?
24 A. Correct.
25 Q. And your understanding is one of the

Page 90

1 reasons that the arbitration policy was sent to you
2 from headquarters and you were instructed to have
3 the dancers sign it was because of these
4 misclassification lawsuits around the country;
5 correct?
6 A. Correct.
7 BY MR. RUSING:
8 Q. I'm going to hand you a couple of
9 documents. One is Exhibit 6, one will be 7.
10 MR. FUCHS: The sign-in sheet -- the sign-in
11 sheet was originally marked 6, so I think --
12 MR. RUSING: All right. So this will be 6.
13 Let's see. And then I want the e-mail to make 7 and
14 interrogatories will be eight.
15 (Exhibits 6, 7 and 8 marked.)
16 BY MR. RUSING:
17 Q. I'm going to give you a couple of
18 different exhibits because there's going to be some
19 relationship between them.
20 Well, let me ask you a few --
21 we've been told that there's a large handwritten
22 book that Cheetahs maintains when a dancer clocks in
23 and out, anything they were charged, anything they
24 got in trouble for and what, if anything, they got
25 fired for. Is that correct?

Page 91

1 A. It's called the logbook which is
2 required by the City of Las Vegas.
3 Q. Does it have information about what
4 they were charged in it?
5 A. Charged for, we don't charge.
6 Q. Well, you charge dance fees?
7 A. That has nothing -- a logbook is on an
8 incident basis is for the club.
9 Q. An incident basis?
10 A. If there's an incident. That's the
11 logbook.
12 Q. So --
13 A. I think we're talking two different
14 things.
15 Q. So if -- if a dancer got fired for
16 cause basically, you could go look in that book and
17 see why you fired her?
18 A. Correct.
19 Q. And it would say whatever it says?
20 A. Correct.
21 Q. And you -- you have a copy of that
22 book?
23 A. Yes. It also mentions if they got cut,
24 hurt, intoxicated, called for a ride, who we've had
25 to call. It's a logbook for the dressing room. So

Page 92

1 that's --
2 MR. RUSING: We'd like a copy of that for the
3 relevant time period. I think it's clearly called
4 by some of the requests for production.
5 THE WITNESS: Okay. But --
6 MR. FUCHS: Answer his questions not --
7 THE WITNESS: Okay.
8 BY MR. RUSING:
9 Q. How far back do you have these?
10 A. I don't know. I'd have to look.
11 Q. Six, seven years?
12 A. I don't know.
13 Q. Let me hand you -- let me hand you
14 Exhibit 7 and 8 too. I got it here, never mind.
15 A. I don't understand it.
16 Q. All right. Let's -- let's go to the
17 first -- the -- the group of documents that is
18 Exhibit 6. Do you see those?
19 A. Okay.
20 Q. These were provided to us a couple days
21 ago by your counsel in response to a request for
22 production that we served upon Cheetahs that
23 requested all documents posted in any workplace at
24 Cheetahs during the relevant time period.
25 A. Yes.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 93	Page 95
<p>1 Q. And this is what was given us, these 19 2 pages. 3 A. Yes. 4 Q. Okay. Did you have anything to do with 5 gathering these documents? 6 A. Yes. 7 Q. And do these reflect all documents 8 posted in any workplace at Cheetahs during the 9 relevant time period? 10 A. Yes. 11 Q. Let's -- going to the first page, what 12 are these and where are they posted? 13 A. These are not posted. These are what 14 the dancers receive when they pay the house amount 15 of their dance fee to work in the club that night or 16 that shift. 17 Q. The -- you mean they're given one of 18 these little squares? 19 A. Right, and they have a stamp on it to 20 the date they worked. 21 Q. Okay. 22 A. It's for record. 23 Q. And what is the stay over fee? 24 A. If they decide to work a double shift, 25 they don't pay a full house fee, they just pay the</p>	<p>1 Q. Right. But these were provided to us 2 in response to requests about what was posted around 3 the club. 4 A. I copied everything. 5 Q. Okay. And so the next thing -- page -- 6 next page down is something that would also be in 7 their file? 8 A. This one? 9 Q. Yeah. 10 A. Yeah. This is their information sheet 11 that I get from them. 12 Q. Would this -- would this go in their 13 file? 14 A. Yes. 15 Q. Does each girl have a file, each 16 dancer? 17 A. They're not a file. It's a piece of 18 paper. It's in a book. 19 Q. You don't have like a little file like 20 this with each -- for each dancer? 21 A. No. 22 Q. The next page is Cheetahs' lounge 23 rules. 24 A. Yes. 25 Q. And this says may include Metro and</p>
Page 94	Page 96
<p>1 additional 25. 2 Q. And what's the house fee special? 3 A. If it runs into a holiday, Valentine's 4 Day, Easter, Christmas, a slow period. 5 Q. Is Valentine's day slow? 6 A. Father's day slow, yes. 7 Q. So a dancer gets one of these everyday? 8 A. Every single day. 9 Q. And then what does she do with it then? 10 A. She is asked to save them for her tax 11 reports for receipts for the end of the year. 12 Q. And -- but are they charged the fees at 13 the beginning of the shift? 14 A. When they walk in the door, if they 15 have it, then they have to. 16 Q. And if they don't? 17 A. Then they just pay as they go along. 18 Q. Okay. This -- the next page is a 19 change of employment status; right? 20 A. Yes. 21 Q. That wasn't posted anywhere, was it? 22 A. That's part of their packets when they 23 walk in. 24 Q. Right. 25 A. Put out by the police department.</p>	<p>1 city laws; right? 2 A. Correct. 3 Q. And as we went over before, some of 4 them are laws and some of them are Cheetah rules; 5 right? 6 A. Yes. 7 Q. And this one is similar to the other 8 one but it's slightly different; right? 9 A. Correct. 10 Q. Like for this one it says no cotton 11 material. That's new; right? 12 A. No. 13 Q. It's not new? 14 A. Yes. 15 Q. Is it -- is this -- is this newer than 16 the one we looked at before? 17 A. This is the beginning of this year. 18 Q. Okay. And so you added no cotton 19 material. You added must have grips on the bottoms 20 of the shoes; right? 21 MR. FUCHS: Diana, I think he's expecting a 22 response from you. 23 THE WITNESS: Oh, I'm sorry. I'm just reading 24 along with you. Yes. 25 ///</p>

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 97

1 BY MR. RUSING:
2 Q. Okay. And this still says no purses or
3 cellular phones on the floor; right?
4 A. Yes.
5 Q. Off stage fee is optional \$25, what
6 does that mean?
7 A. If they do not wish to dance on the
8 stage, they -- they're not in rotation, then they
9 just pay an additional \$25.
10 Q. Now, it says when going in the VIP
11 rooms you must get paid up front. How does that
12 work?
13 A. The girls will make sure that the
14 customers have gone to the ATM or gotten funny money
15 to make sure that there's no discrepancy on a
16 misunderstanding of how much the cost of the room is
17 since there is a sign. But sometimes people go --
18 their credit card doesn't work. We ask the girls to
19 not run a tab and make sure that the customer knows
20 up front what they're paid for. Three songs for a
21 hundred or --
22 Q. Okay. And the three songs for a
23 hundred or whatever it is, does the girl get a
24 hundred? Does the dancer get a hundred percent of
25 that?

Page 98

1 A. Absolutely.
2 Q. And then there is a separate facility
3 fee or something for the room; right?
4 A. No.
5 Q. There's no charge for the room?
6 A. No.
7 Q. Okay. A hundred percent goes to --
8 A. Hundred percent.
9 Q. All right. Is there a bottle charge to
10 the customer?
11 A. No.
12 Q. So all they're paying is for the
13 dancer?
14 A. Correct.
15 Q. Next page has like -- it looks like the
16 new issue of house fees; right?
17 A. Yes.
18 Q. All right. The next sheet has -- these
19 are all the folks that work there?
20 A. Yes. At the time this was printed.
21 MR. FUCHS: And I apologize, Mick, these
22 weren't all -- these weren't all necessary postings.
23 I was just giving you what you asked for.
24 MR. RUSING: Okay.
25 MR. FUCHS: I didn't mean to confuse things

Page 99

1 that way.
2 BY MR. RUSING:
3 Q. And -- and is everyone on this page,
4 are they all employees?
5 A. Yeah. I'm -- yes. Managers are
6 1099d.
7 Q. Okay. I'm sorry. 1099s?
8 A. Yes.
9 Q. Who is the 10 --
10 A. Management.
11 Q. Management are 1099'd?
12 A. Yes.
13 Q. Okay. The next page, where -- where
14 does this -- is this posted somewhere or is this --
15 A. There's a rule book and then they kind
16 of flip through it.
17 Q. What does the rule book contain?
18 A. Right there in front of you.
19 Q. Is this the start of it?
20 A. This is one, yeah. Everything else
21 that's left in your hand is in the rule book.
22 Q. Okay. Everything starting with from
23 welcome to Cheetahs on down --
24 A. To zero tolerance.
25 Q. -- is -- is the rule book?

Page 100

1 A. Yes.
2 Q. You said zero tolerance?
3 MR. FUCHS: Last page.
4 THE WITNESS: Last page.
5 MR. FUCHS: The last page of the exhibit is
6 what she's talking about.
7 MR. RUSING: Oh, okay.
8 BY MR. RUSING:
9 Q. It says here three or four down, it
10 says all nighttime entertainers after 7:00 p.m. will
11 valet park. Do you see that?
12 A. Correct.
13 Q. And do they have to tip the valet guys?
14 A. No. It's not -- nothing is mandatory.
15 MR. FUCHS: You lost me. I don't know what
16 page you're on.
17 MR. RUSING: Yeah, well, it's -- it's 6 of 14
18 at the top.
19 MR. FUCHS: Okay. Thank you.
20 MR. RUSING: I'll refer to them that way.
21 MR. FUCHS: Thank you. So I can keep up with
22 you.
23 MR. RUSING: 7 of 14 talks about checking in
24 on the floor with the DJ and the rules of the dance.
25 ////

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 101	Page 103
<p>1 BY MR. RUSING: 2 Q. Now this -- on -- on that one this is 3 the one that's 7 of 14 at the top? 4 A. Yes. 5 Q. It says when going to these rooms must 6 be paid in advance and it talks about the hundred 7 dollars or 2/20, but it also says two drinks 8 required. 9 A. Regular price. 10 Q. Okay. I thought you said there was no 11 requirement other than paying the dancer? 12 A. Yes. You have a bottle charge. We 13 don't sell bottles in our rooms. 14 Q. Well, one says two regular priced 15 drinks and the other -- Cheetahs says two drinks 16 required at \$20 each? 17 A. Correct. 18 Q. That's more than the regular price? 19 A. \$5. 20 Q. And the next page, the middle of it is 21 8 of 14 says if you would like to tip your floor 22 man, it is very much appreciated? 23 A. Yes. 24 Q. Next page, 9 of 14 is another set of 25 rules, "Do not approach a customer sitting at a</p>	<p>1 to -- 2 A. After a citation, yes. 3 Q. But there's nothing in law saying the 4 person who drops them off can't come in and have a 5 drink; right? 6 A. Then who is to decide at the end -- 7 Q. Well, I -- no. No. No. 8 A. I'm not getting it. 9 Q. Is there a law that says thou shall not 10 go into the club if you take a dancer there? 11 A. No. 12 Q. Okay. Go to the interrogatories and I 13 have some questions about those. Go to -- go to 14 number 21. 15 MR. FUCHS: Page 5, bottom of page 5. 16 BY MR. RUSING: 17 Q. Who has the power to enforce or alter 18 work rules? 19 A. The GM, myself after discussion. It's 20 a joint but it's the GM. 21 Q. All right. Interrogatory No. 22 asks 22 you to describe in detail any fee or fine such as 23 house fees, stage fee, miss stage fee, off stage 24 fee, locker fee or other fee and finding fee could 25 be charged or assessed to a dancer during their</p>
Page 102	Page 104
<p>1 stage." 2 A. Correct. 3 Q. Do not run tabs on your dances. Again, 4 no cell phones, no boyfriends, husbands or lovers 5 allowed in the club while you're working? 6 A. Yes. 7 Q. That's a Cheetahs' rule? 8 A. Yes. 9 Q. Anyone giving you a ride to work or 10 ride home is not allowed in the club during your 11 shift? 12 A. Yes. 13 Q. Cheetahs' rule? 14 A. Yes. No -- yes. Well -- 15 MR. FUCHS: Well, you can explain if you -- I 16 mean -- 17 THE WITNESS: You have to understand, I don't 18 know if they're a customer, a boyfriend, a whatever. 19 I don't know who is giving a ride. I don't know if 20 it's a customer. If it's a customer, they go to 21 leave with them, it could subject to me getting 22 fined or cited by Metro. 23 BY MR. RUSING: 24 Q. I get that, but that's the -- the 25 question was that's -- that's a rule you've done</p>	<p>1 relevant time period and it says, See documents 2 produced by defendant. And I'm assuming we're 3 talking about those documents we just looked at. 4 A. Yes. 5 Q. Is that all such fees and fines, et 6 cetera, that could be imposed? 7 A. To my knowledge. 8 Q. And then Interrogatory No. 23 asks for 9 charges -- prices charged by the club to its patrons 10 for products, et cetera and it says, See generally 11 documents produced by defendant and that would be 12 the ones we just looked at I assume? 13 A. Yes. 14 Q. Okay. Then it says local law requires 15 the club to pay certain fees for customers who 16 arrive by taxicab. Do you see that? 17 A. Yes. 18 Q. There's no law that requires that? 19 A. They went to Supreme Court ruling where 20 they just put it in effect for all clubs -- well, 21 it's not a -- it's not a law. It's to be in an -- 22 on all 32 clubs in the town you -- they have 23 meetings where they adjust the amounts. 24 Q. I need you to walk me through that. 25 A. Yeah.</p>

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 105	Page 107
<p>1 Q. Okay. This thing says there's a local 2 law requires a club to pay certain fees for 3 customers who arrive by taxicab. I think your short 4 answer is there's no such law; correct? 5 A. We fought it. We've lost. Supreme 6 Court rulings. We've lost. For them to extort 7 money out of the taxi drivers, to extort money out 8 of us and they reworded it, so... 9 Q. Is there -- is there a statute on 10 point? 11 A. I don't know. It's going back and 12 forth in front of the courts, in front of Judge 13 Tagliotti, sorry about the spelling. It's gone in 14 front of the courts many times where the taxis have 15 actually gone on strike for the entire town because 16 of this. 17 Q. Okay. I understand it's a customer 18 practice for clubs to pay taxi drivers who bring 19 patrons to the door some amount of money -- 20 A. Right. 21 Q. -- correct? But it's not a law that's 22 mandated; right? 23 A. No. 24 Q. No, it's not a law? 25 A. I -- I'm guessing.</p>	<p>1 together to lower their fees to what they give the 2 drivers. 3 Q. So the club managers try and get 4 together and agree amongst themselves -- 5 A. Manager, owners try to get together 6 where they'll get everybody on the same page but 7 other club owners will say no, I'm paying a hundred 8 dollars a head. You -- you can't even go in that 9 bracket. It is -- it's just too much money. 10 Q. So to recap, your understanding is that 11 owners or managers of the various men's clubs in 12 town have tried to get together a few times to 13 basically agree on some sort of cap to pay cab 14 drivers and have a united front against them -- 15 A. Correct. 16 Q. -- so that you don't get extorted? 17 A. Yes. 18 Q. And some clubs will go along with it 19 and they'll outbid you basically? 20 A. Yes. 21 MR. FUCHS: Can we go off the record for just 22 a second? 23 MR. RUSING: Sure. 24 THE VIDEOGRAPHER: The time is approximately 25 3:15 p.m. We're going off the record.</p>
Page 106	Page 108
<p>1 Q. But if a club decides not to do that, 2 no more cabs will show up? 3 A. We -- they've taken video reports and 4 it's been on the news where you say, I want to go to 5 a certain place and they've got it on video file, 6 the news stations have it where they say the club is 7 burnt down, it's closed, health department rule, 8 haven't been around, you know, doors are closed, it 9 just -- you can't have a business. 10 Q. And so the clubs basically have to 11 match each other whatever -- 12 A. Correct. 13 Q. -- is being paid; right? And you said 14 something about they get together and talk about it? 15 A. Trying to lower the fees, but some 16 clubs pay as high as a hundred dollars a person. We 17 can't afford that. 18 Q. Okay. You -- you said some group. You 19 had an OC or O -- 20 A. OG. I never mentioned that. 21 Q. I thought you said -- I lost track of 22 it, but you said some group gets together and you 23 had the name -- 24 A. No. It's the -- the club managers will 25 get together to see if they can get all the clubs</p>	<p>1 (Off the record.) 2 THE VIDEOGRAPHER: The time is approximately 3 3:17 p.m. We are back on the record. 4 BY MR. RUSING: 5 Q. And then the -- this last interrogatory 6 is about document retention. It says that the club 7 has no formal document retention policy, but it 8 maintains most pertinent records relating to its 9 entertainers. Do you see that? It's on the next 10 page. 11 MR. FUCHS: No. No. 12 THE WITNESS: Long documents. 13 MR. FUCHS: He's asking about whether the club 14 has a document retention policy. 15 THE WITNESS: You mean like holding on to 16 records? 17 MR. RUSING: Right. 18 BY MR. RUSING: 19 Q. And the answer was you didn't have a 20 formal one, but you maintained pertinent ones? 21 A. Yes. 22 Q. What documents other than the -- the -- 23 I guess you called it the incident book. Do you 24 have that you haven't provided to us that relates to 25 the dancers?</p>

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 109	Page 111
<p>1 A. Nothing. A log. I mean the incident 2 logs are required by the City of Las Vegas and the 3 sign in sheets. I think I gave you a copy of 4 everything. An employee sheet that goes to Metro, I 5 mean everything to my knowledge. 6 Q. Is there a policy about no jackets on 7 the floor or something like that? 8 A. Jackets? 9 Q. Yeah. 10 A. Blankets. No jackets, I've never heard 11 that one. 12 Q. Okay. Do you have a requirement with 13 regard to the entertainers dancing on stage that 14 some number of clothes are off and some number of 15 songs? 16 A. Our policy, first two songs clothes on. 17 Last song, top off. 18 Q. Do you have -- I think you called it 19 funny money, some people call it dance dollars. 20 A. Yes. 21 Q. What is that? 22 A. It's acquired by the customer to get 23 dances from their entertainers, from their credit 24 card as a purchase. 25 Q. All right. And so if they want to pay</p>	<p>1 Q. Do the -- so the -- the dancers are 2 given some number of dance dollars that are likely 3 little chips; right? 4 A. They're bills, paper. 5 Q. And then they turn them in for cash; 6 right? 7 A. Yes. 8 Q. Do they get charged something? 9 A. Yes. 10 Q. What do they get charged? 11 A. Ten percent. 12 Q. So does the club -- club keep track of 13 cash payments by the patrons to the dancers through 14 that process? 15 A. No. 16 Q. Are the cash payments -- the cash 17 payments from the dance dollars that the dancers 18 receive are not reported as income to the club; 19 correct? 20 A. Correct. Sorry. Say that one more 21 time. 22 Q. Yeah, I'll make it a little easier. 23 MR. FUCHS: Because you already confused me 24 too, I should have objected. 25 ////</p>
Page 110	Page 112
<p>1 for dances with a credit card, they purchase dance 2 dollars? 3 A. For the entertainer. 4 Q. All right. And do you charge a fee to 5 do that? 6 A. To the customers? 7 Q. Yes. 8 A. Ten percent. 9 Q. All right. And do you have a -- do 10 you -- do you keep track of dance dollars? 11 A. Nightly. 12 Q. Do you track it by dancer? 13 A. No, by customer. Rephrase -- 14 Q. I'm sorry? 15 A. Rephrase that. 16 MR. FUCHS: I think -- I think you've answered 17 the question. 18 MR. RUSING: Yeah, I think you did. 19 BY MR. RUSING: 20 Q. Can dancers refuse to accept dance 21 dollars? 22 A. Yes. 23 Q. Can dancers ask patrons in advance not 24 to pay in dance dollars? 25 A. Yes.</p>	<p>1 BY MR. RUSING: 2 Q. Okay. So with regard to dance dollars 3 the club will report as income the ten percent it 4 receives from the customer; right? 5 A. It's a product being sold. Our sales 6 tax is 18.1 percent. 7 Q. That's not my question. 8 A. It's reported as income? 9 Q. Yes. 10 A. Yes. 11 Q. All right. And you report as income 12 what you take from the dancers too; correct? 13 A. It's a product sold, so yes. 14 Q. Yes, that's all I'm looking for. 15 A. Oh, I just want to make sure I had that 16 correctly. 17 Q. And -- and the amount that is paid back 18 to the dancer when she turns in the money, the 90 19 percent that she gets back, that's not reported as 20 income to the club; correct? 21 A. Hold on. 22 MR. FUCHS: I'm going to object to the form of 23 the question. If you understood, you can -- 24 THE WITNESS: No, I don't. One more -- 25 ////</p>

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 113	Page 115
<p>1 BY MR. RUSING: 2 Q. All right. The dancer comes and gives 3 you a hundred dollars in dance dollars -- 4 A. Correct. 5 Q. -- Right? You keep \$10, you give her 6 90 back in cash; right? 7 A. Right. 8 Q. You don't declare as income -- Cheetahs 9 does not declare as income the \$90 they gave back to 10 the dancer; correct? 11 A. We are to declare the \$100 as our -- as 12 a purchase. So we have to declare that on our sales 13 tax as a purchase, so that would be considered the 14 income. Am I going the right direction or are you 15 saying the dancer money? 16 Q. Well, if -- if -- when -- when the guy 17 gives a hundred dollars -- 18 A. Correct. 19 Q. -- or a hundred -- say \$110, we'll make 20 it kind of easier, on his credit card, you take ten 21 off the top, so he gets a hundred of these bills? 22 A. Yes. 23 Q. He gives a hundred to a dancer? 24 A. Yes. 25 Q. She turns them in at the end of the</p>	<p>1 person running the credit card machine? 2 A. No. 3 Q. Have dancers ever asked if they could 4 have their own credit card processor? 5 A. No. 6 Q. How do you control the number of 7 dancers in the club? 8 A. I don't know how to answer that. 9 Signing in -- you mean when they sign in? 10 Q. No. To run your business you have to 11 have some number of dancers; right? 12 A. Some days I have five. Some days I 13 have 50. 14 Q. And my question to you is what does 15 Cheetahs do to try and get the optimal number of 16 dancers in the club at the right times? 17 A. Hire them all or talk to them, I'm 18 lost. 19 Q. Well, I mean one way you encourage 20 dancers to be there is having lower fees during the 21 less demand time; right? 22 A. Okay, yes. 23 Q. And my question to you how do you, as a 24 manager, make sure you don't have too few or too 25 many dancers, what other management techniques do</p>
Page 114	Page 116
<p>1 night and you give her \$90 in cash back? 2 A. Yes. 3 Q. How much in that transaction does 4 Cheetahs report as income? 5 A. The transaction that was done? 6 Q. Right. 7 A. That's what they would report, the 8 transaction that was -- 9 Q. How much? 10 A. A hundred and ten. 11 Q. And then what do they do about the 90? 12 A. The 90 was given away. 13 Q. So do you deduct that then from your 14 income taxes or do you only report -- 15 A. I don't do the taxes. 16 Q. So you don't know how that's handled? 17 A. Correct. 18 Q. All right. 19 MR. FUCHS: I was hoping we were going to get 20 there. 21 THE WITNESS: I'm sorry, I thought there was a 22 trick question in there. 23 MR. FUCHS: Sneaky little lawyers. 24 BY MR. RUSING: 25 Q. Are girls expected to tip out the</p>	<p>1 you use other than pricing? 2 A. You can talk to them. You can suggest 3 to them that they may want to come in earlier or 4 help them out, you know, help the shift out. There 5 is nothing else you can do except for hire more. 6 They just -- that's why our shifts overlap. 7 Q. Who -- did just you and the general 8 manager have the ability to fire dancers? 9 A. Just the general manager. 10 Q. How frequently does he fire dancers? 11 A. Not too often it happens. I'm going to 12 say maybe three people a month, one to three. 13 Q. What are the grounds for firing 14 typically? 15 A. Drugs, sexual activity, being a thief. 16 Q. Do they ever get fired for violating 17 these rules we've been going over? 18 A. If it's a consistent problem of going 19 over the months, yes, and we know that they're not 20 paying attention to management or floor men 21 correction of climbing up on a customer's face. 22 It's breaking rules. You just -- you can -- you 23 have to weigh things out. Have they been drinking. 24 It's a weigh out. 25 THE VIDEOGRAPHER: Excuse me, counsel. Can I</p>

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 117

1 have you move your microphone over a little bit?
2 BY MR. RUSING:
3 Q. Do you keep record of the firings?
4 A. Yes.
5 Q. Is that an incident book?
6 A. Yes.
7 Q. Is there -- is it also somewhere else?
8 A. Well, no. There's an incident book for
9 the house mom or it's -- it's not knowledge of what
10 goes on in the dressing room. So if they have been
11 brought back to a dressing room, it's in the
12 incident book, yes, an incident book.
13 Q. Would there be other places where it
14 reflected --
15 A. No, it's just the log -- it's the log.
16 I have to find it.
17 Q. It's the log?
18 A. It's the logbook. It's --
19 Q. Is that the same as incident book?
20 A. Yeah, it's the same book.
21 Q. And it -- it tells you who was fired
22 and why?
23 A. Yes.
24 Q. Somewhere in here it was talking about
25 a missed stage fee is \$20 a song unless you're in

Page 118

1 VIP?
2 A. No. You don't have to pay a charge if
3 you are in the VIP. If you pay for off stage, then
4 you pay your off stage fee. If it becomes a
5 consistent thing where you've missed every hour the
6 whole time you were there, then you will be charged
7 your off stage fee, but there's no individual fees,
8 fines or anything like that. We ask them, Do you
9 want to be on stage or off stage. If you're in a
10 room, there is no charge if you are called.
11 Q. And if you are not in a room, it's \$20?
12 A. You just pay the fee. You just pay the
13 off stage fee and you're off the rest of the night,
14 off the stage.
15 Q. So it's \$20 a shift?
16 A. Yes. If you stay a second shift, no
17 charge.
18 Q. What -- what is the annual gross income
19 of Cheetahs?
20 A. I do not know.
21 Q. Do you have any knowledge of annual
22 expenditures?
23 A. Monthly involving payroll, repairs,
24 things like that to what we have to come up to cost
25 for the month.

Page 119

1 Q. Do you have ideas of what rent and
2 overhead are or marketing advertising and things
3 like that?
4 A. Marketing, \$10,000, that's it.
5 Q. That's your budget?
6 A. Sometimes, we -- but we don't do it the
7 whole year, you know. We may do it six or seven
8 months, maybe six months out of the year.
9 Q. And so the club's sources of income are
10 what, liquor sales?
11 A. Yes.
12 Q. Cover charges?
13 A. There's no money from the cover charge.
14 Q. There's no cover charge there?
15 A. There's a cover charge, but it gets
16 handed to the cab drivers. The customers pay \$40.
17 We give out \$70. We pay a ten percent sales tax.
18 We're in the hole \$34 per customer coming through
19 the door.
20 Q. Unless they come in a car?
21 A. Come in a car, there's no charge.
22 Locals are not a charge.
23 Q. So you -- if you arrive not in a cab
24 there's no charge?
25 A. Correct. We pick you up in our

Page 120

1 shuttle, no charge. You don't come in a taxi, no
2 charge. Locals have never been a charge.
3 Q. So that's why they're so eager to send
4 limos to pick you up, it's not because you're a big
5 shot?
6 A. They get paid 70 or a hundred dollars,
7 whatever the charging of that month -- whatever they
8 decide to pay that month.
9 Q. So if a cab comes and picks you up to
10 take you from the club somewhere else, they're just
11 on the normal clock; right?
12 MR. FUCHS: Objection to form. If you
13 understood it.
14 THE WITNESS: I don't -- I missed that one.
15 BY MR. RUSING:
16 Q. If one of your customers is leaving --
17 A. Right.
18 Q. -- and calls a cab --
19 A. He picks him up, he goes -- takes him
20 to another adult club to get paid again and then you
21 have the scams where the cabbies will get friends or
22 pick them up on the street and say run through the
23 door and then they -- after the driver gets paid,
24 then they run out the door, jump back in the taxi
25 and go to the next club, yeah.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 121

1 MR. FUCHS: I'm not sure if he asked that
2 question, but okay.
3 THE WITNESS: I know, but that's where it kind
4 of --
5 MR. RUSING: See, now we're on the same page.
6 I didn't even have to ask questions.
7 THE WITNESS: See, I have to read his mind.
8 We're not going argue this way.
9 MR. FUCHS: Let's try -- let's try not to do
10 that. Okay?
11 THE WITNESS: Okay.
12 BY MR. RUSING:
13 Q. So you got liquor, you make some money
14 from the dance dollars?
15 A. No.
16 MR. FUCHS: He's talking about the funny
17 money.
18 BY MR. RUSING:
19 Q. Funny money?
20 A. Revenue, yes.
21 Q. Yes. And you don't -- you don't -- you
22 don't have food sales there; right?
23 A. No.
24 Q. And you don't charge for VIP rooms?
25 A. No.

Page 122

1 Q. ATM charges, you probably get something
2 from that; right?
3 A. That's -- that's a contract between the
4 ATM company and the office, yes.
5 Q. And then there's house fees?
6 A. Yes.
7 Q. What percent of the Cheetahs income
8 comes from house fees?
9 A. Maybe from each -- off each girl, all
10 depends on the shift, \$10 per girl.
11 Q. No, no. What percentage of the gross
12 revenues of the club come from house fees?
13 A. I don't know the percentage on it. I
14 couldn't tell you.
15 Q. Give me a rough estimate.
16 A. Maybe 25 percent, maybe. I think I'm
17 high there. I don't know. I'm making up numbers.
18 MR. RUSING: Let's look at Exhibits 9 and 10
19 or what's the last exhibit?
20 (Exhibits 9 and 10 marked.)
21 BY MR. RUSING:
22 Q. Here you go. There's 9 and 10, I just
23 have a few question and then we'll take a quick
24 break and see if we're done.
25 I'm going to ask you about 9

Page 123

1 first, so let's focus on that.
2 A. All right.
3 Q. And this is some discovery that was
4 served on Cheetahs and these are the responses to
5 them. The request number one, it's actually a
6 request for Cheetahs to admit this and the request
7 is at no time during the relevant time period did
8 La Fuente include any money received by dancers from
9 patrons in it's gross receipts.
10 A. Yes.
11 Q. Yes?
12 A. Correct. We don't get the dancer's
13 money.
14 Q. All right. So that should -- you --
15 that you would admit that?
16 A. We get zero of the dancer's money.
17 Q. Right. So you would admit request
18 number one; correct?
19 MR. FUCHS: I'm going to object to the form of
20 the question. To the -- to the extent you're asking
21 her for some sort of legal conclusion but she can
22 answer the best that she can.
23 BY MR. RUSING:
24 Q. All right. So you admit request number
25 one; correct?

Page 124

1 A. All time period -- La Fuente -- that's
2 me. Gross receipts. Yes, as far as -- if I'm
3 understanding it paying the dancer money, yes.
4 Q. Okay. Request number two is at no time
5 during the relevant time period did La Fuente pay
6 any taxes on any money received by dancers from
7 patrons?
8 A. What money?
9 Q. Read number two.
10 A. Okay. True. Yes.
11 Q. Okay. Let's go to the next one,
12 Exhibit 10, and specifically numbers -- let's go to
13 number five.
14 MR. FUCHS: Number five, you're talking about
15 page five?
16 MR. RUSING: Request number five.
17 MR. FUCHS: I'm sorry, are you on the
18 interrogatories or are you on the requests for
19 admissions?
20 MR. RUSING: I'm on the --
21 THE WITNESS: Ten.
22 MR. RUSING: -- second set of requests for
23 admissions, number ten.
24 MR. FUCHS: No, I was given responses to
25 second set of interrogatories as Exhibit 10.

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 125

1 MS. TALBOT: Did I give you the wrong one?
2 MR. FUCHS: I don't know what you have as
3 number ten. I'm sorry, you gave me the wrong one.
4 MR. RUSING: Is hers right?
5 MR. FUCHS: Hers is right, mine was not, so
6 that's why I was lost.
7 BY MR. RUSING:
8 Q. Read number five, I'll ask you
9 questions about that, 17 and 18.
10 A. Okay.
11 Q. Number five asks you to admit that no
12 dancer during the relevant time period was
13 responsible for paying any licensing fees necessary
14 to operate the club. That's true; correct?
15 A. Yes.
16 Q. All right. Now, let's go to number 17
17 and basically you answered this earlier, admit that
18 the club cannot function as a gentleman's club
19 without dancers.
20 A. Yes.
21 Q. And 18, admit that the club cannot be
22 profitable as a gentleman's club without dancers?
23 A. Yes.
24 Q. All right. Let's take a break. I'm
25 going to consult with my co-counsel, but I think I'm

Page 126

1 about done.
2 MR. FUCHS: Okay.
3 THE VIDEOGRAPHER: This is the end of tape
4 number two in the videotaped deposition of Diana
5 Pontrelli. The time is approximately 3:41 p.m.
6 We're going off the record.
7 (Short break.)
8 THE VIDEOGRAPHER: This is the beginning of
9 tape number three in the videotaped deposition of
10 Diane Pontrelli. The time is approximately 4:00
11 p.m. We are back on the record.
12 MR. RUSING: I'll try and get this over right
13 quick.
14 BY MR. RUSING:
15 Q. One of the categories in the notice of
16 deposition was finances of the club known as
17 Cheetahs, including the administration of cash flow
18 income to compliance payroll, dance dollar and
19 credit card processing. I got the impression from
20 your answers that there is somebody that's more
21 knowledgeable than you about the finances of the
22 club?
23 A. Yes.
24 Q. Who would that be?
25 A. The girls in the office.

Page 127

1 Q. The --
2 A. The tax people in my office.
3 Q. Is there a CFO or somebody like that?
4 A. No, not really. I mean just the -- we
5 have two women that do the finances and pay the
6 bills.
7 Q. What are their names?
8 A. That would be Emelite Sy, E-m-i-l --
9 Emelite Sy is the last name, and the other one would
10 be Mira Car Angus.
11 Q. The -- the rule -- we talked about a
12 rule book that we had some pages in front of you,
13 actually you said it was -- that was the complete
14 rule book; right?
15 A. Yes.
16 Q. Now, has that changed over time?
17 A. Some of the wording. Some of the laws
18 that are no longer in effect like the girls weren't
19 allowed to chew gum or have a cell phone or smoke on
20 the floor. They're allowed to now.
21 Q. How long has the rule book been around?
22 A. Since we've had a rule book. Since the
23 date we opened.
24 Q. So you're telling me it's largely the
25 same as it was since --

Page 128

1 A. With a few variations.
2 Q. But pretty close the same?
3 A. Yes.
4 Q. When you would remove pages or change
5 pages, would you save copies of those?
6 A. Yes. Probably to go with that year. I
7 mean it's maybe been one page exhibiting altering of
8 words where the law may have changed or city ruling
9 have changed. It's mostly Metro or city licensing.
10 Q. Would you -- would you keep the pages
11 you pulled out somewhere?
12 A. I would have to look.
13 Q. Could you do that for us?
14 A. I will do my best.
15 Q. Now, Cheetahs take no responsibility
16 for tax records on behalf of the dancers; correct?
17 A. Correct.
18 Q. And you don't -- Cheetahs has no
19 responsibility for what they do or don't do with
20 regard to their taxes; right?
21 A. Correct.
22 Q. And you don't really care one way or
23 the other; right?
24 A. Correct.
25 Q. I noticed something in some of these

32 (Pages 125 to 128)

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 129	Page 131
<p>1 papers about -- that the dancers are required or 2 encouraged to buy a locker -- a lock and use a 3 locker? 4 A. For their protection of their private 5 property. 6 Q. And do they have to buy a locker 7 from -- 8 A. It -- it becomes their property. A 9 permanent property. They take it with them when 10 they leave. They can, you know, they leave it on 11 their locker there, they take it to other clubs. 12 Q. Do -- does Cheetahs have access to open 13 that lock while they're there? 14 A. If there's suspicion of drugs, yes. 15 Q. Okay. And do you have a master key 16 or -- 17 A. Yes. 18 Q. Okay. And do you ever search their 19 lockers? 20 A. With their presence, they're requested 21 their presence to be standing there if there's an 22 activity going on and it's been on camera of them 23 having drugs in their locker, yes. They are present 24 there. They are standing there when they are 25 searched.</p>	<p>1 managers. She worked for at least four managers, 2 four different managers during the course of the 3 time working there. 4 Q. So you would have to do -- go through 5 daily logs for that -- 6 A. Yes. 7 Q. -- entire time frame looking for her -- 8 A. Yes. 9 Q. Have you done that? 10 A. On her I -- I started looking to find 11 out when she started and stopped because she would 12 be gone for six months at a time. So I have to go 13 through every piece of paper. 14 Q. Was she a good employee? 15 A. For the most part. 16 Q. She didn't get fired you say? 17 A. No. 18 Q. But for this lawsuit, you would have 19 let her come back? 20 A. She -- before the lawsuit she had tried 21 to come back and she refused to take the shift that 22 she -- she wanted a different shift and the manager 23 didn't want her on that shift and she refused to 24 take anybody else's shift and she came up to me and 25 complained to me.</p>
Page 130	Page 132
<p>1 Q. There's never been a time where you've 2 searched the locker without the dancer present? 3 A. Not to my knowledge. As far as me, no. 4 Q. What records would you have of Jessica 5 Hedrick who is the claimant in the arbitration? 6 A. Not very much. I mean late house fee 7 or owes -- or owes for a G-string. I mean for 8 disciplinary action, she was never fired. Never 9 suspended. So she wouldn't be in the logbook. 10 Q. Okay. If she wasn't in the logbook, 11 where would you have a record of her and what would 12 it be? 13 A. The front sheet that she filled out of 14 her information sheet and that's as far as it goes 15 and her sign-in sheet. 16 Q. And where would that be? You -- you 17 said you didn't keep a file per dancer? 18 A. It's not per dancer. It's kept in a -- 19 for the year. I keep them by the year of everybody 20 logging in. It's paperwork. It's a paper file. 21 Q. Is there any way to ascertain how many 22 hours she worked over in a given period of time? 23 A. I would have to go through that. It 24 takes me a considerable amount of time because she 25 worked multiple shifts. She worked for multiple</p>	<p>1 Q. Why didn't the manager want her on that 2 shift? 3 A. They didn't see eye to eye. 4 Q. Did he tell her she was too heavy? 5 A. No. 6 Q. Now, Cheetahs is implementing a new 7 website; correct? 8 A. Trying. 9 Q. Do -- do you have copies of what was 10 posted in the old website? 11 A. We have no access to our old website 12 because the person who built the website took the 13 codes and locked us out of our own website. 14 Q. And who was that? 15 A. Two -- two different gentlemen, one 16 John -- both named John or -- don't know. I have to 17 ask the office. I know of them by face and the one 18 gentleman that used to work on our website passed 19 away. 20 Q. So your website design and maintenance 21 was contracted out to someone? 22 A. Just to build it and we never -- we 23 didn't change it. We just -- it says the same thing 24 up on the front page and it showed four pictures of 25 the room, pretty much it.</p>

DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 133

1 Q. Who was responsible for the content of
2 it?
3 A. Well, once it was set up, that was it.
4 The original design?
5 Q. No. The content, not the design.
6 A. No. We didn't have a changing content
7 of it. We didn't advertise basketball, baseball.
8 It was one page -- it said that there were package
9 deals, if they wanted that, if they wanted a free
10 shuttle and four pictures or maybe five pictures of
11 the inside of Cheetahs and that was our whole
12 website.
13 Q. There was something there that
14 indicated -- one of the ads was something along the
15 lines of almost as many dancers as men?
16 A. I don't know about that. I never -- I
17 never seen it.
18 Q. Do you remember a phrase that there was
19 over 500 dancers over a 24 hour period on a weekend?
20 A. I've never seen that.
21 Q. Does that seem like more than there
22 typically is?
23 A. In a weekend? (Witness shakes head.)
24 Highly exaggerated.
25 Q. There was also indication of lunch

Page 134

1 buffets and wings and pizza happy hours and things
2 like that.
3 A. On Fridays it was -- what used to be
4 called comp-struction. The guys would get free
5 pizza and wings from 2:00 to 5:00, you know, it was
6 free. They come in and once they bought a drink, it
7 was free to eat.
8 Q. 2:00 to 5:00 in the afternoon?
9 A. Yes.
10 Q. The -- the new website talks in terms
11 of VIP packages, tiger, leopard, cheetah?
12 A. Yes.
13 Q. And with each of those one -- the tiger
14 has one premium bottle for \$250, leopard two for 425
15 and the cheetah, three for 600?
16 A. Correct.
17 Q. I thought you said you did not have
18 bottle charges?
19 A. Yeah. But not for the rooms, to go in
20 the rooms. This is for bachelor parties. They want
21 to set up for the floor. They don't go in the room
22 unless they're going to get a lap dance. We don't
23 have rooms to set up parties in.
24 Q. So these parties would just be out in
25 the open?

Page 135

1 A. They would be on the floor.
2 MR. RUSING: All right. I have no further
3 questions.
4 MR. FUCHS: Okay. I may just have one.
5 Famous last words.
6 MR. RUSING: I'm going to bet the over.
7 MR. FUCHS: That's a good bet.
8 EXAMINATION
9 BY MR. FUCHS:
10 Q. Diana, Mr. Rusing asked you some
11 questions earlier about the club's revenues and
12 whether certain things were taken into the club's
13 income. Do you remember that?
14 A. Yes.
15 Q. Do you do the club's taxes?
16 A. No, I do not.
17 Q. Are you an accountant?
18 A. No, I am not.
19 Q. Are you a tax lawyer?
20 A. I am not.
21 Q. Have you ever seen La Fuente's income
22 tax returns?
23 A. Never.
24 MR. FUCHS: That's all I have.
25 MR. RUSING: I have nothing else.

Page 136

1 MR. FUCHS: Okay.
2 THE VIDEOGRAPHER: This -- this concludes the
3 videotaped deposition of Diana Pontrelli consisting
4 of three tapes. The original tapes of today's
5 testimony will remain in the custody of Las Vegas
6 Legal Video.
7 The time is approximately 4:12
8 p.m. We are going off the record.
9 (Whereupon the deposition was
10 concluded at 3:12 p.m.)
11 THE COURT REPORTER: E-trans?
12 MR. RUSING: Yeah. E-trans.
13 MR. FUCHS: Perfect. Thank you.
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DIANA PONTRELLI
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 137

1 CERTIFICATE OF DEPONENT
2 PAGE LINE CHANGE
3
4 _____
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8 _____
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10 _____
11 _____
12 _____
13 _____
14 _____
15

* * * * *

16 I, DIANA PONTRELLI, deponent herein, do
17 hereby certify and declare under penalty of perjury
18 the within and foregoing transcription to be my
19 testimony in said action, that I have read,
corrected, and do hereby affix my signature to said
transcript this _____ day of _____ 2017.

20 _____
 DIANA PONTRELLI
 Deponent

21
22
23
24
25

Page 138

1 REPORTER'S CERTIFICATE
2
3 STATE OF NEVADA)
4) ss.
5 COUNTY OF CLARK)

6 I, Angela Campagna, a certified court
7 reporter in Clark County, State of Nevada, do hereby
8 certify:
9 That I reported the taking of the
10 video deposition of the witness, DIANA PONTRELLI, on
11 Thursday, March 16, 2017, commencing at the hour of
12 12:57 p.m.
13 That prior to being examined, the
14 witness was by me first duly sworn to testify to the
15 truth, the whole truth, and nothing but the truth.
16 That I thereafter transcribed my
17 said shorthand notes into typewriting and that the
18 typewritten transcript of said deposition is a
complete, true, and accurate transcription of
shorthand notes taken down at said time.
19 I further certify that I am not a
20 relative or employee of an attorney or counsel of
21 any of the parties, nor a relative or employee of
22 any attorney or counsel involved in said action, nor
23 a person financially interested in said action.
24 IN WITNESS WHEREOF, I have
25 hereunto set my hand in my office in the County of
Clark, State of Nevada, this 30th day of 2017.

19 _____
 ANGELA CAMPAGNA, CCR #495

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A				
A-14-709851-C	96:18,19	56:23 57:3	45:10 46:11	arbitration 3:9
1:8 4:9	additional 94:1	63:24 74:21	47:24 50:11	7:9 11:17 36:7
a.m 26:7	97:9	agreements	51:20 55:20	37:23 38:6
abide 78:11,24	address 56:10	70:19 71:19,25	56:8 64:16,19	53:23,25 70:16
79:10,22 80:8	adjust 104:23	75:5	65:8 67:14	71:5,11,17,19
80:17,25 82:9	administration	agrees 62:11	68:14,14 70:5	71:23,24 74:11
84:1	126:17	ahead 56:12	74:14 92:6	74:20,24 75:5
ability 5:19	admissions 3:13	65:7	105:4 108:19	75:7 90:1
116:8	3:15 124:19,23	al 4:10,11	115:8 123:22	130:5
able 13:19	admit 123:6,15	alcohol 60:24	answered	area 31:18 62:22
absolute 63:7	123:17,24	83:3	110:16 125:17	areas 12:19
Absolutely 98:1	125:11,17,21	allowed 31:22	answering 6:7	46:24 89:15
accept 86:9	adopted 73:19	53:20 81:24	answers 126:20	arena 66:17
110:20	ads 133:14	86:7,9,20 87:1	anybody 53:22	argue 121:8
accepted 9:23	adult 83:17	87:25 88:22,24	131:24	Arizona 37:20
access 129:12	120:20	102:5,10	apologize 15:1	arrest 81:23
132:11	advance 57:6	127:19,20	57:1 64:12,14	arrive 104:16
accord 7:13	101:6 110:23	allows 19:13	67:1 87:14	105:3 119:23
accountant	advertise 62:24	alter 103:17	98:21	arrived 12:16
135:17	133:7	altering 128:7	APPEARAN...	Arriving 8:10
accurate 138:12	advertised 70:2	ambiance 19:23	2:1	ascertain 130:21
achieve 20:6	advertisement	20:6	applicants 31:24	asked 14:5,7
acknowledge	66:15	amount 40:13	applied 61:25	23:13 55:18
63:14 77:15,21	advertising	40:18 41:15,18	apply 30:23	58:25 69:21
acknowledge...	119:2	93:14 105:19	31:17 53:11,12	84:17 94:10
77:11	affix 137:18	112:17 130:24	56:5 78:14	98:23 115:3
acquired 109:22	afford 106:17	amounts 40:14	87:4,19	121:1 135:10
action 7:8 11:13	afternoon 4:1	104:23	applying 32:15	asking 6:6 15:12
11:25 42:7,8	5:5 26:5,6	and/or 1:12,13	appreciated	46:7 47:17,22
42:10 54:3	134:8	33:2	101:22	50:9 70:19
130:8 137:17	afternoons 24:2	Anderson 2:12	approach	108:13 123:20
138:14,15	ago 57:25 86:7	Andrew 7:10	101:25	asks 56:3 103:21
active 1:9,11	92:21	Angela 1:25	approached	104:8 125:11
27:13,19 29:7	agree 33:4 107:4	4:24 138:5,19	33:24	assessed 103:25
29:10,12	107:13	Angus 127:10	approved 27:14	association 74:3
activity 116:15	agreed 89:16	ankle 19:16	28:13 29:12	assume 13:22
129:22	agreement 12:1	84:10	approximately	14:7 16:10
acts 83:16	41:24 42:6,24	annual 118:18	4:4 55:8,12,15	22:15,15,16
actual 75:20	43:15,18,24	118:21	73:12 107:24	40:16 61:5
81:21 82:24	44:24 45:24	answer 5:18,23	108:2 126:5,10	104:12
add 77:6 78:1	46:21,24 47:2	6:9,12 13:10	136:7	assumed 37:18
86:21	47:5 51:7,25	13:19 18:10	April 36:10 37:5	38:8,10,12
added 89:15	53:23,25 54:4	25:25 27:7	37:24 70:25	assuming 85:15
	54:14,18 56:22	33:20 37:2	75:4	104:2

<p>assure 61:1 Atlanta 2:4 22:3 ATM 97:14 122:1,4 attempting 20:6 attend 74:4 attention 116:20 attitudes 28:10 attorney 138:13 138:14 attorney/client 55:23 56:4 attorneys 4:13 audibly 5:23 audition 30:14 auditioned 27:18 28:13 29:8 authority 19:6 automatically 19:9 Avenue 14:11 average 27:9 aware 11:15 15:22 33:13 34:22 35:1 36:2,21,23 AZ 2:10</p> <hr/> <p style="text-align: center;">B</p> <p>bachelor 134:20 back 16:5 22:23 25:9 28:23 29:1 31:19 33:21 35:12 36:17 37:8,10 37:15,18,25 38:1,5,9 42:16 47:13 51:19 55:16 56:13 58:16 60:15 61:21 66:2 68:13 71:3,23 73:13 74:12,21</p>	<p>75:2 79:5 81:4 82:2 87:1 92:9 105:11 108:3 112:17,19 113:6,9 114:1 117:11 120:24 126:11 131:19 131:21 background 7:20 bad 19:16 38:24 40:16 badger 37:22 banks 10:15 bar 10:16 21:16 21:19 82:18 bars 8:24 Bartenders 26:20 bartending 8:24 baseball 133:7 based 13:10 86:1 basic 77:12 basically 39:9 43:3 73:24 91:16 106:10 107:13,19 125:17 basis 52:18 55:21 91:8,9 basketball 133:7 beginning 58:5 60:4 73:10 94:13 96:17 126:8 begins 4:2 behalf 1:4 128:16 believe 32:9 belligerent 31:1 benefit 60:19 61:3 benefits 24:19</p>	<p>24:20 61:7,7 best 5:19 42:5 51:21 61:6 123:22 128:14 bet 135:6,7 better 32:20 38:25 54:21 big 18:23 120:4 bigger 76:24 bills 111:4 113:21 127:6 bit 5:17 11:3 23:4 61:22 117:1 blah 45:17,17 Blankets 109:10 blond 32:24 board 87:5,19 body 32:1,2 bolded 49:8 book 90:22 91:16,22 95:18 99:15,17,21,25 108:23 117:5,8 117:12,12,19 117:20 127:12 127:14,21,22 boss 14:20 22:16 bottle 61:14 98:9 101:12 134:14,18 bottles 101:13 bottom 75:19 103:15 bottoms 96:19 bought 134:6 Boulevard 2:12 35:6,10 bouncers 24:10 24:11 Bowl 69:23 boyfriend 102:18 boyfriends</p>	<p>102:4 bracket 107:9 break 6:16 15:19 18:24 55:1,3,14,18 56:3 73:3,9 122:24 125:24 126:7 breaking 116:22 brief 8:8 briefly 7:9 bring 13:20 66:21 67:20 68:1,10,18 105:18 broken 84:10 brought 67:9 117:11 budget 119:5 buffets 134:1 build 132:22 building 10:18 31:21 32:17 33:1 46:18 47:6 48:8,9,10 48:15 buildings 8:24 built 132:12 burnt 106:7 bus 67:9 business 2:16 46:25 47:25 48:14,17 63:13 63:15,23 65:3 106:9 115:10 buy 66:20 67:3,4 67:19,24,25 68:7,11,17,23 129:2,6</p> <hr/> <p style="text-align: center;">C</p> <p>cab 107:13 119:16,23 120:9,18</p>	<p>cabbies 120:21 cabs 81:3 106:2 California 8:14 16:5 call 31:25 51:18 91:25 109:19 called 17:11 22:8 23:19 25:7,8,9,23 26:1 39:16 43:14 45:20 55:24 65:3 71:16 91:1,24 92:3 108:23 109:18 118:10 134:4 calls 120:18 CALVERT 2:11 76:8,11,14 camera 129:22 Campagna 1:25 4:24 138:5,19 cap 107:13 capitals 83:6 car 49:7,16 119:20,21 127:10 card 27:17,20,24 29:23 97:18 109:24 110:1 113:20 115:1,4 126:19 care 22:1 128:22 Carolina 16:2 carry 81:24 case 1:8 4:9 7:14 55:24 56:17 cases 34:2,12 35:12 37:17 cash 61:17 81:17 111:5,13,16,16 113:6 114:1 126:17 cashier 26:10</p>
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<p>cashiers 26:8 Casino 8:14 categories 12:19 12:24 13:1 126:15 category 13:17 28:12,16 cause 91:16 CCR 1:25 138:19 cell 81:25 102:4 127:19 cellular 97:3 certain 40:17,25 104:15 105:2 106:5 135:12 CERTIFICATE 137:1 138:1 certified 3:17 138:5 certify 137:16 138:6,13 cetera 18:15 104:6,10 CFO 127:3 challenges 35:2 challenging 33:14 champagne 61:14 change 76:3,6 78:1 80:20 88:14 94:19 128:4 132:23 137:2 changed 39:21 127:16 128:8,9 changing 133:6 chanting 35:6 charge 10:17 19:22 20:4,13 40:14,19,20 62:11 91:5,6 98:5,9 101:12</p>	<p>110:4 118:2,10 118:17 119:13 119:14,15,21 119:22,24 120:1,2,2 121:24 charged 90:23 91:4,5 94:12 103:25 104:9 111:8,10 118:6 charges 104:9 119:12 122:1 134:18 charging 120:7 Charles 17:9,19 20:15 21:20 chase 82:23 check 10:15 25:13 33:2 checking 80:2 100:23 checks 9:18 21:11 cheetah 25:8 96:4 134:11,15 Cheetahs 1:12 1:12,13 3:7,8,9 3:10,11 10:1,2 15:23 16:24 17:18 18:14,20 22:12,20 33:5 39:19 52:16,23 57:13 59:12 62:5 66:15 69:4,23 70:16 70:18 71:10,22 72:2 74:10,20 79:21 86:11 90:22 92:22,24 93:8 99:23 101:15 113:8 114:4 115:15 118:19 122:7 123:4,6 126:17</p>	<p>128:15,18 129:12 132:6 133:11 Cheetahs' 75:16 78:22 79:19 80:5,15,23 81:25 82:6 84:21 86:17 87:18 95:22 102:7,13 Cheryl 2:14 4:6 chew 127:19 chewing 82:5,14 chips 111:3 choice 61:17 Christmas 94:4 Chuck 20:23 21:3,8,19,25 cigarettes 82:19 circles 30:17 circumstances 53:4,8 citation 103:2 cited 102:22 city 18:18 19:4 19:12 24:15 32:1 39:10 43:5 44:25 78:12 91:2 96:1 109:2 128:8,9 civil 7:8 claimant 130:5 clarification 7:7 Clark 1:2 4:8 7:25 138:4,6 138:16 class 1:5 11:13 11:23,24 42:7 42:8,9 54:3 classification 33:14 38:5,18 cleaner 49:14,18 cleaners 26:22</p>	<p>clearly 92:3 climbing 116:21 Clincy 34:23 clock 120:11 clocks 90:22 clog-type 79:14 79:16 Clogs 79:15,15 close 70:25 78:3 128:2 closed 106:7,8 clothes 78:18 79:6 87:23 109:14,16 club 1:13,13,14 19:22 20:5,8 20:14 22:3 23:5 33:6,7,10 34:11,23 35:3 43:19 45:1,2 51:9 52:8 54:10,12 58:21 61:7 62:23 72:2 73:16 75:1,21 83:17 84:23 87:8 91:8 93:15 95:3 102:5,10 103:10 104:9 104:15 105:2 106:1,6,24 107:3,7 108:6 108:13 111:12 111:12,18 112:3,20 115:7 115:16 120:10 120:20,25 122:12 125:14 125:18,18,21 125:22 126:16 126:22 club's 21:1 119:9 135:11 135:12,15</p>	<p>clubs 15:23 16:12,15,19,22 22:16 34:5 36:18 38:12,16 41:15 53:1 73:23 74:2 87:6,7,13 89:19,21 104:20,22 105:18 106:10 106:16,25 107:11,18 129:11 clubs' 87:3 co-counsel 125:25 coast 35:22,24 36:3,12,14 62:4 cocktail 24:6 26:15 codes 132:13 colleagues 12:9 13:3 collectively 11:9 college 7:21,24 7:25 columns 76:20 76:23 77:3 come 7:13 11:25 12:24 19:3,9 20:23 27:3 28:23 29:1 32:16 48:13 53:12 56:13 68:23 71:3,23 74:17,21 83:23 103:4 116:3 118:24 119:20 119:21 120:1 122:12 131:19 131:21 134:6 comes 54:18 113:2 120:9</p>
--	---	---	---	---

122:8 coming 9:14 30:6 76:25 119:18 commencing 138:8 commission 61:10,12,14,19 commissioner 56:10 commissions 54:16 common 13:6 19:8 32:6 86:16 communicate 17:23,24 communicatio... 35:15 Community 7:25 comp-struction 134:4 company 1:11 14:22 15:13 22:11 58:4 122:4 compared 75:4 complained 131:25 complete 127:13 138:12 completely 5:18 32:1 compliance 46:13 63:3 126:18 comprise 16:25 computer 72:7,9 concern 36:19 concerned 35:7 concluded 136:10 concludes 136:2	conclusion 123:21 conclusions 46:8 confirm 7:15 confuse 98:25 confused 45:12 46:9 76:10 111:23 connected 7:11 consecutive 57:10 considerable 130:24 consideration 63:20 considered 29:9 113:13 consist 29:22 57:9 consistent 49:4 49:4,24 116:18 118:5 consisting 136:3 constitute 81:19 consult 125:25 contact 16:18 contain 99:17 contains 12:18 content 133:1,5 133:6 contest 6:17 Continue 64:20 86:21 continuously 59:24 contract 39:5 46:13 48:7 52:20 54:15,21 61:24 122:3 contracted 132:21 contractor 44:17 44:23 47:11,21 48:5,25 50:22	51:2,13 contractors 44:4 44:7 46:4 contradicting 44:10 control 115:6 convenience 65:20 convention 27:6 29:2 conventions 74:2 conversation 6:8 copied 95:4 copies 41:11 128:5 132:9 copy 38:24 40:16,18 41:12 49:14,18 56:22 71:13 91:21 92:2 109:3 corner 40:12 corporate 14:9 corporation 1:10 14:12,17 15:17 correct 5:9 10:3 11:10,16,19 15:14 17:21 19:21 20:11,12 20:17,22,25 21:4,5,9,12,14 21:15,21,22 22:2 23:11 25:15 29:21 30:13,20 35:4 38:3 39:17,18 39:20 40:23 41:1 43:12,16 43:22,23 44:2 44:4,17 45:21 45:22,25 46:4 47:4,7,11 48:2 48:3,8,18,22	49:6,25 50:1,5 51:4 52:4,9 53:24 54:1,4,5 54:7,8,11,14 54:15,18,19 56:9 57:6,10 57:11,13,14 58:2 59:8,21 59:25 61:25 63:9,20,24,25 64:9,25 65:1,4 68:2,19,20,24 68:25 69:16,17 69:20,24,25 70:3,6,9,16,20 70:21,24 71:5 75:7,22 77:9 77:16 78:4,7 78:11,15,16,19 78:21,25 79:7 79:11,12,17,18 79:19,20,23 80:11,12,14,16 80:19,21,22,23 80:24 81:1,2,4 81:5,7,12 82:1 82:4,6,7,10 83:10 87:23 88:13,17 89:24 90:5,6,25 91:18,20 96:2 96:9 98:14 100:12 101:17 102:2 105:4,21 106:12 107:15 111:19,20 112:12,20 113:4,10,18 114:17 119:25 123:12,18,25 125:14 128:16 128:17,21,24 132:7 134:16 corrected 41:13	41:16,19 42:12 42:13,16 137:18 correction 116:21 correctly 112:16 cos 30:10 cost 97:16 118:24 costumes 78:18 80:20 cotton 96:10,18 couch 62:10 counsel 4:14 13:23 55:19 56:2,3 92:21 116:25 138:13 138:14 country 34:2 90:4 County 1:2 4:9 7:25 138:4,6 138:16 couple 8:13 29:13 34:3 77:25 90:8,17 92:20 course 14:4 27:9 27:10 131:2 court 1:1 4:7,8 5:24 56:15,19 104:19 105:6 136:11 138:5 courts 34:4 105:12,14 cover 37:8 43:6 119:12,13,14 119:15 Coyote 55:25 created 45:24 63:15,23 credit 97:18 109:23 110:1 113:20 115:1,4
---	---	---	---	--

126:19 critical 33:5 crossed 40:17 current 84:21 currently 9:25 custody 136:5 customer 25:3 62:12 66:3,7 67:4,25 68:22 69:6 80:11 81:6,11,17 82:24 83:2 86:25 97:19 98:10 101:25 102:18,20,20 105:17 109:22 110:13 112:4 119:18 customer's 116:21 customers 54:18 58:18,19,20,23 70:2 81:19 86:20 97:14 104:15 105:3 110:6 119:16 120:16 cut 91:23 <hr/> <p style="text-align: center;">D</p> <hr/> D.fuchs@swt... 2:5 d/b/a 10:2 d/b/a/ 1:11 daily 10:15 131:5 Dalos 1:20 4:4 damages 40:25 41:21 61:22 dance 27:10,16 28:6,16 30:11 30:12 31:8,15 60:13,17 61:5 62:13 69:15	75:21 87:25 88:22,24 91:6 93:15 97:7 100:24 109:19 110:1,10,20,24 111:2,17 112:2 113:3 121:14 126:18 134:22 danced 27:24 71:3 72:12 dancer 1:4 3:6,7 4:10 13:14 29:7,19 39:5 39:17,24 42:18 43:19 46:14 52:8 53:9 62:6 72:12 81:15 88:10 90:22 91:15 94:7 95:16,20 97:24 98:13 101:11 103:10,25 110:12 112:18 113:2,10,15,23 124:3 125:12 130:2,17,18 dancer's 11:13 123:12,16 dancers 17:20 18:8,16 19:8 20:1,10,16 21:3,7,10,13 21:21 22:1 24:6 26:25 27:14 28:11,15 29:11,16 32:18 32:19 33:5,11 33:14 34:6 35:3,5,9 38:18 42:2,21 43:9 43:25 44:3,6 46:3 52:17,23 53:2,6,6 54:10 54:14 62:1,17	62:22 71:9,21 72:5 74:10,19 74:19 76:25 79:21 80:7 84:22 85:6 87:4,5,19,20 87:22,25 88:21 89:12 90:3 93:14 108:25 110:20,23 111:1,13,17 112:12 115:3,7 115:11,16,20 115:25 116:8 116:10 123:8 124:6 125:19 125:22 128:16 129:1 133:15 133:19 dancers' 51:8 dances 62:10 69:15,19,23 102:3 109:23 110:1 dancing 30:14 54:19 109:13 date 6:22 42:9 42:14 71:1 86:25 93:20 127:23 dated 86:17 dates 77:8 dating 86:20 day 26:2,3,4 32:16 40:16 57:9 58:11 59:2,3,20 61:13 72:13,15 86:10 88:1,9 88:22 94:4,5,6 94:8 137:18 138:16 days 29:2 40:19 40:19 57:5	92:20 115:12 115:12 deal 35:17 67:17 deals 133:9 Dean 2:2 4:18 decide 28:23 93:24 103:6 120:8 decides 106:1 decision 10:25 decisions 11:4 declare 113:8,9 113:11,12 137:16 decor 19:23 20:5 deduct 114:13 defendant 3:14 4:20 104:2,11 defendants 1:16 2:2 4:11,18 define 48:13 52:5,13 deforming 49:12 demand 115:21 Dennis 2:16 4:19 denominations 81:18 department 75:1 79:2 94:25 106:7 depends 88:20 122:10 deponent 4:22 4:23 137:1,16 137:20 deposition 1:18 3:15 4:3,12 5:9 5:11 7:1,8 12:5 12:13 73:6,11 126:4,9,16 136:3,9 138:7 138:11 describe 103:22	design 132:20 133:4,5 desire 45:17 50:6 84:11 desires 45:16 destroy 48:11 detail 103:22 determine 72:12 74:10 determining 34:5 Diamonds 22:6 Diana 1:18 4:3 4:21 5:1,7 7:2 55:18 56:24 64:10 73:6,12 96:21 126:4 135:10 136:3 137:16,20 138:7 Diane 126:10 different 8:1 9:7 12:18 27:9 34:8,8 36:18 37:21 38:11 52:11 56:18 65:18 74:18 90:18 91:13 96:8 131:2,22 132:15 differently 51:10 86:1 direct 11:7 direction 113:14 director 17:11 disallowed 48:21 disappear 28:23 29:1 disciplinary 130:8 discipline 59:8 59:19 83:10 discount 24:22 57:18,22 59:5
---	---	---	--	---

<p>59:13,18 discovery 56:10 123:3 discrepancy 97:15 discretion 19:14 63:8 88:11 discrimination 87:5,20 discussed 7:9 discussion 56:5 103:19 disrupt 46:6 distill 59:4 distributed 24:15 District 1:1 4:8 divided 77:3 DJ 20:7 25:10 62:24 80:4,5 85:6 100:24 doctor's 19:15 document 71:15 75:11 108:6,7 108:14 documents 3:8 3:10 13:3,13 13:15 14:5 65:12,19 90:9 92:17,23 93:5 93:7 104:1,3 104:11 108:12 108:22 Doe 1:4,13,14 4:10 doing 10:18 15:6 29:14 37:9 51:21 dollar 41:14 126:18 dollars 101:7 106:16 107:8 109:19 110:2 110:10,21,24</p>	<p>111:2,17 112:2 113:3,3,17 120:6 121:14 door 24:13,14 26:10 31:7 81:4 94:14 105:19 119:19 120:23,24 doormen 24:12 doors 106:8 dots 7:11 double 93:24 draft 42:2 drafted 41:24 dress 19:10 dressed 67:11 dressing 31:20 32:3 82:20 91:25 117:10 117:11 drill 5:17 drink 60:24 80:10 83:1 103:5 134:6 drinking 116:23 drinks 61:13 101:7,15,15 driver 120:23 drivers 105:7,18 107:2,14 119:16 drops 103:4 drugs 31:1 83:16 116:15 129:14 129:23 duly 5:2 138:9 duties 10:15 duty 25:3 69:8</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E-m-i-l 127:8 e-mail 3:11 17:24 90:13 e-mails 18:2</p>	<p>E-trans 136:11 136:12 eager 120:3 earlier 11:12 61:23 116:3 125:17 135:11 early 35:1 58:9 58:10,13,20 59:17,18 easier 111:22 113:20 east 35:22,24 36:3,12,14,17 36:24 37:8,10 37:15,18,25 38:1,5 Easter 94:4 eat 134:7 educate 37:7 educational 7:20 effect 77:23 104:20 127:18 eight 80:1 90:14 either 12:1 13:2 45:11 47:20 56:14 electronic 71:13 electronically 72:24 eliminated 41:4 41:6,9 else's 131:24 Emelite 127:8,9 employee 9:16 24:20 25:14 44:16 47:11 49:21 50:7,24 51:16,17 109:4 131:14 138:13 138:14 employees 10:16 10:17 21:7,12 23:8 24:17 25:24 26:13,18</p>	<p>33:15 34:6 44:1 52:24 53:2 84:19,22 86:1,12 99:4 EMPLOYER 1:14,15 employment 8:9 11:14 35:4 46:25 47:24 48:21 94:19 encourage 115:19 encouraged 129:2 endurance 6:17 enforce 82:17 103:17 engaging 58:18 Enterprises 22:9 34:24 entertainer 53:13 66:10,21 67:4,19,24 68:1,7,18,23 81:16 85:17 110:3 entertainers 33:8,12 52:22 66:3,11,12,16 67:3 69:1,9 74:23 85:22 86:1,13,18 100:10 108:9 109:13,23 entertaining 69:10 entertainment 17:11 61:2 entire 105:15 131:7 entities 9:3 15:18 entitled 29:9 56:4 70:16</p>	<p>87:22 entity 9:25 14:14 22:8 31:20 equally 85:22 equipment 43:6 ESQ 2:2,8,11 establish 43:10 43:18 62:9,18 established 47:7 48:1 establishes 47:2 establishing 44:16 estimate 122:15 et 4:10,11 18:15 104:5,10 event 66:4 eventually 40:17 everybody 61:8 67:9,11 107:6 130:19 everyday 77:20 94:7 exactly 89:22,23 exaggerated 133:24 EXAMINATI... 3:3 5:3 135:8 examined 138:9 exchange 3:11 excuse 59:7 116:25 execute 53:10,16 executed 39:1 52:17 53:6 exhibit 3:6,7,8,9 3:10,10,11,12 3:12,14,15 12:10,11 38:21 38:22 39:2 49:17,17,19 65:13,14 70:12 70:14,15 75:11</p>
---	--	--	--	---

75:20 76:4,6 90:9 92:14,18 100:5 122:19 124:12,25 exhibiting 128:7 exhibits 3:6 57:3 90:15,18 122:18,20 existed 47:1,1 existence 52:16 exotic 33:5,11 expect 70:2,8,10 78:10,24 79:10 80:7,17,25 expected 82:8 85:1 114:25 expecting 96:21 expects 79:21 expenditures 118:22 expensive 73:21 experience 31:13 expires 27:20 explain 86:21,24 102:15 explanation 86:4 extent 18:19 123:20 extort 105:6,7 extorted 107:16 eye 10:16 132:3 <hr/> <p style="text-align: center;">F</p> <hr/> face 116:21 132:17 facility 98:2 fact 34:6 fair 87:3 familiar 56:1,16 89:22 family 9:7	Famous 135:5 far 13:7 14:13 14:15 16:23 18:11,12 19:10 19:13 35:7 42:9,25 51:11 54:19 58:8 60:13 61:6 62:1 92:9 124:2 130:3,14 father's 9:15 94:6 favorite 66:21 67:19 68:7,17 68:22 Federal 56:19 fee 57:21 59:11 59:12,16 61:16 61:20 62:9 93:15,23,25 94:2 97:5 98:3 103:22,23,23 103:24,24,24 103:24 110:4 117:25 118:4,7 118:12,13 130:6 feel 86:23 fees 21:2 54:13 57:18 91:6 94:12 98:16 103:23 104:5 104:15 105:2 106:15 107:1 115:20 118:7 122:5,8,12 125:13 felt 13:10 59:1 figure 36:22 72:17 file 71:12,16,18 72:8,13 95:7 95:13,15,17,19 106:5 130:17	130:20 filed 11:14 35:12 filing 11:24 fill 28:1 29:24 36:5 53:18 filled 27:18 41:7 74:23 130:13 filling 85:13 finances 126:16 126:21 127:5 financial 22:14 58:8 73:20 financially 138:15 find 56:22 74:18 75:5 117:16 131:10 finding 40:15 103:24 fine 8:11 58:8,21 76:7 103:22 fined 58:1,3,3 62:1,4,6 102:22 fines 104:5 118:8 finish 6:6,9,14 14:25 65:5,11 finished 6:13 fire 59:24 83:12 83:15 116:8,10 fired 83:17 90:25 91:15,17 116:16 117:21 130:8 131:16 firing 116:13 firings 117:3 first 3:13 5:2 8:13 12:16 31:2 33:17 41:17 53:11,12 55:3,9 60:8 63:4 65:21 92:17 93:11	109:16 123:1 138:9 five 75:25 76:2,3 76:3,13 115:12 124:13,14,15 124:16 125:8 125:11 133:10 fixed 62:9,12,19 85:21 flat 61:20 flats 19:17 83:18 flip 99:16 float 31:6 floor 10:16 17:4 23:7,13,20 24:5,7,9,9,11 24:15,25 25:2 39:9 53:19 62:24 77:13 81:16,25 82:5 84:4,8 97:3 100:24 101:21 109:7 116:20 127:20 134:21 135:1 Florida 16:2 flow 126:17 focus 45:9 123:1 folks 98:19 follow 35:19 39:10 43:4 44:24 45:1,2 46:16,17 48:10 48:15 following 8:15 18:12 follows 5:2 food 121:22 foot 32:25 61:6 football 66:17 67:16 foregoing 137:17 forge 56:12	forgetting 84:18 form 18:9,22 28:19 33:18 34:7 37:1 44:8 47:12 70:4 74:13 112:22 120:12 123:19 formal 31:15 77:17 108:7,20 forms 36:4 forth 105:12 forward 61:7 fought 105:5 four 9:14 12:1 29:2 40:22 57:25 60:4,8 74:12,20 100:9 131:1,2 132:24 133:10 frame 72:18 131:7 fraternization 86:13 free 61:16 133:9 134:4,6,7 freebie 67:8 frequently 116:10 Fridays 134:3 friend 67:12 friends 120:21 front 26:10 62:23 75:11 77:6 97:11,20 99:18 105:12 105:12,14 107:14 127:12 130:13 132:24 Fuchs 2:2 3:4 4:18,18 7:6,15 14:24 15:2 18:9,22 23:12 23:16 28:18 33:18 34:7
---	--	--	--	--

37:1 44:8 46:5 47:12 49:10 50:10,18 55:2 55:20,23 56:1 56:6,16,24 64:10,13 70:4 73:4 74:13,17 75:23 76:5,10 76:13 82:13 86:23 87:11,16 90:10 92:6 96:21 98:21,25 100:3,5,15,19 100:21 102:15 103:15 107:21 108:11,13 110:16 111:23 112:22 114:19 114:23 120:12 121:1,9,16 123:19 124:14 124:17,24 125:2,5 126:2 135:4,7,9,24 136:1,13 Fuente 1:9 4:11 8:23 9:20,21 10:2 12:21 14:9,14,16 89:18 123:8 124:1,5 Fuente's 135:21 full 57:19 59:6 74:16 93:25 fully 5:18 function 24:25 125:18 funny 15:10 97:14 109:19 121:16,19 further 135:2 138:13 <hr/> <p style="text-align: center;">G</p> <hr/>	G 25:9 G-string 130:7 GA 2:4 Galardi 8:15,22 9:2,9,10 14:20 15:17 16:8 17:23 22:9 23:2,3 34:23 53:1 Galardi's 15:22 Galardi-owned 34:23 Galardis 22:4 89:20 game 66:13 67:7 69:24 gather 14:5 21:12 46:12 gathering 93:5 general 10:25 11:1,5,8 16:25 17:7 116:7,9 generally 104:10 gentleman 132:18 gentleman's 1:13 125:18,22 gentlemen 132:15 Georgia 16:2 getting 49:12 61:10 102:21 103:8 girl 58:3 69:18 95:15 97:23 122:9,10 girls 27:5,5,6,10 28:22,25 36:5 42:25 62:25 66:7 67:9 70:3 70:8,19 71:2 75:20 76:21 78:10,24 79:10 80:17,25 81:23	82:8,11 83:8,9 88:7 97:13,18 114:25 126:25 127:18 give 6:1 8:8 12:6 27:7 38:24 57:22 90:17 107:1 113:5 114:1 119:17 122:15 125:1 given 23:25 27:1 28:12,15 29:11 93:1,17 111:2 114:12 124:24 130:22 gives 59:12 113:2,17,23 giving 65:6 72:16 98:23 102:9,19 glasses 49:7,11 49:16 GM 103:19,20 go 8:3 19:17 27:2,3,6 39:11 53:19 54:22 56:21 60:15 65:6 66:4,7,12 66:17 67:6,10 68:15,16 69:2 72:18,21 74:1 77:12,25 79:1 79:2 84:2 88:15 91:16 92:16 94:17 95:12 97:17 102:20 103:10 103:12,13,13 106:4 107:8,18 107:21 120:25 122:22 124:11 124:12 125:16 128:6 130:23 131:4,12	134:19,21 goal 32:25 Godfrey 2:14 4:6 goes 50:13 72:8 98:7 109:4 117:10 120:19 130:14 going 9:5 11:20 16:5,16 28:18 30:4 33:18 34:2 35:20,23 35:25 36:3,12 36:13,17 37:1 37:8,10,15,16 37:25 38:5,5,9 38:10,12 39:6 39:9,13 45:5 47:13 48:10 50:21 52:8 54:22 55:12,16 56:7 61:21 62:8 63:2 65:13 73:7 82:2 83:20 90:8,17,18 93:11 97:10 101:5 105:11 107:25 112:22 113:14 114:19 116:11,17,18 121:8 122:25 123:19 125:25 126:6 129:22 134:22 135:6 136:8 good 4:1 5:5,23 25:25 27:25 51:11 59:7,19 61:8 73:2 131:14 135:7 gotten 97:14 governed 19:6 governing 19:6	graduate 7:22 granted 88:18 grave 26:2 graveyard 26:6 32:17 graveyards 24:3 greeting 25:3 grips 96:19 gross 27:8 60:17 118:18 122:11 123:9 124:2 grounds 116:13 group 92:17 106:18,22 guess 12:23 27:12 29:5,14 39:16 69:7 70:14 73:2 108:23 guessing 27:12 29:14 40:3 105:25 gum 82:5,14 127:19 guy 48:13 113:16 guys 7:13 24:10 100:13 134:4 <hr/> <p style="text-align: center;">H</p> <hr/> hair 32:24 half 9:15 65:6 86:8 hand 38:20 40:12 45:3 65:12 70:14 72:10 75:10 90:8 92:13,13 99:21 138:16 handed 42:16 53:14 81:18 119:16 handful 35:5,12 handing 12:9
--	---	--	---	---

handled 114:16	hi 31:8	61:16 84:18	income 111:18	124:25
hands 15:8	high 7:21,22 8:3	85:8 86:9	112:3,8,11,20	interrogatory
handsful 35:9	79:13 83:19,20	93:14,25 94:2	113:8,9,14	103:21 104:8
handwritten	106:16 122:17	98:16 103:23	114:4,14	108:5
90:21	Highly 133:24	117:9 122:5,8	118:18 119:9	interrupt 6:11
hang 24:13 55:3	hire 115:17	122:12 130:6	122:7 126:18	intoxicated 31:1
56:24	116:5	hundred 29:13	135:13,21	91:24
happen 82:11	hired 20:18	63:1 97:21,23	Incorporated	inventory 21:17
happened 82:25	27:22 31:3,11	97:24,24 98:7	4:11	21:19
happening	88:2,7,7,8,12	98:8 101:6	independent	invite 66:3,11
36:24 70:23	hires 88:3	106:16 107:7	44:4,7,17,22	invited 66:6
happens 29:19	hiring 21:6	113:3,17,19,21	46:4 47:11,20	involved 30:8
35:19 58:6	29:16 66:15	113:23 114:10	48:4,25 50:22	35:9 36:20
83:1 116:11	history 8:9	120:6	51:2,13,13	138:14
happy 69:15	hockey 65:21	hurt 91:24	INDEX 3:1	involvement
134:1	66:13,13 67:3	husbands 102:4	indicate 50:21	17:20
head 6:2,2 13:11	67:7,11,16,23		indicated 133:14	involving 34:22
107:8 133:23	68:13	I	indication	118:23
headquartered	Hold 112:21	I-X 1:14,14,14	133:25	issue 35:17
14:10	holding 14:22	1:15	indigenous	79:23,24 98:16
headquarters	15:13 108:15	ID 29:23	18:20	issues 38:4
90:2	HOLDINGS	idea 12:6 44:9	individual 39:12	Italian 15:4
health 106:7	1:10	ideas 119:1	88:20 118:7	item 40:15
hear 23:17 33:17	hole 119:18	identify 4:15	individually 1:4	items 20:11
34:11 35:11	holiday 94:3	identity 74:19	14:22 15:14	
46:10	home 102:10	implementation	individuals 1:5	J
heard 22:8	honest 39:25	71:22	inform 43:3	J 2:8
33:16 35:23	hoping 114:19	implementing	information	Jack 10:23
36:16 56:7,14	hosts 24:23	132:6	3:19 21:12	jackets 109:6,8
109:10	85:25 86:12	impose 63:5	91:3 95:10	109:10
heart 46:23	hot 74:9	imposed 41:21	130:14	Jane 1:4 4:10
heavy 32:7,8	hour 14:1 57:16	59:8 104:6	inside 20:9 45:2	jerseys 67:11
132:4	69:15 118:5	impression 7:12	133:11	Jessica 130:4
Hedrick 130:5	133:19 138:8	126:19	instruct 56:8	job 10:19 53:12
heel 19:15	hourly 54:13	inch 19:15	instructed 90:2	jobs 8:13
heels 19:4,13	hours 22:19,22	incident 91:8,9	insurance 24:20	John 132:16,16
79:13 83:19,20	57:10,17,20,23	91:10 108:23	intent 42:24	join 66:10
held 15:13	58:7 59:6,6,10	109:1 117:5,8	interested	joint 103:20
help 44:20 45:10	59:11 130:22	117:12,12,19	138:15	Jones 2:12
116:4,4	134:1	incidents 82:24	interpretation	Judge 105:12
Henderson 1:21	house 18:12	include 95:25	68:3,5	jump 120:24
4:6	19:7 25:16,18	123:8	interrogatories	jumping 45:6
hereunto 138:16	25:20 57:18,21	including	3:12 90:14	June 70:23
hey 15:6 67:8	59:11,12,15	126:17	103:12 124:18	jury 54:6

<p style="text-align: center;">K</p> <p>keep 9:5 10:16 44:22 45:5 74:25 75:9 100:21 110:10 111:12 113:5 117:3 128:10 130:17,19 kept 58:21 71:13 71:16 72:13,15 130:18 key 129:15 kind 7:10 12:6 15:2 27:15 28:21 31:5 34:1 36:23 63:4 65:25 74:3 99:15 113:20 121:3 kinds 19:5 King 22:6 kitchen 21:16,18 knee 19:16 knew 15:12 know 5:16 6:17 7:9,10 11:25 13:14,15,21 14:13,15,16,21 15:4,14 16:12 16:21 19:3,9 22:3,14,18 28:25 31:25 32:6,8,11,24 32:25 34:9,25 37:17 39:25 40:18 43:13 45:3 51:14 53:4 67:1 70:4 73:16 74:1,7 81:18 85:14,25 87:8 89:1,3,20 92:10,12 100:15 102:18 102:19,19</p>	<p>105:11 106:8 114:16 115:8 116:4,19 118:20 119:7 121:3 122:13 122:17 125:2 129:10 132:16 132:17 133:16 134:5 knowledge 13:7 13:8,11 14:23 16:1,7 22:5,7 22:13 34:21 35:8,21 53:3 54:2 69:3,5 86:14 104:7 109:5 117:9 118:21 130:3 knowledgeable 12:20,25 126:21 known 52:2 126:16 knows 97:19</p> <hr/> <p style="text-align: center;">L</p> <p>La 1:9 4:11 8:23 9:20,21 10:2 12:20 14:9,14 14:16 89:18 123:8 124:1,5 135:21 lack 32:19 landlord 63:16 64:1,8,25 language 49:8 lap 69:15,15,19 69:23 134:22 large 58:21 90:21 largely 127:24 Las 1:12,12 2:13 3:7,8 4:7 18:18 19:4,12 24:16</p>	<p>34:15 35:6,10 36:20 37:19,20 39:20 44:25 91:2 109:2 136:5 late 40:20 130:6 Lauren 2:11 4:16 Lauren@mor... 2:13 law 2:12 18:12 31:19,22 35:7 35:8 78:13,15 78:20 79:16 80:13,21 81:4 81:8,9,10,15 81:21,22 103:3 103:9 104:14 104:18,21 105:2,4,21,24 128:8 laws 34:9 35:19 39:11 44:25 58:17 96:1,4 127:17 lawsuit 131:18 131:20 lawsuits 33:13 90:4 lawyer 135:19 lawyers 114:23 layout 19:23 20:5 learn 13:1 36:11 36:13 37:12 lease 3:8 39:17 39:24 42:19 43:10,14,17 45:3,17,18,20 47:3 49:5,25 50:20 52:17 53:9 57:3 60:18 63:20 leases 53:5 60:5</p>	<p>leave 58:9,13,14 58:18,20 80:1 81:6,10 102:21 129:10,10 leaving 59:1 81:19 120:16 left 8:20 58:10 58:15,20,24,25 59:17,18 63:4 73:3 99:21 legal 1:20 4:5,7 35:2 46:7 51:11 123:21 136:6 leopard 134:11 134:14 lessee 43:12,19 44:16 45:25 47:4,8,10,20 50:4 lessees 44:1,3,7 46:3 lessor 43:11,20 45:25 47:3,8 let's 8:12 60:15 68:13 78:17 90:13 92:16,16 93:11 121:9,9 122:18 123:1 124:11,12 125:16,24 letter 37:9 letting 59:20 Liability 1:11 liable 82:23 license 27:15 29:23 licensing 21:1 125:13 128:9 lighting 20:8 Limited 1:11 limos 120:4 line 49:2 137:2 lines 133:15</p>	<p>liquidated 40:25 41:21 61:21 liquor 119:10 121:13 list 13:14 27:13 27:20 29:12 listen 45:9 litigation 14:4,6 little 5:17 6:1 11:2 23:4 33:19 49:18 61:22 74:18 93:18 95:19 111:3,22 114:23 117:1 Lizardi 2:8 LLC 1:10 local 104:14 105:1 Locals 119:22 120:2 located 4:4 71:16 location 36:19 36:19 lock 129:2,13 locked 132:13 locker 48:12 103:24 129:2,3 129:6,11,23 130:2 lockers 46:15 129:19 log 72:5 109:1 117:15,15,17 logbook 91:1,7 91:11,25 117:18 130:9 130:10 logged 72:5 logging 130:20 logs 109:2 131:5 long 9:10,21,24 10:4 13:25</p>
--	--	---	---	---

28:3 41:5 78:5 108:12 127:21 longer 127:18 look 13:8,13 30:5,12 48:16 49:8 51:10 53:21 54:21 76:9 91:16 92:10 122:18 128:12 looked 72:10 75:2 96:16 104:3,12 looking 12:23 13:3,7,16 46:23 54:20 72:21 112:14 131:7,10 looks 61:8 66:2 98:15 loose 41:12 Lopez 2:8 lose 88:23 lost 11:2 34:18 34:20 44:5,14 44:14 45:4,4,4 100:15 105:5,6 106:21 115:18 125:6 lot 31:3 42:15 68:15 83:17 loud 64:11 lounge 3:10 19:2 75:17 95:22 love 32:23 lovers 102:4 lower 106:15 107:1 115:20 lunch 133:25 lying 41:25 <hr/> <p style="text-align: center;">M</p> <hr/> machine 115:1 maintained	108:20 maintains 90:22 108:8 maintenance 21:23 38:14 132:20 makeup 39:7 43:6 making 10:18 122:17 male 32:2 man 24:7,9,9 101:22 management 10:9 17:1 86:12 99:10,11 115:25 116:20 manager 10:11 10:14,25 11:1 11:5,8 16:25 23:16,20,25 24:1 25:2 29:17,20 80:2 88:2,6,9,12,15 89:10 107:5 115:24 116:8,9 131:22 132:1 manager's 17:7 managers 16:23 17:2,4,5,6,14 23:7,13,15 24:5,19 25:1 74:2 85:25 86:6,17 99:5 106:24 107:3 107:11 131:1,1 131:2 mandated 105:22 mandatory 84:24 100:14 March 1:23 4:2 138:8 mark 38:20	marked 3:6 12:10,11 38:22 49:19 65:14 70:12,15 75:10 76:4 90:11,15 122:20 marketing 17:14 17:18 119:2,4 master 129:15 match 106:11 material 63:19 96:11,19 materials 57:13 57:15 math 76:12 matter 4:10 matters 11:12 maximum 60:17 61:2 mean 8:20 12:7 13:8,15 15:20 23:12 25:25 34:9 42:25 52:5 56:18 58:8 60:10,22 60:24 61:4 93:17 97:6 98:25 102:16 108:15 109:1,5 115:9,19 127:4 128:7 130:6,7 means 45:12 46:3 48:9 61:5 66:25 medical 24:20 meet 13:25 meeting 58:22 meetings 16:14 104:23 member 9:7 memory 39:6 men 24:11 25:2 31:17 116:20 133:15	men's 15:23 33:6,7,10 35:3 74:2 107:11 mention 48:4 mentioned 106:20 mentions 91:23 met 13:22 Metro 18:18 19:13 43:5 44:25 58:17 78:12 81:15 95:25 102:22 109:4 128:9 Miami 22:6 MICHAEL 2:8 Mick 4:16 7:4,5 7:6 23:12 56:6 56:24 98:21 microphone 56:25 117:1 mid 35:1 middle 49:9 101:20 mind 92:14 121:7 mine 125:5 minimum 19:15 57:9 60:6,11 minute 38:25 73:3 minutes 14:1 Mira 127:10 Miscellaneous 3:8 misclassificati... 90:4 missed 40:16 117:25 118:5 120:14 missing 40:14,19 87:11 misunderstan... 20:2 37:4	44:18,21 47:14 97:16 modifications 40:11 modified 40:8,9 mom 25:16,18 25:20 85:8 117:9 moment 13:20 16:1 moms 84:18 money 31:7 54:17 56:15 58:9,10 97:14 105:7,7,19 107:9 109:19 112:18 113:15 119:13 121:13 121:17,19 123:8,13,16 124:3,6,8 month 27:1,9,11 28:14 74:25 75:1 116:12 118:25 120:7,8 Monthly 118:23 months 8:21 27:24 28:4,5,7 28:8 29:8 41:10,13 116:19 119:8,8 131:12 morning 26:4 mornings 24:2 Morris 2:12 mounted 35:2 move 52:14 59:5 117:1 moveable 20:8 moving 15:8 muddled 15:3 multiple 60:12 130:25,25 music 39:8
--	--	--	--	---

N		O		
name 4:6 5:6	106:6	O 106:19	27:8 28:11	125:10 126:2
9:18,23 14:15	newspapers	obese 32:13	30:22 31:10	129:15,18
17:8 22:10	38:11,16	object 18:22	32:23,25 34:21	130:10 135:4
72:16 106:23	night 14:3 88:24	28:18 33:18	34:21 36:16	136:1
127:9	89:9 93:15	34:7 37:1 44:8	39:15,23 40:4	old 7:18 40:18
named 132:16	114:1 118:13	112:22 123:19	40:21 41:8	41:12 132:10
names 76:21	Nightly 110:11	objected 111:24	43:21 44:15,18	132:11
77:6 127:7	nighttime	objection 18:9	44:20,20 45:8	on-shift 17:2
nasty 31:1	100:10	46:6,10 47:12	45:9,10,10,10	once 40:18
nature 19:24	nodding 6:2	55:20,22 70:4	45:11,11,12,13	85:20 133:3
necessarily	Non-employees	74:13 120:12	45:13,14 46:1	134:6
60:24 65:19	52:22	objects 20:8	46:5,12,22	one's 25:9
necessary 98:22	normal 6:7	obligated 54:13	47:5,10 48:19	ones 104:12
125:13	120:11	69:19	48:23 49:20	108:20
need 6:16 13:17	normally 55:5	obtained 18:17	50:7 51:3,5,6,6	Onyx 22:3
14:7 33:7	88:18	18:19	52:1,11 57:8	open 129:12
45:11 83:19	North 2:9	obviously 71:21	57:12 58:24	134:25
86:23 104:24	notation 27:21	71:25	59:4 60:9,15	opened 10:5
Nevada 1:2,10	note 19:15	OC 106:19	60:21 61:21	86:10 127:23
1:11,21 2:13	notes 138:11,12	occasionally	63:2,21 64:4	operate 125:14
4:6,9 14:12	notice 3:15	59:24	64:14,22 65:10	operation 33:5,9
36:20 55:24	12:13,18 13:9	occur 53:10 74:7	65:17 66:6,14	61:2
56:14 138:3,6	126:15	offered 24:22	66:19,24,25	operations
138:16	noticed 41:18	office 12:17	67:6,8,13,15	10:11,14 22:19
never 18:1 30:21	128:25	22:10,11 71:17	68:17 72:11	operators 89:19
41:14,16,23	November 11:14	122:4 126:25	73:4 75:2 76:3	opinion 84:16
53:22 56:7,14	22:23	127:2 132:17	76:10,13 77:7	opposed 47:10
58:3,3 61:24	number 4:9	138:16	77:10,14,19,20	optimal 115:15
62:3,3,4,6,7	11:24 61:1	OG 106:20	78:2,10,14	optional 97:5
74:12 81:6	65:18 73:6,11	oh 8:12 9:5	79:4,6 80:1	order 5:22
85:5 86:6,8	76:1 79:13	13:17 27:2	84:3,15 88:4	original 133:4
89:4 92:14	80:1,10 103:14	30:3 57:1	88:10 92:5,7	136:4
106:20 109:10	109:14,14	82:22 96:23	92:19 93:4,21	originally 90:11
120:2 130:1,8	111:2 115:6,11	100:7 112:15	94:18 95:5	outbid 107:19
130:8 132:22	115:15 123:5	okay 5:16,24 6:3	96:18 97:2,22	outfit 29:25 30:2
133:16,17,20	123:18,24	6:9,10,15,19	98:7,24 99:7	30:12 85:21
135:23	124:4,9,13,14	6:23,24 7:5	99:13,22 100:7	outfits 43:7
new 1:12,13	124:16,23	8:12,19 9:5	100:19 101:10	overcharge
42:13,14 66:15	125:3,8,11,16	11:2,7 12:2,3	103:12 104:14	62:17
96:11,13 98:16	126:4,9	13:17 17:6	105:1,17	overhead 119:2
132:6 134:10	numbers 27:8	18:4,4 19:22	106:18 109:12	overlap 116:6
newer 96:15	122:17 124:12	21:19 23:6,24	112:2 115:22	overweight
news 56:6 106:4	NW 2:3	24:4,13 26:3	121:2,10,11	88:23
			124:4,10,11	owes 130:7,7

<p>owned 9:2 15:22 16:3,8 22:4 owner 1:14,14 10:21 11:6 19:25 20:7 21:25 23:1 40:25 43:11 45:16 60:5,19 61:3 62:18 63:5,7,15 64:6 64:7,24 owner/perfor... 63:25 64:2 owners 35:16 62:9 74:2 89:19 107:5,7 107:11 ownership 22:12 owns 14:14,18 14:21 22:17 89:21,23</p> <hr/> <p style="text-align: center;">P</p> <p>p.m 1:23 4:4 26:6 55:12,16 73:7,13 100:10 107:25 108:3 126:5,11 136:8 136:10 138:8 package 133:8 packages 134:11 packets 94:22 page 6:23 48:16 49:9 50:24 63:3 66:14 69:14,22 72:18 72:19,21,21 93:11 94:18 95:5,6,22 98:15 99:3,13 100:3,4,5,16 101:20,24 103:15,15 107:6 108:10</p>	<p>121:5 124:15 128:7 132:24 133:8 137:2 pages 93:2 127:12 128:4,5 128:10 paid 25:12,12 69:1 97:11,20 101:6 106:13 112:17 120:6 120:20,23 pants 87:23 paper 71:15 72:8 76:24 95:18 111:4 130:20 131:13 papers 129:1 paperwork 27:18 28:1 29:24 36:5,7,8 36:14 37:5 38:1 53:18 130:20 paragraph 40:13,22 48:16 60:14 parameters 32:5 parent 15:17 park 100:11 Parkway 1:20 4:5 part 31:21 33:8 35:18 46:20 50:7 94:22 131:15 participate 20:20 particular 88:8 parties 48:18,21 63:14 65:4,22 65:25 66:18 69:2 134:20,23 134:24 138:14 parts 32:1,3</p>	<p>party 56:3 63:13 67:9 69:10,12 passed 9:4 132:18 passing 9:15 patrons 104:9 105:19 110:23 111:13 123:9 124:7 pause 6:12 pay 40:25 54:13 57:20,21 59:10 59:11 66:10 69:4,6 93:14 93:25,25 94:17 97:9 104:15 105:2,18 106:16 107:13 109:25 110:24 118:2,3,4,12 118:12 119:16 119:17 120:8 124:5 127:5 paycheck 23:10 paying 21:6 54:10 98:12 101:11 107:7 116:20 124:3 125:13 payments 111:13,16,17 payroll 118:23 126:18 Peachtree 2:3 penalty 137:16 pending 11:18 64:21 people 6:12 16:15 23:21 24:5 30:22 97:17 109:19 116:12 127:2 perceives 50:18 percent 13:12</p>	<p>31:12 63:1 85:6,7,8,9,10 97:24 98:7,8 110:8 111:11 112:3,6,19 119:17 122:7 122:16 percentage 31:10 61:19 122:11,13 perception 88:25 Perfect 136:13 perform 49:3,24 50:7 57:5 performance 3:6 3:7 39:17,24 42:19 43:10 45:20 50:20 52:16 61:6 62:13 performances 60:18 performed 62:10 71:21 74:10 performer 40:24 43:11 45:17 50:6,21 51:15 52:10,11 57:4 60:10,16,19 61:3 62:11 63:7,16 64:6,7 64:25 81:16 83:24 performers 41:20 performs 24:25 period 11:23 28:24 29:8 42:7,8,10 52:15 77:24 92:3,24 93:9 94:4 104:1</p>	<p>123:7 124:1,5 125:12 130:22 133:19 periods 47:2 perjury 137:16 permanent 129:9 permission 88:18 person 9:2 12:20 12:25 29:20 47:23 55:9 72:13 103:4 106:16 115:1 132:12 138:15 personal 43:8 84:16 Personally 32:14 pertinent 35:21 108:8,20 phone 15:10 18:5 56:11 81:25 127:19 phones 97:3 102:4 phrase 23:21 133:18 physical 21:25 pick 5:24 81:3 119:25 120:4 120:22 picks 120:9,19 pictures 132:24 133:10,10 piece 72:7 95:17 131:13 pizza 134:1,5 place 12:14 42:7 45:1 46:5,17 51:17 106:5 placed 62:23 places 16:6 58:4 60:13 117:13 plaintiff 4:10</p>
---	---	---	--	--

<p>Plaintiff's 3:12 plaintiffs 1:7 2:7 4:13,17 please 4:15 5:6 27:4 51:19 plumbing 48:14 plural 87:13 PMK 89:16 point 38:13 41:3 43:5 46:16 58:19 70:18 105:10 police 74:25 79:2 94:25 policies 18:8,15 70:20 87:4,19 policy 3:9 70:16 71:5,9,11,23 74:11 84:21 86:11,14,15 90:1 108:7,14 109:6,16 Pontrelli 1:18 4:3,21 5:1,7,8 73:7,12 126:5 126:10 136:3 137:16,20 138:7 pool 55:5 position 85:13 positions 10:8 possible 60:17 posted 3:10 92:23 93:8,12 93:13 94:21 95:2 99:14 132:10 postings 98:22 potential 32:19 power 103:17 practice 57:24 105:18 pregame 69:10 premises 45:18</p>	<p>46:14,14 48:6 48:7,8 60:6 61:2 62:11 63:6 premium 134:14 preparation 13:23 prepare 12:4,7 prepares 19:5 preparing 12:24 presence 129:20 129:21 present 2:14 4:14 8:9 89:17 129:23 130:2 presumably 71:24 pretty 32:22 78:3 128:2 132:25 preventative 38:13 previous 23:1 price 62:10,12 101:9,18 priced 101:14 prices 104:9 pricing 62:20 116:1 print 72:8 printed 98:20 prior 11:24 12:2 40:2 58:1 71:3 74:11,12,20 75:3 138:9 private 129:4 privilege 55:23 56:4 probably 5:16 27:10 29:15 33:24 41:10 73:2 75:8 122:1 128:6 problem 116:18</p>	<p>problems 38:12 38:17,17 process 29:22 30:8 111:14 processer 115:4 processing 29:20 126:19 produce 60:16 produced 104:2 104:11 product 112:5 112:13 production 92:4 92:22 products 104:10 proffered 12:20 profitable 125:22 promotion 20:19,21 promotions 17:17 20:13 promulgates 18:21 property 1:10 48:11 129:5,8 129:9 proprietors 44:23 prostitution 81:20 protection 129:4 provided 53:5,9 92:20 95:1 108:24 provides 51:8 56:2 57:4,8 60:14 62:8 64:23 provision 41:4,8 53:24 61:22 provisions 45:16 49:5,24 54:22 pulled 128:11</p>	<p>purchase 109:24 110:1 113:12 113:13 purchased 66:8 66:12 67:7,10 68:12 purpose 43:9,17 43:24 purse 81:24 82:22 purses 97:2 put 27:19 30:4 30:10,11 41:11 42:14 43:4 44:25 56:25 62:20 65:20 71:12 74:24 76:8,21 94:25 104:20 putting 19:19 60:25 61:6</p>	<p>68:14 92:6 103:13 121:6 125:9 135:3,11 quick 122:23 126:13 quicker 68:15 quickly 6:18 quite 74:15</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R 2:2 race 89:13 ran 31:7 rate 24:22 re-ask 64:23 re-read 51:14 52:1 read 49:10 50:7 51:19,22 56:23 64:10,13,17,18 79:5,8 121:7 124:9 125:8 137:17 reading 13:6 51:5,23 96:23 ready 56:21 64:18,19 realized 37:24 really 11:13 13:7 66:16 127:4 128:22 reason 6:11,21 58:12 59:19 73:15,18 83:21 84:9,11 88:15 89:5,7,8 reasons 79:1 90:1 recall 40:10 recap 107:10 receipts 94:11 123:9 124:2 receive 23:10 57:17 93:14</p>
--	---	--	---	---

111:18 received 18:2 41:16 85:16 86:6 123:8 124:6 receives 112:4 receiving 81:17 85:14 reckon 31:11 recognize 39:2 75:11 recollection 13:2 13:18 42:5 record 4:15 5:6 5:23 15:3 51:22 55:13,16 73:8,13 79:8 93:22 107:21 107:25 108:1,3 117:3 126:6,11 130:11 136:8 recorded 72:6 recording 74:25 records 75:3 108:8,16 128:16 130:4 refer 7:1,3 8:23 23:22 24:10,11 100:20 reference 61:9 61:11 referenced 65:2 references 33:2 referring 38:17 40:21 reflect 93:7 reflected 117:14 refresh 13:1,18 refuse 80:10 83:1,25 110:20 refused 131:21 131:23 regard 16:24 67:2,23 109:13	112:2 128:20 regarding 11:13 18:8 84:22 86:12 regardless 85:23 regular 57:21 59:10,15 61:1 101:9,14,18 regulations 63:3 63:6 related 65:19 relates 108:24 relating 108:8 relationship 43:10,18 44:15 45:24 46:25 47:3,8,25 48:2 48:18,22 49:1 51:8 63:13,15 63:19,23 64:5 64:7,8,24 65:3 89:18 90:19 relative 138:13 138:14 relevant 11:21 11:23 35:25 47:1 92:3,24 93:9 104:1 123:7 124:5 125:12 remain 136:5 remember 40:1 41:25 133:18 135:13 reminder 75:18 77:12,22 remove 128:4 removed 32:2 rent 119:1 rents 21:23 repairs 21:23 118:23 repeat 53:7 Rephrase	110:13,15 report 10:20,24 11:5,5,6,8 112:3,11 114:4 114:7,14 reported 1:25 111:18 112:8 112:19 138:7 reporter 5:24 51:22 79:8 136:11 138:6 REPORTER'S 138:1 reports 94:11 106:3 Representative 2:16 request 92:21 123:5,6,6,17 123:24 124:4 124:16 requested 4:12 92:23 129:20 requests 3:13,15 92:4 95:2 124:18,22 required 31:13 31:15,20 75:9 79:13 91:2 101:8,16 109:2 129:1 requirement 101:11 109:12 requires 19:12 24:16 40:24 104:14,18 105:2 response 3:12,14 92:21 95:2 96:22 responses 123:4 124:24 responsibility 128:15,19	responsible 17:17 18:7,14 29:20 39:7 43:7 125:13 133:1 rest 118:13 restricted 89:12 retention 108:6 108:7,14 retreats 16:14 returns 135:22 Revenue 121:20 revenues 122:12 135:11 review 13:18 reviewing 13:9 reworded 105:8 Rhino 33:23 ride 91:24 102:9 102:10,19 rides 81:3 right 6:4,14,25 7:3,4 9:1,5 11:11,21 12:14 14:17 15:16 19:18 20:4,20 21:8 22:1 26:9 29:5 30:7 33:10,11 37:7 38:2 40:12 41:20 42:2 43:9,17 44:1 45:15,18 46:2 48:19,24 49:9 50:2,20 54:6 54:10,20 56:15 56:21 57:19 59:17 60:2 62:2 63:5,12 63:22 64:3 66:9,14 71:2,7 71:25 74:7,17 75:16 77:1,4 78:3,6,17 81:3	82:4 83:7 84:17 87:14 90:12 92:16 93:19 94:19,24 95:1 96:1,5,8 96:11,20 97:3 98:3,9,16,18 99:18 103:5,21 105:20,22 106:13 108:17 109:25 110:4,9 111:3,6 112:4 112:11 113:2,5 113:6,7,14 114:6,18 115:11,16,21 120:11,17 121:22 122:2 123:2,14,17,24 125:4,5,16,24 126:12 127:14 128:20,23 135:2 rights 54:3 Road 2:9 ROE 1:14,15 roll 71:22 room 25:8 31:20 32:3 62:24 82:20 91:25 97:16 98:3,5 117:10,11 118:10,11 132:25 134:21 rooms 25:5 97:11 101:5,13 121:24 134:19 134:20,23 Rose 1:20 4:5 rotation 97:8 rough 122:15 roughing 9:22 routine 52:17 routinely 34:5
--	--	---	--	--

<p>83:9 row 77:2 rub 31:4 rule 74:21 78:22 79:11,19 80:5 80:15,23 81:25 82:6,14 99:15 99:17,21,25 102:7,13,25 106:7 127:11 127:12,14,21 127:22 ruled 74:11 rules 3:10 17:3 18:7,15,15,17 19:2,3,3,5,7,20 39:10 43:4 44:24 45:2 46:15,16,17 47:5 48:10,15 63:3,6 75:17 77:12,15,21,23 79:22 82:16,17 82:21 83:10,13 84:1 86:10 87:4,8,18 95:23 96:4 100:24 101:25 103:18 116:17 116:22 ruling 28:4 34:5 56:19 104:19 128:8 rulings 105:6 run 97:19 102:3 115:10 120:22 120:24 running 16:15 85:10 115:1 runs 15:17 16:21 94:3 Rusing 2:8,8 3:4 4:16,16 5:4 7:12,17 12:12</p>	<p>15:4,8,11 18:13 19:1 23:15,18 29:4 34:10 37:6 38:23 44:12 46:10,19 47:16 49:14,17,22 50:15,19 51:19 51:24 54:25 55:5,9,17,21 55:24 56:2,12 56:18,20 57:2 64:15 65:15 70:7,13 73:2 73:14 75:25 76:2,7,15 79:5 79:9 82:15 87:2,12,17 90:7,12,16 92:2,8 97:1 98:24 99:2 100:7,8,17,20 100:23 101:1 102:23 103:16 107:23 108:4 108:17,18 110:18,19 112:1 113:1 114:24 117:2 120:15 121:5 121:12,18 122:18,21 123:23 124:16 124:20,22 125:4,7 126:12 126:14 135:2,6 135:10,25 136:12 Rusinglopez@... 2:10 <hr/> <p style="text-align: center;">S</p> <hr/> S 34:23 safety 79:23,24</p>	<p>sake 65:20 salaried 9:16 sales 60:17 112:5 113:12 119:10,17 121:22 Sapphire's 34:17,18 save 94:10 128:5 saves 25:25 saw 58:19 saying 18:11 37:9 42:9 44:10,22 45:6 49:20 50:8 62:25 70:10 81:10 103:3 113:15 says 40:16 48:20 48:23,25 49:3 49:4,23 50:3 50:14 51:1 52:3,7 57:7,11 60:5,16 61:1 63:3,5,14 64:2 64:5,8 66:20 67:19,25 68:2 68:4,7,17 83:6 83:7 91:19 95:25 96:10 97:2,10 100:9 100:10 101:5,7 101:14,15,21 103:9 104:1,10 104:14 105:1 108:6 132:23 scams 120:21 schedule 57:5 scheduled 57:9 school 7:21,22 8:3 Schulten 2:3 search 72:25 129:18</p>	<p>searched 129:25 130:2 seat 67:10 second 3:14 40:12,22 50:24 54:24 56:24 60:15 107:22 118:16 124:22 124:25 section 40:22 51:23 57:4 60:4,8 62:8 63:4 64:23 65:3 see 8:12 29:2 30:5,12 34:19 42:12 45:15 60:7,20 62:14 63:8,17 65:22 66:23 67:21 68:22 77:7 90:13 91:17 92:18 100:11 104:1,10,16 106:25 108:9 121:5,7 122:24 132:3 seeing 13:17 38:15 75:19 seen 12:14 19:2 57:12 78:2 133:17,20 135:21 self-employed 43:8 sell 60:23,23 61:14 101:13 send 120:3 sense 6:22 19:8 32:6 86:16 sent 36:4,14 37:5 38:1 41:18 90:1 sentence 60:8</p>	<p>65:5,6,11 separate 31:18 31:20,21 98:2 series 25:18 served 92:22 123:4 servers 26:15 Services 1:20 4:5 set 3:13,14 22:22 22:23 57:10 60:6,11 65:12 101:24 124:22 124:25 133:3 134:21,23 138:16 setting 18:15 setup 20:5 seven 92:11 119:7 sewn 85:21 sexual 83:16 116:15 shakes 133:23 shape 32:10 shapes 32:9 shareholder 14:19 shares 14:18,21 15:13 sheet 74:22,24 75:15,20 76:17 76:19 77:6 90:10,11 95:10 98:18 109:4 130:13,14,15 sheets 42:13,14 109:3 sheriff's 27:20 29:23 shift 16:23 17:5 17:6 23:7,15 23:16,25 24:1 24:4 25:2,20</p>
---	---	---	--	--

26:3,4 27:5,22 27:25 29:17,19 32:16 69:13 80:2,21 88:5,7 88:8,16 89:9,9 93:16,24 94:13 102:11 116:4 118:15,16 122:10 131:21 131:22,23,24 132:2 shifts 25:21,22 26:1 57:16 88:11,14 89:13 116:6 130:25 shoe 85:21 shoes 79:14,16 96:20 shoot 31:7 shooter 80:11 83:2 short 55:14 73:9 105:3 126:7 shorthand 138:11,12 shot 85:12 120:5 show 27:16 28:6 28:16 74:3 85:11 88:11 106:2 showed 83:18 132:24 showing 75:20 shows 27:24 29:18 shuttle 120:1 133:10 SIB 81:22 sign 40:19 43:2 53:21 70:19 71:24 90:3 97:17 109:3 115:9 sign-in 75:15	76:18,19,22 77:9,14,17 90:10,10 130:15 sign-up 76:17 signature 137:18 signed 42:21 46:1 52:21 71:4,9,10,19 signing 42:25 75:21 115:9 signs 62:21,22 similar 42:6 89:19 96:7 similarly 1:5 single 94:8 SIS 81:22 sitting 101:25 situated 1:5 situation 32:15 33:24 situations 32:2 six 32:25 41:10 41:13 57:10,16 57:17,20,22 58:6 59:6,6,9 59:11 62:8 76:1,1 92:11 119:7,8 131:12 size 19:4 32:10 sizes 32:9 slightly 40:7 96:8 slow 15:7 94:4,5 94:6 small 25:4 smoke 127:19 smoking 82:5 sneakers 84:5,7 Sneaky 114:23 sold 61:13 112:5 112:13 sole 44:23 63:7	63:22 64:24 somebody 14:18 51:16 89:8 126:20 127:3 son 23:3,3 song 109:17 117:25 songs 97:20,22 109:15,16 sorry 4:23 7:6 8:17 23:12,16 30:1 60:16 75:23 76:5,13 82:13 87:14 96:23 99:7 105:13 110:14 111:20 114:21 124:17 125:3 sort 17:4 29:10 29:12 32:4 59:7 74:1 107:13 123:21 sound 44:10 sounds 30:7 45:5 sources 119:9 south 16:2 22:9 89:21 speak 55:19 56:3 Spearmint 33:23 special 20:13 94:2 specific 39:14 40:10 89:12 specifically 10:10 48:17,20 48:21 49:23 66:20 67:25 124:12 spelling 105:13 sporting 66:4 sports 8:24 65:25	Spot 25:9 sprained 84:10 Springs 55:25 squares 93:18 ss 138:3 St 1:20 4:5 stage 84:2,5,6 97:5,8 102:1 103:23,23,23 109:13 117:25 118:3,4,7,9,9 118:13,14 stamp 93:19 stand 83:7 standards 19:11 standing 31:9 85:13 129:21 129:24 stands 55:9 start 6:7 39:23 57:24 99:19 started 8:15 58:5 70:18,23 76:16 131:10 131:11 starting 37:19 37:20,21 46:7 99:22 state 5:5 29:23 43:5 78:12 138:3,6,16 stated 57:12 states 34:3,8 37:21 50:23 62:21 81:15 stating 19:16 39:5 stations 106:6 status 11:14 35:4 94:19 statute 105:9 stay 27:19 93:23 118:16 stealing 83:16	stereotype 33:1 stolen 82:22 stop 33:21 stopped 33:22 131:11 street 2:3 78:18 79:6 87:23 120:22 streets 31:6 strike 105:15 structure 14:9 21:25 stuck 82:18 stuff 27:15 37:9 37:14 subbed 26:22,24 subject 58:20 59:3 75:7 102:21 subtract 78:1 sudden 31:6 suggest 116:2 suggesting 83:4 suggestion 80:24 83:5 Suite 1:21 2:4,9 4:5 Sunday 69:23 Super 69:22 SUPPLIED 3:19 Supreme 56:15 104:19 105:5 sure 10:18 28:19 50:25 52:19 56:9 75:24 76:7 86:5 97:13,15,19 107:23 112:15 115:24 121:1 survived 67:13 suspended 130:9 suspicion 129:14 Swan 2:9 swing 26:2,5
---	--	--	--	--

<p>32:17 89:9 sworn 4:23 5:2 138:9 Sy 127:8,9 synopsis 8:8 system 27:19 72:3</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>tab 97:19 table 62:10 tabs 102:3 Tagliotti 105:13 take 17:3 22:1 27:25 28:24 41:5 53:20 54:25 55:2,3,4 55:18 56:3 58:11 82:18,19 103:10 112:12 113:20 120:10 122:23 125:24 128:15 129:9 129:11 131:21 131:24 taken 1:20 5:11 12:14 106:3 135:12 138:12 takes 31:2 72:20 83:16 120:19 130:24 Talbot 4:16 56:11 125:1 talk 6:8 16:16 18:3,4 23:4 30:5 54:24 55:19 78:17 88:15 106:14 115:17 116:2 talked 29:6 61:22 63:14 127:11 talking 11:12 13:2 15:7 29:5</p>	<p>31:2 59:14 76:16 82:13 91:13 100:6 104:3 117:24 121:16 124:14 talks 45:16 48:17 63:12 65:21 100:23 101:6 134:10 tape 73:5,11,11 126:3,9 tapes 136:4,4 tax 94:10 112:6 113:13 119:17 127:2 128:16 135:19,22 taxes 39:8 114:14,15 124:6 128:20 135:15 taxi 62:10 105:7 105:18 120:1 120:24 taxicab 104:16 105:3 taxis 105:14 teach 76:12 technically 11:7 techniques 115:25 tell 6:13 27:3 36:12 37:14 39:4 88:21 89:7 122:14 132:4 telling 39:9 47:14,18,19 127:24 tells 67:4 117:21 ten 28:22 61:18 110:8 111:11 112:3 113:20 114:10 119:17 124:21,23</p>	<p>125:3 tenant 49:5,25 50:4 51:1,9 52:2 63:16 64:9,25 tend 11:8 tendered 46:24 47:23 Teri 9:9 10:22 10:24 14:20 16:8 22:15 term 60:18 terminology 51:11 terms 20:5 21:1 21:6 27:8 35:3 134:10 testified 5:2 45:23 testify 89:17 138:9 testimony 61:23 62:5 89:20 136:5 137:17 tethered 55:4 text 18:3,4 Thank 76:14 100:19,21 136:13 thief 116:15 thing 15:10 21:16 26:10 28:14 37:24 45:6 47:13 50:5 51:15 59:18 65:2 69:22 95:5 105:1 118:5 132:23 things 13:10 19:4,10,23 21:2,24 24:20 36:3,23 37:25 38:9,10 39:8</p>	<p>39:14 40:15 41:1 43:7,25 74:3 82:8 89:11 91:14 98:25 116:23 118:24 119:2 134:1 135:12 think 6:12 9:22 13:17 32:10,13 32:22 33:8 35:20,24 46:8 70:22 89:16,19 90:11 91:13 92:3 96:21 105:3 109:3,18 110:16,16,18 122:16 125:25 thou 103:9 thought 75:24 101:10 106:21 114:21 134:17 three 7:25 8:20 9:14 19:14 25:21,22 28:4 28:5,7,8,9,14 28:22 29:8 41:10 60:15 76:19,23 77:2 77:2 80:20 85:20 97:20,22 100:9 116:12 116:12 126:9 134:15 136:4 three-month 28:24 threw 77:19 throw 82:19 Thursday 1:23 4:2 138:8 ticket 66:12,21 67:3,5,7,10,20 67:24 68:1,8 68:11,12,18,24 Tickets 66:8</p>	<p>tiger 134:11,13 till 26:6 time 4:3 6:8,16 10:12 23:25 27:1 28:12,15 28:25 29:2,9 29:12 31:19 39:21 40:18,20 47:1 52:15 53:14,17 55:7 55:11,15 58:16 66:13,13 67:19 69:18 70:23 71:3 72:18 73:3,7,12 75:6 77:24 78:6 82:2 92:3,24 93:9 98:20 104:1 107:24 108:2 111:21 115:21 118:6 123:7,7 124:1 124:4,5 125:12 126:5,10 127:16 130:1 130:22,24 131:3,7,12 136:7 138:12 times 5:14 8:1 72:6,12 75:3 77:7 80:21 85:20 105:14 107:12 115:16 tip 85:6,8,10,14 85:16,23 86:6 86:9 100:13 101:21 114:25 tipped 86:2 tipping 81:17 84:22 85:4 today 4:1 7:16 11:12 12:5 42:19 today's 136:4</p>
--	--	---	---	--

<p>told 42:1 70:22 89:1,4,4 90:21 tolerance 99:24 100:2 top 60:5 76:8 100:18 101:3 109:17 113:21 town 8:13 27:6 104:22 105:15 107:12 track 72:2 106:21 110:10 110:12 111:12 Tracks 73:16 Trade 74:3 training 31:15 transaction 114:3,5,8 transcribed 138:10 transcript 137:18 138:11 transcription 137:17 138:12 transgender 31:23 trashed 31:8 treat 52:23 85:22 86:1 treated 23:8 35:3 53:2 trick 114:22 tried 107:12 131:20 trouble 85:3 90:24 true 36:1 62:16 63:10 124:10 125:14 138:12 truth 138:10,10 138:10 truthfully 5:19 try 6:17 39:6 45:9 50:11</p>	<p>72:17 87:15 107:3,5 115:15 121:9,9 126:12 trying 33:21 36:22 37:22 46:6 50:12 106:15 132:8 Tucson 2:10 turn 19:16 30:17 30:22 32:12,18 111:5 turned 27:14 59:10 Turner 2:3 turns 112:18 113:25 twice 5:15 8:20 two 11:12 12:1 18:2 19:14 24:1,2,2 27:4 28:23,25 61:1 69:15,19,23 70:9 73:11 79:13 86:7 91:13 101:7,14 101:15 109:16 124:4,9 126:4 127:5 132:15 132:15 134:14 type 26:10 32:2 typewriting 138:11 typewritten 138:11 typically 116:14 133:22</p> <hr/> <p style="text-align: center;">U</p> <p>ugly 32:20 understand 5:9 5:20,22 6:21 12:21 15:16 28:19 34:1,4 36:21 46:15</p>	<p>50:13 92:15 102:17 105:17 understanding 42:23 74:16 89:25 107:10 124:3 understood 18:10,24 33:20 37:3 74:14 112:23 120:13 united 107:14 Unwritten 86:15 use 6:21 23:21 23:21,22 39:1 40:4 63:6 72:2 73:23 116:1 129:2 usually 77:25 utilities 21:24 utilized 39:20 utilizing 39:23</p> <hr/> <p style="text-align: center;">V</p> <p>V 1:4 vague 33:19 Valentine's 94:3 94:5 valet 100:11,13 variations 128:1 variety 32:21,23 various 9:3 15:17 16:15 107:11 Vegas 1:12,12 2:13 3:7,8 4:7 8:2,4,6,10 18:18 19:4,12 24:16 34:15 35:6,10 36:20 37:19,20 39:20 44:25 91:2 109:2 136:5 version 40:5 42:18</p>	<p>versus 4:10 34:23 vibe 30:6 vice 81:23 video 1:18 4:2,7 4:12 73:11 106:3,5 136:6 138:7 videographer 2:15 4:1,7,22 55:7,11,15 73:5,10 107:24 108:2 116:25 126:3,8 136:2 videotape 73:6 videotaped 126:4,9 136:3 violate 83:9 violated 82:11 violating 83:12 116:16 VIP 24:23 25:4 25:5,9 85:11 97:10 118:1,3 121:24 134:11 virtue 13:2 visit 12:8 voluptuous 32:25 vs 1:8</p> <hr/> <p style="text-align: center;">W</p> <p>wage 54:13 wait 6:9 67:18 waitress 8:13 waitresses 24:6 26:16 waiver 54:3,6 walk 31:2 76:22 94:14,23 104:24 walking 35:6,10 walls 62:21 want 15:4 23:4,9</p>	<p>28:6 32:7 50:24 51:16 54:21,25 58:9 68:14 76:5 88:14 90:13 106:4 109:25 112:15 116:3 118:9 131:23 132:1 134:20 wanted 7:15 38:25 58:14 65:5 67:10 68:22 69:6 131:22 133:9,9 wants 29:18 49:24 50:8 51:1 Ward 2:3 wasn't 79:3 94:21 130:10 watch 58:17 waters 60:23 way 27:23 31:4 41:12 42:16 50:21 60:25 61:18 72:24 89:11 99:1 100:20 115:19 121:8 128:22 130:21 we'll 38:20 66:21 67:20 68:18 76:3 113:19 122:23 we're 11:12,20 25:4 31:21 37:9 38:5 43:3 56:21 67:16,16 75:19 83:4 91:13 104:2 107:25 119:18 121:5,8 122:24 126:6 we've 11:25 29:6</p>
--	--	--	---	--

41:14 58:3	witness 4:21	worked 8:12,14	62:3 76:8,23	110 113:19
62:3 88:21	15:1,6 18:11	9:10 10:4	77:22 87:16	12 3:15
90:21 91:24	28:21 34:8	27:21 58:4	95:9,10 99:5	12:57 1:23 4:4
105:5,6 116:17	37:4 44:9	59:6,9,11	99:20 100:17	138:8
127:22	46:12 47:13	72:18 74:19	104:25 109:9	122 3:12,14
wear 19:13	49:16,20 50:12	75:6 93:20	110:18 111:22	135 3:4
30:11 83:20	51:21,23 56:8	130:22,25,25	117:20 120:25	14 11:14 70:25
84:7 87:22	57:1 64:12,14	131:1	134:19 136:12	100:17,23
website 132:7,10	70:6 74:15	worker 50:5	year 8:15 29:3	101:3,21,24
132:11,12,13	76:1 79:6	52:4,6,12	33:25 40:1	15 12:18 27:5
132:18,20	86:25 92:5,7	workers 21:7	72:14 85:20,20	151 2:9
133:12 134:10	96:23 100:4	23:5	86:8 94:11	16 1:23 138:8
week 57:5 60:6	102:17 108:12	working 8:15	96:17 119:7,8	16th 4:2
60:11	108:15 112:24	58:5 59:3,5	128:6 130:19	17 125:9,16
weekend 133:19	114:21 120:14	69:18 102:5	130:19	17th 22:24
133:23	121:3,7,11	131:3	years 8:25 9:14	18 125:9,21
weigh 116:23,24	124:21 133:23	workplace 3:11	9:15 11:24	18.1 112:6
weight 32:4	138:7,9,15	92:23 93:8	12:1 16:3,5,6	19 78:8 93:1
88:23	woman 29:18	works 11:1 75:1	33:22 57:25	1980 8:7,11
welcome 99:23	women 71:2	88:9	61:18 74:12,20	1990s 78:8
went 13:5 32:16	80:7 127:5	worries 76:13	77:25 86:7	1991 9:22,23
35:21 41:12	won 34:16,16,20	wouldn't 20:10	92:11	10:7
66:12 67:11	word 6:21 18:23	20:16 21:13	yoga 87:23	1992 22:23,24
75:2 96:3	32:20 51:13	23:22 58:22		1996 35:7
104:19	wording 127:17	84:13 130:9	Z	
weren't 19:20	words 28:13,14	Wrangler 65:21	zero 99:24 100:2	2
41:14 88:7	49:12 54:12	writes 9:18	123:16	2 3:7 48:16
98:22,22	128:8 135:5	written 58:16		49:17,17,19
127:18	wore 87:24	86:14	0	57:4
west 62:4	work 9:6,6,8,9	wrong 31:4		2/20 101:7
Western 1:10	9:25 11:8	34:19 41:6,7	1	2:00 134:5,8
14:11	18:15 19:5	125:1,3	1 3:6 38:21,22	2:09 55:16
whatsoever	20:18 22:17		39:2 57:3	2:31 73:7
16:19	26:25 27:17	X	1:00 26:5,5	2:32 73:12
WHEREOF	29:2 51:17	X 72:12	1:58 55:12	20 69:15,19,23
138:15	52:8 57:19,22	X's 42:15	10 3:14 99:9	70:9 101:16
White 17:9	58:6,11 59:2		113:5 122:10	117:25 118:11
wife 15:9	59:20 60:11	Y	122:18,20,22	118:15
Williams 2:16	84:3,4 88:3,5,6	yeah 10:23 17:5	124:12,25	200 1:21 4:5
4:19,19	88:11 89:9	19:14 26:11	10,000 119:4	2010 40:2
wings 134:1,5	93:15,24 97:12	41:5 42:11	100 113:11	2011 34:24
winning 34:11	97:18 98:19	48:6 50:10	1099'd 99:6,11	2013 66:2
wise 81:17	102:9 103:18	53:8 54:25	1099s 99:7	2014 11:15
wish 57:17 97:7	132:18	56:12 59:14,23	11 3:15 12:10,11	36:10 37:5,24
			80:10	

70:23 71:4,6 2017 1:23 137:18 138:8 138:16 21 103:14 2112 14:11 22 103:21 23 104:8 24 133:19 24/7 22:21 25 27:6 94:1 97:5,9 122:16 250 134:14 260 2:3 2700 2:4 2831 1:20 4:5 <hr/> <p style="text-align: center;">3</p> <hr/> 3 3:8 57:4 65:13 65:14 3-I 60:16 3:12 136:10 3:15 107:25 3:17 108:3 3:41 126:5 30303 2:4 30th 138:16 32 104:22 34 119:18 38 3:6 <hr/> <p style="text-align: center;">4</p> <hr/> 4 3:9 70:12,14 70:15 4:00 126:10 4:12 136:7 40 85:9 119:16 425 134:14 45 14:1 49 3:7 495 1:25 138:19 <hr/> <p style="text-align: center;">5</p> <hr/> 5 3:4,10 75:20 75:23 76:4	101:19 103:15 103:15 5:00 26:4,7 134:5,8 50 85:9 115:13 50/50 85:12 500 133:19 56 7:19 <hr/> <p style="text-align: center;">6</p> <hr/> 6 3:10 75:11,23 75:24 90:9,11 90:12,15 92:18 100:17 60 85:7 600 134:15 6363 2:9 65 3:8 <hr/> <p style="text-align: center;">7</p> <hr/> 7 3:11 63:12 64:23 90:9,13 90:15 92:14 100:23 101:3 7:00 100:10 70 3:9 119:17 120:6 716 2:12 75 27:12 76 3:10 78 7:23 7A 48:17 <hr/> <p style="text-align: center;">8</p> <hr/> 8 3:12 90:15 92:14 101:21 85718 2:10 89052 1:21 4:6 89107 2:13 <hr/> <p style="text-align: center;">9</p> <hr/> 9 3:12 101:24 122:18,20,22 122:25 9:00 26:6	9:00p.m 26:6 90 3:10,11,12 31:12 112:18 113:6,9 114:1 114:11,12 90s 35:1,5,12 91 31:19 78:9,10 95 13:12 96 33:22	
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SHANON MONIQUE STEEL
 JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 1	Page 3																						
<p style="text-align: center;">DISTRICT COURT CLARK COUNTY, NEVADA JANE DOE DANCER, I through V, et al.,)) Plaintiffs,)) vs.) CASE NO.: A-14-709851-C) DEPT NO.: IV LA FUENTE, INC., et al.,)) Defendants.)</p> <hr style="width: 20%; margin-left: auto; margin-right: 0;"/> <p style="text-align: center;">VIDEOTAPED DEPOSITION OF SHANON MONIQUE STEEL</p> <p style="text-align: center;">Taken on Friday, March 17, 2017 At 9:59 a.m.</p> <p style="text-align: center;">At 2831 St. Rose Parkway, Suite 200 Henderson, Nevada</p> <p style="text-align: center;">REPORTED BY: JEAN DAHLBERG, RPR, CCR NO. 759, CSR 11715</p>	<p style="text-align: center;">I N D E X</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 80%;">WITNESS:</th> <th style="width: 20%;">PAGE</th> </tr> </thead> <tbody> <tr> <td>SHANON MONIQUE STEEL</td> <td></td> </tr> <tr> <td>Examination by Mr. Fuchs</td> <td style="text-align: right;">5</td> </tr> <tr> <td>Examination by Ms. Calvert</td> <td style="text-align: right;">108</td> </tr> <tr> <td>Further Examination by Mr. Fuchs</td> <td style="text-align: right;">110</td> </tr> </tbody> </table> <p style="text-align: center;">E X H I B I T S</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">EXHIBIT</th> <th style="width: 70%;">DESCRIPTION</th> <th style="width: 20%;">PAGE</th> </tr> </thead> <tbody> <tr> <td>Exhibit 1</td> <td>Blank Dancer Performance Lease, Cheetah's Las Vegas (3 pages)</td> <td style="text-align: right;">70</td> </tr> <tr> <td>Exhibit 2</td> <td>Dancer Performance Lease, Cheetah's Las Vegas, pertaining to Ms. Steel (3 pages)</td> <td style="text-align: right;">98</td> </tr> <tr> <td>Exhibit 3</td> <td>Printout of Business License Information for "Shannon" M. Steel (1 page)</td> <td style="text-align: right;">107</td> </tr> </tbody> </table>	WITNESS:	PAGE	SHANON MONIQUE STEEL		Examination by Mr. Fuchs	5	Examination by Ms. Calvert	108	Further Examination by Mr. Fuchs	110	EXHIBIT	DESCRIPTION	PAGE	Exhibit 1	Blank Dancer Performance Lease, Cheetah's Las Vegas (3 pages)	70	Exhibit 2	Dancer Performance Lease, Cheetah's Las Vegas, pertaining to Ms. Steel (3 pages)	98	Exhibit 3	Printout of Business License Information for "Shannon" M. Steel (1 page)	107
WITNESS:	PAGE																						
SHANON MONIQUE STEEL																							
Examination by Mr. Fuchs	5																						
Examination by Ms. Calvert	108																						
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<p style="text-align: center;">Page 2</p> <p>1 APPEARANCES: 2 For the Plaintiffs: 3 MORRIS ANDERSON 4 BY: LAUREN D. CALVERT, ESQ. 5 716 South Jones Boulevard 6 Las Vegas, Nevada 89107 7 (702) 333-1111 8 (702) 507-0092 (Facsimile) 9 lauren@morrisandersonlaw.com</p> <p>10 For the Defendants: 11 SCHULTEN WARD TURNER & WEISS, LLP 12 BY: DEAN R. FUCHS, ESQ. 13 260 Peachtree Street, NW, Suite 2700 14 Atlanta, Georgia 30303 15 (404) 688-6800 16 (404) 688-6840 (Facsimile) 17 d.fuchs@swtlaw.com</p> <p>18 Also Present: 19 Dennis Williams, 20 Consultant for La Fuente, Inc.</p> <p>21 Joseph Camp, Videographer</p>	<p style="text-align: center;">Page 4</p> <p>1 HENDERSON, NEVADA; FRIDAY, MARCH 17, 2017 2 9:59 A.M. 3 -oOo- 4 Whereupon -- 5 THE VIDEOGRAPHER: Good morning. Today is 6 Friday, March 17th, 2017. This begins the video 7 deposition of Shanon Steel. The time is approximately 8 9:59 a.m. 9 We are located at St. Rose Executive Suites, 10 2831 St. Rose Parkway, Suite 200, Henderson, Nevada 11 89052. 12 My name is Joseph Camp, court videographer of 13 Las Vegas Legal Video, and your court reporter is Jean 14 Dahlberg of DALOS Legal Services. 15 This is Case No. A-14-709851-C in the District 16 Court, Clark County, Nevada, entitled Jane Doe Dancer, 17 et al., plaintiffs, versus La Fuente, Inc., et al., 18 defendants. 19 Would all counsel present please identify 20 yourselves for the record, and the court reporter will 21 administer the oath. 22 MS. CALVERT: Lauren Calvert, Morris Anderson, 23 counsel for plaintiffs. 24 MR. FUCHS: Dean Fuchs, counsel for defendants, 25 La Fuente, Inc., et al.</p>																						

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 5

1 Thank you very much. Good morning, everybody.
2 THE WITNESS: Good morning.
3 MR. FUCHS: Oh, you -- we -- she hasn't -- she
4 has to swear you in first before we get started.
5 SHANON MONIQUE STEEL,
6 having been first duly sworn to testify to the truth,
7 the whole truth, and nothing but the truth, was examined
8 and testified as follows:
9 THE WITNESS: Yes.
10 EXAMINATION
11 BY MR. FUCHS:
12 Q. Very good. Good morning, Ms. Steel.
13 A. Good morning.
14 Q. Could you tell me how you pronounce your first
15 name, please?
16 A. Shanon.
17 Q. Shanon. So it's not Shannon; it's Shanon?
18 A. Yes, it's Shanon.
19 Q. I'm going to call you Ms. Steel, if that's okay?
20 A. That's fine.
21 Q. You've just been administered the oath by the
22 court reporter; right?
23 A. Uh-huh.
24 Q. I assume you understood the significance of that
25 oath?

Page 6

1 A. Yes.
2 Q. Okay. A couple of ground rules for you. Okay?
3 A. Uh-huh.
4 Q. I don't know yet whether you've ever done this
5 before, so here's how it's going to work: We're going
6 to have a series of questions and answers.
7 A. Uh-huh.
8 Q. The court reporter to my right is taking down
9 everything that we both say. Okay? So to help her do
10 her job -- and me, mine -- I need audible responses from
11 you.
12 A. Yes.
13 Q. Physical gestures, nodding, head nodding,
14 shaking, shrug -- shoulder shrugging doesn't reflect on
15 the record. Okay?
16 A. Yes.
17 Q. Okay. If at any time you don't understand my
18 question, please ask me to restate it, repeat it. I'm
19 happy to do that. The goal here is to make sure you
20 understand my question before you answer it. Okay?
21 A. Okay.
22 Q. This is not an endurance test, so if you need a
23 break, just let me know. I'll be happy to accommodate
24 you. Okay?
25 A. Yes.

Page 7

1 Q. What other instructions?
2 MS. CALVERT: Uh-huh, huh-uh.
3 MR. FUCHS: Yes.
4 BY MR. FUCHS:
5 Q. It's difficult for the court reporter to take
6 down uh-huh, huh-uh; yes or noes would be preferred.
7 A. Yes.
8 Q. Okay. Are you comfortable with those
9 instructions?
10 A. Yes, I am.
11 Q. Okay.
12 MR. FUCHS: Lauren, is there anything we need to
13 put on the record before we begin?
14 MS. CALVERT: Nothing I can think of.
15 MR. FUCHS: Okay. And I don't know exactly how
16 it works out here. Typically, where I'm from, we
17 stipulate that all objections except as to the form of
18 the question and responsiveness of the answer are
19 reserved until first use of the deposition. Do you
20 typically do that?
21 MS. CALVERT: No. They're pretty -- pretty
22 specific about having to put it on the record, through
23 our Discovery Commissioner.
24 MR. FUCHS: So are you telling me that you have
25 to make all evidentiary objections during a discovery

Page 8

1 deposition?
2 MS. CALVERT: Oh. No, there's -- I would say
3 the ones that have come up, obviously form, privilege.
4 MR. FUCHS: Uh-huh.
5 MS. CALVERT: And then there's some that they've
6 had about -- oh, the -- you calling for expert opinion
7 or incomplete hypothetical. But I'll tell you right
8 now, my objections are pretty minimal.
9 MR. FUCHS: Okay. Well, I just wanted to make
10 sure we're on the same page.
11 MS. CALVERT: Sorry.
12 MR. FUCHS: Okay. And again, I don't know
13 exactly what local practice is around here. I don't
14 know if you need the witness to tell you whether she's
15 going to reserve signature?
16 THE REPORTER: Later.
17 MR. FUCHS: Later, okay. Remind me at the end.
18 BY MR. FUCHS:
19 Q. Okay. Ms. Steel, can you tell me your address,
20 please.
21 A. 3 -- wait. 239 W. Philadelphia, Las Vegas,
22 Nevada. I don't know the air code right off the bat.
23 Q. I think you mean the ZIP code?
24 A. Yes. Sorry.
25 Q. And how long have you lived at that address?

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 9

1 A. I want to say two years now.
2 Q. And do you own or rent?
3 A. I rent.
4 Q. Who else resides with you at that address?
5 A. Just me for right now.
6 Q. You formerly performed at Cheetah's Las Vegas;
7 correct?
8 A. Yes, I do.
9 Q. And I assume you were an entertainer --
10 A. Yes, I was.
11 Q. -- or dancer? I'm not sure which name you
12 prefer?
13 A. Entertainer.
14 Q. Okay. And what was your stage name?
15 A. December, like the month.
16 Q. Did you ever use any other stage name?
17 A. No. Always December.
18 Q. Okay. Were you born in December of 1981?
19 A. Yes, I was.
20 Q. And were you born in Inglewood?
21 A. Yes, I was.
22 Q. Are you currently single?
23 A. Yes, I am.
24 Q. Do you have any children?
25 A. No, I don't.

Page 10

1 Q. Have you ever served in the military?
2 A. No, I haven't.
3 Q. Have you ever filed for bankruptcy?
4 A. No, I haven't.
5 Q. Other than the current lawsuit that we're here
6 to talk about today, have you ever been a party to any
7 other lawsuit?
8 A. No. I --
9 MS. CALVERT: And I'm just going to object.
10 There's a protective order, I think, in place, regarding
11 the identity of Ms. Steel in a different lawsuit. So
12 I'm not sure how that gets handled.
13 MR. FUCHS: I know there's a protective order in
14 this case. I don't -- I don't have the terms committed
15 to memory. Maybe you do. But so let's do this: Let me
16 just ask, because I didn't hear your response.
17 BY MR. FUCHS:
18 Q. Other than this lawsuit, are you a party to any
19 other lawsuit?
20 A. No, I'm not.
21 Q. Okay. Have you ever been a party to some other
22 lawsuit?
23 A. No, I haven't.
24 Q. So -- so the record is clear, you've never --
25 other than La Fuente, or Cheetah's, you've never sued

Page 11

1 anyone before?
2 A. No, I haven't.
3 Q. And you've never been sued by anyone before?
4 A. No, I haven't.
5 Q. Have you ever filed or asserted any sort of
6 claim against a business or former employer, like a
7 discrimination claim, anything of that nature?
8 A. No, I haven't.
9 Q. Have you ever testified under oath prior to
10 today?
11 A. Yes, I have.
12 Q. And was that in open court, or was that a
13 deposition like this?
14 A. That was in open court.
15 Q. Have you ever given a deposition before?
16 A. No, I haven't.
17 Q. And the matter in which you testified in open
18 court, since I assume you -- since you've already
19 testified you were not a party, I assume you were just a
20 witness?
21 A. No, I wasn't.
22 Q. Okay. Can you explain to me the circumstances
23 in which you had to testify?
24 A. Yes. In 2005, I had a DUI, and that's the
25 reason why I was in court.

Page 12

1 Q. Got it. Okay. And that's the only time you've
2 testified in court?
3 A. Yes, I have.
4 Q. And was that here in Clark County?
5 A. Yes, it was.
6 Q. Forgive me in advance for asking, but I ask
7 everybody: Have you ever been convicted of a crime?
8 A. No, I haven't.
9 Q. Do you belong to any civic, social, or -- civic,
10 social organizations, a church in the area?
11 A. No.
12 Q. Do you have any family or relatives by blood
13 or -- well, you're not married -- so by blood that
14 reside in Clark County?
15 A. No.
16 Q. Do you hold any professional licenses other than
17 like a driver's license?
18 A. Yes, I do. I have a guard card.
19 Q. A guard card?
20 A. Yes.
21 Q. Okay. I'm not from here, so can you tell me
22 what a guard card is?
23 A. That's for when if you want to be a security
24 guard in Las Vegas. And I have a TAM's card. And
25 that's following too if you want to be a security guard.

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 13

1 If you're, you know, working with liquor or around
2 liquor.
3 Q. Do you know what TAM's stand for?
4 A. I don't right now.
5 Q. That's okay. I'm just unfamiliar with the term.
6 That's all.
7 So you have a guard card?
8 A. Yes, I do.
9 Q. Are you working as a security guard?
10 A. Yes, I am.
11 Q. How long have you been doing that?
12 A. For three months now.
13 Q. How is that going?
14 A. It's going very good.
15 Q. Good. And who's the employer.
16 A. Right now I have a lot of -- I have a lot --
17 what do I want to call them? -- supervisors that I work
18 under. So I don't know right off the bat the names.
19 Q. Okay. But do you not work for a security
20 company?
21 A. I work for a couple of security companies.
22 Q. I see. Well, we'll come back to this.
23 A. Yes.
24 Q. Other than the guard card and the TAM's card, do
25 you hold any sort of license or licensure?

Page 14

1 A. No, I don't.
2 Q. No business license?
3 A. No business license at the time.
4 Q. Have you ever heard of the term "server
5 certification"?
6 A. Yes, I have.
7 Q. Tell me what that is, if you know.
8 A. No, I don't.
9 Q. Did you ever have a server certification?
10 A. No, I haven't.
11 Q. Where did you go to high school?
12 A. Inglewood, California.
13 Q. And the name of your high school?
14 A. Morningside High School.
15 Q. Did you graduate?
16 A. No. From there I went to Job Corps in Utah.
17 Q. What did you do for Job Corps?
18 A. I took up auto body.
19 Q. Okay. Do you have a GED?
20 A. No, I don't.
21 Q. So no college, I assume; right?
22 A. No. Not right now.
23 Q. Not yet; right?
24 A. Not yet.
25 Q. Okay. I want to turn back to the security guard

Page 15

1 companies. Do you remember -- do you know the names of
2 any of the companies that you're currently or actively
3 working for?
4 A. Yes. Century Security, and Sabre Security.
5 Q. S-a-b-r-e?
6 A. Yes.
7 Q. And you do work for both of those entities?
8 A. Yes, I do.
9 Q. And where did you work before you started
10 working as a security guard?
11 A. I was not working for two years.
12 Q. So from roughly -- tell me if I'm off base
13 here -- early 2015 until --
14 A. 20 --
15 Q. -- 2017, you were unemployed?
16 A. I want to say early, like, '14.
17 Q. Oh, early 2014?
18 A. Yes.
19 Q. Until the beginning of this year?
20 A. Yes.
21 Q. That's almost three years; is that right?
22 A. Yeah, roughly.
23 Q. And what was the last position or job that you
24 held prior to that rough -- almost three-year period of
25 unemployment?

Page 16

1 A. I was a dancer.
2 Q. Was there a particular reason that you were
3 unemployed for three years? Was that a voluntary
4 choice, or just not able to find work?
5 A. I -- well, I didn't want to work at that time.
6 I just wanted to get myself together and see what -- you
7 know, I just wanted to stop dancing at the time and see
8 what else I could do with my life.
9 Q. So you were -- is it fair to say that during
10 that three-year window, you were not actively looking
11 for work?
12 A. I was not at the time. I had someone that was
13 taking care of me.
14 Q. Okay. I understand you were not actively
15 looking. But was there anything in that three-year
16 window that prevented you from working?
17 A. No.
18 Q. Okay. So you were -- you were able-bodied --
19 A. Yes, I was.
20 Q. -- and able to work; you just decided that you
21 didn't want to?
22 A. Yes.
23 Q. Okay. When did you begin dancing?
24 A. When I was 16 years old.
25 Q. Okay. And I don't know how old you are now,

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 17

1 so --
2 A. I am 35 years old.
3 Q. I could have asked you your date of birth, but I
4 didn't do the math.
5 A. That's quite okay.
6 Q. Okay. So with a little rough math, is it fair
7 you say you've danced almost 20 years?
8 A. Yes, sir.
9 Q. And did you -- I assume that wasn't always in
10 the Las Vegas area --
11 A. Always.
12 Q. -- or was it?
13 A. Always in the Las Vegas area.
14 Q. Okay. That was a bad assumption. Okay.
15 So let's talk about where you danced, and why
16 don't you tell me where you first started dancing.
17 A. My first club was Talk of the Town.
18 Q. And you'll have to forgive me. I'm not all that
19 familiar with all the clubs in Las Vegas. Is that here
20 in town?
21 A. Yes, it is. Las Vegas, Nevada.
22 Q. So was that approximately 1995?
23 A. I don't know the exact date or the year.
24 Q. I'm just going back about 22, 23 years, so that
25 was a guess on my part. Mid-'90s?

Page 18

1 A. I want to say late '90s.
2 Q. Okay. And where did you go after that club?
3 A. The Library.
4 Q. I assume that's also a gentlemen's club; right?
5 A. Yes, it is.
6 Q. How long were you -- I'm sorry, how long were
7 you at Talk of the Town, roughly?
8 A. I want to say for three years.
9 Q. And how about The Library?
10 A. I want to say four years.
11 Q. Where did you go after The Library?
12 A. Glitter Gulch.
13 Q. And how long did you dance there?
14 A. Five years.
15 Q. Where else?
16 A. Crazy Horse Too.
17 Q. How long were you there?
18 A. Two months.
19 Q. Okay. Where next?
20 A. Crazy Horse I.
21 Q. And how long were you there?
22 A. Two months.
23 Q. Next?
24 A. Crazy Horse III.
25 Q. How long were you there?

Page 19

1 A. Two months.
2 Q. Is there a common ownership among the Crazy
3 Horses?
4 A. (Witness nods head.)
5 Q. Is that a yes?
6 A. I believe so. Sorry about that.
7 Q. That's okay. Okay. After the Crazy Horses,
8 where did you go?
9 A. The Rhino.
10 Q. And by that, I assume you mean Spearmint Rhino;
11 right?
12 A. Yes, I do.
13 Q. Okay. How long were you there?
14 A. I want to say for, like, a year.
15 Q. Okay. Next?
16 A. Cheetah's.
17 Q. How long were you there?
18 A. Five years.
19 Q. We'll come back to Cheetah's.
20 A. I was going to say, you're going to have to
21 swing back to Cheetah's.
22 Q. Yeah. Okay. Where did you go after Cheetah's?
23 A. And from there I was just jumping from club to
24 club. Starting backwards, you know, The Rhino, back to
25 Cheetah's for a couple of months, to Glitter Gulch a

Page 20

1 couple of months.
2 Q. So you were popping around?
3 A. Yes, I was.
4 Q. And tell me, when did you end or conclude your
5 dancing career, if you will?
6 A. I want to say 2004 -- I mean, 2014. I'm sorry
7 about that.
8 Q. Okay. Now, it's my understanding that in order
9 to perform in this part of -- in this town, you need to
10 have a license; is that right?
11 A. Yes, you do.
12 Q. Okay. And what is the license called? Is it a
13 dancer license?
14 A. It's called a business license.
15 Q. A business license.
16 A. And the business license was given out in 2010.
17 Q. What do you mean "given out"?
18 A. We had to have a business license in 2010.
19 Q. And that's required by the State?
20 A. Yes, it is.
21 Q. And ever since that requirement was in place,
22 until you stopped --
23 A. Yes.
24 Q. -- performing, did you have a business license?
25 A. Yes, I did.

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 21

1 Q. So from at least 2010 until 2014?
2 A. Yes.
3 Q. And was that something you obtained on your own?
4 A. Yes.
5 Q. Is there a fee that you had to pay for that?
6 A. Yes, it was.
7 Q. Do you remember what it was?
8 A. It was \$200.
9 Q. And was that an annual fee?
10 A. Yes, it was. Every six months.
11 Q. \$200 every six months?
12 A. Yes.
13 Q. And you have to renew every six months?
14 A. Yes, you did.
15 Q. And what was the process for you to renew it?
16 Did you go online and do it online?
17 A. Well, no. At the time, when they first started
18 giving out a business license, you had to go there and
19 fill out at application. They look at your background
20 and make sure you don't have any warrants or anything.
21 And then you have to pay for it, and then you have to
22 wait for a couple minutes and they hand you your
23 business license.
24 Q. I see. And when you say "there," are you
25 talking about the Secretary of State's office or

Page 22

1 something?
2 A. Yes.
3 Q. Okay. And if I told you that your first
4 business license was, I guess, requested or filed in
5 mid-April of 2010, would that sound about right to you?
6 A. Yes.
7 Q. Is your business license still active?
8 A. No, it's not.
9 Q. Do you know when it expired?
10 A. 2014.
11 Q. Okay. And do you know how the State classified
12 you for the purposes of your business license?
13 A. Independent contractor.
14 Q. Have you ever -- do you know if you've ever been
15 classified by the State as a sole proprietor?
16 A. No, I do not know that.
17 Q. But this was the license, I think as you said,
18 that was required for you to perform in any of the
19 gentlemen's clubs in town?
20 A. Yes. Even if you wanted to audition, you needed
21 that paperwork.
22 Q. And I assume any time you went to a club either
23 to audition or to work, you had to at least present some
24 evidence that you had registered with --
25 A. Yes. Your business license and your sheriff's

Page 23

1 card.
2 Q. Very good. Tell me about what you know about
3 the sheriff's card as a requirement?
4 A. I don't know anything about their requirements.
5 Q. Okay. But you had to complete one, a sheriff's
6 card, every time you went to a club?
7 A. Yes, I did.
8 Q. And do you know if the sheriff's cards are
9 club-specific?
10 A. I don't know that.
11 Q. Okay. So -- but it wasn't something you carried
12 with you, was it?
13 A. Always.
14 Q. Ahhh, okay. So it was personalized to you?
15 A. Yes, it was.
16 Q. And do you know what benefits having the
17 sheriff's card gave you or granted you?
18 A. Yes, it did -- yes, I do. When you have a
19 sheriff's card, when you leave out the club, if you get
20 pulled over by the police, you show them your sheriff's
21 card with all the money that you have, because usually
22 when you leave the strip club, you have a lot of money
23 on you.
24 So if they pull you over or if anything happens,
25 they know that you're an entertainer and this is where

Page 24

1 you got your cash from.
2 Q. I see. Ms. Steel, have you ever formed a
3 business?
4 A. No, I haven't.
5 Q. Have you ever incorporated a business?
6 A. No, I haven't.
7 Q. Have you ever heard of Shannon Steel -- excuse
8 me, Shanon Steel, Inc.?
9 A. No, I haven't.
10 Q. Okay. Let's talk a little bit about Cheetah's
11 Lounge.
12 A. Yes.
13 Q. Tell me when you -- if you can recall -- when
14 you first began performing at Cheetah's Lounge?
15 A. I believe I first started Cheetah's in 2004.
16 Q. And of course this Cheetah's was not the first
17 club, a gentlemen's club, that you had performed at;
18 correct?
19 A. No, it wasn't.
20 Q. And I think you told me that you started dancing
21 in approximately the late 1990s; right?
22 A. Yes.
23 Q. So you had a considerable amount of prior
24 dancing experience before you began working at Cheetah's
25 Lounge?

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 25

1 A. Yes, I had.
2 Q. And I think you've testified that you stopped
3 performing at Cheetah's, I think you said, sometime in
4 2014?
5 A. Yes.
6 Q. Tell me why.
7 A. Well, the day that I got hired, I got fired.
8 Q. I'm not sure I understand that.
9 A. I'm speaking of when I first entered the
10 building, I handed her my sheriff's card. She said, Put
11 on your clothes. We remember you. You can work.
12 Two hours after that, I had a boss come to me
13 and said, December, we know you. We don't want you
14 working here anymore.
15 Q. Do you remember what month?
16 A. No, I don't.
17 Q. When you went in for that -- I don't know if
18 I'll call it an audition -- but when you returned to
19 Cheetah's in 2014 --
20 A. Yes.
21 Q. -- who did you initially meet with? Who's the
22 one who said, We remember you?
23 A. I don't remember his name.
24 Q. But it was a man?
25 A. Yes, it was.

Page 26

1 Q. Do you know what position he held?
2 A. A manager. Excuse me, a floor manager.
3 Q. And do you remember who told you you're no
4 longer welcome here?
5 A. No, I don't.
6 Q. Man or woman?
7 A. Man.
8 Q. Do you remember what position the man had?
9 A. Floor manager.
10 Q. But a different one? Meaning, it wasn't the
11 same as the person who said, We remember you?
12 A. Yes, it was the same guy.
13 Q. Oh, same guy?
14 A. Yes.
15 Q. Do you remember what he looked like?
16 A. No, I don't.
17 Q. Do you remember what race he was?
18 A. I want to say Italian.
19 Q. If I told you that that was in February of 2014,
20 would that be consistent with your recollection?
21 A. I don't remember the month.
22 Q. Prior to this occasion that we were just
23 discussing right now --
24 A. Yes.
25 Q. -- when was the last time before then that you

Page 27

1 performed at Cheetah's?
2 A. I would like to say 2009.
3 Q. Okay. I want to make sure I understand -- make
4 sure we're on the same page.
5 A. Uh-huh.
6 Q. So you returned to Cheetah's Lounge on one
7 occasion at sometime in 2014 --
8 A. Yes.
9 Q. -- you're not sure of the month or the date --
10 A. I'm not sure about that.
11 Q. -- you were welcomed in, you were there for
12 about two hours --
13 A. Yes.
14 Q. -- and then asked to leave?
15 A. Yes.
16 Q. And prior --
17 MS. CALVERT: Objection; misstates prior
18 testimony.
19 Go ahead.
20 BY MR. FUCHS:
21 Q. Was my question accurate?
22 A. Yes, it was.
23 Q. Okay. And prior to this incident in 2014 or
24 this date --
25 A. Yes.

Page 28

1 Q. -- in 2014, the most recent time before then
2 that you performed or work at Cheetah was, you think, in
3 2009?
4 A. Yes.
5 Q. Do you recall approximately what month in 2009
6 you last performed?
7 A. No, I don't.
8 Q. Do you remember what season?
9 A. No, I don't.
10 Q. So you don't know early part of the year, late
11 part of the year?
12 A. I would like to say June.
13 Q. And that's your best guess or best recollection
14 as to when you last consistently worked at Cheetah's?
15 A. Yes.
16 Q. Okay.
17 A. Because I know it was hot, and I didn't have no
18 air conditioner in my car, so --
19 Q. Well, I'm not sure if June is the only month
20 it's hot here; but whatever you say, I'll believe you.
21 Now, you've worked at any number of clubs or
22 performed at any number of clubs since leaving the
23 Cheetah in 20- -- 2009?
24 A. Yes, I have.
25 Q. And then you kind of circled back --

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 29

1 A. Yes.
2 Q. -- that one occasion in 2014?
3 When you last worked in 20-- excuse me, 2009,
4 were you -- did you regularly perform at the Cheetah's?
5 A. I would say every other day I would.
6 Q. And you've testified you started in 2004, and I
7 think you earlier said you worked there for about five
8 years?
9 A. Yes.
10 Q. So is it your testimony that you worked roughly
11 every other day for that five-year period?
12 A. Yes.
13 Q. And did you work -- do you remember the name of
14 the manager for whom you worked?
15 A. No, I don't. Like I said, we have a lot of
16 floor managers, so --
17 Q. And I guess my question should have been more
18 specific. Do you know if you were assigned to or worked
19 with a particular shift manager?
20 A. No, I wasn't.
21 Q. Did you work a particular shift?
22 A. No, I didn't.
23 Q. Do you remember how the shifts work at the
24 Cheetah's Lounge? Do you remember --
25 A. Well, when I got hired, we didn't really --

Page 30

1 well, we didn't have any shifts. We could work as long
2 as we wanted to.
3 Q. And you had discretion as to what -- when you
4 went to work? I mean, when you arrived?
5 A. Yes.
6 Q. And did you have discretion as to when you
7 would -- could leave?
8 A. Yes.
9 Q. Were you required to work every other day?
10 A. No.
11 Q. Could you determine what days you wanted to
12 work?
13 A. Yes.
14 Q. And you could work any shift you wanted to work?
15 A. Yes.
16 Q. When you -- I know you've worked at a lot of
17 different clubs. You've told me about that.
18 A. Yes.
19 Q. But when you were working at the Cheetah's --
20 A. Yes.
21 Q. -- did it overlap with you performing at any
22 other club, or were you working only at the Cheetah's?
23 A. I was just working at the Cheetah's at that
24 time.
25 Q. Okay. So were you kind of a one-club-at-a-time

Page 31

1 person?
2 A. Yes, I was, at that time.
3 Q. You understand what I mean by that?
4 A. Yes.
5 Q. Okay. So you weren't -- during this period of
6 time from, let's say, 2004 to 2009, you weren't popping
7 in and out of different clubs?
8 A. No. I was very committed to that club.
9 Q. Thank you. That's what I was looking for.
10 And that was your choice; right?
11 A. Yes, it was.
12 Q. And you could have worked at other clubs if you
13 wanted to?
14 A. Yes, I could have.
15 Q. As long as you had that business, you could --
16 and you could show up at any club, at any time, and say,
17 Hey, I'd like to dance here?
18 A. Yes. As long as you're a dancer and you have
19 that, you can work at any club.
20 Q. Okay. So you were not restricted to the
21 Cheetah's?
22 A. No, I wasn't.
23 Q. But I guess at least during the time you were
24 there, you must have liked it. You were there for quite
25 a long time.

Page 32

1 A. Yes. I appreciated it.
2 Q. If you wanted to take off for a week and not
3 dance for a week or two, you had that option?
4 A. Yes, you did.
5 Q. And you could go back to the club after a week
6 or two and --
7 A. Yes, you can.
8 Q. -- pick up right where you left off?
9 A. Yes, you can.
10 Q. Do you remember any of the managers that you
11 worked with while you were there?
12 A. I remember this one man. His name was Bear.
13 And he was the manager and the bouncer. Very rude.
14 Q. Do you remember anyone else in management?
15 A. No. That's pretty much it.
16 Q. Do you remember any house mom that you worked
17 with?
18 A. I remember the house moms, but not the names.
19 I'm not good with names.
20 Q. When you performed at Cheetah's Lounge --
21 A. Yes.
22 Q. -- did you have any other job --
23 A. No. I --
24 Q. -- at that time?
25 A. No, I didn't.

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 33

1 Q. Did you have any other source of income?
2 A. No, I didn't.
3 Q. And you were not in school --
4 A. No, I wasn't.
5 Q. -- at the time?
6 And you had no childcare obligation; right?
7 A. Yes, sir.
8 Q. No children?
9 A. No children.
10 Q. Did you have any other sort of obligation at the
11 time, like carrying for a relative, a parent, anything
12 like that?
13 A. No, I didn't.
14 Q. Do you remember what the sign-in process was
15 when you arrived at the Cheetah, what you had to do when
16 you got there?
17 A. Yes, I did. When you arrived inside, you talk
18 to the house mom. She writes down the name -- your
19 name, the date, and how much you had to pay at that
20 moment. You hand her your sheriff's card and the money,
21 and you get dressed.
22 Q. And when you say the amount that you had to pay
23 or the money, you're referring to the house fee?
24 A. Yes.
25 Q. Do you remember what your average house fee was

Page 34

1 for dancing?
2 A. Yes, I did. \$65.
3 Q. And was that in the 2004 to 2009 period, or was
4 that when you went in 2014?
5 A. 2004.
6 Q. Okay. Let's talk about the 2014 -- the date in
7 2014 that you went, that you were only there for a few
8 hours.
9 A. Yes. At that time, I believe it was \$35.
10 Q. Okay. So you arrived, you showed your sheriff's
11 card --
12 A. Yes.
13 Q. -- house mom took your basic information?
14 A. Yes.
15 Q. And then you were free to get dressed and --
16 A. Yes.
17 Q. -- get on the floor; right?
18 A. Yes.
19 Q. So is it fair to say that the club knew what
20 dates you performed --
21 A. Yes.
22 Q. -- and what time you arrived?
23 A. Yes. At all times.
24 Q. Let's talk about the checkout process --
25 A. Yes.

Page 35

1 Q. -- the tail-end of the shift. Okay?
2 A. Yes.
3 Q. Can you describe that for me, please?
4 A. Yes. When you -- when you go back and get
5 dressed, you have to talk to the house mom and have a
6 conversation with her and see if you're under the
7 influence. And if you're under the influence -- they
8 used to give you a Breathalyzer before they hand you
9 your keys to your car. If you get -- if you get to take
10 your Breathalyzer and it's point -- I don't know the
11 whole thing.
12 Q. The legal limit?
13 A. Yeah. If you're over the limit, you cannot
14 leave the club. If you're not over the limit, then you
15 can leave. They will hand you your keys, your sheriff's
16 card, pack your bags and you can go.
17 Q. Does the club take possession of your sheriff's
18 card while you're there?
19 A. Yes, they do.
20 Q. Okay. And then they give it back to you when
21 you leave?
22 A. Yes, they do.
23 Q. And that's every shift?
24 A. Yes.
25 Q. And I assume that the reason that you

Page 36

1 Breathalyzed at the end of the shift is because you're
2 allowed to drink while you're working?
3 A. Yes.
4 Q. Are you a drinker?
5 A. I used to be when I used to be an entertainer.
6 Q. Okay. And so you would avail yourself of
7 alcoholic beverages while you were working?
8 A. Yes.
9 Q. And would you agree that -- I don't know if you
10 ever drank to excess, but some dancers obviously do,
11 from your experience?
12 A. Yes. Yes.
13 Q. And so you obviously understand why the clubs
14 want dancers to Breathalyze; right?
15 A. Yes, I do.
16 Q. For your safety; right?
17 A. Yes, I do.
18 Q. Was that ever an issue for you in terms of not
19 being allowed to leave because you were over the limit?
20 A. No, not at all.
21 Q. Okay. So that didn't really impact your ability
22 to leave when you wanted to leave?
23 A. No, it didn't.
24 Q. I'm not sure that's true with everybody; right?
25 A. You got that right. And that's a yes.

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 37

1 Q. Okay. And when -- okay. Anything else during
2 the checkout process -- about the checkout process that
3 you haven't shared with me?
4 A. No, that's it.
5 Q. Did you, at the conclusion of your shift, have
6 to -- did you ever report to club management how much
7 you had earned from performing during the shift?
8 A. No, I didn't.
9 Q. Is there any particular reason you did not?
10 A. We didn't have to.
11 Q. So that was your business, and you kept it to
12 yourself?
13 A. Yes.
14 Q. Do you know if the club tracked or kept a record
15 of what time you left at checkout?
16 A. Yes.
17 Q. Yes, they did?
18 A. Yes, they did. Sorry about that.
19 Q. That's okay. Bad question.
20 So there should be no doubt in your mind that
21 the club tracked dates and times that you worked?
22 A. Yes, they did.
23 Q. During the five years that you were there, how
24 many -- I know I'm going back a long time --
25 A. That's fine.

Page 38

1 Q. -- how many hours a week would you estimate that
2 you worked on average at the Cheetah's?
3 A. I don't remember.
4 Q. Okay. But when you arrived for a shift, how
5 long do you think you would typically stay? Four hours?
6 Six hours? Twelve hours?
7 A. I would like to say eight hours. And if I would
8 like to continue to do another shift, I have to pay
9 another \$65.
10 Q. Okay. But you had the option to stay over if
11 you wanted to?
12 A. Yes, you did.
13 Q. And you didn't have to stay over if you didn't
14 want to?
15 A. Yes.
16 Q. Now, I know you told me you worked basically
17 every other day --
18 A. Yes.
19 Q. -- so tell me, how did that -- what did that
20 mean, three to four days a week?
21 A. Well, if I worked one night and I had too much
22 to drink, it's kind of hard to wake up the next day and
23 go to work and drink some more. So I did that for my
24 personal health to take, you know, a day off.
25 Q. To take -- to take a break?

Page 39

1 A. Yes. Yes.
2 Q. Okay. And completely understandable.
3 A. Yes.
4 Q. But with taking a break the day after you
5 worked --
6 A. Yes.
7 Q. -- what did that typically mean in terms of a
8 workweek, Sunday to Saturday? Are you working three
9 days a week on average, you think?
10 A. Well, if it's a Saturday and a Sunday, I don't
11 work on Sunday, so I will not go to work on Sunday.
12 Q. Okay. Here's what I'm trying to get at,
13 Ms. Steel --
14 A. Yes.
15 Q. -- I'm just trying to get a sense of how many
16 days or nights per week you would work on average?
17 A. I don't remember.
18 Q. So is it fair to say that the club did not
19 impose any specific work schedule on you?
20 A. Not at that time.
21 Q. Let's talk about your job duties at the club.
22 A. Yes.
23 Q. What were they?
24 A. As a dancer, you always have to be professional,
25 always stay clean, change your clothes, look

Page 40

1 presentable, and that's pretty much it.
2 Q. Okay. I assume that as a dancer, you were --
3 you had to dance?
4 A. Yes, you did.
5 Q. And you could dance either on the floor or on
6 stage --
7 A. Yes.
8 Q. -- or in a VIP room?
9 A. Yes.
10 Q. And those are basically the three types of areas
11 that the club had for you to perform?
12 A. Yes, they do.
13 Q. And when you danced on stage, that was for tips,
14 customer tips?
15 A. Yes.
16 Q. Now, you would also perform private dances on
17 the floor --
18 A. Yes.
19 Q. -- for customers; right?
20 A. Yes.
21 Q. Who established the price for private -- excuse
22 me. Withdraw that.
23 Who established the price for dances on the
24 floor?
25 A. We did; the ladies, the dancers.

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 41

1 Q. So you had discretion about how much you could
2 charge a customer for a dance on the floor?
3 A. Well, when we first get hired inside a club,
4 they give us prices that we can tell the customers. We
5 can't just tell them our own prices. We had different
6 prices for different things. As far as the VIP room, we
7 have different prices for that; if you're on the floor,
8 you have different prices for that.
9 Q. Okay. Very good. Let's hold off on VIP for
10 just a second. I'm just talking about the general floor
11 area.
12 A. Okay.
13 Q. What was kind of the range of prices that you
14 could charge for a table-side -- what I call a
15 table-side dance?
16 A. \$25.
17 Q. And was that the only -- what were the some of
18 the other prices you could charge?
19 A. Well, that was only on the floor. If you were
20 in a VIP room, it was three for \$100.
21 Q. Okay. Let's leave VIP on the side --
22 A. Okay.
23 Q. -- so I'm just talking on the floor.
24 A. Okay.
25 Q. So it's \$25 a dance?

Page 42

1 A. Yes, it was.
2 Q. Okay. And that was something you would tell a
3 customer up front; right?
4 A. Yes, you would.
5 Q. So there's no confusion about how much?
6 A. Yes.
7 Q. And that was considered good form or good
8 practice to do that?
9 A. Yes.
10 Q. Okay. Do you know whether the club ever tracked
11 the number of dances on the floor that you did?
12 A. At that time, no.
13 Q. So from your perspective, it was however many
14 dances you could get, that's what you were there to do;
15 right?
16 A. Yes.
17 Q. The more the better?
18 A. Yes.
19 Q. And of course a customer was free to pay you
20 more than \$25 per dance if the customer wanted to do
21 that; right?
22 A. Yes.
23 Q. I'm sure you had no objection to that, if that
24 occurred?
25 A. Yes.

Page 43

1 Q. Let's talk about VIP dancing.
2 A. Okay.
3 Q. First of all, were you required to dance in VIP?
4 A. No.
5 Q. I'm sorry, I'm just waiting. It's a little
6 noisy out there.
7 A. That's fine.
8 Q. Let's talk about pricing -- customer pricing in
9 VIP.
10 A. Yes.
11 Q. First of all, do you know if the club charged
12 customers to perform -- customers don't perform -- do
13 you know if customers were charged to enter VIP?
14 A. No, they wasn't.
15 Q. Okay. And what was your -- what is your
16 recollection of what your options were in terms of
17 charging customers to perform for them in VIP?
18 A. Can you repeat that?
19 Q. Sure. If a customer said, Hey, December, let's
20 go to VIP, what -- but I don't know how much it cost --
21 it's going to cost me, what would you tell him?
22 A. I would tell the gentleman it will be \$100;
23 before we enter the VIP room, I would like to accept the
24 money. If you don't have it, the ATM machine is right
25 there.

Page 44

1 Q. You alluded earlier to the fact that there were
2 several pricing options --
3 A. Yes.
4 Q. -- for VIP. Tell me what those were.
5 A. Well, three dances for \$100.
6 Q. Is that the base rate?
7 A. Yes, it was. Now, if the gentleman wants more,
8 then it's -- I believe it's an extra \$100, and I believe
9 that's for an hour. I'm not for sure.
10 Q. Okay. If I understand what you just told me --
11 A. Okay.
12 Q. -- \$100 to go in?
13 A. Yes.
14 Q. And that would get him three dances?
15 A. Yes, it would.
16 Q. Okay. Kind of the basic package, if you will?
17 A. Yes.
18 Q. Okay. If he wanted more than three dances, it
19 kind of went to a timing permit?
20 A. Yes, it did.
21 Q. So if he wanted to spend a half hour with you in
22 VIP --
23 A. Yes.
24 Q. -- how much would that cost?
25 A. I believe roughly 250.

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 45

1 THE REPORTER: I'm sorry, 250?
2 THE WITNESS: Yes. Sorry about that.
3 BY MR. FUCHS:
4 Q. So 250 for a half-hour. Do you remember how
5 much for an hour?
6 A. No, I don't.
7 Q. And the money that the customer paid you for
8 time spent in VIP, I refer to those as VIP room fees.
9 How do you refer to them?
10 A. I prefer -- well, the same thing, VIP fees.
11 Q. Or dance fees?
12 A. Yes. I'd rather say VIP fees.
13 Q. Okay. Just to distinguish between table-side
14 dancing and VIP?
15 A. Yes.
16 Q. Okay.
17 A. That's why I said I prefer VIP fees.
18 Q. Sure. And of course the customer was not
19 limited to paying you \$100 for three songs? He could
20 pay you more than that?
21 A. Yes, he could, at the time.
22 Q. I'm sure no objection to that; right?
23 A. Yes.
24 Q. Now, you did not have to pay the club anything
25 if a gentlemen wanted to -- you to perform for him in

Page 46

1 VIP; correct?
2 A. No, I didn't.
3 Q. So if a gentleman wanted to spend a half-hour
4 with you in VIP, that was 250 in your pocket?
5 A. 250 is two hours.
6 Q. Oh, I'm sorry. I wrote down 30 minutes, 250 for
7 30 minutes.
8 A. No. That's an hour.
9 Q. Okay.
10 A. I'm sorry about that.
11 Q. I'm sorry. Maybe I'm confused, or maybe I
12 misheard you. So let's go back.
13 How much for an hour -- you don't -- you didn't
14 remember how much for an hour in VIP?
15 A. No, I didn't.
16 Q. Okay. And how much for 30 minutes?
17 A. 30 minutes was not an option. If the song --
18 if, when you walk in and a song is playing, you have to
19 wait until the next song is playing.
20 Q. To begin?
21 A. Yes, to begin. So we never counted the three
22 dances, as far as minute; we never did that.
23 Q. Right.
24 A. Yes.
25 Q. So for \$100 I get three songs, however long they

Page 47

1 last?
2 A. Yes. Because you have songs that last for four
3 minutes; you have songs that last for five minutes.
4 Q. Got it. But if I say, You know what, I want to
5 do a little bit than three songs and I wanted to stay
6 for a half an hour, could I do that?
7 A. Yes, you can.
8 Q. And do you remember the price point on that?
9 A. No.
10 Q. Oh, okay. I must have misheard you earlier.
11 A. I'm sorry about that.
12 Q. That's okay. What was your habit in terms of
13 paying the house fee? Did you pay it at the front end
14 of the shift or the back end of the shift, or a little
15 bit of both?
16 A. Well, when you arrive in the club, you have to
17 pay it before you get on the floor.
18 Q. And that was your custom?
19 A. Yes. Always.
20 Q. And I assume that when you left the club, you
21 typically left with a decent amount of cash?
22 A. Not always. So that's a no.
23 Q. Let's talk about that. Was there ever an
24 occasion where you went to work at Cheetah's and you did
25 not earn enough to cover the house fee that you had

Page 48

1 paid?
2 A. Yes.
3 Q. So if the house fee at that time was \$65 --
4 A. Yes.
5 Q. -- there were occasions where you didn't earn at
6 least \$65 performing?
7 A. Yes.
8 Q. And so you end up with a net negative for that
9 shift?
10 A. Yes, you did.
11 Q. So in effect, you lost money?
12 A. Yes.
13 Q. And how often would that occur?
14 A. I don't remember.
15 Q. Did it happen more than a couple of times?
16 A. I would like to say so, yes.
17 Q. Obviously, that's disappointing?
18 A. Yes, it is.
19 Q. Okay. And that's probably an understatement.
20 You probably were more than disappointed by not having
21 made at least \$65 dancing; right?
22 A. Well, I didn't look at it like that, because I
23 could go to work the next day and make something.
24 Q. Sure. But you understood, though, did you not,
25 that on any given shift, there may not be a lot of

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 49	Page 51
<p>1 customers, you may not make very much money? 2 A. Yes. 3 Q. And you understood that on occasion you may go 4 there and strike out and not make any money? 5 A. Yes. 6 Q. And you were willing to accept that risk; 7 correct? 8 A. Yes. 9 Q. Because you knew on some nights you'd hit it 10 big; right? 11 A. Yes. 12 Q. And -- and because you were there for a good 13 length of time, approximately five years -- 14 A. Yes. 15 Q. -- you were okay with that arrangement? 16 A. Yes, I was. 17 Q. Now, I assume that on a weekly basis -- let me 18 not make any assumptions -- on a weekly basis, were you 19 ever in the hole? Meaning, did you ever pay more to 20 perform than you earned for the week? 21 A. No. No, I haven't. 22 Q. Okay. So on any given shift you may be 23 underwater, so to speak, but the money -- but that's not 24 true on any given workweek? 25 A. Yes.</p>	<p>1 with the amount of money you were earning, otherwise you 2 might not have stayed that long? 3 A. Yeah. Sorry, yes. 4 Q. Yeah works okay. 5 Does Cheetah's Lounge use any sort of dancer 6 dollars or funny money? 7 A. At that moment when I was dancing there, they 8 didn't. 9 Q. Did not? 10 A. They did not. 11 Q. Okay. So you never had any experience with what 12 are called G-bucks? 13 A. No, I haven't. 14 Q. And customers didn't use G-bucks to pay you for 15 entertaining? 16 A. No, they didn't. 17 Q. So, therefore, I assume you never paid any sort 18 of fee to the club to exchange G-bucks or anything of 19 that nature? 20 A. No, I didn't. 21 Q. At Cheetah's Lounge, were you able to select 22 your own costumes? 23 A. Yes, I was. 24 Q. And who paid for those costumes? 25 A. I did.</p>
Page 50	Page 52
<p>1 Q. So if you had a bad night one night, chances are 2 it wasn't going to be like that the rest of the week? 3 A. Yes. 4 Q. Can you tell me, on average, how much you think 5 you've earned from performing in any given week or 6 shift? 7 A. I don't remember. 8 Q. Is it fair to say, though, that if you weren't 9 earning any money or money that you were satisfied with, 10 you wouldn't have stayed there for five years? 11 A. Can you repeat that? 12 Q. Sure. You know, some clubs you've danced at for 13 only two months -- 14 A. Yes. 15 Q. -- and I assume it's because you were less than 16 satisfied working at those clubs; fair? 17 A. Yeah, you can say that's fair. Yes. 18 Q. In contrast, you were at the Cheetah's for 19 approximately five years? 20 A. Yes. 21 Q. Which, in dancer terms, that's a pretty long 22 relationship with a club? 23 A. Yes. 24 Q. And is it fair to say that during that five-year 25 period, you must have been at least somewhat satisfied</p>	<p>1 Q. Were you reimbursed by the club for those 2 costumes? 3 A. No, I wasn't. 4 Q. Were you ever told that you couldn't wear a 5 costume that you had purchased for yourself? 6 A. Yes, I was. 7 Q. Tell me. 8 A. Well, as being an African-American woman, I'm 9 very shapely and curvy. So if something is too 10 revealing, like G-strings, then I couldn't wear that, 11 and I understood it. 12 Q. I don't want to get too personal here, but what 13 is your understanding as to the source of the 14 restriction? Was that, like, a City Municipal 15 restriction -- 16 A. Yes, it was. 17 Q. -- or a Metro? 18 A. Yes, it was. 19 Q. Okay. So the club was just trying to ensure 20 that whatever you were wearing complied with City or 21 Metro -- 22 A. Yes. 23 Q. -- rules? 24 A. Yes. 25 MS. CALVERT: Object; calls for speculation.</p>

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 53

1 BY MR. FUCHS:
2 Q. But that's your understanding; right?
3 A. Yes.
4 Q. Any other issues with costumes, that you recall?
5 A. No, that's it.
6 Q. Do you remember how much you had to pay for your
7 costumes either -- I don't know how often you replaced
8 them or purchased them -- do you remember roughly how
9 much you paid?
10 A. At the time when I was dancing at Cheetah's, I
11 used to buy an outfit every day, so I want to say
12 probably, like, \$100 per outfit, depending how many
13 outfits I bought --
14 Q. Sure.
15 A. -- at that moment from the house mom.
16 Q. Sure. And did you have like a wardrobe, so to
17 speak, of X number of outfits that you could use at any
18 given time?
19 A. Yes, I did.
20 Q. Approximately how many would you have in your
21 closet at any given time?
22 A. Well, it's called a locker, and five outfits.
23 Q. Okay. So that was your stock, so to speak, of
24 dance outfits in your locker at the club?
25 A. Yes.

Page 54

1 Q. And how often do you think you had to replace
2 outfits due to wear and tear or whatever? I'm sorry,
3 you know what? You already said you bought a new outfit
4 every day; right?
5 A. Yeah. Yes.
6 Q. That answers my question. Let's talk about
7 shoes.
8 A. Okay.
9 Q. Were you allowed to select your own shoes?
10 A. Yes.
11 Q. And I assume you had to pay for your own shoes?
12 A. Yes.
13 Q. I know shoes can be expensive. How much do you
14 think you spent on a pair of dancer shoes?
15 A. \$95.
16 Q. And how often do you think you had to buy shoes?
17 A. When I was dancing, I'd buy shoes every five
18 months.
19 Q. I guess at some point they wear out or show
20 signs of wear?
21 A. Yes, they do, at the bottom.
22 Q. Were you ever told you couldn't wear a certain
23 type of shoe or style of shoe that you had selected for
24 yourself?
25 A. No.

Page 55

1 Q. When dancing at Cheetah's, were you able to
2 select your own cosmetics, makeup?
3 A. Yes, you were. But at the time, I was not
4 wearing makeup.
5 Q. Okay. And that wasn't a problem with it?
6 A. No, not at all.
7 Q. That was pretty much up to you; right?
8 A. Yes.
9 Q. Same question about your hairstyle.
10 A. Yes.
11 Q. Could you style your hair however you wanted to?
12 A. No, you couldn't.
13 Q. Tell me about that.
14 A. As being an African-American lady, you cannot
15 wear braids; you have to wear with weaves, six inches or
16 longer.
17 Q. Was that a problem? Did that present a problem
18 for you?
19 A. Not for me.
20 Q. Okay. And tell me -- I know hairstyling can be
21 pricey. How much do you think you spent on hair styling
22 to -- for dancing?
23 A. Roughly \$300.
24 Q. Per?
25 A. Per --

Page 56

1 Q. How often?
2 A. -- two months.
3 Q. \$300 every two months?
4 A. Yes. And that's being an African-American
5 woman, because we have to have the whole process when it
6 comes to weaving and braiding our hairs and things like
7 that.
8 Q. Okay. I'm not all that familiar with the
9 process --
10 A. Yes, sir.
11 Q. -- but I'll -- I get it.
12 And of course you weren't reimbursed for those
13 sorts of expenses?
14 A. No, I wasn't.
15 Q. I apologize if I've asked you this: Dancer --
16 do you know if dancers were allowed to attend school if
17 they wanted to attend school while they were dancing?
18 A. Yes, they were.
19 Q. Do you know if dancers were allowed to hold
20 other jobs?
21 A. Yes, they were.
22 Q. We already talked about dancers could consume
23 alcohol while they're performing.
24 A. Yes.
25 Q. How about smoking cigarettes? Could dancer

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 57

1 smoke?
2 A. Yes.
3 Q. And Cheetah's didn't have a kitchen or serve
4 food, did it?
5 A. No.
6 Q. I know you were an experienced dancer when you
7 came to the club.
8 A. Yes.
9 Q. Did anybody at the club tell you how you were
10 supposed to dance?
11 A. Yes.
12 Q. Tell me about that?
13 A. Well, as being an African-American lady, it's no
14 bootie shaking -- no -- a lot of bootie shaking, no
15 clapping your butt. We got sent home a lot of times for
16 that. That's pretty much it.
17 Q. Okay. I'm not sure I know the difference
18 between bootie shaking and butt clapping, but my
19 question to you is: The times that you were told not to
20 do that -- those sorts of things --
21 A. Yes.
22 Q. -- was that because it was -- you're not allowed
23 to do it under Las Vegas law or the County law?
24 A. No.
25 Q. Okay. So as far as you knew, the City or -- the

Page 58

1 City did not -- or the County did not regulate how you
2 performed?
3 A. Yes.
4 Q. But isn't it true that there's certain things
5 you cannot do under the local vice rules?
6 A. Yes.
7 Q. But what you're describing is not one of them?
8 A. Yes.
9 Q. Okay. Other than those two things that you
10 mentioned --
11 A. Yes.
12 Q. -- were you generally free to dance how you
13 wanted to dance?
14 A. No.
15 Q. Explain.
16 A. Well, when you're on the stage, it's a couple of
17 moves that you have to do if you had a spinning pole or
18 a regular pole.
19 Q. Okay. Were you -- first of all, were you
20 required to use the pole?
21 A. Yes.
22 Q. How did they require you to use the pole?
23 A. Can you repeat that?
24 Q. Well, you mentioned poles --
25 A. Okay.

Page 59

1 Q. -- dancer poles --
2 A. Okay.
3 Q. -- and you seemed to indicate that the club
4 required you to use them.
5 A. Yes.
6 Q. I'm not sure I follow that. Can you explain
7 that to me?
8 A. Okay. How Cheetah's is set up, you have one
9 stage as soon as you walk in on the left-hand side. On
10 the right-hand side, you have a bar, which is two stages
11 right by the bar. So if you're dancing right by the
12 bar, it's no kicking, no spinning; all you have to do is
13 kind of wiggle your body right by the bar, so you don't
14 have to kick nobody in the head. Now, that's on the
15 back stages where the bar is.
16 Now, if you're on the main stage, you can pretty
17 much do whatever you want. You can flip upside down,
18 you can slide down, get on all floor, get on all your
19 fours and shake your butt, and things like that. That's
20 what I mean.
21 Q. When you performed --
22 A. Yes.
23 Q. -- danced, did you try to be sexual?
24 A. No, not at all. Always fun.
25 Q. Okay. Did you try to be creative?

Page 60

1 A. Yes. Always.
2 Q. Try to be attractive and enticing to the
3 customers?
4 A. Yes. I'm already that, but yes.
5 Q. Other than when you were on the stage, were you
6 free to pick and choose which customers you would
7 perform for?
8 A. Yes.
9 Q. And I think you said earlier you were not
10 required to dance in VIP, so that was at your
11 discretion; right?
12 A. Yes.
13 Q. And if you wanted to opt out of the stage
14 rotation, you could do that; right?
15 A. Yes.
16 Q. You were free to sit and mingle with the club's
17 customers?
18 A. Yes. That was a must.
19 Q. Because that's how you would -- that's how you
20 would get dances for yourself; right?
21 A. Yes.
22 Q. And if you needed to take a break during a
23 shift, you could do that?
24 A. Yes.
25 Q. Ms. Steel --

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 61

1 A. Yes.
2 Q. -- during the years, the roughly five years that
3 you performed at Cheetah's Lounge --
4 A. Yes.
5 Q. -- did you file income tax returns?
6 A. No, I didn't.
7 Q. So is it fair to say that because you did not
8 file income tax returns with the Internal Revenue
9 Service, is it fair to say you did not also pay income
10 tax, federal income tax, on any of your earnings from
11 performing at the Cheetah's?
12 A. Yes.
13 Q. Just so the record's clear, yes, it's fair to
14 say that you did not?
15 A. Yes. Sorry about that.
16 Q. That's okay. That was a poor question.
17 Now, I know there's no state income tax in
18 Nevada; correct? If you know.
19 A. I don't know that.
20 Q. Okay. And I assume that if you did not file
21 income tax returns with the Internal Revenue Service for
22 the years that you performed at the Cheetah, also you
23 didn't deduct from your income tax the expense items --
24 your costumes, your shoes, things of that nature?
25 A. Yes.

Page 62

1 Q. Other than your house fee --
2 A. Yes.
3 Q. -- for performing at the Cheetah, were you
4 required to pay any other sort of fee?
5 A. Yes, you did. You had to pay the house mom, you
6 have to pay the DJ, and the security guards too.
7 Q. Let's take those one at a time. Okay?
8 A. Yes.
9 Q. What is your understanding of what you were
10 required or supposed to pay the house mom?
11 A. Well, if you -- well, you had to pay the house
12 mom, and that was if she have food or feminine products,
13 our outfits, or if you were just leaving and you had a
14 great night.
15 Q. Okay. I'm not sure I completely understood your
16 response.
17 A. Okay.
18 Q. Obviously, if a house mom is -- if she's selling
19 outfits, then you're going to pay her for the outfit;
20 right?
21 A. Yes.
22 Q. I'm talking about a tip, is really what I'm
23 talking about.
24 A. Yes.
25 Q. Were you -- do you -- from your perspective,

Page 63

1 were you required to tip house moms?
2 A. Yes.
3 Q. Okay. And how did you learn or become aware
4 that you were required to tip a house mom?
5 A. Well, that was always on applications, when you
6 fill out the application when you get hired.
7 Q. There was something --
8 A. It was --
9 Q. -- on the application that said --
10 A. It was always on the package, Tip out the house
11 mom, Tip out the DJ, tip out the security guards.
12 Q. So it was your understanding that the house
13 required you to do that?
14 A. Yes.
15 Q. Okay. Was there a set or standard tip amount
16 for --
17 A. No --
18 Q. -- the house mom?
19 A. -- there wasn't.
20 Q. So tipping, from your perspective, was required
21 but the amount was up to you?
22 A. Yes, it was.
23 Q. And did you always tip the house mom?
24 A. Yes.
25 Q. Any idea how much you tipped the house mom?

Page 64

1 A. \$20.
2 Q. Per shift?
3 A. Yes.
4 Q. Is that pretty consistent?
5 A. Yes, it was.
6 Q. Pretty standard at gentlemen's clubs for dancers
7 to tip house moms, isn't it?
8 A. Yes.
9 Q. Have you ever performed at any club where you
10 did not tip a house mom?
11 A. Can you repeat that?
12 Q. Is there any club you can think of that you ever
13 performed at where you did not tip a house mom?
14 A. No. That was always required.
15 Q. Let's talk about the DJ.
16 A. Yes.
17 Q. From your perspective, were you required to tip
18 the DJ?
19 A. Yes.
20 Q. And how much were you required to tip the DJ,
21 from your perspective?
22 A. 10.
23 Q. \$10?
24 A. Yes, \$10.
25 Q. Per shift?

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 65

1 A. Yes.
2 Q. And so it wasn't a percentage of what you
3 earned?
4 A. No, it wasn't.
5 Q. A flat amount?
6 A. Yes.
7 Q. And did you consistently tip the DJ that amount?
8 A. When I worked, yes, I did.
9 Q. Right.
10 A. Not the hours, but the day that I worked.
11 Q. Right. Whenever you performed --
12 A. Yes.
13 Q. -- you would -- at checkout, you on would tip
14 the DJ --
15 A. Yes, I would.
16 Q. The \$10?
17 A. Yes, I would.
18 Q. Pretty standard for dancers to tip DJs in this
19 town, isn't it?
20 A. Yes.
21 Q. Any club you could think of where you worked
22 where you did not tip a DJ?
23 A. No, that was always.
24 Q. So no real surprises there; right?
25 A. Yes.

Page 66

1 Q. Let's talk about the security guards?
2 A. Yes.
3 Q. Floor man, same thing?
4 A. Yes.
5 Q. They're just the same thing?
6 A. Yes.
7 Q. What is your understanding of how much you had
8 to tip floor men?
9 A. Well, it was up to the ladies.
10 Q. And did you make it a habit of tipping floor
11 men?
12 A. Yes, I did.
13 Q. How much did you tip floor men?
14 A. \$10.
15 Q. Per shift?
16 A. Yes.
17 Q. And of course the floor men provided you with a
18 safe working environment; right?
19 A. Yes.
20 Q. And DJs played music for you to dance to?
21 A. Yes.
22 Q. And house mom provided supplies and support and
23 things like that?
24 A. Yes, they did.
25 Q. And I think you would probably agree with me

Page 67

1 that Las Vegas is a tipping town; right?
2 A. Yes.
3 Q. It's very common out here to tip folks for doing
4 services for you?
5 A. Yes.
6 Q. Were you ever disciplined by Cheetah's for not
7 tipping out?
8 A. No, I wasn't.
9 Q. Were you ever fined by Cheetah's for any reason?
10 A. No.
11 Q. Were you ever fired by Cheetah's for any reason?
12 A. Yes.
13 Q. Tell me about that.
14 A. Well, if it was a lot of black girls there, they
15 didn't want a lot of black girls working, so if they had
16 a lot, then they'll fire -- well, let me put it like
17 this: They only accept seven African-American girls.
18 And if you had eight, then you had to fire one.
19 Q. How do you know this?
20 A. House moms. And sometimes the manager will let
21 you know; if he has too many African-American girls,
22 he'll have to let you go.
23 Q. Okay. Forgive me. I'm a little confused.
24 A. It's okay. I was too, sir.
25 Q. Okay. What house mom or floor man told you that

Page 68

1 there was a limit on the number of African-American
2 dancers the club could have?
3 A. I don't know their names. I don't remember
4 their names.
5 Q. To your knowledge, were you ever fired or sent
6 home on a shift because someone told you there were too
7 many African-American dancers?
8 A. Yes.
9 Q. But you don't remember who told you that?
10 A. No, I don't.
11 Q. Did you ever question that or complain about
12 that to anyone at the club?
13 A. No, I didn't, because I didn't want to lose my
14 spot.
15 Q. Meaning, you were afraid to complain about it?
16 A. Yes.
17 Q. Do you remember who -- I know you told me about
18 Bear.
19 A. Yes.
20 Q. What race is he?
21 A. I believe he's Cuban.
22 Q. Do you remember who the general manager was when
23 you worked?
24 A. No, I don't.
25 Q. Do you remember who the operations manager was

17 (Pages 65 to 68)

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 69

1 when you worked?
2 A. No, I don't. And I never heard of that position
3 before in a strip club.
4 Q. Or any other management-level person at the
5 club?
6 A. No.
7 MR. FUCHS: I'll tell you what -- let's go off
8 the record.
9 MS. CALVERT: Sure.
10 THE VIDEOGRAPHER: The time is approximately
11 11:19 a.m. We are going off the record.
12 (Recess taken.)
13 THE VIDEOGRAPHER: The time is approximately
14 11:33 a.m. We are back on the record.
15 MR. FUCHS: Very good. Thank you.
16 BY MR. FUCHS:
17 Q. Okay. Ms. Steel, before the break --
18 A. Yes.
19 Q. -- I asked you, I believe, if you were ever
20 fired --
21 A. Yes.
22 Q. -- by Cheetah's, and you told me about your
23 thoughts on what had happened there.
24 A. Yes.
25 Q. Were you ever fired for any other reason?

Page 70

1 A. No.
2 Q. When you performed at Cheetah's, Las Vegas, or
3 Cheetah's Lounge --
4 A. Yes.
5 Q. -- did you ever sign a document referred to as a
6 Dancer Performance Lease?
7 A. Yes.
8 (Exhibit 1 was marked for identification.)
9 BY MR. FUCHS:
10 Q. Ms. Steel, I'm handing you a document which I
11 believe has been marked No. 1.
12 A. Yes.
13 MR. FUCHS: Counsel, it's Plaintiff's 2 from
14 yesterday.
15 MS. CALVERT: Okay. The clear one, okay.
16 MR. FUCHS: Correct.
17 BY MR. FUCHS:
18 Q. That is a -- that is an unsigned copy of a
19 Dancer Performance Lease. Do you see that?
20 A. Yes, I do.
21 Q. The reason I've given you that one is because
22 the one that you signed is not a very clear copy.
23 A. Yes.
24 Q. Do you remember signing that?
25 A. No, I don't.

Page 71

1 Q. I'm sorry, I'm a little confused by your answer.
2 Because I think originally, before I presented you with
3 the document, you said you had -- you did recall signing
4 one, and now that I've presented you with one, you don't
5 recall signing one?
6 A. Well, I didn't look at the paperwork. I was
7 just trying to get in real fast --
8 Q. I see.
9 A. -- so I didn't read anything. I just put my
10 name, my address, and my sheriff's number down and --
11 Q. Okay. So you do remember signing something --
12 A. Yes, I do.
13 Q. -- you just may not have studied it or spent any
14 time with it?
15 A. Yes.
16 Q. Okay.
17 (Discussion held off the record.)
18 BY MR. FUCHS:
19 Q. Yeah, that's sometimes hard. If you'll wait for
20 me to finish my question, I'll let you --
21 A. Yes, sir.
22 Q. -- finish your answer before I go on to the next
23 question.
24 Okay. So is it fair to say that with respect to
25 the Exhibit 1 that you're looking at, you vaguely recall

Page 72

1 signing it but you just don't -- you're just not
2 familiar with its terms?
3 A. Yes.
4 Q. We talked a little bit before about house fees.
5 Do you recall there ever being offered a discounted
6 house fee if you stayed a certain length of time --
7 A. No, I did not.
8 Q. -- during a shift?
9 And was the house fee pretty consistent from
10 each shift, from what you recall?
11 A. Yes.
12 Q. And you understood, did you not, that when you
13 performed at Cheetah's, there were certain City or Metro
14 rules by which you had to comply?
15 A. Yes.
16 Q. And you were okay with that?
17 A. Yes, I was.
18 Q. And do you know what would happen to you or to
19 the club if you were caught violating those City or
20 Metro rules?
21 A. Yes. I believe that they will get a ticket and
22 I will get a ticket for soliciting.
23 Q. So is it fair to say that because of your
24 understanding, you tried to conform your conduct to
25 those rules?

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 73

1 A. Yes, I did.
2 Q. You didn't want to get a ticket, did you?
3 A. No.
4 Q. And you didn't want the club to get a ticket,
5 did you?
6 A. Not at all.
7 Q. And you knew you had to keep your business
8 license active, obviously, to work?
9 A. Yes. Always.
10 Q. And that's true for whatever club you worked at?
11 A. Yes.
12 Q. I want to clarify -- get you to clarify
13 something you said for me earlier.
14 A. Yes.
15 Q. We were talking about the tip-outs --
16 A. Yes.
17 Q. -- I asked you about floor men or security
18 guards.
19 A. Yes.
20 Q. And I believe you said the amount that you
21 tipped was discretion -- at your discretion?
22 A. Yes.
23 Q. What I was unclear about is whether you believed
24 tipping floor men was optional?
25 A. Yes, it was optional.

Page 74

1 Q. But even though it was optional, it was your
2 custom or habit to tip out the floor men?
3 A. Yes.
4 Q. And that's pretty standard; right?
5 A. Yes.
6 Q. How would you typically get to and from the
7 club?
8 A. I drove. If I lived down the street, I walk.
9 Q. But with respect to Cheetah's, how did you get
10 to and from the club?
11 A. Drove.
12 Q. Okay.
13 A. Uh-huh.
14 Q. Ms. Steel, have you spoken with any other
15 dancers or former dancers of the Cheetah's recently?
16 A. No, I haven't.
17 Q. When would you guess would be the last time you
18 spoke to any of your former co-workers at the Cheetah?
19 A. Like around 2004.
20 Q. Well --
21 A. '14.
22 Q. Thank you. Okay.
23 A. I'm sorry about that.
24 Q. That's okay. So you haven't talked to any of
25 your former fellow dancers since you left?

Page 75

1 A. Yes.
2 Q. To your knowledge, did you ever sign an
3 arbitration agreement?
4 A. No, I haven't.
5 Q. Ms. Steel, do you know why -- let me ask it this
6 way: What is your understanding as to why you are suing
7 Cheetah's?
8 A. Can you repeat that?
9 Q. Yes. You understand that you've brought a
10 lawsuit against Cheetah's?
11 A. Yes.
12 Q. What I want to know is, what is your
13 understanding as to why you are suing Cheetah's?
14 A. Can you rephrase that?
15 Q. I'll try.
16 A. Okay.
17 Q. You have brought a lawsuit in Clark County --
18 A. Yes.
19 Q. -- against La Fuente, Inc., which does business
20 as Cheetah's Lounge?
21 A. Yes.
22 Q. Why?
23 A. Well, I was very disrespected there as an
24 African-American woman.
25 Q. Anything else?

Page 76

1 A. Not offhand.
2 Q. So you're suing because you felt that the club
3 disrespected you?
4 A. In many situations.
5 Q. I'm -- in many situations?
6 A. Yeah, in many situations.
7 Q. Okay. Tell me how it is that you believe the
8 club disrespected you?
9 A. Well, telling me to go home when I wasn't doing
10 anything wrong. If I arrived and there was a lot of
11 African-American women there, I couldn't work that
12 shift.
13 Q. Anything else?
14 A. Not offhand.
15 Q. Do you know what you're asking the Court to do
16 for you, for what relief you're asking the Court to give
17 you in this lawsuit?
18 A. I don't understand that question.
19 Q. Okay. When people sue --
20 A. Okay.
21 Q. -- they usually sue for something --
22 A. Okay.
23 Q. -- to get some type of relief or some type of
24 remedy.
25 A. Okay.

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 77

1 Q. I'm -- what I'm trying to figure out is, what
2 remedy or what relief it is you think you are asking the
3 Court to give you?
4 A. I don't have the question -- I don't have an
5 answer right now.
6 Q. Okay. Well, you understand that this is
7 probably my only opportunity to question you?
8 A. Yes, I do.
9 Q. Okay. And because I'm representing the club, I
10 need to know what it is you're suing for, but you're not
11 sure?
12 A. I don't know how to phrase it the correct way.
13 Q. Well, why don't you -- I'm not going to hold you
14 to any particular words. Why don't you describe it the
15 best you can.
16 A. Let me see. I would like to say house fees, as
17 far as paying so much money to dance at the time that I
18 was dancing. I don't think that was right.
19 Q. Okay. If I understood what you just said --
20 A. Okay.
21 Q. -- you're suing to recover the house fees that
22 you paid because you don't feel that was right to charge
23 you the house fee?
24 A. How much. It could have been lower, but it was
25 very high.

Page 78

1 Q. The -- what, the \$65?
2 A. Yes.
3 Q. Okay. Now, is there anything else you think
4 you're suing for?
5 A. No.
6 Q. Now, you're no stranger to paying house fees at
7 clubs?
8 A. Not at all.
9 Q. And certainly Cheetah's is not the only club in
10 town to charge a house fee?
11 A. Not at all.
12 Q. And you worked at any number of other clubs?
13 A. Yes, I have.
14 Q. How much did -- how much house fees did you pay
15 at the Spearmint Rhino?
16 A. How many.
17 Q. How much?
18 A. Oh, well --
19 Q. Per shift.
20 A. Well, when I was working at the Spearmint Rhino,
21 and I worked there probably for, like, a year, two
22 years.
23 Q. Right. My question has to do with the amount of
24 house fees you paid to work there.
25 A. At the time, I don't remember how much their

Page 79

1 house fee was. I don't remember how much their house
2 fee was.
3 Q. Do you know if it was more or less than \$65?
4 A. No, I don't.
5 Q. Okay. How much did you pay to dance at any of
6 the Crazy Horse clubs?
7 A. I don't remember.
8 Q. Do you know if it was more or less than you paid
9 at Cheetah's?
10 A. I would like to say less.
11 Q. How much in house fees did you pay to perform at
12 Glitter Gulch?
13 A. I don't remember.
14 Q. How much did you pay to perform at The Library?
15 A. I don't remember.
16 Q. So is it fair to say the only club that you
17 remember how much you paid a house fee to is the
18 Cheetah's?
19 A. Yeah, because I was working there for many, many
20 of years, consistently.
21 Q. Well, you worked at Glitter Gulch for about five
22 years.
23 A. I was bouncing back and forth to different clubs
24 when I was dancing at Glitter Gulch at the time.
25 Q. And you worked at The Library for about four

Page 80

1 years.
2 A. Bouncing at different clubs back and forth.
3 Q. Okay. Yet, you haven't sued any of these other
4 clubs like you're suing the Cheetah; right?
5 A. No, I haven't.
6 Q. Is there any particular reason why you've
7 singled out Cheetah's Lounge?
8 A. No, it hasn't.
9 Q. Are you planning on suing any of these other
10 clubs that you've danced at?
11 A. No.
12 Q. Okay. So you are displeased with the amount of
13 house fees that you had to pay to perform at the
14 Cheetah's?
15 A. Yes, and the disrespect.
16 Q. And the disrespect. Have you attempted to
17 calculate how much you believe the club owes you?
18 A. No, I haven't.
19 Q. And of course you understand why I'm asking;
20 right?
21 A. Yes, I do.
22 Q. You know, if we were to try to resolve this
23 case, we need to have a sense of how much it is you
24 believe you're owed; right?
25 A. Yes.

20 (Pages 77 to 80)

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 81

1 Q. Okay. But sitting here today, you don't have a
2 sense or an idea of what it is you believe the club owes
3 you?
4 A. No.
5 Q. Isn't that a piece of information you'd like to
6 have?
7 A. Yes, I would.
8 Q. Okay. And wouldn't you want a sense of how much
9 you believed you were owed prior to bringing a lawsuit?
10 A. No. I didn't -- I didn't think about that,
11 think about the numbers.
12 Q. So we've talked about the house fees; right?
13 A. Yes.
14 Q. And the disrespect?
15 A. Yes.
16 Q. Do you believe Cheetah's owes you any back
17 wages?
18 A. Can you repeat that?
19 Q. Yes. We've been talking generally about the
20 types of relief or the type of remedy you're looking for
21 from the Court, we've talked about being disrespected,
22 we've talked about what you consider to be a high house
23 fee. My question is as it relates to wages.
24 A. Okay.
25 Q. Do you believe the club owes you anything in

Page 82

1 wages?
2 A. Can you repeat that one more time?
3 Q. You know what I mean by "wages"; right?
4 A. No.
5 Q. Compensation?
6 A. Yes.
7 Q. Do you know what that is?
8 A. Yes.
9 Q. Do you believe the club owes you anything in
10 terms of compensation for having performed there?
11 A. Yes.
12 Q. Explain that to me. What do you believe they
13 owe you?
14 A. How can I phrase this? I don't know how to
15 answer that question right now.
16 Q. And again, Ms. Steel, the problem here is, I'm
17 trying to figure out what it is you're seeking by
18 bringing this lawsuit --
19 A. Yeah.
20 Q. -- and it sounds to me like you're having a
21 little trouble explaining what it is you're seeking.
22 A. Yes, I am.
23 Q. Okay. And that makes it a little difficult from
24 our side to figure out how to -- to figure out where
25 this case is going.

Page 83

1 A. Okay.
2 Q. Okay? Did you sue the club because you were
3 angry at the club?
4 A. No.
5 Q. Okay. But you said before you felt
6 disrespected?
7 A. Yes, at the time when I was working there.
8 Q. Okay. Now, of course you haven't worked there
9 in some time?
10 A. Yes.
11 Q. Okay. So did you feel vindicated by suing the
12 club?
13 A. I don't understand what that word is.
14 Q. Okay. Sorry.
15 A. That's okay.
16 Q. Did it make you feel better to sue the club?
17 A. No, not at all.
18 Q. How did you go about finding an attorney to
19 assist you in bringing this lawsuit? Did you reach out
20 to an attorney --
21 A. Yes, I did.
22 Q. -- did someone reach out to you?
23 A. Yes, I reached out to an attorney.
24 Q. Do you remember how you found the attorney that
25 you reached out?

Page 84

1 A. No, I don't.
2 Q. I mean, did you look online or did you call
3 somebody?
4 A. Well, I believe at the time that -- I believe at
5 the time that I was looking at the news and I heard
6 something about it, so I just wanted to follow up.
7 Q. What did you hear on the news?
8 A. I think it was a lawsuit with -- I forgot the
9 club name. It starts with an "S."
10 Q. Sapphire?
11 A. Yes, Sapphire's. So I just wanted to follow up,
12 and that's how I got in contact with Lauren here, and
13 seeing what's the whole process to go with the whole
14 lawsuit.
15 Q. So on your own you found Ms. Calvert and called
16 her?
17 A. Yes, I did.
18 Q. Now, when you performed at Cheetah's, you were
19 not paid by the hour, were you?
20 A. No, not at all.
21 Q. And of course you probably haven't ever been
22 paid by the hour when you performed at a gentlemen's
23 club; correct?
24 A. Yes, that's correct.
25 Q. Is it your expectation in this lawsuit that

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 85

1 Cheetah's pay you some sort of hourly rate for the time
2 that you performed?
3 A. Can you repeat that?
4 Q. Sure. I'm trying to get an understanding as to
5 why you're suing and what you're seeking to recover.
6 A. Yes.
7 Q. So my question was, is it your expectation or
8 hope that the club will pay you some hourly rate of pay
9 for the hours you performed at the club?
10 A. Yes.
11 Q. Why do you expect that?
12 MS. CALVERT: Objection; calls for a legal
13 conclusion.
14 You can answer if you know.
15 THE WITNESS: No.
16 BY MR. FUCHS:
17 Q. That was not your understanding of the
18 arrangement when you went to work at the club; correct?
19 A. Yes.
20 Q. And when you started working there, you never
21 expected to be paid an hourly rate?
22 A. No, not at all.
23 Q. Yet now you seem to be telling me that you do
24 expect to be paid at an hourly rate?
25 A. Well, not now, because I'm not dancing.

Page 86

1 Q. Fair enough. What I mean is, you just testified
2 that now you're looking for the club to pay you an
3 hourly rate of pay for some period of time?
4 A. Yes, we can -- I can say that.
5 Q. Okay. But we're clear that that was not the
6 understanding or the arrangement that you reached with
7 the club when you started working there?
8 A. Yes.
9 Q. So what changed?
10 A. Nothing changed.
11 Q. If nothing changed, help me understand why it is
12 now you expect to receive some sort of hourly rate of
13 pay when you didn't expect that when you first
14 started --
15 A. Yes.
16 Q. -- and you've never received an hourly rate of
17 pay dancing at any club?
18 A. I don't have a question for that.
19 Q. You mean an answer?
20 A. I mean -- yes, sorry. Sorry about that. I
21 don't have an answer for that.
22 Q. Okay. Now, when you performed at the
23 Cheetah's --
24 A. Yes.
25 Q. -- you -- did you consider yourself an

Page 87

1 independent contractor?
2 A. Yes, I did. Because when I received my bus- --
3 business license, that's what you are. That's what --
4 when you fill out the application, they said, What are
5 you? I'm an independent contractor. So you fill out
6 that paperwork, and that's what the title is.
7 Q. It might also say sole proprietor. Are you
8 familiar with that term?
9 A. No, not at all.
10 Q. So independent contractor is the term that
11 you're acquainted with?
12 A. Yes.
13 Q. And that was the relationship -- the type of
14 relationship you believe you entered into with the club
15 when you start working there?
16 A. Yes.
17 Q. And that was okay?
18 A. Yes.
19 Q. In fact, you've always had an independent
20 contractor relationship with every club you've performed
21 at; right?
22 MS. CALVERT: Objection; legal conclusion.
23 You can answer if you know.
24 THE WITNESS: I would like to say no; because
25 when I first started dancing, we didn't have a business

Page 88

1 license.
2 BY MR. FUCHS:
3 Q. Okay. That's fair enough. Let me ask it this
4 way: At any club you've ever performed at --
5 A. Yes.
6 Q. -- did you ever receive a paycheck?
7 A. No.
8 Q. And at the clubs that you've performed at -- I
9 know there may be some variation from club to club --
10 but the way you received money for performing was
11 basically the same at each club; right? More or less?
12 A. I would like to say yes. Excuse me.
13 Q. We talked a little bit before about the various
14 clubs you've worked at.
15 A. Yes.
16 Q. You said you couldn't remember the house fees
17 that you paid at the other clubs; right?
18 A. Yes.
19 Q. Do you remember any of the tip-outs at any of
20 those other clubs --
21 A. No.
22 Q. -- and how they compared to Cheetah's?
23 A. No, I don't.
24 Q. So if I were to ask you, for instance, what your
25 tip-out was at The Rhino or The Library, you wouldn't

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 89

1 remember?
2 A. No, not at all.
3 Q. At the Cheetah's, do you remember how frequently
4 you performed in VIP whether it was per shift or per
5 week?
6 A. No, I don't.
7 Q. Do you think you worked at -- in VIP at least
8 two or three times a week?
9 A. I don't remember.
10 Q. Did you ever receive any money for what are
11 called bottle commissions?
12 A. At that time we didn't have bottle commissions.
13 Q. And just so the record's clear, explain to me
14 what a bottle commission is.
15 A. I believe it is when you have to purchase --
16 well, they give you a bottle and you have to walk around
17 and try to sell it to the gentlemen or the ladies.
18 Q. Okay. But that didn't exist when you were
19 there?
20 A. No, it didn't.
21 Q. Did you ever want to be an employee of the
22 Cheetah's?
23 A. Yes. I would like to become a -- well, at the
24 time, I wanted to become a house mom, but I was too
25 young at the time.

Page 90

1 Q. I see. My question was really a little
2 different.
3 A. Okay.
4 Q. As a dancer, did you ever want to be employed --
5 A. No.
6 Q. -- by the Cheetah?
7 A. Well, can --
8 Q. Was there a particular reason for that?
9 A. I'm sorry, can you repeat the question?
10 Q. Yes. My question was: Did you ever want to be
11 employed as a dancer at the Cheetah's?
12 A. Yes.
13 Q. Why is that?
14 A. Well, at the time it was close to my house.
15 Q. Okay. But, I mean, you were still able to --
16 you still performed at the Cheetah's for five years?
17 A. Yes.
18 Q. All right. My question is a little different.
19 A. Okay.
20 Q. You've already talked about that you were an
21 independent contractor at the club --
22 A. Yes.
23 Q. -- and that arrangement worked okay for you.
24 A. Yes, it did.
25 Q. Do you know the difference between an

Page 91

1 independent contractor and an employee?
2 A. No, I don't.
3 Q. Okay. Do you consider yourself -- well, maybe
4 at the time you stopped dancing -- did you consider
5 yourself a skilled dancer?
6 A. No.
7 Q. Even though you've been doing it for as long as
8 you did?
9 A. Yes.
10 Q. Did you ever represent to the club that you had
11 prior formal dance training?
12 A. No.
13 Q. Did you ever have formal prior dance training?
14 A. No, not at all.
15 Q. When you worked at the club, do you think you
16 earned at least \$500 a week?
17 A. And what club are you referring to?
18 Q. Oh, I'm talking about Cheetah's.
19 A. Okay. Can you repeat that question?
20 Q. Sure. And maybe I should have been more
21 specific.
22 A. That's fine.
23 Q. Whenever I say the word "club," I'm talking
24 about Cheetah's. That's who I represent. Okay?
25 When you did dance at the Cheetah's, do you

Page 92

1 think you earned at least \$500 a week?
2 A. No.
3 Q. How much do you think you earned a week?
4 A. I don't know. I don't remember.
5 Q. Okay. Well, if you don't remember, how is it
6 that you know you didn't earn at least \$500 a week?
7 A. I just don't remember.
8 Q. Okay.
9 A. It's a lot of liquor.
10 Q. And that could affect your memory; right?
11 A. Yes, sir; it sure do.
12 Q. Do you know who Teri Galardi is?
13 A. No, I don't.
14 Q. So if you don't know who she is, I assume you're
15 not sure if you ever met her?
16 A. I'm not for sure if I ever met her.
17 Q. Okay. Did she hire you?
18 A. I'm not for sure.
19 Q. Okay. Ms. Steel, do you have any documents in
20 your possession -- at home, for instance -- for when you
21 performed at Cheetah's?
22 A. No, I don't.
23 Q. Were you ever given any documents by -- from the
24 Cheetah's?
25 A. Yes. As far as when you pay your house fee,

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 93

1 then you get a little -- a note saying that you paid
2 your house fee.
3 Q. Okay.
4 A. And that was pretty much it.
5 Q. And do you remember why you were given those
6 little forms?
7 A. I believe so they can keep record of if you paid
8 your house fee or not.
9 Q. And you, I guess, were not in the habit of
10 keeping those?
11 A. No. Because when they give it to you, they say,
12 Do you want it or do you want me to throw it away?
13 Q. And you elected to have them --
14 A. Throw it away --
15 Q. -- throw them away?
16 A. -- yes. I wasn't good at keeping documents at
17 that time.
18 Q. Do you have any records or documents at home or
19 elsewhere reflecting the dates that you performed at
20 Cheetah's?
21 A. No, I don't.
22 Q. Do you have any documents in your possession
23 reflecting how much money you earned from performing at
24 Cheetah's?
25 A. No, I don't.

Page 94

1 Q. Do you have any records at home reflecting how
2 much you paid to Cheetah's in the form of house fees?
3 A. No, I don't.
4 Q. Do you have any documents reflecting how much
5 you paid Cheetah's in the form of tip-outs?
6 A. No, I don't.
7 Q. Do you have any recordings -- audio recordings
8 video recordings -- of anybody from Cheetah's?
9 A. No.
10 Q. Are you a social media person?
11 A. Not at all.
12 Q. Good for you. I wish I could say the same.
13 When you were dancing, particularly at the
14 Cheetah's, did you ever promote yourself, market
15 yourself?
16 A. Not at all. That's called soliciting.
17 Q. Really? You can't even tell friends to come out
18 and see you perform?
19 A. Well, I would not want to do that, because I
20 like to keep business as business --
21 Q. I see.
22 A. -- and family and friends as family and friends.
23 Q. Keep the two worlds separate?
24 A. Yes.
25 Q. So you didn't -- you didn't like to promote

Page 95

1 yourself to get customers in the door to come and see
2 you?
3 A. Yes, I did not.
4 Q. Do you know whether you could have, were you so
5 inclined? Meaning, if you wanted to promote yourself as
6 a dancer -- I know you didn't -- but if you wanted to,
7 could you have?
8 A. Yes. And I say yes, because when I was working
9 there, they was making billboards with the ladies, and
10 they had asked me and I said no.
11 Q. And that was your choice?
12 A. Yes.
13 Q. And if you wanted to have gone on Facebook and
14 said, Hey, I'm performing tonight at the Cheetah's, come
15 see me, you could have done that?
16 A. Well, at the time when I was working at the
17 Cheetah's, we didn't have Face- --
18 Q. There probably wasn't a Facebook?
19 A. -- yeah, all we had was Nextel chirp phones.
20 Q. I see. Okay. So you had danced before the
21 whole Facebook thing?
22 A. Yes. And pagers too.
23 Q. I'm sorry, Ms. Steel, I'm just looking for
24 something. Give me a second.
25 A. That's fine.

Page 96

1 Q. Okay. You are a U.S. citizen?
2 A. Yes, I am.
3 Q. We talked a little bit about costumes and hair
4 and -- how much would you say you spent on cosmetics,
5 makeup, things of that nature?
6 A. I don't wear makeup.
7 Q. You said that.
8 A. Yes.
9 Q. That's right, okay. So forget that.
10 Other than costumes, hair, and shoes, what other
11 types of money did you have to spend to perform your job
12 duties? Nails?
13 A. No. I don't get my nails done. I just polish
14 them.
15 Q. Okay. Did you have to -- did you pay -- did you
16 have any other expenses to which better enabled you to
17 perform your job as a dancer?
18 A. No, I didn't.
19 Q. Like, a gym membership or anything like that?
20 A. No, I didn't.
21 Q. Plastic surgery?
22 A. No, I didn't.
23 Q. Do you know of any other jobs where folks are
24 allowed to consume alcohol while they're working?
25 MS. CALVERT: Objection; calls for speculation.

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 97

1 You can answer.
2 THE WITNESS: No, I don't.
3 BY MR. FUCHS:
4 Q. Do you know of other jobs where folks can smoke
5 cigarettes while they're working?
6 A. I believe all jobs.
7 Q. Oh, really? Even while they're doing their
8 jobs --
9 A. Yes.
10 Q. -- inside?
11 A. Yes.
12 Q. How did you learn about the Cheetah's? I know
13 I'm going back a long time.
14 A. Yes, you are. I believe I drove by it coming
15 from California.
16 Q. And you just decided one day to just stop in and
17 apply?
18 A. Yes. I called first.
19 Q. Have you ever heard the name Western Property
20 Holdings?
21 A. No, I haven't.
22 Q. Any idea what that is?
23 A. No, I don't.
24 Q. Do you believe that there are any wages that the
25 club did not pay you?

Page 98

1 A. Can you rephrase that question?
2 Q. Do you believe -- we've talked -- we've touched
3 on this. I know you feel like you were disrespected and
4 you were -- you think that they charged too high a house
5 fee. My question though is, do you believe you are owed
6 any unpaid wages?
7 MS. CALVERT: Objection; asked and answered.
8 Go ahead.
9 THE WITNESS: Yes.
10 BY MR. FUCHS:
11 Q. And what leads you to believe that?
12 A. I don't have the question for that -- I mean an
13 answer for that, sorry.
14 Q. You don't happen to remember your sheriff's card
15 number, do you?
16 A. No, I don't.
17 Q. I didn't think so.
18 MR. FUCHS: Let's mark this one.
19 (Exhibit 2 was marked for identification.)
20 BY MR. FUCHS:
21 Q. Ms. Steel, I'm handing you a really poor-quality
22 copy which was marked as Exhibit No. 2.
23 A. Yes.
24 Q. And that's why I gave you Exhibit 1, because
25 it's a clean copy, a clearer copy --

Page 99

1 A. Okay.
2 Q. -- than what you're looking at?
3 A. Excuse me.
4 Q. Do you recognize your signature on that
5 document?
6 A. Yes, I do.
7 Q. Okay. So when we talked before about you
8 signing the document, that's the document you're
9 referring to?
10 A. Yeah. And I remember the street I used to live
11 on.
12 Q. Oh, okay. So you recognize your address?
13 A. Yes. And the sloppy writing.
14 Q. Do you remember an incident at the club
15 involving a missing cell phone, a customer's cell phone?
16 A. Yes, I do.
17 Q. Tell me about that.
18 A. Well, at the time when I was working there, I
19 was dancing with a gentleman. He pulled out his cell
20 phone, took a picture of me. I asked him, Don't do
21 that. He took another picture of me. I said, Okay, I'm
22 going to take your phone. He took another picture of
23 me, and I took his phone, walked in the dressing room,
24 tried to flush it down the toilet. And that was the end
25 of that. I believe I was sent home for that.

Page 100

1 Q. So you were -- okay.
2 A. And I knew what I was doing at the time.
3 Q. Customers aren't allowed to do that, are they?
4 A. No, they're not.
5 Q. That's a no-no?
6 A. Yes, it is.
7 Q. I can't imagine the customer was too happy with
8 you?
9 A. No, he wasn't.
10 Q. Did he say anything to you?
11 A. Yes, he did.
12 Q. Tell me?
13 A. Well, he disrespected me in so many ways, as a
14 woman; and I just walked away and the bouncers came and
15 talked to him.
16 Q. Did the bouncers talk to you about it?
17 A. Yes, they did. They just asked me, you know,
18 What did you do with his phone? I said I flushed it
19 down the toilet -- well, I tried to flush it down the
20 toilet. So they went in the bathroom, dugged in the
21 toilet, got his phone, took the batter out, dried it
22 out; it started working. So the guy was pleased that it
23 was still working, and they sent me home.
24 Q. Maybe a little damp, but it was still working?
25 A. Yes, it was very damp. And that was a Nextel

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 101

1 phone. I remember that vividly.
2 Q. You told me earlier you worked -- I think you
3 said every other day?
4 A. Yes.
5 Q. So what would that mean to you in the course of
6 a week? Three or four nights -- three or four nights a
7 week?
8 A. Well, if I worked on a Monday and I drank that
9 Monday, I wouldn't go in Tuesday so I could sober up
10 and, you know, get my body in the right way. I'll work
11 on Wednesday, take Thursday off; work Friday, take
12 Saturday off and Sunday. Never worked on Sundays.
13 Q. Okay. So it sounds to me like, on average, you
14 would work three nights a week?
15 A. Yes.
16 Q. And that was pretty standard for you?
17 A. Yes, it was.
18 Q. Because you don't work on Sundays; right?
19 A. No.
20 Q. I assume that you're not receiving invoices or
21 bills from your attorneys for representing you in this
22 case?
23 A. Can you repeat that?
24 Q. Sure. You're not getting a bill from your
25 lawyers for representing you in this case?

Page 102

1 MS. CALVERT: I'll object; attorney-client
2 privilege, but I also don't mind if she answers.
3 BY MR. FUCHS:
4 Q. I'm not asking for any substance. I'm just
5 asking you if you're getting an invoice for services.
6 MS. CALVERT: It would be in the terms of our
7 retainer.
8 THE WITNESS: So yes.
9 BY MR. FUCHS:
10 Q. Yes, what? Yes, you're not getting an invoice
11 or a bill from your lawyers?
12 A. Yes, I am.
13 Q. You're receiving regular statements?
14 A. As far as paperwork? I don't understand the
15 question.
16 Q. I'm talking about a bill for legal services?
17 A. Oh, no. Sorry about that.
18 Q. During the time that you worked for Cheetah's --
19 A. Yes.
20 Q. -- did you ever -- do you recall applying for
21 any sort of loan?
22 A. No.
23 Q. So you didn't buy a car, buy a home, any
24 big-ticket item?
25 A. When I was working at Cheetah's, no, I didn't

Page 103

1 purchase a car then.
2 Q. So you didn't have to apply for financing for
3 any reason?
4 A. No.
5 Q. While you were working at Cheetah's, did you
6 ever apply for any sort of social or welfare benefits?
7 A. No, not at the time.
8 Q. When you worked at Cheetah's, were you in the
9 habit of -- what did you do with the cash that you left
10 with on any given night? Did you keep it on your
11 person? Did you deposit into a bank account?
12 A. No. I just kept cash money on me. I never had
13 no bank account or anything at that time.
14 Q. Do you remember cooperating with your attorney
15 to respond to certain questions I had sent you in
16 writing?
17 A. Can you repeat that?
18 Q. I'm trying to ask this in a way that you'll
19 understand it. In this case, I sent your attorneys some
20 written questions that I needed you to answer. Are you
21 aware of that?
22 A. Yes.
23 Q. They're called interrogatories.
24 A. Okay.
25 Q. I wouldn't expect you to know that term,

Page 104

1 necessarily.
2 Do you remember participating and working with
3 your attorneys to answer those questions?
4 A. Yes, I do.
5 Q. Okay. And were the answers that you gave them
6 truthful and correct?
7 A. Yes, they were.
8 Q. I know you grew up in -- well, I'm sorry -- you
9 were born in Inglewood?
10 A. Yes, I was.
11 Q. And when did you move out of the Greater
12 Los Angeles area?
13 A. Well, I believe in 1983. My father moved me out
14 here because he was stationed at Nellis Air Force Base.
15 My mother wasn't correct in her mind to take care of me
16 and my brothers, so he moved us here for probably till I
17 was five years old, and then we moved back to Inglewood,
18 California.
19 Q. I'm sorry, I lost you a little bit. You moved
20 back there --
21 A. Yes.
22 Q. -- when you were five?
23 A. Yes.
24 Q. Okay. And you remained until you were how old?
25 A. 16. And then I moved back out here when I was

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 105	Page 107
<p>1 16. 2 Q. Okay. And you said you're 35 now? 3 A. Yes, I am. I just turned 35, December 11th. 4 Q. So you've been here almost 20 years? 5 A. Yes. Probably more. 6 Q. Have you ever been involved in any lawsuit or 7 litigation in Los Angeles County? 8 A. No. 9 Q. I think we've established that you worked about 10 three shifts a week on average at the Cheetah's? 11 A. Well, I don't consider them shifts. At the 12 time, we didn't have shifts. We just -- 13 Q. Three times per week? 14 A. Yes. 15 Q. And I think you also testified you worked 16 about -- I think you guessed maybe eight a shift -- 17 eight hours per visit? 18 A. Yes. 19 Q. So is it fair to say that using those numbers 20 you may have worked on average about 24 hours per week, 21 three times eight? 22 A. Yes. 23 Q. And you don't recall how many times you 24 performed in VIP, on average? 25 A. No, I don't recall at all.</p>	<p>1 Q. Right. So that's why the questions may sound 2 like they're coming out of left field. 3 A. That's fine. 4 MR. FUCHS: I apologize. I'm looking for 5 something and I can't put my hands on it at this moment. 6 (Exhibit 3 was marked for identification.) 7 BY MR. FUCHS: 8 Q. Ms. Steel, I'm showing you a document that's 9 been marked as Exhibit No. 3. 10 A. Yes. 11 Q. Do you recognize that document? 12 A. No, I don't. 13 Q. Any idea what it is? 14 A. Business license document. 15 Q. I would agree with that. 16 A. Yes. 17 Q. And that's what you applied for yourself and 18 paid the fee, the -- I think the \$200 fee that you said? 19 A. Yes. But they have my name spelled wrong, as 20 always. 21 Q. Really? How is your -- how is your name -- 22 A. It's Shanon, not Shannon. 23 Q. Well, maybe that's why I wasn't -- unclear how 24 to pronounce it. How do you spell your first name? 25 A. S-h-a-n-o-n.</p>
Page 106	Page 108
<p>1 Q. Do you think you worked in VIP at least once per 2 visit to the club? 3 A. No, not one per visit. 4 Q. Do you remember on average, if there is such a 5 thing, how many table-side dances you did per visit? 6 A. No, I don't remember that. 7 MR. FUCHS: Okay. I think I'm almost done, so 8 why don't we take a break. 9 THE VIDEOGRAPHER: The time is approximately 10 12:29 p.m. We are going off the record. 11 (Recess taken.) 12 THE VIDEOGRAPHER: The time is approximately 13 12:42 p.m. We are back on the record. 14 BY MR. FUCHS: 15 Q. So, Ms. Steel, just a few more questions -- 16 A. Yes. 17 Q. -- and some of them may seem like they're out of 18 left field. 19 Have you ever heard of a business called Black 20 Wire? 21 A. No, I haven't. 22 Q. Do you know someone by the name of John Steel? 23 A. No, I don't. 24 Q. Is it possible you just have a common name? 25 A. Yes, I do; especially when it comes to Steel.</p>	<p>1 Q. Ahhh, so they've got two Ns in there? 2 A. Yes, they do. 3 Q. Oh, that's wrong. Okay. 4 But as far as you know, is that a record -- even 5 though they've misspelled your name, is that a record of 6 your, I guess, last business license? 7 A. Yes. 8 Q. And you see on there where it says sole 9 proprietor? 10 A. Yes. I don't know what that means. 11 Q. I'm sorry, you said you don't know what that 12 means? 13 A. Yeah, I don't know what that means. 14 Q. Okay. 15 MR. FUCHS: I think that's all I have. 16 MS. CALVERT: I think I just have one or two. 17 EXAMINATION 18 BY MS. CALVERT: 19 Q. Now, was it the floor men in particular that you 20 felt were disrespectful to you? 21 A. Yes. 22 Q. Did you tip them out despite the fact you felt 23 they were disrespectful to you? 24 A. No. The reason why I tipped them out, so I can 25 keep my place inside the strip club.</p>

SHANON MONIQUE STEEL
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 109	Page 111
<p>1 Q. And how did that work? Why did you -- or why do 2 you feel that way? 3 A. Well, if you didn't tip more, then you will get 4 pretty much looked down on. If you tipped a lot, then 5 they know that you're a good tipper and they'll continue 6 with the good customers, pretty much. 7 Q. What do you mean by "they would continue with 8 the good customers"? 9 A. Well, if a gentleman comes inside of a strip 10 club and he wants a particular girl that's nice and his 11 type, then the floor man will say, Well, I know a nice 12 young lady. I'll introduce you to her. 13 Q. And your DUI, did you receive that while you 14 were working at Cheetah's? 15 A. Yes. 16 Q. Was it upon leaving Cheetah's? 17 A. Yes, it was. 18 MS. CALVERT: I think that's all I have. Okay, 19 I think that's all I have. Thank you. 20 THE WITNESS: Yes. 21 MR. FUCHS: I have just a few follow-ups. 22 That's what happened when she asked. 23 THE WITNESS: That's okay. 24 MR. FUCHS: Just two more. 25 ///</p>	<p>1 A. Yes, because I couldn't say anything about that. 2 As far as getting disrespected, you have to just be 3 quiet and put up with it. 4 Q. Well, why couldn't you have complained to the 5 general manager? 6 A. Well, if I'm complaining to the general manager, 7 then I'll get fired. And then I'll try to go to another 8 club, and he knows the manager that used to -- I mean, 9 that works at Cheetah's, and they'll be, like, Okay. 10 What's your name? And, Oh, I heard about you. No, you 11 can't work here. 12 Q. Okay. How do you know you would have been fired 13 for going to the manager to complain about being 14 disrespected by one or more floor men? 15 A. I seen it, and I had it done to me. 16 Q. Okay. What do you mean you had it done to you? 17 A. Well, if I go to him with a problem, he be, 18 like, Well, there's nothing I can do about it. Just 19 stay away from him. 20 Q. Are you talking about an experience that you had 21 at the Cheetah -- 22 A. Yes. 23 Q. -- or some other club? 24 A. Yes, at Cheetah's. 25 Q. Do you remember the circumstances?</p>
Page 110	Page 112
<p>1 FURTHER EXAMINATION 2 BY MR. FUCHS: 3 Q. I want to -- and this is directly related to the 4 questions that -- one of the questions that Ms. Calvert 5 just asked you. 6 A. Okay. 7 Q. So if I understood what you just said, you 8 continued to tip floor men at your discretion because of 9 some benefit that you thought it gave you to continue 10 working at the club? 11 A. Yes. 12 Q. And the example that you gave was, Well, floor 13 men could direct customers your way? 14 A. Yes. 15 Q. So you felt you had to kind of stay in their 16 good graces? 17 A. Yes, at all times. 18 Q. And even though tipping a floor man was 19 discretionary, you made a business decision for yourself 20 that it was in your own financial best interest to tip 21 floor men? 22 A. Yes. And keep my job. 23 Q. And this was even so -- excuse me -- this was 24 despite the fact that you felt that they disrespected 25 you?</p>	<p>1 A. Well, it happened like this: I was talking to a 2 gentleman on the other side of the bar -- 3 Q. A customer? 4 A. Yes, a customer. He said, Well, you're a nice 5 young lady, but I don't talk to Nigger girls. So I 6 walked away, told the manager. The manager said, Just 7 stay away from that bar; just go on the floor. So I 8 couldn't go to the bar anymore. You had to stay on the 9 floor. 10 Q. Do you remember who the manager was? 11 A. No, I don't, not at the time. There's a lot of 12 liquor involved. 13 Q. Do you remember how long ago we're talking 14 about? 15 A. No, I don't. I don't remember. 16 Q. So is it fair to say the cus- -- the man- -- the 17 advice that the manager gave you was just to avoid that 18 customer? 19 A. Yes. And don't talk back. 20 Q. Okay. And so from that experience, you drew a 21 conclusion that because the floor managers or floor men 22 were disrespectful to you, that you could not go to the 23 general manager to share with them anything they had 24 said to you? 25 A. Yes.</p>

A				B
A-14-709851-C	agree 36:9 66:25 107:15	apologize 56:15 107:4	asserted 11:5	B 3:10
1:5 4:15	agreement 75:3	APPEARAN...	assigned 29:18	back 13:22
a.m 1:12 4:2,8 69:11,14 116:8	ahead 27:19 98:8 114:1	2:1	assist 83:19	14:25 17:24
ability 36:21	Ahhh 23:14	application	assume 5:24 9:9 11:18,19 14:21	19:19,21,24
able 16:4,20 51:21 55:1 90:15	108:1	21:19 63:6,9	17:9 18:4	28:25 32:5
able-bodied	air 8:22 28:18	87:4	19:10 22:22	35:4,20 37:24
16:18	104:14	applications	35:25 40:2	46:12 47:14
accept 43:23 49:6 67:17	al 1:3,6 4:17,17 4:25	63:5	47:20 49:17	59:15 69:14
accommodate	alcohol 56:23	applied 107:17	50:15 51:17	79:23 80:2
6:23	96:24	apply 97:17	54:11 61:20	81:16 97:13
account 103:11 103:13	alcoholic 36:7	103:2,6	92:14 101:20	104:17,20,25
accurate 27:21 116:13	allowed 36:2,19 54:9 56:16,19	applying 102:20	assumption	106:13 112:19
acquainted	57:22 96:24	appreciated	17:14	background
87:11	100:3	32:1	assumptions	21:19
action 115:21 116:18,19	alluded 44:1	approximately	49:18	backwards
active 22:7 73:8	amount 24:23	4:7 17:22	Atlanta 2:10	19:24
actively 15:2 16:10,14	33:22 47:21	24:21 28:5	ATM 43:24	bad 17:14 37:19
address 8:19,25 9:4 71:10 99:12	51:1 63:15,21	49:13 50:19	attempted 80:16	50:1
administer 4:21	65:5,7 73:20	53:20 69:10,13	attend 56:16,17	bags 35:16
administered	78:23 80:12	106:9,12	attorney 83:18	bank 103:11,13
5:21	Anderson 2:3 4:22	113:23	83:20,23,24	bankruptcy
advance 12:6	Angeles 104:12 105:7	arbitration 75:3	103:14 116:16	10:3
advice 112:17	angry 83:3	area 12:10 17:10	116:17	bar 59:10,11,12
affect 92:10	annual 21:9	17:13 41:11	attorney-client	59:13,15 112:2
affix 115:21	answer 6:20	104:12	102:1	112:7,8
afraid 68:15	7:18 71:1,22	areas 40:10	attorneys	base 15:12 44:6
African-Amer...	77:5 82:15	arrangement	101:21 103:19	104:14
52:8 55:14	85:14 86:19,21	49:15 85:18	104:3	basic 34:13
56:4 57:13	87:23 97:1	86:6 90:23	attractive 60:2	44:16
67:17,21 68:1	98:13 103:20	arrive 47:16	audible 6:10	basically 38:16
68:7 75:24	104:3	arrived 30:4	6:10	40:10 88:11
76:11	answered 98:7	33:15,17 34:10	audio 94:7	basis 49:17,18
ago 112:13	answers 6:6 54:6	34:22 38:4	audition 22:20	bat 8:22 13:18
	102:2 104:5	76:10	22:23 25:18	bathroom
	anybody 57:9	asked 17:3 27:14	auto 14:18	100:20
	94:8	56:15 69:19	avail 36:6	batter 100:21
	anymore 25:14	73:17 95:10	average 33:25	Bear 32:12
	112:8	98:7 99:20	38:2 39:9,16	68:18
		100:17 109:22	50:4 101:13	began 24:14,24
		110:5	105:10,20,24	beginning 15:19
		asking 12:6	106:4	begins 4:6
		76:15,16 77:2	avoid 112:17	believe 19:6
		80:19 102:4,5	aware 63:3	24:15 28:20
			103:21	

<p>34:9 44:8,8,25 68:21 69:19 70:11 72:21 73:20 76:7 80:17,24 81:2 81:16,25 82:9 82:12 84:4,4 87:14 89:15 93:7 97:6,14 97:24 98:2,5 98:11 99:25 104:13 believed 73:23 81:9 belong 12:9 benefit 110:9 benefits 23:16 103:6 best 28:13,13 77:15 110:20 better 42:17 83:16 96:16 beverages 36:7 big 49:10 big-ticket 102:24 bill 101:24 102:11,16 billboards 95:9 bills 101:21 birth 17:3 bit 24:10 47:5 47:15 72:4 88:13 96:3 104:19 black 67:14,15 106:19 Blank 3:12 blood 12:12,13 body 14:18 59:13 101:10 bootie 57:14,14 57:18 born 9:18,20</p>	<p>104:9 boss 25:12 bottle 89:11,12 89:14,16 bottom 54:21 bought 53:13 54:3 Boulevard 2:4 bouncer 32:13 bouncers 100:14 100:16 bouncing 79:23 80:2 braiding 56:6 braids 55:15 break 6:23 38:25 39:4 60:22 69:17 106:8 Breathalyze 36:14 Breathalyzed 36:1 Breathalyzer 35:8,10 bringing 81:9 82:18 83:19 brothers 104:16 brought 75:9,17 building 25:10 bus- 87:2 business 3:15 11:6 14:2,3 20:14,15,16,18 20:24 21:18,23 22:4,7,12,25 24:3,5 31:15 37:11 73:7 75:19 87:3,25 94:20,20 106:19 107:14 108:6 110:19 butt 57:15,18 59:19</p>	<p>buy 53:11 54:16 54:17 102:23 102:23</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calculate 80:17 California 14:12 97:15 104:18 call 5:19 13:17 25:18 41:14 84:2 called 20:12,14 51:12 53:22 84:15 89:11 94:16 97:18 103:23 106:19 calling 8:6 calls 52:25 85:12 96:25 Calvert 2:3 3:4 4:22,22 7:2,14 7:21 8:2,5,11 10:9 27:17 52:25 69:9 70:15 84:15 85:12 87:22 96:25 98:7 102:1,6 108:16 108:18 109:18 110:4 114:1 Camp 2:16 4:12 car 28:18 35:9 102:23 103:1 card 12:18,19,22 12:24 13:7,24 13:24 23:1,3,6 23:17,19,21 25:10 33:20 34:11 35:16,18 98:14 cards 23:8 care 16:13 104:15 career 20:5</p>	<p>carried 23:11 carrying 33:11 case 1:5 4:15 10:14 80:23 82:25 101:22 101:25 103:19 cash 24:1 47:21 103:9,12 caught 72:19 CCR 1:25 116:24 cell 99:15,15,19 Century 15:4 certain 54:22 58:4 72:6,13 103:15 certainly 78:9 CERTIFICATE 115:1 116:1 certification 14:5,9 certify 115:20 116:6,15 chances 50:1 change 39:25 115:2 changed 86:9,10 86:11 charge 41:2,14 41:18 77:22 78:10 charged 43:11 43:13 98:4 charging 43:17 checkout 34:24 37:2,2,15 65:13 Cheetah 28:2,23 33:15 61:22 62:3 74:18 80:4 90:6 111:21 Cheetah's 3:12 3:14 9:6 10:25</p>	<p>19:16,19,21,22 19:25 24:10,14 24:15,16,24 25:3,19 27:1,6 28:14 29:4,24 30:19,22,23 31:21 32:20 38:2 47:24 50:18 51:5,21 53:10 55:1 57:3 59:8 61:3 61:11 67:6,9 67:11 69:22 70:2,3 72:13 74:9,15 75:7 75:10,13,20 78:9 79:9,18 80:7,14 81:16 84:18 85:1 86:23 88:22 89:3,22 90:11 90:16 91:18,24 91:25 92:21,24 93:20,24 94:2 94:5,8,14 95:14,17 97:12 102:18,25 103:5,8 105:10 109:14,16 111:9,24 childcare 33:6 children 9:24 33:8,9 chirp 95:19 choice 16:4 31:10 95:11 choose 60:6 church 12:10 cigarettes 56:25 97:5 circled 28:25 circumstances 11:22 111:25 citizen 96:1</p>
--	--	--	---	--

<p>City 52:14,20 57:25 58:1 72:13,19 civic 12:9,9 claim 11:6,7 clapping 57:15 57:18 clarify 73:12,12 Clark 1:2 4:16 12:4,14 75:17 116:3,5,21 classified 22:11 22:15 clean 39:25 98:25 clear 10:24 61:13 70:15,22 86:5 89:13 clearer 98:25 close 90:14 closet 53:21 clothes 25:11 39:25 club 17:17 18:2 18:4 19:23,24 22:22 23:6,19 23:22 24:17,17 30:22 31:8,16 31:19 32:5 34:19 35:14,17 37:6,14,21 39:18,21 40:11 41:3 42:10 43:11 45:24 47:16,20 50:22 51:18 52:1,19 53:24 57:7,9 59:3 64:9,12 65:21 68:2,12 69:3,5 72:19 73:4,10 74:7 74:10 76:2,8 77:9 78:9 79:16 80:17</p>	<p>81:2,25 82:9 83:2,3,12,16 84:9,23 85:8,9 85:18 86:2,7 86:17 87:14,20 88:4,9,9,11 90:21 91:10,15 91:17,23 97:25 99:14 106:2 108:25 109:10 110:10 111:8 111:23 club's 60:16 club-specific 23:9 clubs 17:19 22:19 28:21,22 30:17 31:7,12 36:13 50:12,16 64:6 78:7,12 79:6,23 80:2,4 80:10 88:8,14 88:17,20 co-workers 74:18 code 8:22,23 college 14:21 come 8:3 13:22 19:19 25:12 94:17 95:1,14 comes 56:6 106:25 109:9 comfortable 7:8 coming 97:14 107:2 commencing 116:8 commission 89:14 commissioned 116:4 Commissioner 7:23 commissions</p>	<p>89:11,12 committed 10:14 31:8 common 19:2 67:3 106:24 companies 13:21 15:1,2 company 13:20 compared 88:22 compensation 82:5,10 complain 68:11 68:15 111:13 113:1 complained 111:4 complaining 111:6 complete 23:5 116:13 completely 39:2 62:15 complied 52:20 comply 72:14 conclude 20:4 concluded 114:3 concludes 113:19 conclusion 37:5 85:13 87:22 112:21 conditioner 28:18 conduct 72:24 conform 72:24 confused 46:11 67:23 71:1 confusion 42:5 consider 81:22 86:25 91:3,4 105:11 considerable 24:23 considered 42:7</p>	<p>consistent 26:20 64:4 72:9 consistently 28:14 65:7 79:20 Consultant 2:15 consume 56:22 96:24 contact 84:12 continue 38:8 109:5,7 110:9 continued 110:8 contractor 22:13 87:1,5,10,20 90:21 91:1 contrast 50:18 conversation 35:6 convicted 12:7 cooperating 103:14 copy 70:18,22 98:22,25,25 Corps 14:16,17 correct 9:7 24:18 46:1 49:7 61:18 70:16 77:12 84:23,24 85:18 104:6,15 corrected 115:21 cosmetics 55:2 96:4 cost 43:20,21 44:24 costume 52:5 costumes 51:22 51:24 52:2 53:4,7 61:24 96:3,10 counsel 4:19,23 4:24 70:13 116:16,18</p>	<p>counted 46:21 County 1:2 4:16 12:4,14 57:23 58:1 75:17 105:7 116:3,5 116:21 couple 6:2 13:21 19:25 20:1 21:22 48:15 58:16 course 24:16 42:19 45:18 56:12 66:17 80:19 83:8 84:21 101:5 court 1:1 4:12 4:13,16,20 5:22 6:8 7:5 11:12,14,18,25 12:2 76:15,16 77:3 81:21 116:5 cover 47:25 Crazy 18:16,20 18:24 19:2,7 79:6 creative 59:25 crime 12:7 CSR 1:25 116:24 Cuban 68:21 current 10:5 currently 9:22 15:2 curvy 52:9 cus- 112:16 custody 113:21 custom 47:18 74:2 customer 40:14 41:2 42:3,19 42:20 43:8,19 45:7,18 100:7 112:3,4,18</p>
---	---	--	--	---

<p>customer's 99:15</p> <p>customers 40:19 41:4 43:12,12 43:13,17 49:1 51:14 60:3,6 60:17 95:1 100:3 109:6,8 110:13</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 2:3 3:1</p> <p>d.fuchs@swt... 2:12</p> <p>Dahlberg 1:25 4:14 116:4,24</p> <p>DALOS 4:14</p> <p>damp 100:24,25</p> <p>dance 18:13 31:17 32:3 40:3,5 41:2,15 41:25 42:20 43:3 45:11 53:24 57:10 58:12,13 60:10 66:20 77:17 79:5 91:11,13 91:25</p> <p>danced 17:7,15 40:13 50:12 59:23 80:10 95:20</p> <p>dancer 1:3 3:12 3:13 4:16 9:11 16:1 20:13 31:18 39:24 40:2 50:21 51:5 54:14 56:15,25 57:6 59:1 70:6,19 90:4,11 91:5 95:6 96:17</p> <p>dancers 36:10 36:14 40:25</p>	<p>56:16,19,22 64:6 65:18 68:2,7 74:15 74:15,25</p> <p>dances 40:16,23 42:11,14 44:5 44:14,18 46:22 60:20 106:5</p> <p>dancing 16:7,23 17:16 20:5 24:20,24 34:1 43:1 45:14 48:21 51:7 53:10 54:17 55:1,22 56:17 59:11 77:18 79:24 85:25 86:17 87:25 91:4 94:13 99:19</p> <p>date 17:3,23 27:9,24 33:19 34:6 115:24</p> <p>dates 34:20 37:21 93:19</p> <p>day 25:7 29:5,11 30:9 38:17,22 38:24 39:4 48:23 53:11 54:4 65:10 97:16 101:3 116:22</p> <p>days 30:11 38:20 39:9,16</p> <p>Dean 2:9 4:24</p> <p>December 9:15 9:17,18 25:13 43:19 105:3</p> <p>decent 47:21</p> <p>decided 16:20 97:16</p> <p>decision 110:19</p> <p>declare 115:20</p> <p>deduct 61:23</p>	<p>defendants 1:7 2:8 4:18,24</p> <p>Dennis 2:15</p> <p>depending 53:12</p> <p>deponent 115:1 115:20,24 116:7,9</p> <p>deposit 103:11</p> <p>deposition 1:10 4:7 7:19 8:1 11:13,15 113:20 114:3 115:21,22 116:7,13</p> <p>DEPT 1:6</p> <p>describe 35:3 77:14</p> <p>describing 58:7</p> <p>DESCRIPTION 3:11</p> <p>despite 108:22 110:24</p> <p>determine 30:11</p> <p>difference 57:17 90:25</p> <p>different 10:11 26:10 30:17 31:7 41:5,6,7,8 79:23 80:2 90:2,18</p> <p>difficult 7:5 82:23</p> <p>digged 100:20</p> <p>direct 110:13</p> <p>directly 110:3</p> <p>disappointed 48:20</p> <p>disappointing 48:17</p> <p>disciplined 67:6</p> <p>discounted 72:5</p> <p>discovery 7:23 7:25</p> <p>discretion 30:3,6</p>	<p>41:1 60:11 73:21,21 110:8</p> <p>discretionary 110:19</p> <p>discrimination 11:7</p> <p>discussing 26:23</p> <p>Discussion 71:17 113:25</p> <p>displeased 80:12</p> <p>disrespect 80:15 80:16 81:14</p> <p>disrespected 75:23 76:3,8 81:21 83:6 98:3 100:13 110:24 111:2 111:14</p> <p>disrespectful 108:20,23 112:22</p> <p>distinguish 45:13</p> <p>District 1:1 4:15</p> <p>DJ 62:6 63:11 64:15,18,20 65:7,14,22</p> <p>DJs 65:18 66:20</p> <p>document 70:5 70:10 71:3 99:5,8,8 107:8 107:11,14</p> <p>documents 92:19,23 93:16 93:18,22 94:4</p> <p>Doe 1:3 4:16</p> <p>doing 13:11 67:3 76:9 91:7 97:7 100:2</p> <p>dollars 51:6</p> <p>door 95:1</p> <p>doubt 37:20</p> <p>drank 36:10 101:8</p>	<p>dressed 33:21 34:15 35:5</p> <p>dressing 99:23</p> <p>drew 112:20</p> <p>dried 100:21</p> <p>drink 36:2 38:22 38:23</p> <p>drinker 36:4</p> <p>driver's 12:17</p> <p>drove 74:8,11 97:14</p> <p>due 54:2</p> <p>DUI 11:24 109:13</p> <p>duly 5:6 116:4 116:10</p> <p>duties 39:21 96:12</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E 3:1,10</p> <p>earlier 29:7 44:1 47:10 60:9 73:13 101:2</p> <p>early 15:13,16 15:17 28:10</p> <p>earn 47:25 48:5 92:6</p> <p>earned 37:7 49:20 50:5 65:3 91:16 92:1,3 93:23</p> <p>earning 50:9 51:1</p> <p>earnings 61:10</p> <p>effect 48:11</p> <p>eight 38:7 67:18 105:16,17,21</p> <p>either 22:22 40:5 53:7</p> <p>elected 93:13</p> <p>employed 90:4 90:11</p> <p>employee 89:21</p>
---	---	---	--	---

91:1 116:16,17 employer 11:6 13:15 enabled 96:16 endurance 6:22 ensure 52:19 enter 43:13,23 entered 25:9 87:14 entertainer 9:9 9:13 23:25 36:5 entertaining 51:15 enticing 60:2 entities 15:7 entitled 4:16 environment 66:18 especially 106:25 ESQ 2:3,9 established 40:21,23 105:9 estimate 38:1 et 1:3,6 4:17,17 4:25 everybody 5:1 12:7 36:24 evidence 22:24 evidentiary 7:25 exact 17:23 exactly 7:15 8:13 Examination 3:4,4,5 5:10 108:17 110:1 examined 5:7 116:9 example 110:12 excess 36:10 exchange 51:18 excuse 24:7 26:2 29:3 40:21	88:12 99:3 110:23 Executive 4:9 Exhibit 3:11,12 3:13,15 70:8 71:25 98:19,22 98:24 107:6,9 exist 89:18 expect 85:11,24 86:12,13 103:25 expectation 84:25 85:7 expected 85:21 expense 61:23 expenses 56:13 96:16 expensive 54:13 experience 24:24 36:11 51:11 111:20 112:20 experienced 57:6 expert 8:6 expired 22:9 explain 11:22 58:15 59:6 82:12 89:13 explaining 82:21 extra 44:8 <hr/> <p style="text-align: center;">F</p> <hr/> Face- 95:17 Facebook 95:13 95:18,21 Facsimile 2:5,11 fact 44:1 87:19 108:22 110:24 fair 16:9 17:6 34:19 39:18 50:8,16,17,24 61:7,9,13 71:24 72:23	79:16 86:1 88:3 105:19 112:16 familiar 17:19 56:8 72:2 87:8 family 12:12 94:22,22 far 41:6 46:22 57:25 77:17 92:25 102:14 108:4 111:2 fast 71:7 father 104:13 February 26:19 federal 61:10 fee 21:5,9 33:23 33:25 47:13,25 48:3 51:18 62:1,4 72:6,9 77:23 78:10 79:1,2,17 81:23 92:25 93:2,8 98:5 107:18,18 feel 77:22 83:11 83:16 98:3 109:2 fees 45:8,10,11 45:12,17 72:4 77:16,21 78:6 78:14,24 79:11 80:13 81:12 88:16 94:2 fellow 74:25 felt 76:2 83:5 108:20,22 110:15,24 feminine 62:12 field 106:18 107:2 figure 77:1 82:17,24,24 file 61:5,8,20 filed 10:3 11:5	22:4 fill 21:19 63:6 87:4,5 financial 110:20 financially 116:19 financing 103:2 find 16:4 finding 83:18 fine 5:20 37:25 43:7 91:22 95:25 107:3 fined 67:9 finish 71:20,22 fire 67:16,18 fired 25:7 67:11 68:5 69:20,25 111:7,12 first 5:4,6,14 7:19 17:16,17 21:17 22:3 24:14,15,16 25:9 41:3 43:3 43:11 58:19 86:13 87:25 97:18 107:24 five 18:14 19:18 29:7 37:23 47:3 49:13 50:10,19 53:22 54:17 61:2 79:21 90:16 104:17,22 five-year 29:11 50:24 flat 65:5 flip 59:17 floor 26:2,9 29:16 34:17 40:5,17,24 41:2,7,10,19 41:23 42:11 47:17 59:18 66:3,8,10,13	66:17 67:25 73:17,24 74:2 108:19 109:11 110:8,12,18,21 111:14 112:7,9 112:21,21 113:2 flush 99:24 100:19 flushed 100:18 folks 67:3 96:23 97:4 follow 59:6 84:6 84:11 follow-ups 109:21 following 12:25 follows 5:8 food 57:4 62:12 Force 104:14 foregoing 115:20 forget 96:9 forgive 12:6 17:18 67:23 forgot 84:8 form 7:17 8:3 42:7 94:2,5 formal 91:11,13 formed 24:2 former 11:6 74:15,18,25 formerly 9:6 forms 93:6 forth 79:23 80:2 found 83:24 84:15 four 18:10 38:5 38:20 47:2 79:25 101:6,6 fours 59:19 free 34:15 42:19 58:12 60:6,16 frequently 89:3
--	---	--	---	--

<p>Friday 1:12 4:1 4:6 101:11 116:8 friends 94:17,22 94:22 front 42:3 47:13 Fuchs 2:9 3:4,5 4:24,24 5:3,11 7:3,4,12,15,24 8:4,9,12,17,18 10:13,17 27:20 45:3 53:1 69:7 69:15,16 70:9 70:13,16,17 71:18 85:16 88:2 97:3 98:10,18,20 102:3,9 106:7 106:14 107:4,7 108:15 109:21 109:24 110:2 113:15,18 Fuente 1:6 2:15 4:17,25 10:25 75:19 fun 59:24 funny 51:6 further 3:5 110:1 116:15</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G-bucks 51:12 51:14,18 G-strings 52:10 Galardi 92:12 GED 14:19 general 41:10 68:22 111:5,6 112:23 generally 58:12 81:19 gentleman 43:22 44:7 46:3 99:19 109:9</p>	<p>112:2 gentlemen 45:25 89:17 gentlemen's 18:4 22:19 24:17 64:6 84:22 Georgia 2:10 gestures 6:13 getting 101:24 102:5,10 111:2 girl 109:10 girls 67:14,15,17 67:21 112:5 give 35:8,20 41:4 76:16 77:3 89:16 93:11 95:24 given 11:15 20:16,17 48:25 49:22,24 50:5 53:18,21 70:21 92:23 93:5 103:10 giving 21:18 Glitter 18:12 19:25 79:12,21 79:24 go 14:11 18:2,11 19:8,22 21:16 21:18 27:19 32:5 35:4,16 38:23 39:11 43:20 44:12 46:12 48:23 49:3 67:22 69:7 71:22 76:9 83:18 84:13 98:8 101:9 111:7,17 112:7,8,22 113:1,6 114:1 goal 6:19 going 5:19 6:5,5</p>	<p>8:15 10:9 13:13,14 17:24 19:20,20 37:24 43:21 50:2 62:19 69:11 77:13 82:25 97:13 99:22 106:10 111:13 113:24 good 4:5 5:1,2 5:12,12,13 13:14,15 23:2 32:19 41:9 42:7,7 49:12 69:15 93:16 94:12 109:5,6 109:8 110:16 graces 110:16 graduate 14:15 granted 23:17 great 62:14 Greater 104:11 grew 104:8 ground 6:2 guard 12:18,19 12:22,24,25 13:7,9,24 14:25 15:10 guards 62:6 63:11 66:1 73:18 guess 17:25 22:4 28:13 29:17 31:23 54:19 74:17 93:9 108:6 guessed 105:16 Gulch 18:12 19:25 79:12,21 79:24 guy 26:12,13 100:22 gym 96:19</p>	<p style="text-align: center;">H</p> <hr/> <p>H 3:10 habit 47:12 66:10 74:2 93:9 103:9 hair 55:11,21 96:3,10 hairs 56:6 hairstyle 55:9 hairstyling 55:20 half 44:21 47:6 half-hour 45:4 46:3 hand 21:22 33:20 35:8,15 116:20 handed 25:10 handing 70:10 98:21 handled 10:12 hands 107:5 happen 48:15 72:18 98:14 happened 69:23 109:22 112:1 happens 23:24 happy 6:19,23 100:7 hard 38:22 71:19 he'll 67:22 head 6:13 19:4 59:14 health 38:24 hear 10:16 84:7 heard 14:4 24:7 69:2 84:5 97:19 106:19 111:10 held 15:24 26:1 71:17 113:25 help 6:9 86:11 Henderson 1:14</p>	<p>4:1,10 HEREOF 116:20 hereunto 116:20 Hey 31:17 43:19 95:14 high 14:11,13,14 77:25 81:22 98:4 hire 92:17 hired 25:7 29:25 41:3 63:6 hit 49:9 hold 12:16 13:25 41:9 56:19 77:13 Holdings 97:20 hole 49:19 home 57:15 68:6 76:9 92:20 93:18 94:1 99:25 100:23 102:23 hope 85:8 Horse 18:16,20 18:24 79:6 Horses 19:3,7 hot 28:17,20 hour 44:9,21 45:5 46:8,13 46:14 47:6 84:19,22 hourly 85:1,8,21 85:24 86:3,12 86:16 hours 25:12 27:12 34:8 38:1,5,6,6,7 46:5 65:10 85:9 105:17,20 house 32:16,18 33:18,23,25 34:13 35:5 47:13,25 48:3</p>
--	--	--	---	--

53:15 62:1,5 62:10,11,18 63:1,4,10,12 63:18,23,25 64:7,10,13 66:22 67:20,25 72:4,6,9 77:16 77:21,23 78:6 78:10,14,24 79:1,1,11,17 80:13 81:12,22 88:16 89:24 90:14 92:25 93:2,8 94:2 98:4 113:1,6 huh-uh 7:2,6 hypothetical 8:7 <hr/> <p style="text-align: center;">I</p> <hr/> idea 63:25 81:2 97:22 107:13 identification 70:8 98:19 107:6 identify 4:19 identity 10:11 III 18:24 imagine 100:7 impact 36:21 impose 39:19 inches 55:15 incident 27:23 99:14 inclined 95:5 income 33:1 61:5,8,9,10,17 61:21,23 incomplete 8:7 incorporated 24:5 independent 22:13 87:1,5 87:10,19 90:21 91:1	indicate 59:3 influence 35:7,7 information 3:16 34:13 81:5 Inglewood 9:20 14:12 104:9,17 initially 25:21 inside 33:17 41:3 97:10 108:25 109:9 instance 88:24 92:20 instructions 7:1 7:9 interest 110:20 interested 116:19 Internal 61:8,21 interrogatories 103:23 introduce 109:12 invoice 102:5,10 invoices 101:20 involved 105:6 112:12 116:18 involving 99:15 issue 36:18 issues 53:4 Italian 26:18 item 102:24 items 61:23 IV 1:6 <hr/> <p style="text-align: center;">J</p> <hr/> Jane 1:3 4:16 Jean 1:25 4:13 116:4,24 job 6:10 14:16 14:17 15:23 32:22 39:21 96:11,17 110:22	jobs 56:20 96:23 97:4,6,8 John 106:22 Jones 2:4 Joseph 2:16 4:12 jumping 19:23 June 28:12,19 <hr/> <p style="text-align: center;">K</p> <hr/> keep 73:7 93:7 94:20,23 103:10 108:25 110:22 113:11 keeping 93:10 93:16 kept 37:11,14 103:12 keys 35:9,15 kick 59:14 kicking 59:12 kind 28:25 30:25 38:22 41:13 44:16,19 59:13 110:15 kitchen 57:3 knew 34:19 49:9 57:25 73:7 100:2 113:3 know 6:4,23 7:15 8:12,14 8:22 10:13 13:1,3,18 14:7 15:1 16:7,25 17:23 19:24 22:9,11,14,16 23:2,4,8,10,16 23:25 25:13,17 26:1 28:10,17 29:18 30:16 35:10 36:9 37:14,24 38:16 38:24 42:10 43:11,13,20	47:4 50:12 53:7 54:3,13 55:20 56:16,19 57:6,17 61:17 61:18,19 67:19 67:21 68:3,17 72:18 75:5,12 76:15 77:10,12 79:3,8 80:22 82:3,7,14 85:14 87:23 88:9 90:25 92:4,6,12,14 95:4,6 96:23 97:4,12 98:3 100:17 101:10 103:25 104:8 106:22 108:4 108:10,11,13 109:5,11 111:12 knowledge 68:5 75:2 knows 111:8 <hr/> <p style="text-align: center;">L</p> <hr/> La 1:6 2:15 4:17 4:25 10:25 75:19 ladies 40:25 66:9 89:17 95:9 lady 55:14 57:13 109:12 112:5 Las 2:4 3:12,14 4:13 8:21 9:6 12:24 17:10,13 17:19,21 57:23 67:1 70:2 113:22 late 18:1 24:21 28:10 Lauren 2:3 4:22 7:12 84:12 lauren@morri...	2:6 law 57:23,23 lawsuit 10:5,7 10:11,18,19,22 75:10,17 76:17 81:9 82:18 83:19 84:8,14 84:25 105:6 lawyers 101:25 102:11 leads 98:11 learn 63:3 97:12 Lease 3:12,13 70:6,19 leave 23:19,22 27:14 30:7 35:14,15,21 36:19,22,22 41:21 leaving 28:22 62:13 109:16 left 32:8 37:15 47:20,21 74:25 103:9 106:18 107:2 left-hand 59:9 legal 4:13,14 35:12 85:12 87:22 102:16 113:22 length 49:13 72:6 let's 10:15 17:15 24:10 31:6 34:6,24 39:21 41:9,21 43:1,8 43:19 46:12 47:23 54:6 62:7 64:15 66:1 69:7 98:18 Library 18:3,9 18:11 79:14,25 88:25
---	---	---	---	--

<p>license 3:15 12:17 13:25 14:2,3 20:10 20:12,13,14,15 20:16,18,24 21:18,23 22:4 22:7,12,17,25 73:8 87:3 88:1 107:14 108:6 licensed 116:4 licenses 12:16 licensure 13:25 life 16:8 liked 31:24 limit 35:12,13 35:14 36:19 68:1 limited 45:19 LINE 115:2 liquor 13:1,2 92:9 112:12 listen 113:10 litigation 105:7 little 17:6 24:10 43:5 47:5,14 67:23 71:1 72:4 82:21,23 88:13 90:1,18 93:1,6 96:3 100:24 104:19 live 99:10 lived 8:25 74:8 LLP 2:9 loan 102:21 local 8:13 58:5 located 4:9 locker 53:22,24 long 8:25 13:11 18:6,6,13,17 18:21,25 19:13 19:17 30:1 31:15,18,25 37:24 38:5 46:25 50:21</p>	<p>51:2 91:7 97:13 112:13 longer 26:4 55:16 look 21:19 39:25 48:22 71:6 84:2 looked 26:15 109:4 looking 16:10,15 31:9 71:25 81:20 84:5 86:2 95:23 99:2 107:4 Los 104:12 105:7 lose 68:13 lost 48:11 104:19 lot 13:16,16 23:22 29:15 30:16 48:25 57:14,15 67:14 67:15,16 76:10 92:9 109:4 112:11 Lounge 24:11 24:14,25 27:6 29:24 32:20 51:5,21 61:3 70:3 75:20 80:7 lower 77:24</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>M 3:16 116:4,24 machine 43:24 main 59:16 makeup 55:2,4 96:5,6 making 95:9 man 25:24 26:6 26:7,8 32:12 66:3 67:25</p>	<p>109:11 110:18 113:2 man- 112:16 management 32:14 37:6 management-l... 69:4 manager 26:2,2 26:9 29:14,19 32:13 67:20 68:22,25 111:5 111:6,8,13 112:6,6,10,17 112:23 managers 29:16 32:10 112:21 March 1:12 4:1 4:6 116:8,22 mark 98:18 marked 70:8,11 98:19,22 107:6 107:9 market 94:14 married 12:13 math 17:4,6 matter 11:17 mean 8:23 19:10 20:6,17 30:4 31:3 38:20 39:7 59:20 82:3 84:2 86:1 86:19,20 90:15 98:12 101:5 109:7 111:8,16 Meaning 26:10 49:19 68:15 95:5 means 108:10,12 108:13 media 94:10 113:20 meet 25:21 membership 96:19</p>	<p>memory 10:15 92:10 men 66:8,11,13 66:17 73:17,24 74:2 108:19 110:8,13,21 111:14 112:21 mentioned 58:10,24 met 92:15,16 Metro 52:17,21 72:13,20 Mid-'90s 17:25 mid-April 22:5 middle 113:13 military 10:1 mind 37:20 102:2 104:15 mine 6:10 mingle 60:16 minimal 8:8 minute 46:22 minutes 21:22 46:6,7,16,17 47:3,3 misheard 46:12 47:10 missing 99:15 misspelled 108:5 misstates 27:17 mom 32:16 33:18 34:13 35:5 53:15 62:5,10,12,18 63:4,11,18,23 63:25 64:10,13 66:22 67:25 89:24 113:1,6 moment 33:20 51:7 53:15 107:5 moms 32:18 63:1 64:7 67:20</p>	<p>Monday 101:8,9 money 23:21,22 33:20,23 43:24 45:7 48:11 49:1,4,23 50:9 50:9 51:1,6 77:17 88:10 89:10 93:23 96:11 103:12 Monique 1:10 3:3 5:5 113:14 115:20,24 116:7 month 9:15 25:15 26:21 27:9 28:5,19 months 13:12 18:18,22 19:1 19:25 20:1 21:10,11,13 50:13 54:18 56:2,3 morning 4:5 5:1 5:2,12,13 Morningside 14:14 Morris 2:3 4:22 mother 104:15 move 104:11 moved 104:13 104:16,17,19 104:25 moves 58:17 Municipal 52:14 music 66:20</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N 3:1 nails 96:12,13 name 4:12 5:15 9:11,14,16 14:13 25:23 29:13 32:12 33:18,19 71:10</p>
--	---	--	---	--

<p>84:9 97:19 106:22,24 107:19,21,24 108:5 111:10 113:13 names 13:18 15:1 32:18,19 68:3,4 nature 11:7 51:19 61:24 96:5 necessarily 104:1 need 6:10,22 7:12 8:14 20:9 77:10 80:23 needed 22:20 60:22 103:20 negative 48:8 Nellis 104:14 net 48:8 Nevada 1:2,14 2:4 4:1,10,16 8:22 17:21 61:18 116:2,5 116:21 never 10:24,25 11:3 46:21,22 51:11,17 69:2 85:20 86:16 101:12 103:12 new 54:3 news 84:5,7 Nextel 95:19 100:25 nice 109:10,11 112:4 Nigger 112:5 night 38:21 50:1 50:1 62:14 103:10 nights 39:16 49:9 101:6,6 101:14</p>	<p>no-no 100:5 nodding 6:13,13 nods 19:4 noes 7:6 noisy 43:6 note 93:1 notes 116:11,14 Ns 108:1 number 28:21 28:22 42:11 53:17 68:1 71:10 78:12 98:15 numbers 81:11 105:19 NW 2:10</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>oath 4:21 5:21 5:25 11:9 object 10:9 52:25 102:1 objection 27:17 42:23 45:22 85:12 87:22 96:25 98:7 objections 7:17 7:25 8:8 obligation 33:6 33:10 obtained 21:3 obviously 8:3 36:10,13 48:17 62:18 73:8 occasion 26:22 27:7 29:2 47:24 49:3 occasions 48:5 occur 48:13 occurred 42:24 offered 72:5 offhand 76:1,14 office 21:25 116:21</p>	<p>oh 5:3 8:2,6 15:17 26:13 46:6 47:10 78:18 91:18 97:7 99:12 102:17 108:3 111:10 okay 5:19 6:2,2 6:9,15,17,20 6:21,24 7:8,11 7:15 8:9,12,17 8:19 9:14,18 10:21 11:22 12:1,21 13:5 13:19 14:19,25 16:14,18,23,25 17:5,6,14,14 18:2,19 19:7,7 19:13,15,22 20:8,12 22:3 22:11 23:5,11 23:14 24:10 27:3,23 28:16 30:25 31:5,20 34:6,10 35:1 35:20 36:6,21 37:1,1,19 38:4 38:10 39:2,12 40:2 41:9,12 41:21,22,24 42:2,10 43:2 43:15 44:10,11 44:16,18 45:13 45:16 46:9,16 47:10,12 48:19 49:15,22 51:4 51:11 52:19 53:23 54:8 55:5,20 56:8 57:17,25 58:9 58:19,25 59:2 59:8,25 61:16 61:20 62:7,15 62:17 63:3,15</p>	<p>67:23,24,25 69:17 70:15,15 71:11,16,24 72:16 74:12,22 74:24 75:16 76:7,19,20,22 76:25 77:6,9 77:19,20 78:3 79:5 80:3,12 81:1,8,24 82:23 83:1,2,5 83:8,11,14,15 86:5,22 87:17 88:3 89:18 90:3,15,19,23 91:3,19,24 92:5,8,17,19 93:3 95:20 96:1,9,15 99:1 99:7,12,21 100:1 101:13 103:24 104:5 104:24 105:2 106:7 108:3,14 109:18,23 110:6 111:9,12 111:16 112:20 old 16:24,25 17:2 104:17,24 once 106:1 one-club-at-a... 30:25 ones 8:3 online 21:16,16 84:2 oOo- 4:3 114:5 open 11:12,14 11:17 operations 68:25 opinion 8:6 opportunity 77:7 opt 60:13</p>	<p>option 32:3 38:10 46:17 optional 73:24 73:25 74:1 options 43:16 44:2 order 10:10,13 20:8 organizations 12:10 original 113:20 originally 71:2 outfit 53:11,12 54:3 62:19 outfits 53:13,17 53:22,24 54:2 62:13,19 overlap 30:21 owe 82:13 owed 80:24 81:9 98:5 owes 80:17 81:2 81:16,25 82:9 ownership 19:2</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m 106:10,13 113:23 114:4 pack 35:16 package 44:16 63:10 page 3:2,11,16 8:10 27:4 115:2 paggers 95:22 pages 3:12,14 paid 45:7 48:1 51:17,24 53:9 77:22 78:24 79:8,17 84:19 84:22 85:21,24 88:17 93:1,7 94:2,5 107:18 pair 54:14</p>
---	--	---	---	--

<p>paperwork 22:21 71:6 87:6 102:14 parent 33:11 Parkway 1:14 4:10 part 17:25 20:9 28:10,11 participating 104:2 particular 16:2 29:19,21 37:9 77:14 80:6 90:8 108:19 109:10 particularly 94:13 parties 116:17 party 10:6,18,21 11:19 pay 21:5,21 33:19,22 38:8 42:19 45:20,24 47:13,17 49:19 51:14 53:6 54:11 61:9 62:4,5,6,10,11 62:19 78:14 79:5,11,14 80:13 85:1,8,8 86:2,3,13,17 92:25 96:15 97:25 paycheck 88:6 paying 45:19 47:13 77:17 78:6 Peachtree 2:10 penalty 115:22 people 76:19 percentage 65:2 perform 20:9 22:18 29:4 40:11,16 43:12</p>	<p>43:12,17 45:25 49:20 60:7 79:11,14 80:13 94:18 96:11,17 Performance 3:12,13 70:6 70:19 performed 9:6 24:17 27:1 28:2,6,22 32:20 34:20 58:2 59:21 61:3,22 64:9 64:13 65:11 70:2 72:13 82:10 84:18,22 85:2,9 86:22 87:20 88:4,8 89:4 90:16 92:21 93:19 105:24 performing 20:24 24:14 25:3 30:21 37:7 48:6 50:5 56:23 61:11 62:3 88:10 93:23 95:14 period 15:24 29:11 31:5 34:3 50:25 86:3 perjury 115:22 permit 44:19 person 26:11 31:1 69:4 94:10 103:11 116:18 personal 38:24 52:12 personalized 23:14 perspective 42:13 62:25</p>	<p>63:20 64:17,21 pertaining 3:14 Philadelphia 8:21 phone 99:15,15 99:20,22,23 100:18,21 101:1 phones 95:19 phrase 77:12 82:14 Physical 6:13 pick 32:8 60:6 picture 99:20,21 99:22 piece 81:5 place 10:10 20:21 108:25 Plaintiff's 70:13 plaintiffs 1:4 2:2 4:17,23 planning 80:9 Plastic 96:21 played 66:20 playing 46:18,19 please 4:19 5:15 6:18 8:20 35:3 pleased 100:22 pocket 46:4 point 35:10 47:8 54:19 pole 58:17,18,20 58:22 poles 58:24 59:1 police 23:20 polish 96:13 poor 61:16 poor-quality 98:21 popping 20:2 31:6 position 15:23 26:1,8 69:2 possession 35:17</p>	<p>92:20 93:22 possible 106:24 practice 8:13 42:8 prefer 9:12 45:10,17 preferred 7:6 present 2:14 4:19 22:23 55:17 presentable 40:1 presented 71:2,4 pretty 7:21,21 8:8 32:15 40:1 50:21 55:7 57:16 59:16 64:4,6 65:18 72:9 74:4 93:4 101:16 109:4,6 prevented 16:16 price 40:21,23 47:8 prices 41:4,5,6,7 41:8,13,18 pricey 55:21 pricing 43:8,8 44:2 Printout 3:15 prior 11:9 15:24 24:23 26:22 27:16,17,23 81:9 91:11,13 116:9 private 40:16,21 privilege 8:3 102:2 probably 48:19 48:20 53:12 66:25 77:7 78:21 84:21 95:18 104:16 105:5 problem 55:5,17 55:17 82:16</p>	<p>111:17 process 21:15 33:14 34:24 37:2,2 56:5,9 84:13 products 62:12 professional 12:16 39:24 promote 94:14 94:25 95:5 pronounce 5:14 107:24 Property 97:19 proprietor 22:15 87:7 108:9 protective 10:10 10:13 provided 66:17 66:22 pull 23:24 pulled 23:20 99:19 purchase 89:15 103:1 purchased 52:5 53:8 purposes 22:12 put 7:13,22 25:10 67:16 71:9 107:5 111:3</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>question 6:18,20 7:18 27:21 29:17 37:19 54:6 55:9 57:19 61:16 68:11 71:20,23 76:18 77:4,7 78:23 81:23 82:15 85:7 86:18 90:1,9 90:10,18 91:19</p>
--	--	---	---	--

<p>98:1,5,12 102:15 questions 6:6 103:15,20 104:3 106:15 107:1 110:4,4 quiet 111:3 quite 17:5 31:24</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R 2:9 race 26:17 68:20 range 41:13 rate 44:6 85:1,8 85:21,24 86:3 86:12,16 reach 83:19,22 reached 83:23 83:25 86:6 read 71:9 115:21 real 65:24 71:7 really 29:25 36:21 62:22 90:1 94:17 97:7 98:21 107:21 reason 11:25 16:2 35:25 37:9 67:9,11 69:25 70:21 80:6 90:8 103:3 108:24 115:2 recall 24:13 28:5 53:4 71:3,5,25 72:5,10 102:20 105:23,25 receive 86:12 88:6 89:10 109:13 received 86:16 87:2 88:10 receiving 101:20 102:13</p>	<p>Recess 69:12 106:11 recognize 99:4 99:12 107:11 recollection 26:20 28:13 43:16 record 4:20 6:15 7:13,22 10:24 37:14 69:8,11 69:14 71:17 93:7 106:10,13 108:4,5 113:24 113:25 record's 61:13 89:13 recordings 94:7 94:7,8 records 93:18 94:1 recover 77:21 85:5 refer 45:8,9 referred 70:5 referring 33:23 91:17 99:9 reflect 6:14 reflecting 93:19 93:23 94:1,4 regarding 10:10 registered 22:24 regular 58:18 102:13 regularly 29:4 regulate 58:1 reimbursed 52:1 56:12 related 110:3 relates 81:23 relationship 50:22 87:13,14 87:20 relative 33:11 116:15,17</p>	<p>relatives 12:12 relief 76:16,23 77:2 81:20 remain 113:21 remained 104:24 remedy 76:24 77:2 81:20 remember 15:1 21:7 25:11,15 25:22,23 26:3 26:8,11,15,17 26:21 28:8 29:13,23,24 32:10,12,14,16 32:18 33:14,25 38:3 39:17 45:4 46:14 47:8 48:14 50:7 53:6,8 68:3,9,17,22 68:25 70:24 71:11 78:25 79:1,7,13,15 79:17 83:24 88:16,19 89:1 89:3,9 92:4,5,7 93:5 98:14 99:10,14 101:1 103:14 104:2 106:4,6 111:25 112:10,13,15 Remind 8:17 renew 21:13,15 rent 9:2,3 repeat 6:18 43:18 50:11 58:23 64:11 75:8 81:18 82:2 85:3 90:9 91:19 101:23 103:17 rephrase 75:14 98:1</p>	<p>replace 54:1 replaced 53:7 report 37:6 reported 1:25 116:6 reporter 4:13,20 5:22 6:8 7:5 8:16 45:1 116:1,5 represent 91:10 91:24 representing 77:9 101:21,25 requested 22:4 require 58:22 required 20:19 22:18 30:9 43:3 58:20 59:4 60:10 62:4,10 63:1,4 63:13,20 64:14 64:17,20 requirement 20:21 23:3 requirements 23:4 reserve 8:15 reserved 7:19 reside 12:14 resides 9:4 resolve 80:22 respect 71:24 74:9 respond 103:15 response 10:16 62:16 responses 6:10 responsiveness 7:18 rest 50:2 restate 6:18 restricted 31:20 restriction 52:14 52:15</p>	<p>retainer 102:7 returned 25:18 27:6 returns 61:5,8 61:21 revealing 52:10 Revenue 61:8,21 review 114:2 Rhino 19:9,10 19:24 78:15,20 88:25 right 5:22 6:8 8:7,22 9:5 13:4 13:16,18 14:21 14:22,23 15:21 18:4 19:11 20:10 22:5 24:21 26:23 31:10 32:8 33:6 34:17 36:14,16,24,25 40:19 42:3,15 42:21 43:24 45:22 46:23 48:21 49:10 53:2 54:4 55:7 59:11,11,13 60:11,14,20 62:20 65:9,11 65:24 66:18 67:1 74:4 77:5 77:18,22 78:23 80:4,20,24 81:12 82:3,15 87:21 88:11,17 90:18 92:10 96:9 101:10,18 107:1 right-hand 59:10 risk 49:6 room 40:8 41:6 41:20 43:23 45:8 99:23</p>
---	--	--	---	---

<p>Rose 1:14 4:9,10 rotation 60:14 rough 15:24 17:6 roughly 15:12 15:22 18:7 29:10 44:25 53:8 55:23 61:2 RPR 1:25 116:24 rude 32:13 rules 6:2 52:23 58:5 72:14,20 72:25</p> <hr/> <p style="text-align: center;">S</p> <p>S 3:10 84:9 S-a-b-r-e 15:5 S-h-a-n-o-n 107:25 Sabre 15:4 safe 66:18 safety 36:16 Sapphire 84:10 Sapphire's 84:11 satisfied 50:9,16 50:25 Saturday 39:8 39:10 101:12 saying 93:1 says 108:8 schedule 39:19 school 14:11,13 14:14 33:3 56:16,17 SCHULTEN 2:9 season 28:8 second 41:10 95:24 Secretary 21:25 security 12:23</p>	<p>12:25 13:9,19 13:21 14:25 15:4,4,10 62:6 63:11 66:1 73:17 see 13:22 16:6,7 21:24 24:2 35:6 70:19 71:8 77:16 90:1 94:18,21 95:1,15,20 108:8 seeing 84:13 seeking 82:17,21 85:5 seen 111:15 select 51:21 54:9 55:2 selected 54:23 sell 89:17 selling 62:18 send 114:2 sense 39:15 80:23 81:2,8 113:4,6 sent 57:15 68:5 99:25 100:23 103:15,19 separate 94:23 series 6:6 serve 57:3 served 10:1 server 14:4,9 Service 61:9,21 services 4:14 67:4 102:5,16 set 59:8 63:15 116:20 seven 67:17 sexual 59:23 shake 59:19 shaking 6:14 57:14,14,18 Shannon 3:16</p>	<p>5:17 24:7 107:22 Shanon 1:10 3:3 4:7 5:5,16,17 5:17,18 24:8 107:22 113:20 115:20,24 116:7 shapely 52:9 share 112:23 113:8,8 shared 37:3 sheriff's 22:25 23:3,5,8,17,19 23:20 25:10 33:20 34:10 35:15,17 71:10 98:14 shift 29:19,21 30:14 35:1,23 36:1 37:5,7 38:4,8 47:14 47:14 48:9,25 49:22 50:6 60:23 64:2,25 66:15 68:6 72:8,10 76:12 78:19 89:4 105:16 shifts 29:23 30:1 105:10,11,12 shoe 54:23,23 shoes 54:7,9,11 54:13,14,16,17 61:24 96:10 shorthand 116:11,14 shoulder 6:14 show 23:20 31:16 54:19 showed 34:10 showing 107:8 shrug 6:14 shrugging 6:14</p>	<p>side 41:21 59:9 59:10 82:24 112:2 sign 70:5 75:2 114:2 sign-in 33:14 signature 8:15 99:4 115:22 signed 70:22 significance 5:24 signing 70:24 71:3,5,11 72:1 99:8 signs 54:20 single 9:22 singled 80:7 sir 17:8 33:7 56:10 67:24 71:21 92:11 sit 60:16 sitting 81:1 situations 76:4,5 76:6 six 21:10,11,13 38:6 55:15 skilled 91:5 slide 59:18 sloppy 99:13 smoke 57:1 97:4 smoking 56:25 sober 101:9 social 12:9,10 94:10 103:6 sole 22:15 87:7 108:8 soliciting 72:22 94:16 somebody 84:3 somewhat 50:25 song 46:17,18,19 songs 45:19 46:25 47:2,3,5 soon 59:9</p>	<p>sorry 8:11,24 18:6 19:6 20:6 37:18 43:5 45:1,2 46:6,10 46:11 47:11 51:3 54:2 61:15 71:1 74:23 83:14 86:20,20 90:9 95:23 98:13 102:17 104:8 104:19 108:11 sort 11:5 13:25 33:10 51:5,17 62:4 85:1 86:12 102:21 103:6 sorts 56:13 57:20 sound 22:5 107:1 sounds 82:20 101:13 source 33:1 52:13 South 2:4 speak 49:23 53:17,23 speaking 25:9 Spearmint 19:10 78:15,20 specific 7:22 29:18 39:19 91:21 speculation 52:25 96:25 spell 107:24 spelled 107:19 spend 44:21 46:3 96:11 spent 45:8 54:14 55:21 71:13 96:4 spinning 58:17</p>
---	---	---	--	---

59:12 spoke 74:18 spoken 74:14 spot 68:14 113:11 SS 116:2 St 1:14 4:9,10 stage 9:14,16 40:6,13 58:16 59:9,16 60:5 60:13 stages 59:10,15 stand 13:3 standard 63:15 64:6 65:18 74:4 101:16 start 87:15 started 5:4 15:9 17:16 21:17 24:15,20 29:6 85:20 86:7,14 87:25 100:22 Starting 19:24 starts 84:9 state 20:19 22:11,15 61:17 116:2,5,21 State's 21:25 statements 102:13 stationed 104:14 stay 38:5,10,13 39:25 47:5 110:15 111:19 112:7,8 stayed 50:10 51:2 72:6 Steel 1:10 3:3,14 3:16 4:7 5:5,12 5:19 8:19 10:11 24:2,7,8 39:13 60:25 69:17 70:10 74:14 75:5	82:16 92:19 95:23 98:21 106:15,22,25 107:8 113:13 113:20 115:20 115:24 116:7 stipulate 7:17 stock 53:23 stop 16:7 97:16 stopped 20:22 25:2 91:4 stranger 78:6 street 2:10 74:8 99:10 strike 49:4 strip 23:22 69:3 108:25 109:9 studied 71:13 style 54:23 55:11 styling 55:21 substance 102:4 sue 76:19,21 83:2,16 sued 10:25 11:3 80:3 suing 75:6,13 76:2 77:10,21 78:4 80:4,9 83:11 85:5 Suite 1:14 2:10 4:10 Suites 4:9 Sunday 39:8,10 39:11,11 101:12 Sundays 101:12 101:18 supervisors 13:17 supplies 66:22 support 66:22 supposed 57:10 62:10 sure 6:19 8:10	9:11 10:12 21:20 25:8 27:3,4,9,10 28:19 36:24 42:23 43:19 44:9 45:18,22 48:24 50:12 53:14,16 57:17 59:6 62:15 69:9 77:11 85:4 91:20 92:11,15,16,18 101:24 surgery 96:21 surprises 65:24 swear 5:4 swing 19:21 sworn 5:6 116:10 <hr/> <p style="text-align: center;">T</p> <hr/> T 3:10 table-side 41:14 41:15 45:13 106:5 tail-end 35:1 take 7:5 32:2 35:9,17 38:24 38:25,25 60:22 62:7 99:22 101:11,11 104:15 106:8 taken 1:12 69:12 106:11 talk 10:6 17:15 17:17 18:7 24:10 33:17 34:6,24 35:5 39:21 43:1,8 47:23 54:6 64:15 66:1 100:16 112:5 112:19 talked 56:22	72:4 74:24 81:12,21,22 88:13 90:20 96:3 98:2 99:7 100:15 talking 21:25 41:10,23 62:22 62:23 73:15 81:19 91:18,23 102:16 111:20 112:1,13 TAM's 12:24 13:3,24 tax 61:5,8,10,10 61:17,21,23 tear 54:2 tell 5:14 8:7,14 8:19 12:21 14:7 15:12 17:16 20:4 23:2 24:13 25:6 38:19 41:4,5 42:2 43:21,22 44:4 50:4 52:7 55:13,20 57:9 57:12 67:13 69:7 76:7 94:17 99:17 100:12 telling 7:24 76:9 85:23 Teri 92:12 term 13:5 14:4 87:8,10 103:25 terms 10:14 36:18 39:7 43:16 47:12 50:21 72:2 82:10 102:6 test 6:22 testified 5:8 11:9 11:17,19 12:2 25:2 29:6 86:1	105:15 testify 5:6 11:23 116:10 testimony 27:18 29:10 113:21 Thank 5:1 31:9 69:15 74:22 109:19 113:15 113:17 thing 35:11 45:10 66:3,5 95:21 106:5 things 41:6 56:6 57:20 58:4,9 59:19 61:24 66:23 96:5 think 7:14 8:23 10:10 22:17 24:20 25:2,3 28:2 29:7 38:5 39:9 50:4 54:1 54:14,16 55:21 60:9 64:12 65:21 66:25 71:2 77:2,18 78:3 81:10,11 84:8 89:7 91:15 92:1,3 98:4,17 101:2 105:9,15,16 106:1,7 107:18 108:15,16 109:18,19 thought 110:9 thoughts 69:23 three 13:12 15:21 16:3 18:8 38:20 39:8 40:10 41:20 44:5,14 44:18 45:19 46:21,25 47:5 89:8 101:6,6 101:14 105:10
---	--	--	--	---

<p>105:13,21 three-year 15:24 16:10,15 throw 93:12,14 93:15 Thursday 101:11 ticket 72:21,22 73:2,4 till 104:16 time 4:7 6:17 12:1 14:3 16:5 16:7,12 21:17 22:22 23:6 26:25 28:1 30:24 31:2,6 31:16,23,25 32:24 33:5,11 34:9,22 37:15 37:24 39:20 42:12 45:8,21 48:3 49:13 53:10,18,21 55:3 62:7 69:10,13 71:14 72:6 74:17 77:17 78:25 79:24 82:2 83:7,9 84:4,5 85:1 86:3 89:12,24,25 90:14 91:4 93:17 95:16 97:13 99:18 100:2 102:18 103:7,13 105:12 106:9 106:12 112:11 113:16,23 times 34:23 37:21 48:15 57:15,19 89:8 105:13,21,23 110:17</p>	<p>timing 44:19 tip 62:22 63:1,4 63:10,11,11,15 63:23 64:7,10 64:13,17,20 65:7,13,18,22 66:8,13 67:3 74:2 108:22 109:3 110:8,20 tip-out 88:25 tip-outs 73:15 88:19 94:5 tipped 63:25 73:21 108:24 109:4 tipper 109:5 tipping 63:20 66:10 67:1,7 73:24 110:18 tips 40:13,14 title 87:6 today 4:5 10:6 11:10 81:1 today's 113:21 toilet 99:24 100:19,20,21 told 22:3 24:20 26:3,19 30:17 38:16 44:10 52:4 54:22 57:19 67:25 68:6,9,17 69:22 101:2 112:6 tonight 95:14 touched 98:2 town 17:17,20 18:7 20:9 22:19 65:19 67:1 78:10 tracked 37:14 37:21 42:10 training 91:11 91:13</p>	<p>transcribed 116:11 transcript 116:12 transcription 115:21 116:14 tried 72:24 99:24 100:19 trouble 82:21 true 36:24 49:24 58:4 73:10 116:13 truth 5:6,7,7 116:10 truthful 104:6 try 59:23,25 60:2 75:15 80:22 89:17 111:7 trying 39:12,15 52:19 71:7 77:1 82:17 85:4 103:18 Tuesday 101:9 turn 14:25 turned 105:3 TURNER 2:9 Twelve 38:6 two 9:1 15:11 18:18,22 19:1 25:12 27:12 32:3,6 46:5 50:13 56:2,3 58:9 59:10 78:21 89:8 94:23 108:1,16 109:24 type 54:23 76:23 76:23 81:20 87:13 109:11 types 40:10 81:20 96:11 typewriting 116:12</p>	<p>typewritten 116:12 typically 7:16,20 38:5 39:7 47:21 74:6</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>U.S 96:1 uh-huh 5:23 6:3 6:7 7:2,6 8:4 27:5 74:13 unclear 73:23 107:23 understand 6:17 6:20 16:14 25:8 27:3 31:3 36:13 44:10 75:9 76:18 77:6 80:19 83:13 86:11 102:14 103:19 understandable 39:2 understanding 20:8 52:13 53:2 62:9 63:12 66:7 72:24 75:6,13 85:4,17 86:6 understatement 48:19 understood 5:24 48:24 49:3 52:11 62:15 72:12 77:19 110:7 underwater 49:23 unemployed 15:15 16:3 unemployment 15:25 unfamiliar 13:5 unpaid 98:6</p>	<p>unsigned 70:18 upside 59:17 use 7:19 9:16 51:5,14 53:17 58:20,22 59:4 usually 23:21 76:21 Utah 14:16</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>V 1:3 vaguely 71:25 variation 88:9 various 88:13 Vegas 2:4 3:12 3:14 4:13 8:21 9:6 12:24 17:10,13,19,21 57:23 67:1 70:2 113:22 versus 4:17 vice 58:5 video 4:6,13 94:8 113:22 videographer 2:16 4:5,12 69:10,13 106:9 106:12 videotaped 1:10 113:19 114:3 115:21,22 116:6,13 vindicated 83:11 violating 72:19 VIP 40:8 41:6,9 41:20,21 43:1 43:3,9,13,17 43:20,23 44:4 44:22 45:8,8 45:10,12,14,17 46:1,4,14 60:10 89:4,7 105:24 106:1 visit 105:17</p>
--	---	--	--	---

106:2,3,5 vidily 101:1 voluntary 16:3 vs 1:5 <hr/> <p style="text-align: center;">W</p> <hr/> W 8:21 wages 81:17,23 82:1,3 97:24 98:6 wait 8:21 21:22 46:19 71:19 waiting 43:5 wake 38:22 walk 46:18 59:9 74:8 89:16 walked 99:23 100:14 112:6 want 9:1 12:23 12:25 13:17 14:25 15:16 16:5,21 18:1,8 18:10 19:14 20:6 25:13 26:18 27:3 36:14 38:14 47:4 52:12 53:11 59:17 67:15 68:13 73:2,4,12 75:12 81:8 89:21 90:4,10 93:12,12 94:19 110:3 114:1 wanted 8:9 16:6 16:7 22:20 30:2,11,14 31:13 32:2 36:22 38:11 42:20 44:18,21 45:25 46:3 47:5 55:11 56:17 58:13 60:13 84:6,11	89:24 95:5,6 95:13 wants 44:7 109:10 WARD 2:9 wardrobe 53:16 warrants 21:20 wasn't 11:21 17:9 23:11 24:19 26:10 29:20 31:22 33:4 43:14 50:2 52:3 55:5 56:14 63:19 65:2,4 67:8 76:9 93:16 95:18 100:9 104:15 107:23 way 75:6 77:12 88:4,10 101:10 103:18 109:2 110:13 ways 100:13 we'll 13:22 19:19 114:1,2 we're 6:5 8:10 10:5 27:4 86:5 112:13 113:18 we've 81:12,19 81:21,22 98:2 98:2 105:9 wear 52:4,10 54:2,19,20,22 55:15,15 96:6 wearing 52:20 55:4 weaves 55:15 weaving 56:6 Wednesday 101:11 week 32:2,3,5 38:1,20 39:9 39:16 49:20 50:2,5 89:5,8	91:16 92:1,3,6 101:6,7,14 105:10,13,20 weekly 49:17,18 WEISS 2:9 welcome 26:4 welcomed 27:11 welfare 103:6 went 14:16 22:22 23:6 25:17 30:4 34:4,7 44:19 47:24 85:18 100:20 weren't 31:5,6 50:8 56:12 Western 97:19 wiggle 59:13 Williams 2:15 willing 49:6 window 16:10 16:16 Wire 106:20 wish 94:12 Withdraw 40:22 witness 3:2 5:2,9 8:14 11:20 19:4 45:2 85:15 87:24 97:2 98:9 102:8 109:20 109:23 113:17 113:19 116:20 woman 26:6 52:8 56:5 75:24 100:14 women 76:11 word 83:13 91:23 words 77:14 work 6:5 13:17 13:19,21 15:7 15:9 16:4,5,11 16:20 22:23	25:11 28:2 29:13,21,23 30:1,4,9,12,14 30:14 31:19 38:23 39:11,11 39:16,19 47:24 48:23 73:8 76:11 78:24 85:18 101:10 101:11,14,18 109:1 111:11 worked 28:14,21 29:3,7,10,14 29:18 30:16 31:12 32:11,16 37:21 38:2,16 38:21 39:5 65:8,10,21 68:23 69:1 73:10 78:12,21 79:21,25 83:8 88:14 89:7 90:23 91:15 101:2,8,12 102:18 103:8 105:9,15,20 106:1 working 13:1,9 15:3,10,11 16:16 24:24 25:14 30:19,22 30:23 36:2,7 39:8 50:16 66:18 67:15 78:20 79:19 83:7 85:20 86:7 87:15 95:8,16 96:24 97:5 99:18 100:22,23,24 102:25 103:5 104:2 109:14 110:10 works 7:16 51:4	111:9 workweek 39:8 49:24 worlds 94:23 wouldn't 50:10 81:8 88:25 101:9 103:25 113:3,10 writes 33:18 writing 99:13 103:16 written 103:20 wrong 76:10 107:19 108:3 wrote 46:6 <hr/> <p style="text-align: center;">X</p> <hr/> X 3:1,10 53:17 <hr/> <p style="text-align: center;">Y</p> <hr/> yeah 15:22 19:22 35:13 50:17 51:3,4 54:5 71:19 76:6 79:19 82:19 95:19 99:10 108:13 year 15:19 17:23 19:14 28:10,11 78:21 years 9:1 15:11 15:21 16:3,24 17:2,7,24 18:8 18:10,14 19:18 29:8 37:23 49:13 50:10,19 61:2,2,22 78:22 79:20,22 80:1 90:16 104:17 105:4 yesterday 70:14 young 89:25 109:12 112:5 <hr/> <p style="text-align: center;">Z</p> <hr/>
--	---	---	--	--

<p>ZIP 8:23</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p style="text-align: center;">1</p> <p>1 3:12,16 70:8 70:11 71:25 98:24 10 64:22,23,24 65:16 66:14 100 41:20 43:22 44:5,8,12 45:19 46:25 53:12 107 3:15 108 3:4 11:19 69:11 11:33 69:14 110 3:5 11715 1:25 116:24 11th 105:3 12:29 106:10 12:42 106:13 12:52 113:23 114:4 14 15:16 74:21 16 16:24 104:25 105:1 17 1:12 4:1 116:8 17th 4:6 1981 9:18 1983 104:13 1990s 24:21 1995 17:22</p> <hr/> <p style="text-align: center;">2</p> <p>2 3:13 70:13 98:19,22 20 17:7 64:1 105:4 20- 15:14 28:23 29:3 200 1:14 4:10</p>	<p>21:8,11 107:18 2004 20:6 24:15 29:6 31:6 34:3 34:5 74:19 2005 11:24 2009 27:2 28:3,5 28:23 29:3 31:6 34:3 2010 20:16,18 21:1 22:5 2014 15:17 20:6 21:1 22:10 25:4,19 26:19 27:7,23 28:1 29:2 34:4,6,7 2015 15:13 2017 1:12 4:1,6 15:15 116:8,22 22 17:24 23 17:24 239 8:21 24 105:20 25 41:16,25 42:20 250 44:25 45:1,4 46:4,5,6 260 2:10 2700 2:10 2831 1:14 4:10</p> <hr/> <p style="text-align: center;">3</p> <p>3 3:12,14,15 8:21 107:6,9 30 46:6,7,16,17 300 55:23 56:3 30303 2:10 30th 116:22 333-1111 2:5 35 17:2 34:9 105:2,3</p> <hr/> <p style="text-align: center;">4</p> <p>404 2:11,11</p> <hr/> <p style="text-align: center;">5</p>	<p>5 3:4 500 91:16 92:1,6 507-0092 2:5</p> <hr/> <p style="text-align: center;">6</p> <p>65 34:2 38:9 48:3,6,21 78:1 79:3 688-6800 2:11 688-6840 2:11</p> <hr/> <p style="text-align: center;">7</p> <p>70 3:12 702 2:5,5 716 2:4 759 1:25 116:24</p> <hr/> <p style="text-align: center;">8</p> <p>89052 4:11 89107 2:4</p> <hr/> <p style="text-align: center;">9</p> <p>9:59 1:12 4:2,8 116:8 90s 18:1 95 54:15 98 3:13</p>
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JESSICA LEIGH HEDRICK
 JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 1

BEFORE THE AMERICAN ARBITRATION ASSOCIATION
 ARBITRATOR, KATHLEEN M. PAUSTIAN
 JESSICA HEDRICK,)
)
 Claimant,)
)
 vs.)
) CASE NO.: 011600050109
 LA FUENTE, INC., d/b/a)
 Cheetahs Lounge,)
)
 Respondent.)
 _____)

VIDEOTAPED DEPOSITION OF
 JESSICA LEIGH HEDRICK

Taken on Friday, March 17, 2017
 At 1:54 p.m.

At 2831 St. Rose Parkway, Suite 200
 Henderson, Nevada

REPORTED BY: JEAN DAHLBERG, RPR, CCR NO. 759, CSR 11715

Page 2

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 16
 Joseph Camp, Videographer
 17
 18
 19
 20
 21
 22
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 24
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Page 3

I N D E X

1	WITNESS:	PAGE
2	JESSICA LEIGH HEDRICK	
3	Examination by Mr. Fuchs	5
4		
5		
6		
7		
8		
9		
10	E X H I B I T S	
	EXHIBIT	DESCRIPTION PAGE
11	Exhibit 1	Arbitration Policy, "Cheetahs" 96
12		(3 pages)
13	Exhibit 1	Blank Dancer Performance Lease, 97
14		Cheetah's Las Vegas. This document
15		was referred to from a previous
16		deposition on March 17, 2017, but
17		was not marked for identification to
18		Ms. Hedrick's deposition.)
19	Exhibit 2	Copies of House Fee receipts and 119
20		Offstage receipts (12 pages)
21	Exhibit 3	String of e-mails to and from 121
22		Jessica Hedrick to various
23		individuals (3 pages)
24	Exhibit 4	Printout of Business License 127
25		Information for Jessica Patton
		(1 page)

Page 4

1 HENDERSON, NEVADA; FRIDAY, MARCH 17, 2017
 2 1:54 P.M.
 3 -oOo-
 4 Whereupon --
 5 THE VIDEOGRAPHER: Good afternoon. Today is
 6 Tuesday -- excuse me -- Friday, March 17th, 2017. This
 7 begins the video deposition of Jessica Hedrick. The
 8 time is approximately 1:54 p.m.
 9 We are located at St. Rose Executive Suites,
 10 2831 St. Rose Parkway, Suite 200, Henderson, Nevada
 11 89052.
 12 My name is Joseph Camp, court videographer of
 13 Las Vegas Legal Video, and your court reporter is Jean
 14 Dahlberg of DALOS Legal Services.
 15 This is Case No. 011600050109, Before the
 16 American Arbitration Association, entitled Jessica
 17 Hedrick, Claimant, versus La Fuente, Inc., doing
 18 business as Cheetah's Lounge, Respondent.
 19 Would all counsel please identify themselves for
 20 the record, and the court reporter will administer the
 21 oath.
 22 MS. CALVERT: Lauren Calvert, Morris Anderson,
 23 for plaintiff.
 24 MR. FUCHS: Dean Fuchs for defendant.
 25 ///

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 5

1 JESSICA LEIGH HEDRICK,
2 having been first duly sworn to testify to the truth,
3 the whole truth, and nothing but the truth, was examined
4 and testified as follows:
5 THE WITNESS: I do.
6 EXAMINATION
7 BY MR. FUCHS:
8 Q. Okay. Good afternoon.
9 A. Good afternoon.
10 Q. Would you please tell me how you pronounce your
11 last name.
12 A. Hedrick.
13 Q. Hedrick. Okay. Thank you for that.
14 A. You're welcome.
15 Q. Ms. Hedrick, my name is Dean Fuchs, and I
16 represent the club. And if I refer to La Fuente, Inc.,
17 doing business as Cheetah's, you'll know -- and if I
18 refer to that as "the club," you'll know what I'm
19 talking about?
20 A. Yes, sir.
21 Q. Okay. Very good.
22 Ms. Hedrick, you've just been administered the
23 oath. I assume you understand the con- -- the
24 significance of the oath?
25 A. Yes, sir.

Page 6

1 Q. Okay. And you understand that even though we're
2 in a conference room, that your testimony this afternoon
3 carries the same weight and import as if you were in
4 open court?
5 A. Yes, sir.
6 Q. Very good. I don't know if you've ever done
7 this before, so a few ground rules, which I suspect
8 Ms. Calvert may have already discussed with you.
9 Everything that we say this afternoon is being
10 taken down by the court reporter, so it's important that
11 you verbalize your responses as opposed to physical
12 gestures, head nodding and things of that nature. Okay?
13 A. Yes.
14 Q. Also, the court reporter will be very -- will be
15 happier with us if we try not to speak over one another.
16 So if you will extend to me the courtesy of letting me
17 finish my question before you begin your answer, I will
18 likewise extend the same courtesy to you and let you
19 finish your answer before I ask the next question.
20 Okay?
21 A. Okay. Sounds good.
22 Q. Sometimes it's easier said than done, but we
23 will try. Okay?
24 A. Okay.
25 Q. If at any point during the deposition you don't

Page 7

1 understand my question, please speak up and tell me you
2 don't understand the question. Otherwise, I'm going to
3 assume when I read the transcript later that you did
4 understand the question.
5 A. Okay.
6 Q. I don't want to -- I don't want to -- it's not
7 my goal to confuse you. I want to try and get truthful
8 responses to intelligible questions.
9 A. Yes, sir.
10 Q. Finally, I usually -- these depositions don't
11 generally last much more than two hours --
12 A. Okay.
13 Q. -- but if you need a break, just let me know --
14 A. Okay.
15 Q. -- and I will try to accommodate you. Okay?
16 A. Yes.
17 Q. Very good. With that, are you ready to proceed?
18 A. Yes, sir.
19 MR. FUCHS: Lauren, is there anything that we
20 need to put on the record before we begin?
21 MS. CALVERT: Nothing that I can think of.
22 BY MR. FUCHS:
23 Q. Okay. Ms. Hedrick, were you formerly known as
24 Jessica Patton?
25 A. Yes.

Page 8

1 Q. And is one of those a married name?
2 A. Yes.
3 Q. Which one?
4 A. Patton.
5 Q. Patton was a former -- is a married name?
6 A. Yes. Hedrick is the maiden.
7 Q. Okay. So I'm guessing here, but it sounds like
8 you've -- so you've been divorced and took your original
9 name?
10 A. It was annulled.
11 Q. Okay, annulled. Okay, fair enough. So -- okay.
12 Got it. And you live in Las Vegas?
13 A. Yes.
14 Q. And the address that you shared with the court
15 reporter prior to going on the record, how long have you
16 lived at that address?
17 A. I've lived there probably about almost a year.
18 Q. And do you own or rent that property?
19 A. Rent.
20 Q. Does anyone reside with you at that address?
21 A. Yes. My fiancé.
22 Q. And what is your fiancé's name?
23 A. Blake Saari, S-a-a-r-i.
24 Q. And where did you reside before the Las Vegas
25 Boulevard address?

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 9

1 A. 5008 Your Avenue.
2 Q. How do you spell "Your"?
3 A. Like your, Y-o-u-r, Avenue. And then I think
4 it's 89108 was the ZIP.
5 Q. And I assume that's in Las Vegas?
6 A. Yes, sir.
7 Q. We're going to talk quite a bit about when you
8 performed at Cheetah's.
9 A. Okay.
10 Q. But before I forget, did you have a stage name
11 when you performed at Cheetah's?
12 A. I had a couple of them.
13 Q. Okay.
14 A. I had Porsche, Lisa Marie, Reddy, Coquette, and
15 I could be missing one.
16 Q. Let me just read those back to you. I heard
17 Porsche?
18 A. Uh-huh.
19 Q. Like the car or --
20 A. Yes.
21 Q. Okay. Lisa Marie?
22 A. Yes.
23 Q. Reddy?
24 A. Yep.
25 Q. R-e-d-d-y?

Page 10

1 A. Yep.
2 Q. And I heard Coquette?
3 A. Yes. C-o-q-u-e-t-t-e.
4 Q. Okay. And if there are any others you can
5 recall, will you let me know?
6 A. Absolutely.
7 Q. Were you born in August of 1979?
8 A. Yes, sir.
9 Q. Where were you born?
10 A. Bellingham, Massachusetts.
11 Q. And where did you grow up?
12 A. I grew up in Marlborough, Mass., and I grew up a
13 little bit in New Mexico.
14 Q. And because you told me you live with your
15 fiancé, I'm going to assume that your marital status is
16 engaged.
17 A. I would say so, yeah.
18 Q. And -- but I also understand from what you told
19 me earlier, you were previously married once but had it
20 annulled?
21 A. Yes, sir.
22 Q. Okay. And that was the only prior marriage?
23 A. Yep. No others.
24 Q. Okay. Do you have children?
25 A. I do.

Page 11

1 Q. How many?
2 A. I have two.
3 Q. Are they both minors?
4 A. One is 18, and one just turned 16.
5 Q. I don't typically like to ask about children,
6 but since you have an 18-year-old -- you know what? I
7 don't care. It's an arbitration. It's not a jury
8 trial. Never mind.
9 A. Okay.
10 Q. Have you ever served in -- well, do your
11 children live with you?
12 A. No.
13 Q. Okay. You're just with your fiancé?
14 A. No. No. What do you mean by "fiancé"? My
15 fiancé lives with me.
16 Q. Right. But your children don't live with you?
17 A. No.
18 Q. Okay.
19 A. Oh, yeah, just my fiancé lives with me, yes.
20 Q. Did you ever serve in the military?
21 A. No.
22 Q. Have you ever filed for bankruptcy?
23 A. Nope.
24 Q. Other than this proceeding, this arbitration
25 proceeding that we're here to talk about today, have you

Page 12

1 ever been involved in any other lawsuit or litigation?
2 A. I have one other one with another club that's --
3 it's Centerfold/Paradise. Same name, same thing.
4 That's it.
5 Q. Okay. So that's one club with two different
6 names?
7 A. Yeah. They changed the name somewhere in --
8 they just changed the name. I don't know.
9 Q. Got it. And is that proceeding, is that active,
10 currently active?
11 A. I believe so, yes.
12 Q. Do you know where that is pending?
13 A. I don't believe I -- I don't understand by
14 "pending."
15 Q. Okay. Is it an active lawsuit?
16 A. Yeah, it's active.
17 Q. Do you know what county it's pending in? Clark
18 County?
19 A. I would believe so, yeah, Clark County.
20 Q. Do you know if you -- let me try that again.
21 Are you the only person suing
22 Centerfolds/Paradise, or are you with a group of other
23 dancers?
24 MS. CALVERT: And I'll just object. There's a
25 protective and confidentiality order. I think it's

3 (Pages 9 to 12)

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 13

1 this -- pretty similar to the one we have here.
2 MR. FUCHS: Okay.
3 MS. CALVERT: But to the items -- but to the
4 extent she can answer those questions without revealing
5 identities, that's fine.
6 THE WITNESS: I would believe that it's a class.
7 I would assume so, yeah.
8 BY MR. FUCHS:
9 Q. So is it fair to say, Ms. Hedrick, that the
10 lawsuit in which you are participating against
11 Centerfolds --
12 A. Uh-huh.
13 Q. -- is similar in nature to the lawsuit that you
14 originally brought against Cheetah's?
15 A. I believe so, yes.
16 Q. And is it fair to say that you are seeking the
17 same type of relief or remedies in the suit against
18 Centerfolds and Paradise that you're seeking against the
19 Cheetah?
20 A. Yes.
21 Q. And who -- who is representing you in your case
22 against Centerfolds?
23 A. Ms. Calvert.
24 Q. Okay. I assumed that, but I wasn't sure, so --
25 Anyone else representing you, or is it just

Page 14

1 Ms. Calvert?
2 A. It's Calvert. If -- I think other people with
3 her, I would assume so, yeah.
4 Q. Okay.
5 A. I have a few other attorneys on there --
6 Q. Okay.
7 A. -- I've spoken with.
8 Q. Have you testified in that case against
9 Centerfolds?
10 A. No. I don't believe so, no. We haven't gone
11 anywhere.
12 Q. Okay. So you've not given a deposition in that
13 case like you're doing today?
14 A. No. This is the first one.
15 Q. Okay. Have you ever been deposed before?
16 A. No.
17 Q. So this is your first time being deposed?
18 A. Yes.
19 Q. Okay. Have you ever testified in open court?
20 A. Testified in open court? I don't think so. Not
21 that I recall, huh-uh.
22 Q. Okay. And I'm sorry if you've already told me
23 this. The lawsuit against Centerfolds is the only other
24 civil action or proceeding that you have been involved
25 in other than the case against the Cheetah's?

Page 15

1 A. Yes.
2 Q. So other than these two cases, you've never been
3 sued before or sued anyone before?
4 A. I don't know if I've ever been sued. I don't
5 recall suing anybody, so --
6 Q. Have you ever been convicted of a crime?
7 A. Yes.
8 Q. Okay. Tell me -- give me some detail.
9 A. It was ten years ago. I have an assault and
10 battery, I have a larceny, and I think there's, like,
11 two other things on my court. But I'm supposed to
12 suppress them so -- they're over ten years old.
13 Q. Okay. I'm not sure exactly what you mean by
14 you're supposed to suppress them.
15 A. Well, you have to call the court to let them
16 know that they're past ten years --
17 Q. Okay.
18 A. -- and then fill in the paperwork so that the
19 attorney can do it.
20 Q. Okay. And has that been done?
21 A. It was going to be done, but then I had to put
22 it kind of behind, so --
23 Q. That sounds to me like a no?
24 A. It costs money. No.
25 Q. I see. You've not had an opportunity or the

Page 16

1 occasion --
2 A. Exactly.
3 Q. -- to do it?
4 A. Yes. The priority -- you know, the priorities
5 and stuff. So, yes. Yes, that would be why.
6 Q. The assault and battery charge, was that Clark
7 County?
8 A. No.
9 Q. Where was that?
10 A. Marlborough, Massachusetts.
11 Q. Do you remember what year?
12 A. Whoo, it had to be, like, 2004 or sooner --
13 earlier than that. 2003. Yeah, it was a long time ago.
14 Q. And was that something that you pled guilty to
15 or was that something you were adjudicated by a judge or
16 jury as guilty?
17 A. I think I pled guilty to that. Yeah, I pleaded,
18 uh-huh.
19 Q. Marlborough, that's North Shore?
20 A. In the Middle -- Middlesex County, yeah.
21 Q. Okay. Let's talk about the larceny charge.
22 A. Okay.
23 Q. Where were you charged with that?
24 A. Fitchburg.
25 (Reporter clarification.)

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 17

1 THE WITNESS: Fitch, with an F.
2 BY MR. FUCHS:
3 Q. F-i-t-c-h?
4 A. Yeah.
5 Q. I went to school in Boston.
6 A. Oh, did you? Nice.
7 Q. Okay. And how long -- how old is that charge?
8 A. Well over ten years too. They're -- it's all
9 about right around the same time with those, so --
10 Q. And do you know -- do you remember how that
11 charge was resolved?
12 A. Continuous without a finding.
13 Q. So no guilty plea?
14 A. No.
15 Q. And no finding of guilt?
16 A. No. Nope.
17 Q. Any other charges that you can recall?
18 A. No. No.
19 Q. The larceny charge, was that a -- was that a
20 shoplifting?
21 A. Nope, it was not.
22 Q. Okay. And you said -- I'm sorry. You said you
23 believe that was in?
24 A. Fitchburg, Lunenburg, the same -- they're right
25 next to each other, so it's otherwise -- I'm not sure of

Page 18

1 the county. It's in Massachusetts.
2 Q. No, that's fine. You said -- I think you said
3 it was well over ten years ago?
4 A. Yeah, it was definitely over ten years ago.
5 Definitely.
6 Q. Were you ever charged with larceny or
7 shoplifting --
8 A. Nope.
9 Q. -- in New Mexico?
10 A. No. Never. I've never. If that's -- if that
11 is something that's on there, I need to clear that up
12 with the people there, because that -- I was never
13 charged with shoplifting.
14 Q. Just asking.
15 A. I have -- I have IDs that have been missing
16 along the way that somebody might have used. But if
17 that's the case, I'll be going in and having them run
18 the fingerprints back on whoever was arrested. That's
19 for sure. Because I'm not taking the rap. No way.
20 Q. Do you hold any professional licenses?
21 A. I -- nursing assisting.
22 Q. Anything else?
23 A. That's it.
24 Q. Do you hold a business license?
25 A. Oh, yes, I have a business license, yep.

Page 19

1 Q. Is it active?
2 A. Yes.
3 Q. How long have you held a business license?
4 A. Since probably about 2009.
5 Q. And you've renewed it periodically since then?
6 A. I have. Sometimes it wasn't always renewed, but
7 I still was able to work. They didn't really -- you
8 know, they let it go.
9 Q. Any other sort of license or certification that
10 you can think of, other than like a driver's license?
11 A. Would it be a sheriff's card? Would a sheriff's
12 card? Yep.
13 Q. Okay. How about a server's license?
14 A. I had one way past, but it's not active; but I
15 have had one.
16 Q. Where did you attend high school?
17 A. Millbury.
18 Q. And that's in Massachusetts; right?
19 A. Yes.
20 Q. Did you graduate?
21 A. I did not.
22 Q. Any GED?
23 A. No. I'm about six credits away.
24 Q. So not yet?
25 A. Not yet. I'm almost there.

Page 20

1 Q. Okay. So no college?
2 A. Well, the CNA class was a six credited college
3 course --
4 Q. Okay.
5 A. -- that I did take for eight months, but you did
6 not have to have a GED or a high school diploma for, so
7 that's why I was able to get into there.
8 Q. Okay. And are you currently working as a CNA?
9 A. I am not.
10 Q. Are you currently employed?
11 A. Am I working at a club?
12 Q. Anywhere.
13 A. Yes, working at a -- yes, I'm working.
14 Q. Okay. Who's your -- where are you working
15 currently?
16 A. I am working at Sophia's.
17 Q. And you'll have to forgive me. I'm not from
18 these parts. What is Sophia's?
19 A. It's a gentlemen's club.
20 Q. How long have you been working there?
21 A. Maybe is six months now. Maybe eight. Maybe
22 eight. Maybe a little longer.
23 Q. So middle of -- since the middle of 2016, maybe?
24 A. I'd say -- you know what? Since October. We'll
25 go with October. Yep. November, October, we'll go

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 21

1 with. Yep.
2 Q. Okay. What other gentlemen's clubs have you
3 perform at?
4 A. Do you want all the list of the names?
5 Q. Sure.
6 A. Okay. I've done Hustler; I've worked at Crazy
7 Horse III; I've work at the Spearmint Rhino; I've worked
8 at Deja Vu; I've work at Girls of Glitter Gulch; I've
9 worked at --
10 Q. Slow down just -- slow down just a little bit
11 for us.
12 A. Sorry.
13 Q. I heard -- here's what I heard: I heard
14 Hustler, I heard Crazy Horse III, I heard Deja Vu --
15 A. Yeah.
16 Q. I heard Spearmint Rhino.
17 A. Olympic Gardens. We've got Centerfolds; right?
18 Because Centerfolds/Paradise, you can --
19 Q. We'll combine those.
20 A. Yeah. Ohhh, I mean -- let me think what else.
21 I know there's -- Cheetah's we know.
22 Q. Right.
23 A. Let's see. Let's see. Glitter Gulch; that's
24 gone now, though. I can't think of any other ones that
25 are open anymore. I think that's it for now.

Page 22

1 Q. Any other than Glitter Gulch that you can think
2 of that are no longer around?
3 A. Seamless. Let's see. Seamless. I'm trying to
4 think. I think just Seamless. Yeah, I'm pretty sure
5 that's it.
6 Q. Okay. When did you first start dancing?
7 A. Like, as a whole or, like, in Las Vegas?
8 Q. Let's start -- well, I'm going to ask you both
9 questions.
10 A. Okay.
11 Q. Let's start when you first started dancing,
12 irrespective of where you were living?
13 A. I worked at Cheetah's actually in 1998, I
14 believe it was, was the first place that I ever worked.
15 Q. And how old were you at the time?
16 A. I'd say about 18.
17 Q. And you told me you were born in 1979, so I'm
18 going to guess that makes you about 37?
19 A. Yep. I'll be 38 in August.
20 Q. Pretty good math.
21 A. Yep.
22 Q. Okay. So if -- so it sounds to me like you've
23 been dancing just under 20 years?
24 A. Are you asking in whole, or are you asking if I
25 had, like, you know, other jobs --

Page 23

1 Q. Well, that's a fair --
2 A. -- besides dancing.
3 Q. -- that's a fair point. You've been dancing
4 over a span of almost 20 years.
5 A. Over a span, yes.
6 Q. You have not have been consistently dancing?
7 A. Correct.
8 Q. Okay.
9 A. Correct.
10 Q. And have you performed as a dancer in cities
11 other than Las Vegas?
12 A. Yes.
13 Q. Tell me the cities that you performed in.
14 A. Springfield, Mass., and Whistler, Mass.,
15 New Mexico, Albuquerque. That's pretty much it. And
16 Las Vegas, of course.
17 Q. So it sounds to me like over the course of
18 almost 20 years, you've danced at -- at least a dozen
19 clubs over a period of 20 years?
20 A. Yes, sir.
21 Q. Did you ever dance at Sapphire?
22 A. Oh, yes. Yes. That is one of the ones. Yes.
23 I forgot. I did. I can't believe I forgot that one.
24 Q. That one is pretty hard to forget.
25 A. I know.

Page 24

1 Q. If you think of any others during the
2 deposition, will you let me know?
3 A. Yes, sir.
4 Q. Okay. You mentioned you first started dancing
5 at Cheetah's all the way back in 1998. I'm not sure I
6 really want to go back that far in time.
7 A. Okay.
8 Q. You might appreciate the fact that I don't want
9 to go back that far.
10 When was the last time or most recent time you
11 performed at Cheetah's?
12 A. Are you talking about, like, when I started
13 back -- because I've been on and off there for quite
14 some time.
15 Q. Okay. Let's start backwards then --
16 A. Back --
17 Q. -- backwards in time. When did you -- when was
18 the last time you performed at Cheetah's, meaning the
19 last day or month that you were there?
20 A. Okay. The last day or month would have to be --
21 okay, 2015, sometime in February. Yes. Like, maybe the
22 third week, the second week, right around in there,
23 uh-huh.
24 Q. Okay. And it might just be easier if we work
25 backwards in time instead of forward.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 25

1 A. Whatever you'd like.
2 Q. Tell me, why did you stop working at the
3 Cheetah's?
4 A. Well, Kevin had demoted my shift.
5 Q. I'm sorry. Can you --
6 A. Kevin demoted my shift to 3:00 a.m.
7 Q. Okay, forgive me. I'm not sure I understand
8 what you mean by "demoted" your shift.
9 A. He told me that he could no longer use me on his
10 shift.
11 Q. And which shift was -- did he have, graveyard?
12 A. Yes. And when you're on that shift, you can
13 do -- work any time, so --
14 Q. Okay. And so -- and I assume Kevin was what,
15 a -- what was his title?
16 A. He was the manager. I'm pretty sure he was the
17 hiring manager too.
18 Q. Was he the general manager of the club or a
19 shift manager?
20 A. I'm pretty sure a shift. He could have been the
21 general, but I never asked.
22 Q. Okay. So do you recall what shift he worked?
23 A. Yeah, the 9:00 p.m. to probably 3:00 a.m. or
24 something like that.
25 Q. 9:00 p.m. to 3:00 a.m.?

Page 26

1 A. Yeah, something like that. It was definitely
2 like that; you know, what I mean, graveyard or over
3 shift.
4 Q. Right.
5 A. No. You know what? No. He was there until
6 7:00 a.m., I think.
7 Q. Okay. So he was basically the night shift;
8 right?
9 A. Yes. Yes.
10 Q. Okay. And that was the shift that you were
11 accustomed to working?
12 A. When you say "accustomed," what do you mean,
13 that I went in every day and --
14 Q. No, that was a poor question. Let's strike
15 that. We'll come back to that.
16 A. Okay.
17 Q. But was Kevin the manager that you typically
18 worked with or for?
19 A. Him and Scotty.
20 Q. Okay. Do you know either Kevin's last name or
21 Scotty's last name?
22 A. I do not, sir.
23 Q. And when you say Kevin demoted you to the
24 3:00 a.m. shift, does that mean -- what does that mean
25 exactly --

Page 27

1 A. He said that --
2 Q. -- that he didn't want you working on his shift?
3 A. He said he could no longer use me on his shift
4 and that I can come in and work the p.m. shift, if
5 that's what I wanted to do, and see me later.
6 Q. Okay. And -- and but you chose not to do that?
7 A. Yeah. No. I'm not gonna do that.
8 Q. Okay. So roughly February of 2015 is when you
9 last performed at the Cheetah?
10 A. Yes.
11 Q. Where have you worked since the Cheetah?
12 A. Okay. So after the Cheetah, I went to Deja Vu,
13 and then from Deja Vu I went to Centerfolds/Paradise,
14 and then from there I went to Sophia's.
15 Q. So you've worked at three different clubs since
16 the Cheetah?
17 A. Yes. Oh, and I did do briefly at Crazy Horse,
18 but just briefly.
19 Q. And how long did you dance at Deja Vu --
20 A. Only a few months.
21 Q. -- or was it on and off?
22 A. That was just a couple months, uh-huh, until I
23 got over to Centerfolds/Paradise.
24 Q. And you said you were there about eight, nine
25 months? No. No. I'm sorry. I'm confusing myself.

Page 28

1 Sophia's, you've been there --
2 A. Yes.
3 Q. -- since October?
4 A. Yeah.
5 Q. And how long did you dance at Centerfolds?
6 A. Centerfolds, it was right around that -- let's
7 see. Because I went to Deja Vu in February of 2015, so
8 probably April or May I went to Centerfolds/Paradise.
9 And then the last time I was there was 2016 of -- when I
10 went to Sophia's in October or November, yeah.
11 Q. Okay. Just so I --
12 A. That's okay.
13 Q. -- stay straight, so it sounds like you were at
14 Centerfolds from about April of 2015 until October of
15 2016?
16 A. I would say, yeah; November, something like
17 that, yeah.
18 Q. Okay. So you were there about 18 months, give
19 or take?
20 A. Is that what -- you're better at math than me.
21 Q. Okay. Well, does it sound that you were there
22 for about a year and a half? Does that sound all right
23 to you?
24 A. Yeah. I say probably maybe longer, but --
25 Q. Okay. Okay. So you're -- we've established

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 29

1 that you're suing Centerfolds and Cheetah's, but you're
2 not suing Deja Vu, the club in between?
3 A. No.
4 Q. Any particular reason why they're not on the
5 list?
6 A. They didn't put me in a situation where they
7 made it difficult for me to have access to do things at
8 my job, or put me in fear.
9 Q. Okay. We've established an end date for you
10 working -- or an approximate end date for you working at
11 Cheetah's. Did you work at Cheetah's for kind of a
12 consistent period of time, or was it kind of back and
13 forth popping in and out?
14 A. That period of time was consistent; and prior to
15 that it was on and off.
16 Q. Okay. So let's go backwards in time --
17 A. Okay.
18 Q. -- from roughly February 2015, when you were
19 there consistently.
20 A. Uh-huh.
21 Q. When did you start the consistent performing at
22 Cheetah's?
23 A. When I came back from out of town, when I --
24 because I probably --
25 Q. That doesn't help me.

Page 30

1 A. Or when did I -- sorry.
2 Q. I need a date or an approximate date?
3 A. When I started back --
4 Q. Yes.
5 A. -- was in the 2015 -- no, 2014 of March, until
6 February of 2015.
7 Q. Okay. So about 11 months -- about an 11-month
8 stretch where you work at Cheetah's consistently?
9 A. Uh-huh, yep.
10 Q. Now, during from March of 2014 to February 2015,
11 did you work at any other club during that time period?
12 A. From the 2014th (sic)? No, I did not.
13 Q. Okay. So Cheetah's was it?
14 A. Uh-huh.
15 Q. Yes?
16 A. Yes.
17 Q. Okay.
18 A. Yes, it was.
19 Q. And nothing prevented you from performing at
20 other clubs during that time; that was just your choice
21 to work exclusively at Cheetah's during that time?
22 A. Correct. That's where I was active, so --
23 Q. Okay. And during that approximate 11-month
24 window, how frequently did you perform?
25 A. How frequently?

Page 31

1 Q. How many times per week?
2 A. Four to -- four to five, depending on if things
3 were in town. Sometimes three. I'd say altogether it
4 would be about 20 days a month, unless conventions were
5 in town; then sometimes I'd just do the whole two weeks,
6 you know, with a day off because, you know, sometimes in
7 town --
8 Q. So if I'm understanding your testimony, is it
9 would vary, but if there was a convention in town, you
10 would probably work more frequently --
11 A. Correct.
12 Q. -- than if there was not a convention in town?
13 A. Correct.
14 Q. But it doesn't sound to me like there was any
15 real consistency from week to week, in terms of the
16 number of days you worked?
17 A. No, I did. I had to work to pay my bills, so it
18 was absolutely --
19 Q. Okay.
20 A. -- I would go to work.
21 Q. During that span from March of 2014 until
22 February of 2015, did you take any time off or time away
23 from working at the club?
24 A. No.
25 Q. When you performed at Cheetah's, did you have

Page 32

1 any other source of income?
2 A. No. No, I did not.
3 Q. No other job?
4 A. Nope.
5 Q. Did you have any other sort of time commitment
6 or steady time commitment like schooling, childcare?
7 A. No childcare, but I -- I started school. But I
8 can't remember if it was in May of 2015 I started, or if
9 it was prior to that. I have to look at my thing. But
10 it wouldn't have conflicted because they were night
11 classes anyway; like, they were out at 9:00, so --
12 Q. Meaning --
13 A. I might have just started. I have to remember.
14 I can't remember my -- like, two years ago, my school
15 schedule.
16 Q. If you were in school at the same time you
17 performed at Cheetah's, classes were, what, day classes
18 and you were working at night?
19 A. They weren't day. They were -- I have to
20 remember it because it was so long ago. Let me think.
21 I had Tuesdays, I'd work at the nursing home. We'd go
22 to the nursing home. I had lecture. Lecture was only
23 until 5:00, 2:00 to 5:00. And then lab was 2:30 to
24 5:00, and then the rest of the time was at the nursing
25 home probably until 7:00 or something. So, no.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 33

1 Q. So it didn't interfere --
2 A. No.
3 Q. -- with when you would go to dance?
4 A. Right.
5 Q. When you performed at Cheetah's, I assume you
6 had to sign in when you got there?
7 A. Yes.
8 Q. So is it fair to say that the club probably has
9 records of each time you performed?
10 A. What do you mean? Like, is it fair -- I would
11 hope they would have the records.
12 Q. Meaning, they --
13 A. I don't know what they do with their stuff.
14 Q. Of course not.
15 A. I really don't.
16 Q. I guess my only question is, to the best of your
17 knowledge the club did have an intake -- a sign-in
18 system where you would sign the piece of paper
19 indicating that you were there to perform?
20 A. Right. I don't know how accurate they are, but
21 I know that I signed stuff.
22 Q. Okay. And what else did you do when you checked
23 in or signed in?
24 A. Gave them my sheriff's card.
25 Q. Is that's something you normally carry with you,

Page 34

1 or did --
2 A. You have to, to work.
3 Q. -- and you tender to the club when you arrive?
4 A. Yes, sir.
5 Q. What else did you do when you checked in?
6 A. What do you mean? I just gave them my sheriff's
7 card.
8 Q. And then you went and got dressed?
9 A. Yes.
10 Q. And when you were ready to -- when you were
11 dressed and ready, you got on the floor?
12 A. If the house mom -- you know, if she didn't say
13 anything to you on the way out.
14 Q. Do you have any records in your possession of
15 when, or the dates, you performed at the club?
16 A. I gave stuff to my attorney, and I gave her some
17 text messages and some receipts.
18 Q. Okay. I'm not sure I've seen those yet.
19 MS. CALVERT: Andrew has them -- I don't know
20 the procedure for how they're doing it.
21 MR. FUCHS: Okay.
22 MS. CALVERT: If you haven't gotten them,
23 they're the same kind of blow-up things you have there.
24 MR. FUCHS: Okay. I'm just not sure I've seen
25 them.

Page 35

1 BY MR. FUCHS:
2 Q. Other than the receipts -- are you talking
3 about, like, the receipts for the house fees? Is that
4 what you're talking about?
5 A. Uh-huh. Yes, sir.
6 Q. And I haven't seen the text messages. Who were
7 you texting with?
8 A. No, that was -- it was Cheetah's. Because,
9 remember, I was texting Lisa -- I texted my friend Lisa
10 that I was on my way to Cheetah's to go and get
11 reactivated, because I had went out of town. So she's,
12 like, Oh, you don't need to be reactivated, but you
13 could try.
14 Like, so I went in, and then I had to wait for
15 Kevin to tell me that I could go back on my night shift.
16 And then that's a text message. And then I have a
17 text -- and then I have e-mails to the Cupcake Girls
18 saying that Kevin fired me and then I was looking for
19 resources to help me because I had to scramble around
20 looking for a job.
21 And then I have other text messages to my fiancé
22 talking about Diana and how she was going help me out
23 with something, and he said, "I thought Kevin was your
24 boss," and it's just things, all different times.
25 MS. CALVERT: Andrew has those.

Page 36

1 THE WITNESS: Uh-huh.
2 MS. CALVERT: Did you save them?
3 THE WITNESS: Yes. I have all that. And I have
4 text messages between the house mom, Cheryl, and I, that
5 she was trying to find my fiancé work.
6 BY MR. FUCHS:
7 Q. I'm sorry, I didn't hear that.
8 A. She was going to help my fiancé get into --
9 Q. Oh --
10 A. -- the stage crew for work.
11 Q. Oh, find work.
12 A. Yeah, for the stage crew. So, yeah.
13 Q. I wasn't sure if you were saying find -- f-i-n-d
14 or f-i-n-e-d.
15 A. No. Find.
16 Q. Okay. Okay. Not an ideal situation, but I'm
17 taking your deposition today before I've had a chance to
18 see those documents. It is what it is.
19 MR. FUCHS: We'll figure something out; right?
20 MS. CALVERT: That or, I mean, I don't mind
21 having them printed out if you want to see the receipts.
22 I don't think -- I think it's a couple pages.
23 MR. FUCHS: You know, if --
24 MS. CALVERT: I didn't realize those had not
25 made their way to you.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 37

1 MR. FUCHS: No, I understand.
2 BY MR. FUCHS:
3 Q. Do you have access to the text messages or the
4 e-mails?
5 A. Yeah.
6 Q. How voluminous do you think they are?
7 A. There's only a handful, like a couple.
8 There's -- yeah, like --
9 MS. CALVERT: Maybe four.
10 THE WITNESS: One says the date that I'm going
11 to look for work and I'm working, and I said that I
12 worked -- I worked -- she asked me, What did you work?
13 And I said, Oh, I worked 5:00 to 10:00 -- 5:00 to 10:00,
14 and then I got -- I talked to Kevin and got hired back
15 on Kevin's shift.
16 And then I have one all the way in February 28th
17 of 2015 that I e-mailed the Cupcake Girls, which is an
18 outreach for entertainers when they are either
19 financially in trouble or try to get out of the
20 business.
21 And I was asking them -- because I had an
22 appointment for my tooth, and I needed help now because
23 I had to go use -- you know, look around for other jobs
24 and everything else. So I had told them that I had been
25 fired or demoted or whatever it was.

Page 38

1 Q. Okay. I'll tell you what: Rather than you
2 trying to describe for me the documents --
3 A. Yeah.
4 Q. -- maybe it would be easier --
5 A. Sure.
6 Q. -- if Lauren can get, you know --
7 A. No problem.
8 Q. -- copies for me --
9 (Discussion held off the record.)
10 BY MR. FUCHS:
11 Q. Rather than you trying to explain, maybe we can
12 get copies and I can ask you about them? Okay?
13 A. Okay.
14 Q. At the end of a -- I don't know if I should say
15 the end of the shift -- at the end of the night when you
16 were done dancing at Cheetah's, was there a checkout
17 process?
18 A. Yes. You had to go and see the house mom. And
19 then she would radio Kevin if it was clear.
20 Q. What do you mean by "clear"?
21 A. Like, if you were clear to leave.
22 Q. Okay. What else was involved in the checkout
23 process?
24 A. I didn't do stage, so I never had to see the DJ.
25 So I would just go to the house mom, and she would say,

Page 39

1 you know, Coquette, ready to go. Okay, checkout. And
2 then the security people would come and walk you to your
3 car.
4 Q. And that was for your -- your safety?
5 A. I mean, we're in a gated thing in the back of
6 the building. I guess that's safe -- I'm sorry.
7 Q. Well, you'd be surprised. We saw somebody
8 walking around there the other night, so you never know;
9 right?
10 Okay. Do you have any documents -- and I'm
11 sorry if I asked you this. I haven't seen the documents
12 that you've turned over to your counsel yet -- other
13 than the couple of e-mails and text messages and maybe
14 the slips, the checkout slips, do you have anything else
15 at home that might reflect when you performed at the
16 club?
17 A. I do not. But I can tell you that I can get --
18 I am gonna get my work card history, which will say when
19 I started at -- the work card history from the sheriff's
20 department that says all the clubs that you worked at.
21 For the first times that I -- from 1998 that I went back
22 to Cheetah's -- and it should be on there -- it's, like,
23 2011, 2010, right in there, somewhere around in there,
24 and then it was on and off.
25 And then I went out of town to Massachusetts,

Page 40

1 and came back from that 2014 so -- and then I stayed
2 there full time.
3 Q. Okay. And I assume that if you do get that work
4 card history from the sheriff's department, you're going
5 to share that with your attorneys; right?
6 A. Yes, I will.
7 Q. Okay. During this 11-month period, March of
8 2014 to February 2015, how long prior to March of 2014
9 had it been since you worked at the Cheetah?
10 A. I was in there on and off. I was always on and
11 off. It just depended if one of my girlfriends was over
12 there, she'd say, Hey, let's go, you know. Or if it was
13 a known thing that if your business license expired, you
14 could go work there and they would let you work. So,
15 you know, if you didn't have the money to renew your
16 business license right away and you knew it was coming
17 up, you could go work over there. So it was just on and
18 off, I had to go.
19 Q. Okay. Can you give me -- before March of 2014,
20 when you kind of started back there on a more regular
21 basis, can you give me a sense of how frequently you
22 would perform there?
23 A. Probably three days there; two or three days.
24 That's all.
25 Q. Over what length of time?

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 41

1 A. From 2011 till 2015.
2 Q. Okay. So just a few days?
3 A. What do you mean?
4 Q. I'm trying to -- Ms. Hedrick, I'm trying to get
5 a sense of how frequently you worked at the club prior
6 to returning in March of 2014?
7 A. I'd say about three -- three days a week, two to
8 three days a week, so --
9 Q. Oh, okay.
10 A. Uh-huh.
11 Q. You mentioned your friend, Lisa. Was she also a
12 performer or dancer?
13 A. She was.
14 Q. What's Lisa's last name?
15 A. I don't know.
16 Q. Do you know what her stage name is or was?
17 A. Nope, I don't. I just know her by Lisa.
18 Q. When you did perform at Cheetah's, did you have a
19 time of day or night that you typically arrived?
20 A. Whatever time that house fee wasn't going to go
21 up, or whatever -- sometimes I'd get there from, like,
22 9:00 -- between 9:00 and 11:00, any time in between
23 there. 8:00. Maybe 8:00, but anywhere in between
24 there.
25 Q. And could you select the days of the week that

Page 42

1 you wanted to work?
2 A. Yes, until Scotty said that I couldn't be on his
3 shift.
4 Q. Right. But --
5 A. Prior, yes.
6 Q. But prior to that, you could pick the days that
7 you wanted to work there?
8 A. Yes, sir.
9 Q. And you could determine for yourself how
10 frequently you wanted to dance?
11 A. Yes, sir.
12 Q. And could you decide for yourself what time you
13 wanted to leave the club?
14 A. No.
15 Q. Why is that?
16 A. Because they had a six-hour-minimum stay.
17 Q. Now, my understanding --
18 A. Uh-huh.
19 Q. -- was that it was a minimum of a six-hour stay
20 in order to pay a discounted house fee?
21 A. No. No. Actually, you have to pay to leave
22 early.
23 (Discussion held off the record.)
24 BY MR. FUCHS:
25 Q. Okay. Let's talk about house fees.

Page 43

1 A. Yes.
2 Q. Do you remember what kind of house fees you paid
3 to perform?
4 A. I do. They would vary, though. Because
5 depending if you, you know, got there sometimes after
6 the cutoff or, you know, I said I went 8:00 to 11:00,
7 sometimes that could be a big difference in a house fee.
8 So it would be 65, 60 -- anywhere between 40 and
9 65, but then I would get taxed an extra \$25 -- there was
10 two reasons: If I came in to work and say I didn't have
11 the 65 right away and I wanted them to front me the 65,
12 then they would tax me an extra 25, and then I had to go
13 off stage, so that's another \$25 off stage.
14 On the days I had my house fee upfront, then it
15 would just be whatever the house fee was, between the 45
16 and 65, plus the \$25 to go off stage.
17 Q. Okay. You just gave me --
18 A. That's confusing.
19 Q. -- you gave me a lot there, so I'm going to
20 drill down a little bit on what you just said. Okay?
21 A. Okay.
22 Q. The \$25 --
23 A. Uh-huh.
24 Q. -- that you claim to have paid for not having
25 the house fee up at the front end of your shift --

Page 44

1 A. Yes.
2 Q. -- did that have a name to it?
3 A. Offstage fee.
4 Q. Oh, okay. Because I thought -- and maybe you
5 just -- maybe I'm just confused -- I thought you were
6 talking about two different \$25 fees.
7 A. There are. If -- when I went in to work, say, I
8 had no cash on me and I said, I'm here to work, then
9 they would front the 65 -- not give me the cash in hand,
10 they would just put it in a little computer system that
11 I owed my house fee -- I would get taxed 25 --
12 Q. Right.
13 A. -- for not having the \$65 up front, and then
14 also another 25 for offstage fee.
15 Q. So those are two \$25 fees?
16 A. Yes.
17 Q. Okay. The -- what you're describing as a tax --
18 A. Well, I mean, offstage, whatever.
19 Q. I'm trying to get -- figure out the lingo here.
20 A. I don't know. That's just like the fine,
21 whatever you want to call it. Fine. It's an extra fee.
22 Q. It's a fee for not having your house fee --
23 A. Upfront.
24 Q. -- upfront?
25 A. Correct. Correct.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 45

1 Q. Now, the offstage fee --
2 A. Yes.
3 Q. -- was that a required fee?
4 A. Yes, it's required if you don't want to go on
5 stage. You have to pay that.
6 Q. Okay. Maybe we're -- maybe we're not
7 communicating.
8 A. Oh, do I want to go on stage?
9 Q. Let me try again.
10 You paid the \$25 offstage fee to avoid having to
11 dance on stage?
12 A. Correct.
13 Q. But you were not required to -- you could have
14 gone on stage --
15 A. Correct.
16 Q. -- and avoided the fee?
17 A. Yes. Now I understand.
18 Q. Okay. So paying the offstage fee was not
19 something that was required unless you chose not to
20 dance on stage?
21 A. Correct.
22 Q. Okay. So it sounds to me like you preferred not
23 to dance on stage?
24 A. Correct.
25 Q. So you opted to pay the \$25 offstage fee?

Page 46

1 A. I paid the 20- -- yes, I paid the 25.
2 Q. You could have avoided that fee by dancing on
3 stage?
4 A. If I went on stage, yeah.
5 Q. I'm not sure how much this matters, but was
6 there a particular reason --
7 A. Yes.
8 Q. -- you chose to pay the fee instead of dancing
9 on stage?
10 A. Yes, there was; because I didn't want to be
11 haggled by the DJ for my money, or put up on stage
12 50 million times when they see me on the floor with a
13 customer. That's why.
14 Q. I see.
15 A. It was just getting annoying being constantly
16 called to stage or bothered, you know.
17 Q. Okay. So you made a decision on -- for yourself
18 that you would just prefer not to have that hassle or
19 aggravation of being called to stage when you're talking
20 to customers or what have you --
21 A. Correct.
22 Q. -- and so you said, You know what? Easier for
23 me to pay the \$25 than to --
24 A. Correct.
25 Q. -- deal with the DJ?

Page 47

1 A. Right. Right.
2 Q. I get it.
3 MS. CALVERT: Can you wait until his question's
4 done?
5 THE WITNESS: Oh, okay.
6 MS. CALVERT: Thank you.
7 THE WITNESS: I'm so sorry. In Boston, we're
8 fast. Sorry.
9 MR. FUCHS: We had a Rhode Islander yesterday.
10 THE WITNESS: I'm so sorry.
11 BY MR. FUCHS:
12 Q. I think you talked about this. I know at some
13 point you took a break from dancing and maybe you went
14 back East for a period of time; is that right?
15 A. I did.
16 Q. Okay. And so you could kind of come and go as
17 you pleased, as long as you had an active --
18 A. If you were active, correct.
19 Q. -- business license?
20 A. And sheriff's card.
21 Q. And sheriff's card?
22 As far as the business license is concerned,
23 that's something you paid for?
24 A. Correct.
25 Q. And it was issued to you by the Nevada Secretary

Page 48

1 of State, I believe?
2 A. Correct.
3 Q. And you were registering as, what, a sole
4 proprietor or independent contractor?
5 A. It said sole propriper -- or whatever.
6 Q. Proprietor?
7 A. Yes.
8 Q. Hard to say.
9 A. Yes.
10 Q. Have you ever formed your own business?
11 A. Formed my own business. I had a little lingerie
12 thing where I bought out a domain, but nothing -- it
13 wasn't -- like, I didn't take out a license on it or
14 anything; just had a domain. But it wasn't even like a
15 lingerie business like that.
16 Q. Okay. What period of time did you do that?
17 A. I still have a domain for it, but just
18 because -- in case I ever wanted to do lingerie, because
19 I can get it wholesale, so sometimes -- you know, but I
20 don't -- I don't do it. It's just a thought that I
21 might --
22 Q. I see.
23 A. -- develop something.
24 Q. So --
25 A. It was an idea, an entrepreneurship idea, but

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 49

1 it's too much work. I don't -- you know, so I had
2 started the steps, but --
3 Q. But never actually sold anything?
4 A. No, nothing -- no.
5 Q. Let's talk about your job duties at Cheetah's.
6 A. Okay.
7 Q. Most dancers, or many dancers, perform on stage.
8 You did not?
9 A. Correct.
10 Q. So that means, I assume, you perform private
11 dances for customers on the floor?
12 A. Correct.
13 Q. And what was the fee that you charged customers
14 for private table-side dances or private dances on the
15 floor?
16 A. They were \$20. Sometimes they were two for 20.
17 Like I said, some days I would come in early, you know,
18 and that special would still be going on or, like,
19 football days, you know. But for the most part, they
20 were 20 on the floor, other than if they're specials or
21 something.
22 Q. Sure. Specials aside, \$20 a song?
23 A. Correct.
24 Q. And that was kind of the standard price for
25 dances?

Page 50

1 A. That's what the paperwork said, \$20, yes.
2 Q. Okay. And the club established that price?
3 A. That's what it said, yes.
4 Q. Did you have discretion to deviate from that
5 price?
6 A. From the \$20?
7 Q. Right.
8 A. Not on the floor, no. I never did, so --
9 Q. And of course the customer could pay you more
10 than \$20 per song if he wanted to; right.
11 A. If he wanted to give you money, I'm sure he
12 could.
13 Q. Did you ever dance in VIP?
14 A. Yes.
15 Q. Were you required to dance in VIP?
16 A. Well, if they have customers coming in and the
17 customer wants to go to VIP, you're going to go to VIP.
18 Q. Well, that's because it was an opportunity for
19 you to make money performing for the customer in VIP;
20 right?
21 A. We could make money there, yes. You can make
22 money on the floor too.
23 Q. But the club didn't require you to go to VIP if
24 you didn't want to; correct?
25 A. What do you mean by what they required? I

Page 51

1 don't --
2 Q. Meaning, if a customer asked you -- invited you
3 to VIP and you didn't feel like performing for that
4 customer for some reason, you didn't like his behavior
5 or --
6 A. His body odor.
7 Q. Right. You could --
8 A. Yeah, you could say no for something like that.
9 Q. And along those lines, you could pick and choose
10 the customers for whom you wanted to perform?
11 A. Not always you could pick and choose.
12 Q. Well, help me understand that. I mean, wouldn't
13 you be the one going up to customers and asking --
14 A. They --
15 Q. -- if they want to dance?
16 A. They don't -- if they give you access. If you
17 haven't upset them or not paid them. There were times
18 where I didn't have access to customers.
19 Q. Can you give me an example?
20 A. Well, for instance, let's say I didn't -- there
21 was one night where the night before I had had a really
22 good night in the VIP -- really good night -- and I had
23 only given Kevin 10 percent. I'm not sure what the
24 girls had. The next day I came in, I was standing at
25 the podium right over there, and the host came up to me

Page 52

1 and said, You're not allowed to stand over here. You've
2 got to go sit down.
3 Or, say, for instance, the VIP room -- the VIP
4 bottle area, sometimes they just rope it off and they
5 won't let you up there. They'll pick whoever they want
6 on those days.
7 Q. Let's talk about the fees that you charge
8 customers for performing in VIP.
9 A. Okay.
10 Q. Do you remember what the fee schedule or fee
11 range was?
12 A. I believe it was two drinks minimum for the \$100
13 for the 15 minutes. And then on the half an hours and
14 the hours, they changed all the times, but I know that
15 there's a bar tab and then there's the minimum. And if
16 you want to run more money, then you need to -- they
17 want you to have -- have the customer pay a much higher
18 bar tab.
19 Q. Okay. I'm less interested in the bar side of
20 it --
21 A. Uh-huh.
22 Q. -- than I am the fees that you earned from
23 dancing in VIP.
24 A. Okay.
25 Q. So with that, was it -- the hundred -- if

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 53

1 somebody just wanted to pay \$100 --
2 A. Uh-huh.
3 Q. -- what would that get them, three songs or
4 15 minutes?
5 A. It's usually three songs, 15 minutes; works out
6 to be about the same.
7 Q. Okay. And do you remember what you charged
8 customers for 30 minutes?
9 A. It was in between 2- and 300; probably was 2-.
10 Q. And how about for 60 minutes?
11 A. For the hour, I think it was anywhere between 3-
12 and 5-. It might have been 5-. But it changes. It
13 could be 4-, it could be 5-, you know.
14 Q. And when you say "it changes," is it something
15 that the club dictates, or you had discretion to --
16 within a certain range to charge customers?
17 A. They dictate that.
18 Q. The club?
19 A. Yes.
20 Q. And how often would you say you performed -- or
21 how frequently would you say you performed in VIP? At
22 least once a shift?
23 A. Yeah, definitely. Yeah.
24 Q. Sometimes more than once a shift?
25 A. Probably, maybe. It could be more. You never

Page 54

1 know, you know.
2 Q. I understand that.
3 A. It's so -- I could be on the floor all night and
4 make VIP money. You don't know.
5 Q. Right. So the frequency varies, and I assume
6 the length of time that you're spending in VIP varies;
7 right?
8 A. Yeah.
9 Q. It just depends on the customer really?
10 A. Correct.
11 Q. Is it fair to say that if you were on your
12 average week -- and I'm talking about this most recent
13 period of time, the most recent 11 months, the last
14 11 months that you worked -- you would be in VIP at
15 least three or four times a week?
16 A. I can't say that, because you never know. I
17 mean, if I was in VIP three or four times a week with
18 three or four different customers, it doesn't mean I
19 could be in VIP one time a week with one customer for
20 20 hours. You see what I'm saying? You just don't
21 know.
22 Q. And I understand that. I guess what I'm looking
23 for is more your sense of an average in terms of what
24 you worked.
25 A. You cannot really -- you can't know because it's

Page 55

1 so hit or miss. You just -- you know?
2 Q. I know that on any given night you never know.
3 But if you were to look backwards in time and recall the
4 11-month period that you worked there, you might have
5 some sense of how many hours or how frequently you
6 visited?
7 A. I visited VIP all the time. You know, unless
8 there was something else going on the floor, there were
9 times where I didn't go.
10 Q. Is that fair to say you made some pretty good
11 money working in VIP?
12 A. I do make good money working VIP, but I can make
13 good money on the floor too.
14 Q. Okay. Well, let's talk about that, then.
15 Can you tell me on average much how you earned
16 per visit to the club?
17 A. I can't, because it's just so different every
18 time. Every time.
19 Q. Okay. I understand that. Can you give me a
20 range?
21 A. I can't, because there's just so many different
22 times.
23 Q. So you can't -- you're unable to even give me a
24 high and a low of what you earned from dancing on any
25 given night?

Page 56

1 A. Some -- it could be anything. It could range
2 from zero to be 7,000. You never know. You just don't
3 know. You could hit 7,000 and then not make money for a
4 whole week. You just don't know.
5 Q. Did you ever make 7,000 a night?
6 A. I have.
7 Q. How frequently would that occur?
8 A. I don't know; maybe a couple times.
9 Q. Was that your high watermark for earnings in a
10 given night, in a single night?
11 A. I didn't have a higher earning mark. I just
12 called it a blessing, you know.
13 Q. Well, I understand that. But it seems to me
14 that if you had a really big night, you might remember
15 what your high watermark was.
16 A. What's a high watermark?
17 Q. Oh, sorry. I assumed you understood what I
18 meant by that.
19 A. I don't understand what that is.
20 Q. Well, I'm glad that you asked.
21 A. I'm, like, what is that?
22 Q. I'm sorry. What's the most you ever earned in a
23 given night?
24 A. At that particular place?
25 Q. Yes.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 57

1 A. At that particular place was -- it would be in
2 the records anyway, 7,000.
3 Q. And what's the least amount you ever earned?
4 A. Zero.
5 Q. And how often would that occur?
6 A. Zero can occur just as much as good night can
7 occur. They could be equally -- equally the same.
8 Q. Okay. Maybe you're misunderstanding me.
9 A. Okay.
10 Q. I'm not asking you a hypothetical question about
11 what could occur.
12 A. Yeah.
13 Q. I'm asking you how often it did occur.
14 A. I don't know. That one time I had the 7,000,
15 that's the only one time that I made 7,000 there.
16 Q. Okay. Now I'm asking you about the zeros. How
17 many times did you earn zero?
18 A. There were a few -- a lot of nights, actually.
19 It could happen throughout --
20 Q. I'm sorry. I don't want to hear the word
21 "could," because I know anything can happen or could
22 happen. I'm interested in what actually happened.
23 A. I had a lot of zero nights. I mean, I can't
24 remember, like, how many zero nights. I didn't write
25 them down. I don't recall.

Page 58

1 Q. Okay. That's -- well, then, that's your answer,
2 you don't recall.
3 A. I don't recall.
4 Q. Okay. I just wanted to avoid this trap of --
5 A. Yeah.
6 Q. -- this pitfall --
7 A. Okay.
8 Q. -- you kept saying, Oh, it could happen. I know
9 it could happen.
10 Okay. So there were nights that you performed
11 at the club where you earned nothing?
12 A. Yes.
13 Q. And were there nights that you performed at the
14 club where you paid more in house fees than you earned
15 from dancing?
16 A. What does that -- I don't understand.
17 Q. Meaning, did you suffer a net loss or negative
18 from -- meaning, you had to pay \$65 to work --
19 A. Yes. And then --
20 (Discussion held off the record.)
21 BY MR. FUCHS:
22 Q. Were there occasions where you paid a house
23 fee -- let's say \$65 -- and you earned zero from
24 dancing --
25 A. Yes.

Page 59

1 Q. -- so you suffered a net loss for the night?
2 A. We call it a negative.
3 Q. I'm happy to use that term.
4 A. That's what we call it, a negative.
5 Q. I'm happy to use that terminology.
6 How frequently or how often do you think you
7 suffered a negative night?
8 A. I have to think about it, because I don't recall
9 in my head. I'd have to really think about that
10 question.
11 Q. Did it happen more than once?
12 A. It did happen more than once.
13 Q. Do you think it happened more than a dozen
14 times?
15 A. Over the course of how long? The whole 2011 to
16 2015? What --
17 Q. The last 11 months that you were there.
18 A. More than a dozen times? I'd say yeah, because
19 it could happen at least -- at least once or twice or
20 three times a month. You don't know. You know, I
21 say -- there could be a week of negative. I've worked
22 four days in a row and had a negative four days and just
23 been, like, what is going on, you know.
24 Q. Okay. So would you agree with me, then, on any
25 given night that you went to work at the Cheetah's, you

Page 60

1 never really knew what was going to happen in terms of
2 how much money you were going to make?
3 A. You don't know.
4 Q. And you understood that there was some risk
5 every time you went to work you might not make any
6 money?
7 A. Nope. Yep, I did.
8 Q. And you were willing to assume that risk because
9 you knew that some nights you could have a huge night
10 and you could make \$7,000?
11 A. Some nights you could.
12 Q. So you had to make a business decision for
13 yourself, kind of weighing the pros and cons of whether
14 you were going to go in on a given night, because you
15 never knew what kind of business you were going to do?
16 A. You don't know what kind of business you're
17 going to do. Sometimes there's things in town;
18 sometimes there's not. You don't know.
19 Q. Of course you could, if you wanted to, say,
20 Well, I know there's a convention going on in Las Vegas
21 on these nights, so I'm going to make sure to hit the
22 club on those nights; right?
23 A. You could, but sometimes those don't even work.
24 Sometimes convention nights you just --
25 Q. You struck out. I get it.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 61

1 But that was all part of the calculus that you
2 did in your head in terms of whether to go on a given
3 night --
4 A. I didn't really calculate it. I just wanted to
5 pay my bills and show up to work.
6 Q. I know. But at some point you had to make a
7 decision what nights you were going to work and what
8 nights you weren't.
9 A. Well, basically when my bills were due, a couple
10 days before, that's when I would go.
11 Q. Ahhh. So if I understand what you're saying,
12 part of the scheduling process for yourself was figuring
13 out when your bills were going to be due and so you had
14 enough money on hand to pay your bills?
15 A. You have to work regularly to pay your bills.
16 Everybody does.
17 Q. Well, I guess that depends on what kind of bills
18 you have; right?
19 A. Uh-huh.
20 Q. When you did leave the club with cash, what was
21 your habit or custom for -- what did you do with the
22 cash? Did you put it in the bank? Did you put it in a
23 shoebox at home? What was your habit?
24 A. I'd just bring it home. I didn't put it in the
25 bank or anything.

Page 62

1 Q. Okay. You kept it on hand?
2 A. Kept it on hand.
3 Q. Are you familiar with G-bucks?
4 A. Yes.
5 Q. What are G-bucks?
6 A. That's the funny money.
7 Q. And what are they used for?
8 A. When a customer makes a credit card transaction
9 and they don't pay in cash, they go to the cashier, and
10 that's how they get the G-bucks.
11 Q. Okay. So if I understand what you're saying,
12 it's a way for customers to purchase dances from dancers
13 with using their credit card?
14 A. Yes.
15 Q. Particularly if they may not have access to
16 cash? Meaning, if I go into the club and I don't have
17 cash and I've maxed out my limit on the ATM, I could use
18 my credit card --
19 A. You can.
20 Q. -- to purchase G-bucks?
21 A. Yes.
22 Q. And so that was a means for customers to pay you
23 for VIP services or for floor dances?
24 A. Yes.
25 Q. And how often were you accepting G-bucks for

Page 63

1 payment? Every night, or was it less frequently?
2 A. I don't know. Some nights it was cash; some
3 nights it was G-bucks.
4 Q. Okay. And it's my understanding that when --
5 would you take whatever G-bucks you had accumulated at
6 the end of the night and go to the cashier to redeem
7 them for U.S. currency?
8 A. Yes.
9 Q. And I understand that there was a fee for that?
10 A. Yes.
11 Q. Do you remember what the fee was?
12 A. From the credit card transaction?
13 Q. Yes.
14 A. It was somewhere between at least 10 to
15 13 percent. I'm pretty sure it was something like.
16 Like if it was -- let me think. I think if it was
17 like -- I can't remember.
18 Q. Okay. Let's use 10 percent just because it's a
19 rounder number. So if you went to the window or cashier
20 with \$110 worth of G-bucks, you would get \$100 in cash
21 back?
22 A. If I went with what? How much?
23 Q. 110.
24 A. I think it was 110 or a little bit more than
25 that.

Page 64

1 Q. Okay.
2 A. But if I cashed out 100 in the funny money, I
3 wouldn't get the full 100 back, no.
4 Q. Okay. Well, that's what I was trying to --
5 A. Maybe it was 88 or something like that,
6 somewhere. I don't know.
7 Q. I was going the other direction. If you walked
8 up to the cashier with \$110 in G-bucks, you'd get about
9 \$100 in cash back?
10 A. I don't think you can do 110 in G-bucks. I
11 think it has to be 120.
12 Q. You're fighting with me on the numbers. I'm
13 just --
14 A. I know. I'm just trying to be accurate for you,
15 because you asked me a question.
16 Q. And I appreciate that. I'm trying to get a
17 sense of how it worked. Okay?
18 If you handed in \$120 worth of G-bucks, would
19 you get around \$105 back in cash?
20 A. Yeah, then you would get it back; you would get
21 the cash back.
22 Q. And you would know in advance whether or not a
23 customer was going to be paying you in cash or with
24 G-bucks; correct?
25 A. Would it be, like, would I ask them?

16 (Pages 61 to 64)

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 65

1 Q. Right.
2 A. Yeah. I would say yeah.
3 Q. Okay. And when a customer chose to pay you
4 using G-bucks, you obviously knew in your head you
5 weren't going to be getting 100 cents on the dollar;
6 right?
7 A. Right.
8 Q. Would you ask that customer to pay a little bit
9 more to cover the charge that you were going to have to
10 pay the club to redeem the G-bucks for cash?
11 A. The cashier would mention it.
12 Q. To the customers?
13 A. She would mention it. Sometimes say, Would you
14 like to tip? Because they can tip for the house too,
15 not for me. Whenever they do funny money, there's a
16 slip and it says, Tip, and it will always say this tip
17 goes to the managers and floor hosts, and then they'll
18 have -- and then it will say, If you'd like to tip the
19 girl, it's going to be 120. Like, if it's 100, it's 120
20 anyways. So if they want to pay my 10 percent, it's
21 going to cost them 140.
22 Q. Got it.
23 A. I'm pretty sure that's how it goes.
24 Q. Okay. And that's a conversation that would
25 occur between the G-bucks girl and the customer, or

Page 66

1 that's a conversation that you would have with the
2 customer?
3 A. I would have that conversation with them too.
4 Q. Okay. And so if a customer is using their
5 credit card to purchase G-bucks --
6 A. Uh-huh.
7 Q. -- would you ever ask or encourage the customer
8 to pay your fee to redeem the G-bucks?
9 A. I could ask, and I might have -- I could ask. I
10 wouldn't ask every time, but I have asked.
11 Q. Was that -- from your experience, was that a
12 common occurrence for the customer to pay the extra
13 money that you would have to pay?
14 A. No, not really.
15 Q. But sitting here today, you -- I assume you
16 couldn't venture a guess as to how often a customer
17 picked up the fee that you would have to pay the club to
18 redeem the G-bucks?
19 A. No.
20 Q. Okay. You don't have a sense of what -- you
21 know, how often that happened?
22 A. I couldn't even remember somebody's face
23 tomorrow if they walked in the door.
24 Q. So is it fair to say, then, you could not
25 venture a guess as to how much you had to pay the club

Page 67

1 out of your pocket for the G-buck transactions?
2 A. What does that exactly mean? I know that every
3 time I had a G-buck transaction, they would take between
4 10 and 13 percent --
5 Q. Right.
6 A. -- and then I would also tip 20 percent of my
7 own money. Sometimes 10.
8 Q. You lost me on that last part. Who are you
9 tipping?
10 A. Who am I giving my money to? To the managers
11 and Scotty and Kevin.
12 Q. Okay. I think we got a little off-track there.
13 A. Because you're asking for all these fees, so I'm
14 confused.
15 Q. I'm talking about G-bucks transactions.
16 A. Okay.
17 Q. That's all I'm talking about right now.
18 And you've already told me you've paid between
19 10 and 13 percent to exchange your G-bucks for
20 U.S. currency. I got that.
21 A. I know it's nowhere less than 10 percent. It
22 can't be less than 10 percent; it could be more.
23 Q. Okay. I'm with you there. Here's my question:
24 If you had to figure out how much you were out of pocket
25 to pay that 10 to 15 percent that you're talking about,

Page 68

1 could you figure that out?
2 A. Over the course of the whole 18 months or
3 just --
4 Q. Yes.
5 A. -- at that -- over the course of the 18 months,
6 absolutely not. I don't --
7 Q. No way of figuring that out.
8 A. I couldn't even tell you what day, no.
9 Q. You've purchased your own costumes?
10 A. I did.
11 Q. And you were not reimbursed for those expenses;
12 right?
13 A. No, sir.
14 Q. And from whom did you purchase costumes, from
15 the house mom or from someone else?
16 A. I purchased them from all over. But they did
17 have a lady that came in that I might have bought a
18 couple things off of.
19 Q. Okay. So you basically had a choice. You could
20 purchase your own on the outside, or if you wanted to
21 purchase them inside the club, you could do that as
22 well?
23 A. Correct.
24 Q. Okay. And I assume she had some -- the one in
25 the club had some variety of costumes you could choose

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 69

1 from?
2 A. She had stuff; yes, she did.
3 Q. Okay. How much would you say you spent on
4 costumes?
5 A. I don't know.
6 Q. Could you estimate for me how much you spent in
7 a -- over the course of a month?
8 A. I cannot.
9 Q. Can you tell me how frequently you purchased new
10 costumes?
11 A. I can't.
12 Q. Can you tell me how much you spent per costume?
13 A. It varies. It's never under \$20. You're not
14 going to get anything for under 20. I can tell you
15 that.
16 Q. I wouldn't think you could.
17 A. Yeah, so --
18 Q. But that was an expense item that you had as a
19 dancer. You had to keep at least a stock of a certain
20 number of costumes on hand; right?
21 A. You need to keep some stock, yes. I don't know
22 if you need a certain number but you need --
23 Q. Right.
24 A. -- to have stuff.
25 Q. You can't just have one costume?

Page 70

1 A. Some girls do, but I didn't. I'm not --
2 Q. Let's try to keep it with you. Okay?
3 A. Okay.
4 Q. So you had a locker with more than one costume?
5 A. I do have more than one costume?
6 Q. Okay. Probably had at least five costumes at
7 any given time; right?
8 A. It's possible, yes.
9 Q. Let's talk about shoes.
10 A. Okay.
11 Q. You bought your own shoes?
12 A. I did.
13 Q. Dancer shoes?
14 A. Correct.
15 Q. Okay. What did you pay for a pair of dancer
16 shoes?
17 A. Dancer shoes will never be under \$40, so 40 and
18 up.
19 Q. And assume -- but you can correct me if I'm
20 wrong -- you had more than one pair of shoes?
21 A. Correct.
22 Q. Dancer shoes, I'm talking about?
23 A. Correct.
24 Q. And you probably kept a few pair in the locker
25 at Cheeta's?

Page 71

1 A. Yes.
2 Q. So that was a recurring expense. I assume shoes
3 don't last forever --
4 A. No.
5 Q. -- and you have to replace them from time to
6 time?
7 A. Yes.
8 Q. Okay. I assume you purchased and selected your
9 own cosmetics, perfumes, things of that nature?
10 A. Yes.
11 Q. How much did that run you?
12 A. The -- it varies.
13 Q. I understand that. I'm looking for an average
14 cost.
15 A. For what, for makeup?
16 Q. Makeup, perfumes?
17 A. I mean, makeup -- a foundation is anywhere
18 between \$30 and up. Perfume, you're not going to get a
19 good perfume under \$40, so I'd say somewhere -- anywhere
20 between there and up.
21 Q. Okay. And how frequently would you have to
22 replace that sort of stuff?
23 A. It just depends on how much I use it.
24 Q. Yeah, I get that. I'm trying to get a sense of
25 how frequently you did?

Page 72

1 A. I don't know.
2 Q. Okay. But that was not -- that was an ongoing
3 expense as when you were a dancer?
4 A. It would be ongoing, yeah. Shoes -- I would say
5 for shoes, probably like every couple months, you know.
6 That one I remember, so --
7 Q. And you also had other expenses when you were a
8 dancer; right? For, like, hairstyling --
9 A. Yes.
10 Q. -- nails?
11 A. Yes.
12 Q. Okay. What did that -- how much did that run
13 you?
14 A. Well, my hair, I know because I have to do it
15 every month. So my hair is, like, between 50 and 100.
16 Q. Per month?
17 A. Yeah, because it's blond. Yeah, 50 to 100 a
18 month on hair.
19 Q. What about nails?
20 A. Nails is about anywhere between 40 and 70
21 depending on what you want done.
22 Q. Sure. And how frequently did you have that
23 done?
24 A. Once a month for hair and nails.
25 Q. And again, these are all things you're out of

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 73

1 pocket for; right?
2 A. Yes.
3 Q. Meaning, you're not being reimbursed?
4 A. No.
5 Q. Any other types of expenses that you can recall
6 from when you were a dancer that you had to pay?
7 A. When you say "expenses," like what are you --
8 what kind of expenses are you looking for?
9 Q. Well, things like we're talking about:
10 Costumes, hair, makeup --
11 A. Nails.
12 Q. -- I don't know, a gym membership?
13 A. Ummm -- I had a membership -- no, I didn't at
14 that time. That was way before; so no.
15 Q. Cosmetic surgery?
16 A. Nope. Nope.
17 Q. When you performed at Cheetah's, could you, if
18 you wanted to, work a daytime job?
19 A. Like a day job?
20 Q. Yeah.
21 A. I could have.
22 Q. And I think you touched on this: You could have
23 attended school during the day if you wanted to?
24 A. I could have.
25 Q. And you were allowed to consume alcohol when you

Page 74

1 performed?
2 A. I did not, but you were allowed to.
3 Q. Were you allowed to smoke cigarettes?
4 A. I did not, but you can.
5 Q. No food service at the Cheetah; right?
6 A. No.
7 Q. In terms of performing dances -- I know you
8 didn't do stage -- but when you're on the floor and VIP,
9 obviously there are some vice rules, City rules, Metro
10 rules that you -- certain things that you can and cannot
11 do, correct, in terms of dancing?
12 A. I'm not familiar -- I'm familiar with no
13 prostitution.
14 Q. Right.
15 A. That's what I'm familiar with.
16 Q. Are there certain rules or restrictions where
17 the City says you can't move a certain way, bend over a
18 certain way, put your feet up, anything like that?
19 A. I don't know. I just know no prostitution.
20 Q. Okay. So is it fair to say, then, that you
21 were -- you could pretty much dance how you chose to
22 dance either on the floor or on the -- in VIP?
23 A. No prostitution.
24 Q. Right. But other than that, anything goes;
25 right?

Page 75

1 A. When you say "anything goes," what are you
2 talking about? You're talking about, like --
3 Q. I'm talking about how you chose to dance for a
4 customer.
5 A. I don't -- like, what did you mean? Like --
6 Q. You could dance how you wanted to dance.
7 A. I could dance how I want to dance, yes, with no
8 prostitution.
9 Q. Obviously. And the club made it very clear with
10 signage and things like that, prostitution is illegal
11 and not tolerated, that sort of thing?
12 A. Correct. I mean, no excessive grinding,
13 obviously. I mean --
14 Q. Okay.
15 A. -- things like that. You're not going to be
16 putting your boobs or something -- you know, try to do
17 something with them.
18 Q. Right.
19 A. I don't know if that's considered prostitution,
20 but --
21 Q. Yeah. Well, and so there were certain things
22 that you just kind of knew that you could and couldn't
23 do; right?
24 A. Yeah.
25 Q. I guess touching was discouraged?

Page 76

1 A. Yeah.
2 Q. Prohibited?
3 A. I don't know about prohibited. I don't know
4 exactly what --
5 Q. Discouraged; right?
6 A. I would say so, yes.
7 Q. And -- okay, I think you answered that.
8 And you also -- I think you said earlier you
9 could opt out of stage rotation by paying the fee?
10 A. Yes.
11 Q. When you went with a customer to VIP, was it a
12 negotiation in terms of how much the customer was going
13 to pay, or was it just a set rate that you charged the
14 customer, whatever the rate was at the time?
15 A. It was a set rate.
16 Q. Okay. So there was no horse trading? You're
17 saying, Oh, well, I'll pay you 2 -- how about if I pay
18 250 for an hour?
19 A. No.
20 Q. Okay. And you were free to sit and mingle with
21 the club's customers?
22 A. Free to sit and mingle? Ummm -- when they
23 weren't, you know, making obstacles in your way, yes.
24 Q. But that's how you solicited dances from
25 customers, right, by approaching them and talking to

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 77

1 them and introducing yourself?
2 A. I did, yes. Sometimes they'd just walk into me.
3 Sometimes I could just stand there and they would
4 approach me, so --
5 Q. Right. In each of the calendar years that you
6 performed at the Cheetah, did you file a federal income
7 tax return?
8 A. I filed income taxes -- I believe it was 2010,
9 2011. '13, no. I -- I tried to get them, but can't get
10 them. A few years. But not -- I don't know if I -- I
11 just said entertainment, so that was it. I don't --
12 Q. I'm not sure I fully understood your answer.
13 So you filed income tax returns in 2010?
14 A. Yep.
15 Q. 2011?
16 A. Yep.
17 Q. What about 2012?
18 A. I think I did, yes. Yes.
19 Q. You said 2013 no.
20 A. Wait. I did file 20- -- yes, 2013, yes.
21 2014, I prepared but I didn't send it in, so I
22 just had actually spoke with them about that.
23 Q. Who's "them"?
24 A. The IRS.
25 Q. Okay. That's what I thought you meant.

Page 78

1 A. Yes.
2 Q. Okay. 2015, did you file an income tax return?
3 A. That one I have to file because -- I don't
4 remember. But I -- it's one of the two that I prepared
5 it and I thought my accountant sent it in, but he did
6 not. That's what I thought that he would send it in; so
7 he didn't and it was in storage, actually.
8 Q. But you're not sure exactly which year that is?
9 A. Yeah, I'm not sure, so --
10 Q. Okay. Whatever year it was -- the other year,
11 2014 or '15 -- did you file?
12 A. No, I did file 2015, actually. I believe that
13 it was 2015, yep.
14 Q. So 2014 was the year that didn't get filed?
15 A. Correct. But I have it prepared, so -- by my
16 account- -- same accountant.
17 Q. Okay. And who is your accountant?
18 A. George. I don't know his last name.
19 Q. Okay. That doesn't help me too much.
20 A. I know.
21 Q. Do you know the name of the tax preparing
22 office?
23 A. It's his -- he's -- it's him, himself.
24 Q. Okay. It's his own --
25 A. Yeah.

Page 79

1 Q. -- his own business?
2 A. Correct.
3 Q. Not like an H & R Block or something?
4 A. No. No.
5 Q. And do you have copies of any of these returns
6 that you filed?
7 A. I do not.
8 Q. Do you have the ability to obtain copies?
9 A. I do not, because I called the IRS and they said
10 no, past three years old. For whatever it is, they
11 don't have them.
12 Q. Okay. And when you filed those income tax
13 returns, did you declare or report your earnings from
14 dancing?
15 A. I did.
16 Q. Okay. Then let's talk about your earnings from
17 the Cheetah's, from the Cheetah, or Cheetah's.
18 A. Okay.
19 Q. How did you go about reporting your earnings
20 from Cheetah's?
21 A. Which year? Any of the years? I just reported
22 it as the whole entertainment.
23 Q. I'm not sure I understand what you mean by that.
24 Meaning --
25 A. That's what my tax accountant did. He's the

Page 80

1 accountant. He's the one who filed them for me.
2 Q. Or not.
3 A. Yeah. I thought he was going to send it in.
4 Q. Okay. My question -- I think I know what you
5 mean, but I just --
6 A. Uh-huh.
7 Q. -- need to hear it from you. When you say you
8 report it all as entertainment, do you mean whatever
9 club you happened to have been working at, you --
10 A. I just said entertainment, yeah.
11 Q. Okay. So you didn't distinguish between --
12 A. No.
13 Q. -- the various clubs.
14 A. No. We just put entertainment.
15 Q. And did you get any sort of wage statement from
16 Cheetah's?
17 A. No.
18 Q. You know what I mean by "wage statement"; right?
19 A. Like, what, like --
20 Q. Like, a Form 1099?
21 A. Not that I recall, no.
22 Q. Have you ever gotten a state wage -- a year-end
23 wage statement from any of the clubs that you performed
24 at?
25 A. Centerfolds, I have a 1099.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 81

1 Q. Okay. Any other club?
2 A. No. Not that I recall, no.
3 Q. Okay. So when you -- when you were working with
4 your accountant in any of these couple years that we've
5 been talking about, how would you go about telling your
6 accountant how much you had earned?
7 A. How would I go about it? I would tell him, and
8 then he would -- he would put it in there. I don't know
9 how he files taxes.
10 Q. No, you misunderstand my --
11 A. Okay.
12 Q. You're misunderstanding me. I'm not asking you
13 about the process of filing. I'm asking you about how
14 would you inform the tax preparer or accountant how much
15 you had earned each year?
16 A. How would -- I would tell him.
17 Q. Okay. Based upon your memory of what you had
18 earned?
19 A. Based upon my memory, based upon -- yeah, my
20 bills and everything, yes.
21 Q. What do you mean your "bills"?
22 A. Because I have to pay my bills. My monthly
23 bills are, say, \$6,000, then I better make more than
24 that.
25 Q. I see.

Page 82

1 A. If they're 4,000, if they're 2,000, I better
2 make more than that to cover my bills and survive or I'm
3 going to be homeless.
4 Q. I see. So is it fair to say that you would
5 share with your accountant how much you earned from
6 performing based upon a combination of what you recall
7 earning and based upon what you know your expenses --
8 monthly expenses to be?
9 A. Yes.
10 Q. But you didn't provide any sort of documentation
11 to him reflecting what you had earned?
12 A. Back then I had receipts. I don't have any of
13 that anymore.
14 Q. And when you say "receipts," you're talking
15 about for your expense items?
16 A. Expenses, all that. Rent, everything. Don't
17 have any of it anymore.
18 Q. But you never got receipts from your earnings?
19 A. Not from -- just the dance dollar receipts, but
20 don't have -- they fade.
21 Q. And by the "dance dollar receipts," you're
22 talking about the house fee forms?
23 A. No. I'm talking about when they pay you with a
24 credit card, they give you a slip as to how much money
25 they pay you.

Page 83

1 Q. Ahhh, I see.
2 A. Yeah.
3 Q. Okay. But you don't still -- you don't have
4 those anymore?
5 A. No. Nope. Don't have them.
6 Q. Okay. When you did your taxes -- and I know
7 you're not an accountant --
8 A. No.
9 Q. -- did you share with your accountant the
10 expenses you incurred for things like costumes and shoes
11 and thing of that nature?
12 A. I did.
13 Q. And do you know whether your accountant deducted
14 those expense items --
15 A. He did.
16 Q. -- to decrease your tax liability?
17 A. He did.
18 Q. So you were itemizing your expense items on your
19 tax returns?
20 A. I gave him the receipts and that's what he did.
21 Q. Do you know whether in the tax returns that you
22 filed you identified yourself as a self-employed
23 entertainer?
24 A. I don't recall, because I didn't even -- I don't
25 have the returns. So I don't remember which one is --

Page 84

1 which form it was.
2 Q. Sure. So if I asked you whether you completed a
3 Schedule C, that wouldn't mean anything to you?
4 A. I don't know what this is. No idea.
5 Q. But you know that tax returns do ask for your
6 occupation; right?
7 A. Right. And I put entertainment.
8 Q. And when you informed or shared with your
9 accountant your earnings from performing at a club like
10 the Cheetah, is it your testimony that you fully
11 disclosed the extent of your earnings with your
12 accountant?
13 A. What do you mean by that, exactly?
14 Q. Like, tell him honestly how much you had earned
15 from performing.
16 A. I gave him all the information, and then he came
17 up with the numbers from what I gave him.
18 Q. I understand that. My question was a little
19 different. Did you -- were you candid and forthright
20 and honest with your accountant about how much you had
21 actually earned?
22 A. Yes. I had disclosed with him the papers, and
23 that's what he had -- that's what he had put on there.
24 So yes.
25 Q. I don't -- I'm not trying to belabor this point.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 85

1 Your answer seems to say about giving him papers. I'm
2 not concerned about papers.
3 A. Receipts, stuff like that.
4 Q. I understand that?
5 A. Okay.
6 Q. My question's a little different.
7 A. Uh-huh.
8 Q. When you told your accountant how much you had
9 earned from performing at Cheetah's, did you honestly
10 tell him the amount of money that you had earned?
11 A. Yes.
12 MS. CALVERT: Objection to form. It gets --
13 If you understand the way he's asking --
14 THE WITNESS: I don't. Was he --
15 BY MR. FUCHS:
16 Q. I'm trying to figure out if you disclosed to
17 your accountant all the money you earned or whether you
18 underreported how much you earned.
19 A. Well, I disclosed with my accountant.
20 Q. What you had actually earned?
21 A. What I'm earning, yes. I don't -- I really
22 don't understand.
23 Q. Are you familiar with the concept of a tip-out?
24 A. Yes.
25 Q. Let's talk about tip-outs at Cheetah's.

Page 86

1 Your recollection, who are you required to tip
2 out.
3 A. House mom, the manager, the floor host. They
4 kind of pooled together, I'm pretty sure, managers and
5 floor hosts. And the valet.
6 Q. Anyone else?
7 A. Cashier. I've got house mom, cashier. I don't
8 do the DJ because I -- I don't know. At some clubs they
9 include it in your house fee, like even if you're
10 offstage. Like, say, your house fee is 45; they'll take
11 15 of it and give it to the DJ, and you still pay the
12 offstage fee. Some places it works like that. I don't
13 know if that's how they did it there.
14 Q. Okay.
15 A. So I never paid a DJ, so --
16 Q. Okay. Right now -- right now I'm only
17 curious -- I'm only interested in Cheetah's. Okay?
18 A. Okay.
19 Q. Okay. Now, these tip-outs that we're talking
20 about, I consider them separate from the house fees.
21 A. Uh-huh.
22 Q. Is that -- is that how you consider them?
23 A. Yes.
24 Q. Okay. The house fees that you paid -- I think
25 you talked about a range of house fees -- do you know

Page 87

1 how that -- what that money, the house fee money, went
2 towards?
3 A. I do not.
4 Q. Okay. So you don't know what that was used for?
5 A. I heard once or twice that the managers get
6 something off of the house fees, but I'm not sure.
7 Q. Okay. So that's --
8 A. But I have heard it.
9 Q. Okay. So what -- how much did you regularly tip
10 the house mom?
11 A. I would tip her between 5 to \$20.
12 Q. And what determined how much you would tip her?
13 Was it a function of how well you did that night, or
14 some other factor?
15 A. It would determined on if I wanted to come to
16 work the next day and not be stalled to get into work.
17 Or some days she just wouldn't talk to me, and then I'd
18 just get tired of just being kind of, you know, not
19 talked to or not respected, so then I would just give
20 her a little more and then she would be respectful.
21 She didn't do anything but sit there. There was
22 really not a reason to tip her, other than you want her
23 to respect you. There's nothing else really for her to
24 do.
25 Q. Okay. So you made a decision about how much to

Page 88

1 tip her based upon what would make your life a little
2 easier at the club?
3 A. That's right.
4 Q. Okay. Were you required to tip the house mom?
5 A. Yes.
6 Q. How do you know that?
7 A. Well, because if you want to get out of there
8 quicker, you -- it's, like, required. Like, how you
9 want her to look at her stuff, you want her to check you
10 in. If you don't tip and you go by two days not
11 tipping, on the second day, I guarantee you she's going
12 to put everybody ahead of you and you're going to be at
13 the end of the line, even if you came in first.
14 Q. Okay. Ms. Hendrick (sic) -- Ms. Hedrick, excuse
15 me -- I know you probably felt like you were required to
16 tip the house mom because it made your life easier as a
17 dancer.
18 A. It did.
19 Q. My question's a little different.
20 A. Okay.
21 Q. My question is, did the club require you to tip
22 the house mom?
23 A. If you want -- well, I'd say yes, because if my
24 life wants to be easy, then it's required.
25 Q. Okay. So -- just so we're on the same page

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 89

1 here, you felt you were required to tip the house mom
2 because it made your life easier, but there was no club
3 rule which mandated that you tip --
4 A. Well, she had a big tip jar right there, so I
5 would say she wanted a tip. It says "Tips," a big tip
6 jar. She would say, I'm not making any money tonight,
7 and then just ignore you, so --
8 Q. Ms. Hedrick there's no doubt in my mind that she
9 wanted a tip, but that's not my question. My question
10 is whether the club forced you to tip?
11 A. Yes.
12 Q. And at least that's how you felt because it made
13 your life easier if you tipped the house mom?
14 A. Yes. Yes.
15 Q. Okay. Let's talk about the tip-out to managers
16 and floor hosts.
17 A. Okay.
18 Q. Was that a club rule, or was that something that
19 you did on your own because it made your life easier at
20 the club?
21 A. Well, it was easier. Things just -- you know,
22 if you want to run more money, you're going to tip.
23 Q. What do you mean by "run more money"?
24 A. Like, if you're in a VIP and, say, it's \$200,
25 and the customer wants to give you \$400 for your half an

Page 90

1 hour, you -- you are gonna have to pay the management or
2 have a higher drink tab to even have them authorize the
3 credit card. Because every time he comes, he has to
4 sign the paper.
5 Q. Okay. And how much were you in the habit of
6 tipping managers or floor hosts -- and/or floor hosts?
7 A. Anywhere between 10 and 20 percent.
8 Q. Ten or 20 percent of what?
9 A. Of my VIP drinks. Or if I was in a -- say, a
10 booth on the main floor, that was considered a bottle
11 served at the VIP table and they were giving cash on the
12 floor, then they would want, you know, something out of
13 that too.
14 Q. Okay. So I think what I'm hearing you say, if I
15 understand you, is that it was your custom to pay
16 something between 10 and 20 percent of your VIP earnings
17 to management?
18 A. Right. And the floor hosts, correct.
19 Q. In which I lumped together?
20 A. Okay.
21 Q. I assume you drove your own vehicle --
22 A. I did.
23 Q. -- to commute to Cheetah's. And so of course if
24 you're going to drop your car off at the valet, you're
25 going to tip the valet, right?

Page 91

1 A. Well, I parked my car and then handed over my
2 keys. They never had to drive my car anywhere.
3 Q. Oh, I see. Okay.
4 A. Yeah.
5 Q. But you were in the habit that did the -- oh, so
6 valet never brought your car around or anything like
7 that?
8 A. Maybe once or twice. But usually when I got
9 there, I would park it. Only if they had to move it for
10 some reason; you know what I mean? Something like that.
11 That would be the only time. I don't really need them
12 to bring me my car. It's, like, literally right there.
13 Q. And how much would you tip the valet?
14 A. Anywhere between 5 to 20.
15 Q. And you mentioned a tip to the cashier?
16 A. Yep.
17 Q. How much would you tip the cashier?
18 A. Anywhere between, you know, 10 -- maybe 5 to
19 10 percent. I don't know. I couldn't tell you. It
20 just depends with her.
21 Q. 5 to 10 percent?
22 A. I can't really say if it's 5 to 10. It could
23 be -- it could be a 20 here, it could be a 60 here, it
24 could be 100 bucks here. I don't -- that varies. That
25 I don't really have a percentage on.

Page 92

1 Q. Okay. So it sounds like you don't have a good
2 sense of --
3 A. No, not her. It's just anything.
4 Q. Were you required to tip the cashier?
5 A. Well, if you want to get your money cashed out.
6 Q. Are you saying to me that a cashier wouldn't
7 cash you out if you didn't tip?
8 A. You're just going to wait in line and they're
9 going to make problems for you. You're gonna -- you're
10 gonna wait your -- your day is going to be delayed and
11 inconvenienced.
12 Q. So I'm sensing that your response with respect
13 to tipping out the cashier is similar to the other
14 folks; it may not have been technically required, but as
15 a practical matter, if you wanted your job and -- to be
16 a little bit easier, you were going to tip these folks?
17 A. Yes.
18 Q. Were you ever disciplined by Cheetah's for not
19 tipping out?
20 A. Yes.
21 Q. Tell me.
22 A. One day I wanted to leave early, and I went to
23 Scotty. And I had -- I had just finished my VIP, so I
24 want to get out of there. And I says, Scotty, can I go?
25 It was only, like, 20 minutes. And he was, like, No, I

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 93

1 want you to wait. You haven't even tipped me in a
2 while.
3 Then I came to work the next day, and I wasn't
4 even allowed on Scotty's shift anymore.
5 Q. And what you're describing, do you know -- do
6 you know that that was club policy?
7 A. What?
8 Q. What you just described.
9 A. Leaving early?
10 Q. No. No.
11 A. Paying to leave early?
12 Q. No, you misunderstand. I asked you about
13 whether you were ever disciplined for not tipping, and
14 you gave me the example that you just gave me about not
15 being allowed to leave early or not working on Scotty's
16 shift.
17 A. What do you mean not working on Scotty's --
18 after I came in the next day?
19 Q. Ms. Hendrick, I'm just repeating back to you
20 what you just told me, so --
21 A. I know.
22 Q. So that example that you just gave, my question
23 is: Do you know whether that was club policy or --
24 A. Oh. I mean --
25 Q. -- whether that was just Scotty being Scotty?

Page 94

1 A. I don't know if it was club policy. At the
2 time, you had to pay to leave early. There was a sign
3 up in the dressing room that said it was a \$20 fine if
4 you wanted to leave early. It was up to the manager's
5 discretion.
6 Q. And how -- how frequently did you pay that fine?
7 A. I'd say probably about three times I paid to go
8 early, a few times.
9 Q. And you paid a \$20 fine?
10 A. I did.
11 Q. Were you ever fined for any other reason?
12 A. No.
13 MR. FUCHS: We've been going about an hour and a
14 half. Let's take a short break.
15 THE WITNESS: Okay.
16 THE VIDEOGRAPHER: The time is approximately
17 3:37 p.m. We are going off the record.
18 (Recess taken.)
19 THE VIDEOGRAPHER: The time is approximately
20 3:55 p.m. We are back on the record.
21 BY MR. FUCHS:
22 Q. Okay, Ms. Hendrick, we're back after a short
23 break.
24 Would you say you made at least \$500 a week
25 performing at Cheetah's?

Page 95

1 A. No.
2 Q. And how is it that you know that? Are you just
3 going by memory?
4 A. No.
5 Q. Okay. Well, what are you basing your answer on,
6 then?
7 A. Because I don't know. I can't go by memory if I
8 don't know.
9 Q. Oh, I'm sorry. So maybe I misunderstood your
10 answer.
11 You don't know whether or not you made at least
12 \$500 a week?
13 A. Correct.
14 Q. I thought you were saying, no, you did not make
15 at least \$500 a week?
16 A. No, I do not know.
17 Q. Okay. Thank you. Okay. That's -- herein lies
18 the confusion.
19 Do you still keep in touch with any of former --
20 any former co-workers from the Cheetah's?
21 A. No.
22 Q. When's the last time you think you spoke with
23 one of your former dance -- fellow dancers at the
24 Cheetah?
25 A. I don't know. It's been a long time.

Page 96

1 Probably -- I don't know.
2 Q. Other than with your attorneys, have you spoken
3 to anyone else about the claims that you're asserting in
4 this case?
5 A. Just my fiancé. That's it.
6 Q. Do you remember signing an arbitration agreement
7 in this -- with the Cheetah's?
8 A. No.
9 (Exhibit 1 was marked for identification.)
10 BY MR. FUCHS:
11 Q. Ms. Hedrick, I've just shown you a document that
12 I've had marked as No. 1. Do you recognize that?
13 A. I don't recognize it --
14 Q. Okay. Do you rec--
15 A. But that's my name.
16 Q. Do you recognize your signature and name on the
17 last page?
18 A. I do.
19 Q. Okay. So is it fair to say that you may not
20 remember signing it, but you don't dispute signing it?
21 A. Correct.
22 Q. Okay. Now, what -- can you tell me what
23 happened with your Social on that last page?
24 A. I don't know. Why is it 6 -- I don't know.
25 Q. Is that the correct Social Security number?

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 97

1 A. No. It's supposed to be a 7.
2 Q. Meaning, you're talking about the fourth digit
3 of your Social Security number?
4 A. Yeah. That's supposed to be a 7, not a 6; but
5 the rest is all -- is all right.
6 Q. I mean, but you wrote that; right?
7 A. Yeah. I don't know why I put a 6.
8 Q. Okay. Are you familiar with a Performer Lease
9 Agreement?
10 A. No.
11 (Exhibit 1 from a previous deposition on
12 March 17, 2017, was referenced but not marked for
13 identification to Ms. Hedrick's deposition.)
14 BY MR. FUCHS:
15 Q. Ms. Hedrick, I'm going to show you what's been
16 marked as Exhibit 1 from this morning.
17 A. Okay.
18 Q. Do you -- have you ever seen that document
19 before?
20 A. I can't remember.
21 Q. So you're not sure if you've ever signed
22 anything like that?
23 A. I -- it's a long time ago. I can't remember.
24 Q. Okay. Fair enough.
25 If you could hand that back to the --

Page 98

1 A. Sure.
2 Q. -- court reporter, please.
3 THE WITNESS: There you go. Thank you.
4 BY MR. FUCHS:
5 Q. When you -- when you performed for the Cheetah,
6 what was your understanding of the type of
7 relationship -- business arrangement or relationship you
8 had with the club?
9 A. I don't know.
10 Q. Did you ever tell the club you wanted to be an
11 independent contractor?
12 A. No.
13 Q. Do you know if you ever represented yourself as
14 an independent contractor?
15 A. No.
16 Q. Poor question. No, you don't know; or, no, you
17 did not?
18 A. I do not know.
19 Q. What was your understanding of how you were to
20 be compensated when you first went to work for
21 Cheetah's? What was your understanding of how you were
22 to be paid for your services?
23 A. You do dances and VIPs.
24 Q. Okay. And you understood that going in?
25 A. Yes.

Page 99

1 Q. And you didn't expect to receive an hourly rate
2 of pay, did you?
3 A. No.
4 Q. Did you ever report or -- report to or inform
5 Cheetah's how much you earned from dancing on any given
6 night?
7 A. No.
8 Q. So that was your business and your business
9 only?
10 A. Yes.
11 Q. So you never had to fill out any form or
12 paperwork divulging how much you had earned from VIP or
13 table-side dancing or anything like that?
14 A. No.
15 Q. Did you ever earn any bottle commissions?
16 A. No.
17 Q. What is your understanding of the relief or
18 remedy you are asking the arbitrator to award you?
19 A. What does that mean, "relief"? Like to award
20 me?
21 Q. Well, you've asserted claims against the club --
22 A. Correct.
23 Q. -- you understand that; right?
24 A. Yes.
25 Q. So I'm going to assume that you're suing the

Page 100

1 club for a reason?
2 A. Correct.
3 Q. And that you want something -- you want
4 something for your claims, and you're asking the
5 arbitrator to award you something; yes?
6 A. I would -- as far as, like, not being exploited
7 anymore and extorted? Is that what you're asking me?
8 Q. Well --
9 A. Would I like to see as the outcome?
10 Q. Well, I guess what I'm asking you, Ms. Hedrick,
11 is, what is it that you hope the arbitrator will do for
12 you?
13 A. I hope that she will take this out of the
14 shadows so it doesn't happen to other women, so that --
15 so that they can't write their own underwritten laws
16 and, you know, extort people and exploit them. Not give
17 us access to money.
18 Q. Okay. We're going to have to drill down a bit
19 on what you just said, because I'm not sure I understood
20 what you mean.
21 What do you mean not give you "access to money"?
22 A. To areas of the club. Like, if there's people
23 coming in, groups of people coming in, if I want to go
24 to approach them, they could say, No, they need to get
25 their drinks first, or something like or -- you know.

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 101

1 Q. So who would give you that type of direction?
2 A. Hosts and management.
3 Q. So you're upset that a host or management asked
4 you to let customers get a drink before you approached
5 them?
6 A. No, that's -- that's not the reason. I'm not
7 upset. I don't want to be extorted. I don't want to be
8 exploited.
9 Q. Okay. You're going to have to help me
10 understand how it is or why it is you feel the club
11 extorted you?
12 A. Because if I want to use the VIP and I want
13 things to go, you know, easily and not have
14 complications, then they're gonna, you know, not allow
15 me access to certain areas and stuff.
16 Q. I'm sorry, I'm --
17 A. They prevent you from making money. Your life
18 becomes very difficult. You would become blacklisted.
19 I was told I would be blacklisted.
20 Q. And help me understand what you mean by
21 "blacklisted."
22 A. All these clubs are connected. It's the same
23 thing. All the managers know each other. You know, if
24 you don't want to tip, you're not going to have a job.
25 They make money off of you. They use you.

Page 102

1 Q. And is that what you mean when you say you felt
2 exploited?
3 A. Yes.
4 Q. Okay. But, Ms. Hedrick, nobody forced you to
5 work at the Cheetah's; correct?
6 A. Nobody forced me to work there. But if there
7 were customers coming in that they know that they could,
8 you know, put you with, then they would put you with
9 them and they would expect a tip.
10 Q. Ms. Hedrick, how many years did you work at the
11 Cheetah?
12 A. Since the first time I set foot in there?
13 Q. Yeah.
14 A. I told you in 1998.
15 Q. Okay, yeah, I know that's the year that you
16 started. Combined, how many -- how long would you say
17 total you worked for the Cheetah?
18 A. Let's say from 2011 to 2015.
19 Q. Okay. And you think for that entire period you
20 were exploited and extorted by the club?
21 A. Yes.
22 Q. And was this exclusive to the Cheetah?
23 A. What do you mean "exclusive"?
24 Q. Is this the only club at which you performed at
25 which you felt exploited and extorted?

Page 103

1 A. Yes. Yes.
2 Q. Then why did you continue to work there for four
3 years?
4 A. Well, I worked on and off; the first couple of
5 years I worked on and off there. And then the last
6 eight, whatever it was, months.
7 Q. Okay. Well, if you were extorted and exploited
8 the first few years, why did you return for 11 months?
9 A. No. I said after.
10 Q. So you weren't exploited and extorted the first
11 three years? Only the last 11 months?
12 A. That's not -- no.
13 Q. Please feel free to explain yourself.
14 A. Well, you know, when you go to work and you feel
15 for fear that you're not going to have your job because
16 you didn't pay somebody enough money, where they're
17 constantly telling you to step away from the podium or
18 to move, or any of that stuff, you know -- why am I
19 paying them 20 percent?
20 Q. I want to make sure I understand what you're
21 telling me; and if I'm wrong, I want you to tell me I'm
22 wrong.
23 You feel that you were extorted and exploited
24 because someone told you not to stand near a podium?
25 A. That's not the only reason.

Page 104

1 Q. But that's --
2 A. They're -- they're controlling the situation.
3 Why can't I move around the club freely? Why can't I go
4 by the stage? Why am I being called to the back
5 dressing room? Why won't my money be ran?
6 Q. What do you mean by money being "ran"?
7 A. If my customer wants to pay me \$1,000 and it's
8 \$200, if I don't give them 20 percent off of that, my
9 money's not going to get ran. They're going to say no.
10 They're not going to allow the customer to run it. Good
11 luck trying to get your tip. Good luck.
12 (Discussion held off the record.)
13 BY MR. FUCHS:
14 Q. Ms. Hedrick, I'm having a little difficulty
15 understanding why, if the conditions were as horrific as
16 you are describing at the Cheetah's, why you went back
17 and why you stayed for 11 months?
18 A. Why I stayed for 11 months? Because it's not
19 that easy when you have to go and scramble for work.
20 Like, who wants to do that? Who wants to go pay for new
21 hair, pay for new nails, pay for all this stuff to go
22 over to another club? You have to get reactivated. A
23 lot of people stay a lot places.
24 Q. Well, why can't you go to the club across the
25 street?

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 105

1 A. Because what if I wasn't active? Then I've got
2 to go get reactive. Then I have to go sit there for
3 three hours and fill out an application. It takes up my
4 time.
5 Q. Well, if you were active at the Cheetah's, you
6 have an active license.
7 A. Right. But you have to go get reactivated. You
8 have to go get reactivated at a club. Just because you
9 have a license at one club doesn't mean, even because
10 you worked there before, that you can just go and step
11 foot in. If they have 100 girls that night, you could
12 easily be told, No, come back later. You could easily
13 be told, No, go work the 6:00 a.m. shift.
14 Q. Okay.
15 A. Why do women stay when they're abused?
16 Q. Do you believe you were abused at the Cheetah's?
17 A. Mentally, yes.
18 Q. So because you didn't want to endure the
19 inconvenience or hassle of -- associated with going to
20 another club, you remained at the Cheetah to be extorted
21 and exploited?
22 A. No.
23 Q. Okay. Then why did you stay despite this
24 horrific treatment that you're describing?
25 A. Because I wasn't sure if I was active at other

Page 106

1 clubs. You have to be activated at other clubs. If you
2 work somewhere straight for 11 months, chances are
3 you're not going to be active anywhere else. You have
4 to go get reactivated. If there's 100 girls working, it
5 doesn't guarantee you a spot in another club.
6 Q. I --
7 A. Just because you have a business license,
8 doesn't guarantee that I could show up to Crazy Horse
9 and say, Hey, guys, I want to work tonight.
10 Q. I get that. My question is: What is involved
11 or how difficult is it to become reactivated at another
12 club?
13 A. What is involved? Well, you have to show up.
14 And if the manager wants to see you that night, they'll
15 see you. They could have many things going on. They
16 could have 100 different things going on. I've sat at
17 Sapphire's for three hours waiting to get reactivated
18 and left and said forget it, forget about it. With
19 1,000 guest there, money falling out the ceiling. And
20 because it was going to take too long, I said forget it.
21 Forget it.
22 Q. So it was the inconvenience to you --
23 A. You --
24 Q. I understand.
25 A. You can't even say it's an inconvenience,

Page 107

1 because you don't know if the manager's --
2 Q. Ma'am, I haven't finished my --
3 A. -- going to see you.
4 Q. -- I haven't even said my question yet.
5 A. Okay.
6 Q. So if I understand your testimony, it was the
7 possible or potential inconvenience of having to go to
8 another club to become reactivated that prevented you
9 from leaving the Cheetah's?
10 A. No.
11 Q. Okay. Where have I gone wrong?
12 A. Because the manager, when I get to the club --
13 the manager -- just because he doesn't want -- he could
14 say yes or no. He could say, I don't want to reactivate
15 you. There's no chance, that he could say come back
16 another day --
17 Q. Okay.
18 A. -- even if they know you. It doesn't matter.
19 Q. But these are hypothet- --
20 A. It's the same thing everywhere. It's the same
21 club. It's the same -- you know, you have to go through
22 the same process.
23 Q. At any point in time until February of 2015,
24 when you ultimately left the club, did you attempt or
25 make an effort to become reactivated at another club?

Page 108

1 A. I did, at Crazy Horse. And they gave me a
2 6:00 a.m. shift because I hadn't been there for a while.
3 Q. So because you didn't want to work the 6:00 a.m.
4 shift at Crazy Horse, you decided to endure the
5 extortion and explortion -- exploitation at Cheetah's?
6 A. I want to pay my bills. Yes.
7 Q. So that was a business decision that you made
8 for yourself?
9 A. I don't understand that.
10 Q. You made the decision, because you wanted to pay
11 your bills, to remain working at Cheetah's --
12 A. Yes.
13 Q. -- despite the extortion and the exploitation?
14 A. Yes.
15 Q. And for that you blame the Cheetah's?
16 A. Yes. I said that.
17 Q. So you are suing the Cheetah's. And I assume
18 that you're going to be asking the arbitrator to award
19 you money?
20 A. Yes.
21 Q. Do you know what the money -- bad question.
22 Do you -- are -- sorry.
23 Are you suing the Cheetah's for the alleged
24 exploitation and extortion, or are you suing them for
25 some other reasons?

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 109	Page 111
<p>1 A. Wages. Back wages. 2 Q. Ahhh, okay. That's what I was looking to see. 3 A. Correct. 4 Q. And why is it that you contend they owe you back 5 wages? 6 A. Why do I contend that? 7 Q. Yes. 8 A. That they owe me back wages? Because, I mean, 9 I'm putting in all these hours, they're making me pay. 10 It -- wasn't there a ruling? 11 Q. I have no idea what you're talking about. 12 A. They -- they -- what is the question, exactly? 13 I don't understand. Like -- 14 Q. You say you're suing for back wages; right? 15 A. Uh-huh. 16 Q. Back wages for what? 17 A. For working there. 18 Q. Okay. But I thought we previously established 19 that you were not earning an hourly wage? 20 A. Correct. 21 Q. And you were earning money from performing 22 dancing services; right? 23 A. Correct. 24 Q. Okay. And when you worked there and you danced, 25 you made money?</p>	<p>1 should they get free girls to show up that pay them? 2 Isn't that kind of like a call-girl, like pimping, 3 almost? Like, you have girls who come here and they pay 4 you. And it's just unfair. It's completely unfair. 5 Q. What's unfair? 6 A. That they make money off of having me there. 7 That I'm showing up, paying them for -- people, they 8 don't come there for drinks. Nobody's coming there for 9 a drink, when you have 50 other bars to go to. 10 MR. FUCHS: Okay. I'm going to object to the 11 responsiveness of her answer -- 12 BY MR. FUCHS: 13 Q. -- because I don't understand your answer. 14 A. Okay. 15 Q. And I think you asked me a question in there 16 somewhere. 17 I'm going to try this one more time, maybe from 18 a different angle. 19 A. Uh-huh. 20 Q. What is your understanding as to why you're 21 suing the club? 22 A. There's credit card fees that were taken from me 23 that -- why am I paying those? There's hourly wages. 24 There's -- so -- 25 Q. Anything else?</p>
Page 110	Page 112
<p>1 A. Correct. 2 Q. So help me understand how the back wages fit in 3 here. 4 A. For hourly wages. 5 Q. Hourly wages that you agree you were not working 6 for? 7 MS. CALVERT: Objection; misstates prior 8 testimony. 9 You can answer. 10 THE WITNESS: What did you mean? 11 MS. CALVERT: You can answer if you know. 12 BY MR. FUCHS: 13 Q. I thought we've -- I've already established you 14 were not working for an hourly wage? 15 A. Correct, I was not. 16 Q. Okay. But now it appears you want to ask the 17 arbitrator to award you hourly wages? 18 A. Correct. 19 Q. Okay. Help me understand the disconnect. You 20 went there understanding you were not going to earn 21 hourly wages -- 22 A. Uh-huh. 23 Q. -- and now somehow you've arrived to the 24 conclusion that you're entitled to hourly wages? 25 A. Well, why should they benefit from me? Why</p>	<p>1 A. That I can think of off the top of my head? I 2 went over some things. I don't -- I can't remember off 3 the top of my head. 4 Q. Okay. Well, you understand that this is 5 probably my one and only opportunity to ask you 6 questions about why you're suing the club? 7 A. Correct. 8 Q. So we talked about the credit card fees; right? 9 A. Uh-huh. 10 Q. I asked you before if you could figure out or 11 calculate what you paid -- 12 A. Correct. 13 Q. -- the club, and you couldn't answer that 14 question; right? 15 A. Right. 16 Q. How much is it that you contend the club owes 17 you in back wages? 18 A. Well, they should have records of the days that 19 I worked. 20 Q. Okay. I didn't ask you, ma'am, whether or 21 not -- 22 A. I don't know. 23 Q. -- they have records. 24 A. I don't know. I can't tell you. 25 Q. Listen carefully to my question, please.</p>

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 113	Page 115
<p>1 A. Uh-huh. 2 Q. How much is it that you contend the club owes 3 you in back wages? 4 A. I don't know. 5 Q. And how is it that you intend to figure that 6 out? 7 A. I guess the arbitrator will figure it out, or my 8 attorneys will discuss that. 9 Q. For how many hours do you contend -- 10 A. I don't know. 11 Q. -- that -- 12 Let me finish my question, please. 13 For how many hours do you contend the club owes 14 you back wages? 15 A. I don't know. 16 Q. And how is it that you intend to figure that 17 out? 18 MS. CALVERT: Objection; asked and answered. 19 You can answer. 20 THE WITNESS: How do I intend to figure that 21 out? Because they're going to have -- they should have 22 the records. 23 BY MR. FUCHS: 24 Q. And just so I'm clear, you went to work for the 25 club --</p>	<p>1 A. Who paid me? 2 Q. Let's try again. You previously received fees 3 for performing in VIP and for dancing on the floor at 4 the club? 5 A. Correct. 6 Q. And less what you had to pay the club to dance 7 there, you were able to keep those fees? 8 A. What do you mean less than I had to -- what are 9 talking about, the house fees -- 10 Q. Yes. 11 A. -- the credit card fees -- 12 Q. Yes. 13 A. -- the tipping? 14 Q. Yes. 15 A. Was I able to keep the other money aside from 16 the tipping and all that? Yes. 17 Q. That's my question. 18 A. Yes. 19 Q. So you kept all that money? 20 A. Correct. 21 Q. Okay. Now you're asking to be paid again; 22 right? 23 A. No. 24 Q. You're not asking to be -- 25 A. I don't understand asking to be paid again. I</p>
Page 114	Page 116
<p>1 A. Uh-huh. 2 Q. -- not expecting to be paid by the hour, and now 3 that you're no longer there, you are expecting to be 4 paid by the hour? 5 MS. CALVERT: Objection; asked and answered. 6 BY MR. FUCHS: 7 Q. Is that a fair statement? 8 A. Can you say that again? 9 Q. Sure. You went to the club not expecting to be 10 paid an hourly wage or paid by the hour, and now that 11 you're no longer there, you are expecting to be paid an 12 hourly wage? 13 A. Correct. 14 Q. Okay. And if the arbitrator decides to award 15 you an hourly wage, whatever that wage may be and for 16 however many hours it is, that will be on top of what 17 you've already earned and received from performing at 18 the club; right? 19 A. Yes. 20 Q. Okay. So you were paid once when you were 21 performing at the club, and now you're asking for the -- 22 to be paid again? 23 A. No. I don't understand that question. 24 Q. Okay. 25 A. Let me try again.</p>	<p>1 don't -- 2 Q. You're asking the club to pay you a certain 3 amount of money? 4 A. Yes. 5 Q. You're asking the club to compensate you on an 6 hourly basis for services that you've already performed? 7 A. Yes. 8 Q. Now, if the club -- if the arbitrator awards you 9 back wages -- 10 A. Uh-huh. 11 Q. -- at whatever rate it is, are you going to 12 agree to give back the dance fees that you've already 13 collected? 14 A. No. 15 Q. So then -- so you think that you should be able 16 to keep what you've already received -- 17 A. Yes. 18 Q. -- and be paid again? 19 A. Yes, I do. 20 Q. And you don't see that as collecting twice? 21 A. No, I do not. 22 Q. Are you aware, Ms. Hedrick, that in this 23 arbitration proceeding that the club has asserted a 24 claim against you? 25 A. No.</p>

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 117

1 Q. Any idea why the club is countersuing you?
2 A. Nope.
3 Q. Any idea what the club is asking you to pay for?
4 A. No.
5 Q. You're not receiving any -- any sort of invoice
6 or bills from your attorneys, are you?
7 A. No.
8 Q. Do you know the difference between a service
9 charge and a tip?
10 A. No.
11 Q. When a customer paid you \$20 for a table-side
12 dance on the floor, would you consider that a tip or a
13 service charge?
14 A. I don't know.
15 Q. When a customer paid you \$100 for 15 minutes in
16 VIP, would you consider that a tip or a service charge?
17 A. I don't know.
18 Q. At the time you were performing at Cheetah -- or
19 Cheetah's, excuse me, did you consider yourself a
20 skilled dancer?
21 A. No. I mean, I don't know what that means,
22 exactly.
23 Q. Well, you were a -- you were an exotic dancer;
24 right?
25 A. Right.

Page 118

1 Q. Were you skilled at what you did?
2 A. I would say you'd have to be skilled. I mean, I
3 don't under- -- really understand what skills you're
4 looking for.
5 Q. I mean, you would have danced at a lot of clubs
6 for a lot of years; right?
7 A. Yes.
8 Q. Did you represent to the club that you had
9 prior -- when you came back to the club in 2014, did you
10 inform the club that you had prior dance experience,
11 years of prior dance experience?
12 A. I had worked there in 1998. They were familiar
13 with who I was, so --
14 Q. That was a long time before.
15 A. Yeah. But they knew me from 2011, so they
16 already --
17 Q. Okay.
18 A. -- were familiar with me. I didn't really have
19 to say much.
20 Q. Do you know who Teri Galardi is?
21 A. No.
22 Q. Do you know if it's a man or a woman?
23 A. No.
24 Q. Did Teri Galardi ever supervise you, to your
25 knowledge?

Page 119

1 A. No.
2 Q. Did she ever discipline you, to your knowledge?
3 A. I have no idea who that is.
4 Q. In this arbitration process that we're going
5 through, one of the things I get to do is send your
6 counsel some written questions called interrogatories.
7 Are you familiar with that?
8 A. No.
9 Q. Okay. I don't know whether you've answer them
10 yet or not. I'm not sure that you have. But so you
11 haven't been asked by your counsel to assist them with
12 responding to certain written questions that I've sent?
13 A. No, huh-uh.
14 Q. Okay. Well, maybe that will happen.
15 A. I don't know.
16 Q. I don't know when they're due.
17 A. No, not at all.
18 Q. Okay. You have -- you have shared some
19 documents with us --
20 A. Okay.
21 (Exhibit 2 was marked for identification.)
22 BY MR. FUCHS:
23 Q. The court reporter has just handed you, I guess,
24 what's marked as No. 2, and those documents have just
25 been tendered to me during a break in this deposition.

Page 120

1 Can you describe what it is we're looking at there?
2 A. This is a house fee ticket.
3 Q. Okay. Actually, that's a multi-page -- or a
4 multi-page document.
5 A. They're all house fees.
6 Q. Okay. So those are just copies of house fees
7 that you had?
8 A. Correct. Right. Correct.
9 Q. And I think a lot of them might have a -- some,
10 maybe not all of them -- have a date stamp on them?
11 A. Some do, yes. Yes. They fade.
12 Q. Okay. So basically those would essentially be a
13 receipt for the house fees that you paid to perform at
14 Cheetah's?
15 A. Yes.
16 Q. But those are just the only ones that you
17 maintained or that you could find?
18 A. Correct, yes.
19 Q. Okay. And some of them have a -- some of them
20 have a handwriting -- some of them say -- usually they
21 say the amount, but some of them also say "OS"?
22 A. Yes.
23 Q. And that would be the offstage --
24 A. Correct.
25 Q. -- amount?

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 121	Page 123
<p>1 A. Correct. 2 It's chilly in here. 3 (Exhibit 3 was marked for identification.) 4 BY MR. FUCHS: 5 Q. The court reporter's just handed you, 6 Ms. Hedrick -- 7 A. Yes. 8 Q. -- what's been marked as Exhibit 3 -- 9 A. Okay. 10 Q. -- which appear to be some e-mails. Can you 11 maybe -- I don't know if they're connected e-mails or if 12 they're -- 13 A. They're connected to a cell phone number, yes. 14 Q. That's not what I meant. 15 A. Oh. 16 Q. It's not -- the three pages there, is that an 17 e-mail chain, or are they separate discrete e-mails? 18 A. They're separate. 19 Q. Okay. 20 A. Some of them -- yeah, some of them, yeah. 21 Q. Okay. Well, let's look at the first page first, 22 if you don't mind. 23 A. Yes, sir. 24 Q. Can you tell me what's going on on the first 25 page? Who's e-mailing who and about what?</p>	<p>1 but didn't end up needing to do? 2 A. Correct. Correct. 3 Q. Okay. But that was the day that you were at the 4 club? 5 A. Yeah, that was one of the days -- 6 Q. Okay. 7 A. -- time. 8 Q. I want you to look at Page 2. 9 A. Okay. 10 Q. Tell me what's going on on the second page. And 11 I don't have it in front of me, so -- 12 A. Okay. This is the stage mom, Cheryl -- I put 13 "Channel" in there, but it's Cheryl -- she had mentioned 14 that there was some work for stage crew. So we were 15 trying to get my fiancé -- so we had been going back and 16 forth with that. 17 Q. Okay. You mentioned that earlier. 18 A. Uh-huh. 19 Q. So that was somebody trying to do you a favor to 20 get your fiancé a job? 21 A. It was the house mom, yeah. 22 Q. Does that mean you were there at the club on 23 that particular date, or it doesn't -- not necessarily? 24 A. It would have -- you don't really know. 25 Q. Okay. That was --</p>
Page 122	Page 124
<p>1 A. I'm e-mailing my fiancé. This is about -- do 2 you want to know what it -- 3 Q. I don't need you to read it -- 4 A. Okay. 5 Q. -- but if you could kind of maybe summarize for 6 me what the exchange is about? 7 A. Diana, one of the managers/cashier -- she's up 8 at the cashier -- I had a prepaid credit card that I had 9 put money on. And when you put money on a prepaid 10 credit card, until you get the actual real card with 11 your name on it, you cannot withdraw money. So what we 12 were going to do was we were going to run the card as a 13 VIP sale, and she was going to give me the funny money 14 from my -- you know, to run it, and then I was going to 15 cash it out to get the cash because I needed to pay my 16 car, so -- 17 Q. And did -- was that -- were you successful in 18 doing that, or did that not occur? 19 A. We didn't have to end up needing to do it, 20 actually. 21 Q. Okay. So it's not really relevant to anything; 22 it was just an e-mail? 23 A. It was just -- yeah, just to know I was there, I 24 guess. 25 Q. Okay. So something you were planning on doing</p>	<p>1 A. You don't know, yeah. 2 Q. So basically that was just a stray e-mail 3 between you and the house mom to try and get your fiancé 4 some work? 5 A. Yes. 6 Q. Okay. What about the last page? Is there 7 anything on the last page? 8 A. This is to the Cupcake Girls. 9 Q. Okay. You mentioned them earlier. I don't know 10 what the Cupcake Girls are. 11 A. The Cupcake Girls is a resources for 12 entertainers -- 13 Q. Like, an organization of some sort? 14 A. Correct, yeah. 15 Q. Okay. 16 A. They were going to help me out because I was 17 trying to get my root canal done -- 18 Q. Ahhh, okay. 19 A. -- and I have been fired, so I had to use money 20 for root canal for hair, you know, and other things. 21 Q. So it's a -- 22 A. So I -- 23 Q. -- it's a resource available to dancers or 24 entertainers maybe to help out with short-term funds? 25 A. Correct. Yeah, whatever. You know, if you have</p>

JESSICA LEIGH HEDRICK
JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 125

1 some shortcomings or you're just trying to get out of
2 the business completely or looking for, like, counseling
3 or -- you know, any of those sorts of things.
4 Q. Okay. And if you could just hand --
5 A. Yes. Yes.
6 Q. -- back to the --
7 A. Yes. Yes.
8 Q. Maybe clip those back to whatever they go with.
9 A. Here you go.
10 Q. Okay. The documents that we just looked at --
11 the receipts for the fees and the e-mails -- does that
12 constitute the total universe of documents you have at
13 home from your days at Cheetah's?
14 A. I think so. I'd say yeah.
15 Q. I think you said earlier you danced in
16 Albuquerque at one point; is that right?
17 A. I did.
18 Q. And you lived in Albuquerque?
19 A. I did.
20 Q. Was that in 2010?
21 A. No. Nope.
22 Q. Where were you living in 2010?
23 A. I was living here. I had a lease.
24 Q. Were you ever charged with battery in
25 New Mexico?

Page 126

1 A. No.
2 Q. How about domestic violence?
3 A. I don't remember that. With my -- my
4 ex-husband, when we were going through our alter-thing,
5 it was harassment or something on the phone. But
6 that -- that -- I didn't even go to court for that or
7 anything. I don't recall that, no. That was like a --
8 when you're going through, like, a divorce, you know,
9 back and forth.
10 Q. Okay. Some ugliness between husband and wife
11 type of thing?
12 A. Yeah.
13 Q. Do you know the name Steve Browning?
14 A. No.
15 Q. Ms. Hedrick, have you ever filed for disability?
16 A. For my son.
17 Q. Ahhh, not for yourself?
18 A. No.
19 Q. Okay. So you've never claimed you were unable
20 to work because of a disability?
21 A. No. My son. I'm his -- I'm his mom, so maybe
22 that's what you're looking at.
23 Q. Maybe.
24 A. My son is disabled, actually. He's still on
25 disability.

Page 127

1 (Exhibit 4 was marked for identification.)
2 BY MR. FUCHS:
3 Q. We've handed you a document marked Exhibit 4.
4 Do you recognize that?
5 A. Yes.
6 Q. Can you tell me what that is?
7 A. That would be the business license; right?
8 Q. I think so, but I've got to ask you.
9 A. That's a yes.
10 Q. Okay. So that's the business license
11 information that we talked about earlier that you had to
12 renew every so often to perform?
13 A. Correct.
14 Q. Okay. And that's the document I think you
15 indicated earlier identifies you as a sole proprietor?
16 A. That's what it says.
17 Q. Right, okay.
18 Okay. We talked a little bit earlier about your
19 income tax returns, and I know you're not an accountant
20 and I know you probably don't know tax law. But you did
21 tell me earlier that you shared with your accountant or
22 tax preparer the earnings that you had made from dancing
23 at Cheetah's, and you also shared with him or her --
24 George, I guess -- your various expenses associated with
25 you performing at the Cheetah's; right?

Page 128

1 A. Correct.
2 Q. And my assumption is, although I don't --
3 haven't seen your tax returns, is that any -- like any
4 good accountant, he deducted from your taxable income
5 the various expense items and receipts that you shared
6 with him. Fair?
7 A. Yes.
8 MR. FUCHS: Okay. I think I'm just about done.
9 If we could take maybe a five- or ten-minute break?
10 THE VIDEOGRAPHER: The time is approximately
11 4:40 p.m. We are going off the record.
12 (Recess taken.)
13 THE VIDEOGRAPHER: The time is approximately
14 4:51 p.m. We are back on the record.
15 MR. FUCHS: Ms. Hedrick, I don't have any
16 further questions for you --
17 THE WITNESS: Okay, sir.
18 MR. FUCHS: -- except whether you want to
19 reserve -- read and sign, reserve signature?
20 MS. CALVERT: Yes.
21 MR. FUCHS: Okay. Ms. Calvert may have some
22 questions for you, but I'm done.
23 THE WITNESS: Okay.
24 MS. CALVERT: Let me look. I don't know that I
25 do.

JESSICA LEIGH HEDRICK
 JANE DOE DANCER v. LA FUENTE, INC., ET AL.

Page 129

1 No.
 2 MR. FUCHS: Okay, then we're done. Thank you
 3 for your time.
 4 THE WITNESS: Thank you.
 5 THE VIDEOGRAPHER: This concludes the videotaped
 6 deposition of Jessica Hedrick. The original media of
 7 today's testimony will remain in the custody of
 8 Las Vegas Legal Video.
 9 The time is approximately 4:52 p.m. We are
 10 going off the record.
 11 (The videotaped deposition concluded at
 12 4:52 p.m.)
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Page 131

1 CERTIFICATE OF REPORTER
 2 STATE OF NEVADA)
)SS:
 3 COUNTY OF CLARK)
 4 I, Jean M. Dahlberg, a duly commissioned and licensed
 5 Court Reporter, Clark County, State of Nevada, do hereby
 6 certify: That I reported the taking of the videotaped
 7 deposition of the deponent, Jessica Leigh Hedrick,
 8 commencing on Friday, March 17, 2017, at 1:54 p.m.
 9 That prior to being examined, the deponent was, by
 10 me, duly sworn to testify to the truth. That I
 11 thereafter transcribed my said shorthand notes into
 12 typewriting and that the typewritten transcript of said
 13 videotaped deposition is a complete, true and accurate
 14 transcription of said shorthand notes.
 15 I further certify that I am not a relative or
 16 employee of an attorney or counsel of any of the
 17 parties, nor a relative or employee of an attorney or
 18 counsel involved in said action, nor a person
 19 financially interested in the action.
 20 IN WITNESS WHEREOF, I have hereunto set my hand in my
 21 office in the County of Clark, State of Nevada, this
 22 30th day of March, 2017.
 23
 24 _____
 25 JEAN M. DAHLBERG, RPR, CCR NO. 759, CSR 11715

Page 130

1 CERTIFICATE OF DEPONENT
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 19 * * * * *
 20 I, JESSICA LEIGH HEDRICK, deponent herein, do hereby
 21 certify and declare that the within and foregoing
 22 transcription to be my videotaped deposition in said
 23 action; that I have read, corrected and do hereby affix
 24 my signature to said videotaped deposition, under
 25 penalty of perjury.

 JESSICA LEIGH HEDRICK, Deponent Date

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<p style="text-align: center;">A</p> <p>a.m 25:6,23,25 26:6,24 105:13 108:2,3 ability 79:8 able 19:7 20:7 115:7,15 116:15 absolutely 10:6 31:18 68:6 abused 105:15 105:16 accepting 62:25 access 29:7 37:3 51:16,18 62:15 100:17,21 101:15 accommodate 7:15 account- 78:16 accountant 78:5 78:16,17 79:25 80:1 81:4,6,14 82:5 83:7,9,13 84:9,12,20 85:8,17,19 127:19,21 128:4 accumulated 63:5 accurate 33:20 64:14 131:13 accustomed 26:11,12 action 14:24 130:21 131:18 131:19 activated 106:1 active 12:9,10 12:15,16 19:1 19:14 30:22 47:17,18 105:1 105:5,6,25 106:3</p>	<p>actual 122:10 address 8:14,16 8:20,25 adjudicated 16:15 administer 4:20 administered 5:22 advance 64:22 affix 130:21 afternoon 4:5 5:8,9 6:2,9 aggravation 46:19 ago 15:9 16:13 18:3,4 32:14 32:20 97:23 agree 59:24 110:5 116:12 agreement 96:6 97:9 ahead 88:12 Ahhh 61:11 83:1 109:2 124:18 126:17 Albuquerque 23:15 125:16 125:18 alcohol 73:25 alleged 108:23 allow 101:14 104:10 allowed 52:1 73:25 74:2,3 93:4,15 alter-thing 126:4 altogether 31:3 American 1:1 4:16 amount 57:3 85:10 116:3 120:21,25 and/or 90:6</p>	<p>Anderson 2:3 4:22 Andrew 34:19 35:25 angle 111:18 annoying 46:15 annulled 8:10,11 10:20 answer 6:17,19 13:4 58:1 77:12 85:1 95:5,10 110:9 110:11 111:11 111:13 112:13 113:19 119:9 answered 76:7 113:18 114:5 anybody 15:5 anymore 21:25 82:13,17 83:4 93:4 100:7 anyway 32:11 57:2 anyways 65:20 appear 121:10 APPEARAN... 2:1 appears 110:16 application 105:3 appointment 37:22 appreciate 24:8 64:16 approach 77:4 100:24 approached 101:4 approaching 76:25 approximate 29:10 30:2,23 approximately 4:8 94:16,19</p>	<p>128:10,13 129:9 April 28:8,14 arbitration 1:1 3:11 4:16 11:7 11:24 96:6 116:23 119:4 arbitrator 1:2 99:18 100:5,11 108:18 110:17 113:7 114:14 116:8 area 52:4 areas 100:22 101:15 arrangement 98:7 arrested 18:18 arrive 34:3 arrived 41:19 110:23 aside 49:22 115:15 asked 25:21 37:12 39:11 51:2 56:20 64:15 66:10 84:2 93:12 101:3 111:15 112:10 113:18 114:5 119:11 asking 18:14 22:24,24 37:21 51:13 57:10,13 57:16 67:13 81:12,13 85:13 99:18 100:4,7 100:10 108:18 114:21 115:21 115:24,25 116:2,5 117:3 assault 15:9 16:6 asserted 99:21 116:23</p>	<p>asserting 96:3 assist 119:11 assisting 18:21 associated 105:19 127:24 Association 1:1 4:16 assume 5:23 7:3 9:5 10:15 13:7 14:3 25:14 33:5 40:3 49:10 54:5 60:8 66:15 68:24 70:19 71:2,8 90:21 99:25 108:17 assumed 13:24 56:17 assumption 128:2 Atlanta 2:10 ATM 62:17 attempt 107:24 attend 19:16 attended 73:23 attorney 15:19 34:16 131:16 131:17 attorneys 14:5 40:5 96:2 113:8 117:6 August 10:7 22:19 authorize 90:2 available 124:23 Avenue 9:1,3 average 54:12 54:23 55:15 71:13 avoid 45:10 58:4 avoided 45:16 46:2 award 99:18,19 100:5 108:18</p>
--	--	---	---	---

110:17 114:14 awards 116:8 aware 116:22 <hr/> <p style="text-align: center;">B</p> <hr/> B 3:9 back 9:16 18:18 24:5,6,9,13,16 26:15 29:12,23 30:3 35:15 37:14 39:5,21 40:1,20 47:14 63:21 64:3,9 64:19,20,21 82:12 93:19 94:20,22 97:25 104:4,16 105:12 107:15 109:1,4,8,14 109:16 110:2 112:17 113:3 113:14 116:9 116:12 118:9 123:15 125:6,8 126:9 128:14 backwards 24:15,17,25 29:16 55:3 bad 108:21 bank 61:22,25 bankruptcy 11:22 bar 52:15,18,19 bars 111:9 based 81:17,19 81:19 82:6,7 88:1 basically 26:7 61:9 68:19 120:12 124:2 basing 95:5 basis 40:21 116:6 battery 15:10	16:6 125:24 begins 4:7 behavior 51:4 belabor 84:25 believe 12:11,13 12:19 13:6,15 14:10 17:23 22:14 23:23 48:1 52:12 77:8 78:12 105:16 Bellingham 10:10 bend 74:17 benefit 110:25 best 33:16 better 28:20 81:23 82:1 big 43:7 56:14 89:4,5 bills 31:17 61:5 61:9,13,14,15 61:17 81:20,21 81:22,23 82:2 108:6,11 117:6 bit 9:7 10:13 21:10 43:20 63:24 65:8 92:16 100:18 127:18 blacklisted 101:18,19,21 Blake 8:23 blame 108:15 Blank 3:13 blessing 56:12 Block 79:3 blond 72:17 blow-up 34:23 body 51:6 boobs 75:16 booth 90:10 born 10:7,9 22:17	boss 35:24 Boston 17:5 47:7 bothered 46:16 bottle 52:4 90:10 99:15 bought 48:12 68:17 70:11 Boulevard 2:4 8:25 break 7:13 47:13 94:14,23 119:25 128:9 briefly 27:17,18 bring 61:24 91:12 brought 13:14 91:6 Browning 126:13 bucks 91:24 building 39:6 business 3:20 4:18 5:17 18:24,25 19:3 37:20 40:13,16 47:19,22 48:10 48:11,15 60:12 60:15,16 79:1 98:7 99:8,8 106:7 108:7 125:2 127:7,10 <hr/> <p style="text-align: center;">C</p> <hr/> C 84:3 C-o-q-u-e-t-t-e 10:3 calculate 61:4 112:11 calculus 61:1 calendar 77:5 call 15:15 44:21 59:2,4 call-girl 111:2	called 46:16,19 56:12 79:9 104:4 119:6 Calvert 2:3 4:22 4:22 6:8 7:21 12:24 13:3,23 14:1,2 34:19 34:22 35:25 36:2,20,24 37:9 47:3,6 85:12 110:7,11 113:18 114:5 128:20,21,24 Camp 2:16 4:12 canal 124:17,20 candid 84:19 car 9:19 39:3 90:24 91:1,2,6 91:12 122:16 card 19:11,12 33:24 34:7 39:18,19 40:4 47:20,21 62:8 62:13,18 63:12 66:5 82:24 90:3 111:22 112:8 115:11 122:8,10,10,12 care 11:7 carefully 112:25 carries 6:3 carry 33:25 case 1:5 4:15 13:21 14:8,13 14:25 18:17 48:18 96:4 cases 15:2 cash 44:8,9 61:20,22 62:9 62:16,17 63:2 63:20 64:9,19 64:21,23 65:10 90:11 92:7 122:15,15	cached 64:2 92:5 cashier 62:9 63:6,19 64:8 65:11 86:7,7 91:15,17 92:4 92:6,13 122:8 CCR 1:25 131:24 ceiling 106:19 cell 121:13 Centerfold/Pa... 12:3 Centerfolds 13:11,18,22 14:9,23 21:17 28:5,6,14 29:1 80:25 Centerfolds/P... 12:22 21:18 27:13,23 28:8 cents 65:5 certain 53:16 69:19,22 74:10 74:16,17,18 75:21 101:15 116:2 119:12 CERTIFICATE 130:1 131:1 certification 19:9 certify 130:20 131:6,15 chain 121:17 chance 36:17 107:15 chances 106:2 CHANGE 130:2 changed 12:7,8 52:14 changes 53:12 53:14 Channel 123:13 charge 16:6,21 17:7,11,19
--	---	---	---	---

52:7 53:16 65:9 117:9,13 117:16 charged 16:23 18:6,13 49:13 53:7 76:13 125:24 charges 17:17 check 88:9 checked 33:22 34:5 checkout 38:16 38:22 39:1,14 Cheetah 13:19 27:9,11,12,16 40:9 74:5 77:6 79:17 84:10 95:24 98:5 102:11,17,22 105:20 117:18 Cheetah's 3:13 4:18 5:17 9:8 9:11 13:14 14:25 21:21 22:13 24:5,11 24:18 25:3 29:1,11,11,22 30:8,13,21 31:25 32:17 33:5 35:8,10 38:16 39:22 41:18 49:5 59:25 70:25 73:17 79:17,17 79:20 80:16 85:9,25 86:17 90:23 92:18 94:25 95:20 96:7 98:21 99:5 102:5 104:16 105:5 105:16 107:9 108:5,11,15,17 108:23 117:19	120:14 125:13 127:23,25 Cheetahs 1:6 3:11 Cheryl 36:4 123:12,13 childcare 32:6,7 children 10:24 11:5,11,16 chilly 121:2 choice 30:20 68:19 choose 51:9,11 68:25 chose 27:6 45:19 46:8 65:3 74:21 75:3 cigarettes 74:3 cities 23:10,13 City 74:9,17 civil 14:24 claim 43:24 116:24 Claimant 1:4 2:2 4:17 claimed 126:19 claims 96:3 99:21 100:4 clarification 16:25 Clark 12:17,19 16:6 131:3,5 131:21 class 13:6 20:2 classes 32:11,17 32:17 clear 18:11 38:19,20,21 75:9 113:24 clip 125:8 club 5:16,18 12:2,5 20:11 20:19 25:18 29:2 30:11	31:23 33:8,17 34:3,15 39:16 41:5 42:13 50:2,23 53:15 53:18 55:16 58:11,14 60:22 61:20 62:16 65:10 66:17,25 68:21,25 75:9 80:9 81:1 84:9 88:2,21 89:2 89:10,18,20 93:6,23 94:1 98:8,10 99:21 100:1,22 101:10 102:20 102:24 104:3 104:22,24 105:8,9,20 106:5,12 107:8 107:12,21,24 107:25 111:21 112:6,13,16 113:2,13,25 114:9,18,21 115:4,6 116:2 116:5,8,23 117:1,3 118:8 118:9,10 123:4 123:22 club's 76:21 clubs 21:2 23:19 27:15 30:20 39:20 80:13,23 86:8 101:22 106:1,1 118:5 CNA 20:2,8 co-workers 95:20 collected 116:13 collecting 116:20 college 20:1,2 combination	82:6 combine 21:19 Combined 102:16 come 26:15 27:4 39:2 47:16 49:17 87:15 105:12 107:15 111:3,8 comes 90:3 coming 40:16 50:16 100:23 100:23 102:7 111:8 commencing 131:8 commissioned 131:4 commissions 99:15 commitment 32:5,6 common 66:12 communicating 45:7 commute 90:23 compensate 116:5 compensated 98:20 complete 131:13 completed 84:2 completely 111:4 125:2 complications 101:14 computer 44:10 con- 5:23 concept 85:23 concerned 47:22 85:2 concluded 129:11 concludes 129:5	conclusion 110:24 conditions 104:15 conference 6:2 confidentiality 12:25 conflicted 32:10 confuse 7:7 confused 44:5 67:14 confusing 27:25 43:18 confusion 95:18 connected 101:22 121:11 121:13 cons 60:13 consider 86:20 86:22 117:12 117:16,19 considered 75:19 90:10 consistency 31:15 consistent 29:12 29:14,21 consistently 23:6 29:19 30:8 constantly 46:15 103:17 constitute 125:12 Consultant 2:15 consume 73:25 contend 109:4,6 112:16 113:2,9 113:13 continue 103:2 Continuous 17:12 contractor 48:4 98:11,14
---	--	---	---	---

<p>controlling 104:2 convention 31:9 31:12 60:20,24 conventions 31:4 conversation 65:24 66:1,3 convicted 15:6 copies 3:16 38:8 38:12 79:5,8 120:6 Coquette 9:14 10:2 39:1 correct 23:7,9 30:22 31:11,13 44:25,25 45:12 45:15,21,24 46:21,24 47:18 47:24 48:2 49:9,12,23 50:24 54:10 64:24 68:23 70:14,19,21,23 74:11 75:12 78:15 79:2 90:18 95:13 96:21,25 99:22 100:2 102:5 109:3,20,23 110:1,15,18 112:7,12 114:13 115:5 115:20 120:8,8 120:18,24 121:1 123:2,2 124:14,25 127:13 128:1 corrected 130:21 Cosmetic 73:15 cosmetics 71:9 cost 65:21 71:14 costs 15:24</p>	<p>costume 69:12 69:25 70:4,5 costumes 68:9 68:14,25 69:4 69:10,20 70:6 73:10 83:10 counsel 4:19 39:12 119:6,11 131:16,18 counseling 125:2 countersuing 117:1 county 12:17,18 12:19 16:7,20 18:1 131:3,5 131:21 couple 9:12 27:22 36:22 37:7 39:13 56:8 61:9 68:18 72:5 81:4 103:4 course 20:3 23:16,17 33:14 50:9 59:15 60:19 68:2,5 69:7 90:23 court 4:12,13,20 6:4,10,14 8:14 14:19,20 15:11 15:15 98:2 119:23 121:5 126:6 131:5 courtesy 6:16,18 cover 65:9 82:2 Crazy 21:6,14 27:17 106:8 108:1,4 credit 62:8,13 62:18 63:12 66:5 82:24 90:3 111:22 112:8 115:11</p>	<p>122:8,10 credited 20:2 credits 19:23 crew 36:10,12 123:14 crime 15:6 CSR 1:25 131:24 Cupcake 35:17 37:17 124:8,10 124:11 curious 86:17 currency 63:7 67:20 currently 12:10 20:8,10,15 custody 129:7 custom 61:21 90:15 customer 46:13 50:9,17,19 51:2,4 52:17 54:9,19 62:8 64:23 65:3,8 65:25 66:2,4,7 66:12,16 75:4 76:11,12,14 89:25 104:7,10 117:11,15 customers 46:20 49:11,13 50:16 51:10,13,18 52:8 53:8,16 54:18 62:12,22 65:12 76:21,25 101:4 102:7 cutoff 43:6</p>	<p>4:14 131:4,24 DALOS 4:14 dance 23:21 27:19 28:5 33:3 42:10 45:11,20,23 50:13,15 51:15 74:21,22 75:3 75:6,6,7,7 82:19,21 95:23 115:6 116:12 117:12 118:10 118:11 danced 23:18 109:24 118:5 125:15 dancer 3:13 23:10 41:12 69:19 70:13,15 70:17,22 72:3 72:8 73:6 88:17 117:20 117:23 dancers 12:23 49:7,7 62:12 95:23 124:23 dances 49:11,14 49:14,25 62:12 62:23 74:7 76:24 98:23 dancing 22:6,11 22:23 23:2,3,6 24:4 38:16 46:2,8 47:13 52:23 55:24 58:15,24 74:11 79:14 99:5,13 109:22 115:3 127:22 date 29:9,10 30:2,2 37:10 120:10 123:23 130:24 dates 34:15</p>	<p>day 24:19,20 26:13 31:6 32:17,19 41:19 51:24 68:8 73:19,23 87:16 88:11 92:10,22 93:3,18 107:16 123:3 131:22 days 31:4,16 40:23,23 41:2 41:7,8,25 42:6 43:14 49:17,19 52:6 59:22,22 61:10 87:17 88:10 112:18 123:5 125:13 daytime 73:18 deal 46:25 Dean 2:9 4:24 5:15 decide 42:12 decided 108:4 decides 114:14 decision 46:17 60:12 61:7 87:25 108:7,10 declare 79:13 130:20 decrease 83:16 deducted 83:13 128:4 defendant 4:24 definitely 18:4,5 26:1 53:23 Deja 21:8,14 27:12,13,19 28:7 29:2 delayed 92:10 demoted 25:4,6 25:8 26:23 37:25 Dennis 2:15 department 39:20 40:4</p>
--	---	--	---	--

depended 40:11	27:15 35:24	96:11 97:18	122:22 124:2	104:19
depending 31:2	44:6 54:18	120:4 127:3,14	e-mailed 37:17	effort 107:25
43:5 72:21	55:17,21 84:19	documentation	e-mailing	eight 20:5,21,22
depends 54:9	85:6 88:19	82:10	121:25 122:1	27:24 103:6
61:17 71:23	106:16 111:18	documents	e-mails 3:18	either 26:20
91:20	difficult 29:7	36:18 38:2	35:17 37:4	37:18 74:22
deponent 130:1	101:18 106:11	39:10,11	39:13 121:10	employed 20:10
130:20,24	difficulty 104:14	119:19,24	121:11,17	employee 131:16
131:7,9	digit 97:2	125:10,12	125:11	131:17
deposed 14:15	diploma 20:6	doing 4:17 5:17	earlier 10:19	encourage 66:7
14:17	direction 64:7	14:13 34:20	16:13 76:8	endure 105:18
deposition 1:10	101:1	122:18,25	123:17 124:9	108:4
3:14,15 4:7	disability 126:15	dollar 65:5	125:15 127:11	engaged 10:16
6:25 14:12	126:20,25	82:19,21	127:15,18,21	entertainer
24:2 36:17	disabled 126:24	domain 48:12	early 42:22	83:23
97:11,13	discipline 119:2	48:14,17	49:17 92:22	entertainers
119:25 129:6	disciplined	domestic 126:2	93:9,11,15	37:18 124:12
129:11 130:21	92:18 93:13	door 66:23	94:2,4,8	124:24
130:22 131:7	disclosed 84:11	doubt 89:8	earn 57:17 99:15	entertainment
131:13	84:22 85:16,19	dozen 23:18	110:20	77:11 79:22
depositions 7:10	disconnect	59:13,18	earned 52:22	80:8,10,14
describe 38:2	110:19	dressed 34:8,11	55:15,24 56:22	84:7
120:1	discounted	dressng 94:3	57:3 58:11,14	entire 102:19
described 93:8	42:20	104:5	58:23 81:6,15	entitled 4:16
describing 44:17	discouraged	drill 43:20	81:18 82:5,11	110:24
93:5 104:16	75:25 76:5	100:18	84:14,21 85:9	entrepreneurs...
105:24	discrete 121:17	drink 90:2 101:4	85:10,17,18,20	48:25
DESCRIPTION	discretion 50:4	111:9	99:5,12 114:17	equally 57:7,7
3:10	53:15 94:5	drinks 52:12	earning 56:11	ESQ 2:3,9
despite 105:23	discuss 113:8	90:9 100:25	82:7 85:21	essentially
108:13	discussed 6:8	111:8	109:19,21	120:12
detail 15:8	Discussion 38:9	drive 91:2	earnings 56:9	established
determine 42:9	42:23 58:20	driver's 19:10	79:13,16,19	28:25 29:9
determined	104:12	drop 90:24	82:18 84:9,11	50:2 109:18
87:12,15	dispute 96:20	drove 90:21	90:16 127:22	110:13
develop 48:23	distinguish	due 61:9,13	easier 6:22	estimate 69:6
deviate 50:4	80:11	119:16	24:24 38:4	everybody 61:16
Diana 35:22	divorce 126:8	duly 5:2 131:4	46:22 88:2,16	88:12
122:7	divorced 8:8	131:10	89:2,13,19,21	ex-husband
dictate 53:17	divulging 99:12	duties 49:5	92:16	126:4
dictates 53:15	DJ 38:24 46:11	_____	easily 101:13	exactly 15:13
difference 43:7	46:25 86:8,11	E	105:12,12	16:2 26:25
117:8	86:15	E 3:1,9	East 47:14	67:2 76:4 78:8
different 12:5	document 3:13	e-mail 121:17	easy 88:24	84:13 109:12

117:22 Examination 3:4 5:6 examined 5:3 131:9 example 51:19 93:14,22 excessive 75:12 exchange 67:19 122:6 exclusive 102:22 102:23 exclusively 30:21 excuse 4:6 88:14 117:19 Executive 4:9 Exhibit 3:10,11 3:13,16,18,20 96:9 97:11,16 119:21 121:3,8 127:1,3 exotic 117:23 expect 99:1 102:9 expecting 114:2 114:3,9,11 expense 69:18 71:2 72:3 82:15 83:14,18 128:5 expenses 68:11 72:7 73:5,7,8 82:7,8,16 83:10 127:24 experience 66:11 118:10 118:11 expired 40:13 explain 38:11 103:13 exploit 100:16 exploitation 108:5,13,24	exploited 100:6 101:8 102:2,20 102:25 103:7 103:10,23 105:21 explortion 108:5 extend 6:16,18 extent 13:4 84:11 extort 100:16 extorted 100:7 101:7,11 102:20,25 103:7,10,23 105:20 extortion 108:5 108:13,24 extra 43:9,12 44:21 66:12 <hr/> <p style="text-align:center">F</p> <hr/> F 17:1 f-i-n-d 36:13 f-i-n-e-d 36:14 F-i-t-c-h 17:3 face 66:22 Facsimile 2:5,11 fact 24:8 factor 87:14 fade 82:20 120:11 fair 8:11 13:9,16 23:1,3 33:8,10 54:11 55:10 66:24 74:20 82:4 96:19 97:24 114:7 128:6 falling 106:19 familiar 62:3 74:12,12,15 85:23 97:8 118:12,18 119:7	far 24:6,9 47:22 100:6 fast 47:8 favor 123:19 fear 29:8 103:15 February 24:21 27:8 28:7 29:18 30:6,10 31:22 37:16 40:8 107:23 federal 77:6 fee 3:16 41:20 42:20 43:7,14 43:15,25 44:3 44:11,14,21,22 44:22 45:1,3 45:10,16,18,25 46:2,8 49:13 52:10,10 58:23 63:9,11 66:8 66:17 76:9 82:22 86:9,10 86:12 87:1 120:2 feel 51:3 101:10 103:13,14,23 fees 35:3 42:25 43:2 44:6,15 52:7,22 58:14 67:13 86:20,24 86:25 87:6 111:22 112:8 115:2,7,9,11 116:12 120:5,6 120:13 125:11 feet 74:18 fellow 95:23 felt 88:15 89:1 89:12 102:1,25 fiancé 8:21 10:15 11:13,14 11:15,19 35:21 36:5,8 96:5 122:1 123:15	123:20 124:3 fiancé's 8:22 fighting 64:12 figure 36:19 44:19 67:24 68:1 85:16 112:10 113:5,7 113:16,20 figuring 61:12 68:7 file 77:6,20 78:2 78:3,11,12 filed 11:22 77:8 77:13 78:14 79:6,12 80:1 83:22 126:15 files 81:9 filig 81:13 fill 15:18 99:11 105:3 Finally 7:10 financially 37:19 131:19 find 36:5,11,13 36:15 120:17 finding 17:12,15 fine 13:5 18:2 44:20,21 94:3 94:6,9 fined 94:11 fingerprints 18:18 finish 6:17,19 113:12 finished 92:23 107:2 fired 35:18 37:25 124:19 first 5:2 14:14 14:17 22:6,11 22:14 24:4 39:21 88:13 98:20 100:25 102:12 103:4,8	103:10 121:21 121:21,24 fit 110:2 Fitch 17:1 Fitchburg 16:24 17:24 five 31:2 70:6 five- 128:9 floor 34:11 46:12 49:11,15 49:20 50:8,22 54:3 55:8,13 62:23 65:17 74:8,22 86:3,5 89:16 90:6,6 90:10,12,18 115:3 117:12 folks 92:14,16 follows 5:4 food 74:5 foot 102:12 105:11 football 49:19 forced 89:10 102:4,6 foregoing 130:20 forever 71:3 forget 9:10 23:24 106:18 106:18,20,21 forgive 20:17 25:7 forgot 23:23,23 form 80:20 84:1 85:12 99:11 formed 48:10,11 former 8:5 95:19 95:20,23 formerly 7:23 forms 82:22 forth 29:13 123:16 126:9 forthright 84:19
---	---	---	---	--

forward 24:25	full 40:2 64:3	86:11 87:19	15:21 18:17	gotten 34:22
foundation 71:17	fully 77:12 84:10	89:25 100:16	22:8,18 35:22	80:22
four 31:2,2 37:9	function 87:13	100:21 101:1	36:8 37:10	graduate 19:20
54:15,17,18	funds 124:24	104:8 116:12	40:4 41:20	graveyard 25:11
59:22,22 103:2	funny 62:6 64:2	122:13	43:19 49:18	26:2
fourth 97:2	65:15 122:13	given 14:12	50:17 51:13	grew 10:12,12
free 76:20,22	further 128:16	51:23 55:2,25	55:8 59:23	grinding 75:12
103:13 111:1	131:15	56:10,23 59:25	60:1,2,14,15	ground 6:7
freely 104:3	G	60:14 61:2	60:17,20,21	group 12:22
frequency 54:5	G-buck 67:1,3	70:7 99:5	61:7,13 64:7	groups 100:23
frequently 30:24	G-bucks 62:3,5	giving 67:10	64:23 65:5,9	grow 10:11
30:25 31:10	62:10,20,25	85:1 90:11	65:19,21 69:14	guarantee 88:11
40:21 41:5	63:3,5,20 64:8	glad 56:20	71:18 75:15	106:5,8
42:10 53:21	64:10,18,24	Glitter 21:8,23	76:12 80:3	guess 22:18
55:5 56:7 59:6	65:4,10,25	22:1	82:3 88:11,12	33:16 39:6
63:1 69:9	66:5,8,18	go 19:8 20:25,25	89:22 90:24,25	54:22 61:17
71:21,25 72:22	67:15,19	24:6,9 29:16	92:8,9,10,16	66:16,25 75:25
94:6	Galardi 118:20	31:20 32:21	94:13,17 95:3	100:10 113:7
Friday 1:12 4:1	118:24	33:3 35:10,15	97:15 98:24	119:23 122:24
4:6 131:8	Gardens 21:17	37:23 38:18,25	99:25 100:18	127:24
friend 35:9	gated 39:5	39:1 40:12,14	101:9,24	guessing 8:7
41:11	GED 19:22 20:6	40:17,18 41:20	103:15 104:9,9	guest 106:19
front 43:11,25	general 25:18,21	43:12,16 45:4	104:10 105:19	guilt 17:15
44:9,13 123:11	generally 7:11	45:8 47:16	106:3,15,16,20	guilty 16:14,16
Fuchs 2:9 3:4	gentlemen's	50:17,17,23	107:3 108:18	16:17 17:13
4:24,24 5:7,15	20:19 21:2	52:2 55:9	110:20 111:10	Gulch 21:8,23
7:19,22 13:2,8	George 78:18	60:14 61:2,10	111:17 113:21	22:1
17:2 34:21,24	127:24	62:9,16 63:6	116:11 119:4	guys 106:9
35:1 36:6,19	Georgia 2:10	79:19 81:5,7	121:24 122:12	gym 73:12
36:23 37:1,2	gestures 6:12	88:10 92:24	122:12,13,14	
38:10 42:24	getting 46:15	94:7 95:7 98:3	123:10,15	H
47:9,11 58:21	65:5	100:23 101:13	124:16 126:4,8	H 3:9 79:3
85:15 94:13,21	girl 65:19,25	103:14 104:3	128:11 129:10	habit 61:21,23
96:10 97:14	girlfriends 40:11	104:19,20,21	gonna 27:7	90:5 91:5
98:4 104:13	girls 21:8 35:17	104:24 105:2,2	39:18 90:1	haggled 46:11
110:12 111:10	37:17 51:24	105:7,8,10,13	92:9,10 101:14	hair 72:14,15,18
111:12 113:23	70:1 105:11	106:4 107:7,21	good 4:5 5:8,9	72:24 73:10
114:6 119:22	106:4 111:1,3	111:9 125:8,9	5:21 6:6,21	104:21 124:20
121:4 127:2	124:8,10,11	126:6	7:17 22:20	hairstyling 72:8
128:8,15,18,21	give 15:8 28:18	goal 7:7	51:22,22 55:10	half 28:22 52:13
129:2	40:19,21 44:9	goes 65:17,23	55:12,13 57:6	89:25 94:14
Fuente 1:6 2:15	50:11 51:16,19	74:24 75:1	71:19 92:1	hand 44:9 61:14
4:17 5:16	55:19,23 82:24	going 7:2 8:15	104:10,11	62:1,2 69:20
		9:7 10:15	128:4	97:25 125:4

131:20 handed 64:18 91:1 119:23 121:5 127:3 handful 37:7 handwriting 120:20 happen 57:19,21 57:22 58:8,9 59:11,12,19 60:1 100:14 119:14 happened 57:22 59:13 66:21 80:9 96:23 happier 6:15 happy 59:3,5 harassment 126:5 hard 23:24 48:8 hassle 46:18 105:19 head 6:12 59:9 61:2 65:4 112:1,3 hear 36:7 57:20 80:7 heard 9:16 10:2 21:13,13,13,14 21:14,16 87:5 87:8 hearing 90:14 Hedrick 1:3,10 3:3,18 4:7,17 5:1,12,13,15 5:22 7:23 8:6 13:9 41:4 88:14 89:8 96:11 97:15 100:10 102:4 102:10 104:14 116:22 121:6 126:15 128:15 129:6 130:20	130:24 131:7 Hedrick's 3:15 97:13 held 19:3 38:9 42:23 58:20 104:12 help 29:25 35:19 35:22 36:8 37:22 51:12 78:19 101:9,20 110:2,19 124:16,24 Henderson 1:14 4:1,10 Hendrick 88:14 93:19 94:22 HEREOF 131:20 hereunto 131:20 Hey 40:12 106:9 high 19:16 20:6 55:24 56:9,15 56:16 higher 52:17 56:11 90:2 hired 37:14 hiring 25:17 history 39:18,19 40:4 hit 55:1 56:3 60:21 hold 18:20,24 home 32:21,22 32:25 39:15 61:23,24 125:13 homeless 82:3 honest 84:20 honestly 84:14 85:9 hope 33:11 100:11,13 horrific 104:15 105:24	horse 21:7,14 27:17 76:16 106:8 108:1,4 host 51:25 86:3 101:3 hosts 65:17 86:5 89:16 90:6,6 90:18 101:2 hour 53:11 76:18 90:1 94:13 114:2,4 114:10 hourly 99:1 109:19 110:4,5 110:14,17,21 110:24 111:23 114:10,12,15 116:6 hours 7:11 52:13 52:14 54:20 55:5 105:3 106:17 109:9 113:9,13 114:16 house 3:16 34:12 35:3 36:4 38:18,25 41:20 42:20,25 43:2,7,14,15 43:25 44:11,22 58:14,22 65:14 68:15 82:22 86:3,7,9,10,20 86:24,25 87:1 87:6,10 88:4 88:16,22 89:1 89:13 115:9 120:2,5,6,13 123:21 124:3 huge 60:9 huh-uh 14:21 119:13 hundred 52:25 husband 126:10	Hustler 21:6,14 hypothet- 107:19 hypothetical 57:10 <hr/> I <hr/> idea 48:25,25 84:4 109:11 117:1,3 119:3 ideal 36:16 identification 3:15 96:9 97:13 119:21 121:3 127:1 identified 83:22 identifies 127:15 identify 4:19 identities 13:5 IDs 18:15 ignore 89:7 III 21:7,14 illegal 75:10 import 6:3 important 6:10 include 86:9 income 32:1 77:6,8,13 78:2 79:12 127:19 128:4 inconvenience 105:19 106:22 106:25 107:7 inconvenienced 92:11 incurred 83:10 independent 48:4 98:11,14 indicated 127:15 indicating 33:19 individuals 3:19 inform 81:14 99:4 118:10 information	3:20 84:16 127:11 informed 84:8 inside 68:21 instance 51:20 52:3 intake 33:17 intelligible 7:8 intend 113:5,16 113:20 interested 52:19 57:22 86:17 131:19 interfere 33:1 interrogatories 119:6 introducing 77:1 invited 51:2 invoice 117:5 involved 12:1 14:24 38:22 106:10,13 131:18 irrespective 22:12 IRS 77:24 79:9 Islander 47:9 issued 47:25 item 69:18 itemizing 83:18 items 13:3 82:15 83:14,18 128:5 <hr/> J <hr/> jar 89:4,6 Jean 1:25 4:13 131:4,24 Jessica 1:3,10 3:3,18,20 4:7 4:16 5:1 7:24 129:6 130:20 130:24 131:7 job 29:8 32:3
--	--	---	---	---

35:20 49:5	15:16 16:4	98:9,13,16,18	laws 100:15	licenses 18:20
73:18,19 92:15	17:10 19:8	100:16,25	lawsuit 12:1,15	lies 95:17
101:24 103:15	20:24 21:21,21	101:13,14,23	13:10,13 14:23	life 88:1,16,24
123:20	22:25 23:25	101:23 102:7,8	lease 3:13 97:8	89:2,13,19
jobs 22:25 37:23	24:2 26:2,5,20	102:15 103:14	125:23	101:17
Jones 2:4	31:6,6 33:13	103:18 107:1	leave 38:21	likewise 6:18
Joseph 2:16	33:20,21 34:12	107:18,21	42:13,21 61:20	limit 62:17
4:12	34:19 36:23	108:21 110:11	92:22 93:11,15	line 88:13 92:8
judge 16:15	37:23 38:6,14	112:22,24	94:2,4	130:2
jury 11:7 16:16	39:1,8 40:12	113:4,10,15	leaving 93:9	lines 51:9
	40:15 41:15,16	117:8,14,17,21	107:9	lingerie 48:11,15
K	41:17 43:5,6	118:20,22	lecture 32:22,22	48:18
KATHLEEN	44:20 46:16,22	119:9,15,16	left 106:18	lingo 44:19
1:2	47:12 48:19	121:11 122:2	107:24	Lisa 9:14,21
keep 69:19,21	49:1,17,19	122:14,23	Legal 4:13,14	35:9,9 41:11
70:2 95:19	52:14 53:13	123:24 124:1,9	129:8	41:17
115:7,15	54:1,1,4,16,21	124:20,25	Leigh 1:10 3:3	Lisa's 41:14
116:16	54:25 55:1,2,2	125:3 126:8,13	5:1 130:20,24	list 21:4 29:5
kept 58:8 62:1,2	55:7 56:2,3,4,8	127:19,20,20	131:7	Listen 112:25
70:24 115:19	56:12 57:14,21	128:24	length 40:25	literally 91:12
Kevin 25:4,6,14	58:8 59:20,20	knowledge	54:6	litigation 12:1
26:17,23 35:15	59:23 60:3,16	33:17 118:25	let's 16:21 21:23	little 10:13 20:22
35:18,23 37:14	60:18,20 61:6	119:2	21:23 22:3,8	21:10 43:20
38:19 51:23	63:2 64:6,14	known 7:23	22:11 24:15	44:10 48:11
67:11	64:22 66:21	40:13	26:14 28:6	63:24 65:8
Kevin's 26:20	67:2,21 69:5	L	29:16 40:12	67:12 84:18
37:15	69:21 72:1,5	La 1:6 2:15 4:17	42:25 49:5	85:6 87:20
keys 91:2	72:14 73:12	5:16	51:20 52:7	88:1,19 92:16
kind 15:22	74:7,19,19	lab 32:23	55:14 58:23	104:14 127:18
29:11,12 34:23	75:16,19 76:3	lady 68:17	63:18 70:2,9	live 8:12 10:14
40:20 43:2	76:3,23 77:10	larceny 15:10	79:16 85:25	11:11,16
47:16 49:24	78:18,20,21	16:21 17:19	89:15 94:14	lived 8:16,17
60:13,15,16	80:4,18 81:8	18:6	102:18 115:2	125:18
61:17 73:8	82:7 83:6,13	Las 2:4 3:13	121:21	lives 11:15,19
75:22 86:4	83:21 84:4,5	4:13 8:12,24	letting 6:16	living 22:12
87:18 111:2	86:8,13,25	9:5 22:7 23:11	liability 83:16	125:22,23
122:5	87:4,18 88:6	23:16 60:20	license 3:20	LLP 2:9
knew 40:16 60:1	88:15 89:21	129:8	18:24,25 19:3	located 4:9
60:9,15 65:4	90:12 91:10,18	Lauren 2:3 4:22	19:9,10,13	locker 70:4,24
75:22 118:15	91:19 93:5,6	7:19 38:6	40:13,16 47:19	long 8:15 16:13
know 5:17,18	93:21,23 94:1	lauren@morri...	47:22 48:13	17:7 19:3
6:6 7:13 10:5	95:2,7,8,11,16	2:6	105:6,9 106:7	20:20 27:19
11:6 12:8,12	95:25 96:1,24	law 127:20	127:7,10	28:5 32:20
12:17,20 15:4	96:24 97:7		licensed 131:4	40:8 47:17

72:20,24 73:11 104:21 name 4:12 5:11 5:15 8:1,5,9,22 9:10 12:3,7,8 26:20,21 41:14 41:16 44:2 78:18,21 96:15 96:16 122:11 126:13 names 12:6 21:4 nature 6:12 13:13 71:9 83:11 near 103:24 necessarily 123:23 need 7:13,20 18:11 30:2 35:12 52:16 69:21,22,22 80:7 91:11 100:24 122:3 needed 37:22 122:15 needing 122:19 123:1 negative 58:17 59:2,4,7,21,22 negotiation 76:12 net 58:17 59:1 Nevada 1:14 2:4 4:1,10 47:25 131:2,5,21 never 11:8 15:2 18:10,10,12 25:21 38:24 39:8 49:3 50:8 53:25 54:16 55:2 56:2 60:1 60:15 69:13 70:17 82:18 86:15 91:2,6	99:11 126:19 new 10:13 18:9 23:15 69:9 104:20,21 125:25 Nice 17:6 night 26:7 32:10 32:18 35:15 38:15 39:8 41:19 51:21,21 51:22,22 54:3 55:2,25 56:5 56:10,10,14,23 57:6 59:1,7,25 60:9,14 61:3 63:1,6 87:13 99:6 105:11 106:14 nights 57:18,23 57:24 58:10,13 60:9,11,21,22 60:24 61:7,8 63:2,3 nine 27:24 Nobody's 111:8 nodding 6:12 Nope 11:23 17:16,21 18:8 32:4 41:17 60:7 73:16,16 83:5 117:2 125:21 normally 33:25 North 16:19 notes 131:11,14 November 20:25 28:10,16 number 31:16 63:19 69:20,22 96:25 97:3 121:13 numbers 64:12 84:17 nursing 18:21	32:21,22,24 NW 2:10 <hr/> O <hr/> oath 4:21 5:23 5:24 object 12:24 111:10 Objection 85:12 110:7 113:18 114:5 obstacles 76:23 obtain 79:8 obviously 65:4 74:9 75:9,13 occasion 16:1 occasions 58:22 occupation 84:6 occur 56:7 57:5 57:6,7,11,13 65:25 122:18 occurrence 66:12 October 20:24 20:25,25 28:3 28:10,14 odor 51:6 off-track 67:12 office 78:22 131:21 offstage 3:17 44:3,14,18 45:1,10,18,25 86:10,12 120:23 oh 11:19 17:6 18:25 23:22 27:17 35:12 36:9,11 37:13 41:9 44:4 45:8 47:5 56:17 58:8 76:17 91:3,5 93:24 95:9 121:15	Ohhh 21:20 okay 5:8,13,21 6:1,12,20,21 6:23,24 7:5,12 7:14,15,23 8:7 8:11,11,11 9:9 9:13,21 10:4 10:22,24 11:9 11:13,18 12:5 12:15 13:2,24 14:4,6,12,15 14:19,22 15:8 15:13,17,20 16:21,22 17:7 17:22 19:13 20:1,4,8,14 21:2,6 22:6,10 22:22 23:8 24:4,7,15,20 24:21,24 25:7 25:14,22 26:7 26:10,16,20 27:6,8,12 28:11,12,18,21 28:25,25 29:9 29:16,17 30:7 30:13,17,23 31:19 33:22 34:18,21,24 36:16,16 38:1 38:12,13,22 39:1,10 40:3,7 40:19 41:2,9 42:25 43:17,20 43:21 44:4,17 45:6,18,22 46:17 47:5,16 48:16 49:6 50:2 52:9,19 52:24 53:7 55:14,19 57:8 57:9,16 58:1,4 58:7,10 59:24 62:1,11 63:4	63:18 64:1,4 64:17 65:3,24 66:4,20 67:12 67:16,23 68:19 68:24 69:3 70:2,3,6,10,15 71:8,21 72:2 72:12 74:20 75:14 76:7,16 76:20 77:25 78:2,10,17,19 78:24 79:12,16 79:18 80:4,11 81:1,3,11,17 83:3,6 85:5 86:14,16,17,18 86:19,24 87:4 87:7,9,25 88:4 88:14,20,25 89:15,17 90:5 90:14,20 91:3 92:1 94:15,22 95:5,17,17 96:14,19,22 97:8,17,24 98:24 100:18 101:9 102:4,15 102:19 103:7 105:14,23 107:5,11,17 109:2,18,24 110:16,19 111:10,14 112:4,20 114:14,20,24 115:21 118:17 119:9,14,18,20 120:3,6,12,19 121:9,19,21 122:4,21,25 123:3,6,9,12 123:17,25 124:6,9,15,18 125:4,10
--	---	---	---	---

126:10,19 127:10,14,17 127:18 128:8 128:17,21,23 129:2 old 15:12 17:7 22:15 79:10 Olympic 21:17 once 10:19 53:22,24 59:11 59:12,19 72:24 87:5 91:8 114:20 ones 21:24 23:22 120:16 ongoing 72:2,4 oOo- 4:3 129:13 open 6:4 14:19 14:20 21:25 opportunity 15:25 50:18 112:5 opposed 6:11 opt 76:9 opted 45:25 order 12:25 42:20 organization 124:13 original 8:8 129:6 originally 13:14 OS 120:21 outcome 100:9 outreach 37:18 outside 68:20 owe 109:4,8 owed 44:11 owes 112:16 113:2,13	94:17,20 128:11,14 129:9,12 131:8 page 3:2,10,21 88:25 96:17,23 121:21,25 123:8,10 124:6 124:7 130:2 pages 3:12,17,19 36:22 121:16 paid 43:2,24 45:10 46:1,1 47:23 51:17 58:14,22 67:18 86:15,24 94:7 94:9 98:22 112:11 114:2,4 114:10,10,11 114:20,22 115:1,21,25 116:18 117:11 117:15 120:13 pair 70:15,20,24 paper 33:18 90:4 papers 84:22 85:1,2 paperwork 15:18 50:1 99:12 Paradise 13:18 park 91:9 parked 91:1 Parkway 1:14 4:10 part 49:19 61:1 61:12 67:8 participating 13:10 particular 29:4 46:6 56:24 57:1 123:23 Particularly 62:15	parties 131:17 parts 20:18 Patton 3:20 7:24 8:4,5 PAUSTIAN 1:2 pay 31:17 42:20 42:21 45:5,25 46:8,23 50:9 52:17 53:1 58:18 61:5,14 61:15 62:9,22 65:3,8,10,20 66:8,12,13,17 66:25 67:25 70:15 73:6 76:13,17,17 81:22 82:23,25 86:11 90:1,15 94:2,6 99:2 103:16 104:7 104:20,21,21 108:6,10 109:9 111:1,3 115:6 116:2 117:3 122:15 paying 45:18 64:23 76:9 93:11 103:19 111:7,23 payment 63:1 Peachtree 2:10 penalty 130:22 pending 12:12 12:14,17 people 14:2 18:12 39:2 100:16,22,23 104:23 111:7 percent 51:23 63:15,18 65:20 67:4,6,19,21 67:22,25 90:7 90:8,16 91:19 91:21 103:19	104:8 percentage 91:25 perform 21:3 30:24 33:19 40:22 41:18 43:3 49:7,10 51:10 120:13 127:12 Performance 3:13 performed 9:8 9:11 23:10,13 24:11,18 27:9 31:25 32:17 33:5,9 34:15 39:15 53:20,21 58:10,13 73:17 74:1 77:6 80:23 98:5 102:24 116:6 performer 41:12 97:8 performing 29:21 30:19 50:19 51:3 52:8 74:7 82:6 84:9,15 85:9 94:25 109:21 114:17,21 115:3 117:18 127:25 perfume 71:18 71:19 perfumes 71:9 71:16 period 23:19 29:12,14 30:11 40:7 47:14 48:16 54:13 55:4 102:19 periodically 19:5 perjury 130:22	person 12:21 131:18 phone 121:13 126:5 physical 6:11 pick 42:6 51:9 51:11 52:5 picked 66:17 piece 33:18 pimping 111:2 pitfall 58:6 place 22:14 56:24 57:1 places 86:12 104:23 plaintiff 4:23 planning 122:25 plea 17:13 pleaded 16:17 please 4:19 5:10 7:1 98:2 103:13 112:25 113:12 pleased 47:17 pled 16:14,17 plus 43:16 pocket 67:1,24 73:1 podium 51:25 103:17,24 point 6:25 23:3 47:13 61:6 84:25 107:23 125:16 policy 3:11 93:6 93:23 94:1 pooled 86:4 poor 26:14 98:16 popping 29:13 Porsche 9:14,17 possession 34:14 possible 70:8 107:7
P				
p.m 1:12 4:2,8 25:23,25 27:4				

<p>potential 107:7 practical 92:15 prefer 46:18 preferred 45:22 prepaid 122:8,9 prepared 77:21 78:4,15 preparer 81:14 127:22 preparing 78:21 Present 2:14 pretty 13:1 22:4 22:20 23:15,24 25:16,20 55:10 63:15 65:23 74:21 86:4 prevent 101:17 prevented 30:19 107:8 previous 3:14 97:11 previously 10:19 109:18 115:2 price 49:24 50:2 50:5 printed 36:21 Printout 3:20 prior 8:15 10:22 29:14 32:9 40:8 41:5 42:5 42:6 110:7 118:9,10,11 131:9 priorities 16:4 priority 16:4 private 49:10,14 49:14 probably 8:17 19:4 25:23 28:8,24 29:24 31:10 32:25 33:8 40:23 53:9,25 70:6 70:24 72:5</p>	<p>88:15 94:7 96:1 112:5 127:20 problem 38:7 problems 92:9 procedure 34:20 proceed 7:17 proceeding 11:24,25 12:9 14:24 116:23 process 38:17,23 61:12 81:13 107:22 119:4 professional 18:20 prohibited 76:2 76:3 pronounce 5:10 property 8:18 proprietor 48:4 48:6 127:15 propriper 48:5 pros 60:13 prostitution 74:13,19,23 75:8,10,19 protective 12:25 provide 82:10 purchase 62:12 62:20 66:5 68:14,20,21 purchased 68:9 68:16 69:9 71:8 put 7:20 15:21 29:6,8 44:10 46:11 61:22,22 61:24 74:18 80:14 81:8 84:7,23 88:12 97:7 102:8,8 122:9,9 123:12 putting 75:16 109:9</p>	<p>Q</p> <p>question 6:17,19 7:1,2,4 26:14 33:16 57:10 59:10 64:15 67:23 80:4 84:18 88:21 89:9,9 93:22 98:16 106:10 107:4 108:21 109:12 111:15 112:14,25 113:12 114:23 115:17 question's 47:3 85:6 88:19 questions 7:8 13:4 22:9 112:6 119:6,12 128:16,22 quicker 88:8 quite 9:7 24:13</p> <p>R</p> <p>R 2:9 79:3 R-e-d-d-y 9:25 radio 38:19 ran 104:5,6,9 range 52:11 53:16 55:20 56:1 86:25 rap 18:19 rate 76:13,14,15 99:1 116:11 reactivate 107:14 reactivated 35:11,12 104:22 105:7,8 106:4,11,17 107:8,25 reactive 105:2 read 7:3 9:16 122:3 128:19</p>	<p>130:21 ready 7:17 34:10 34:11 39:1 real 31:15 122:10 realize 36:24 really 19:7 24:6 33:15 51:21,22 54:9,25 56:14 59:9 60:1 61:4 66:14 85:21 87:22,23 91:11 91:22,25 118:3 118:18 122:21 123:24 reason 29:4 46:6 51:4 87:22 91:10 94:11 100:1 101:6 103:25 130:2 reasons 43:10 108:25 rec- 96:14 recall 10:5 14:21 15:5 17:17 25:22 55:3 57:25 58:2,3 59:8 73:5 80:21 81:2 82:6 83:24 126:7 receipt 120:13 receipts 3:16,17 34:17 35:2,3 36:21 82:12,14 82:18,19,21 83:20 85:3 125:11 128:5 receive 99:1 received 114:17 115:2 116:16 receiving 117:5 Recess 94:18 128:12</p>	<p>recognize 96:12 96:13,16 127:4 recollection 86:1 record 4:20 7:20 8:15 38:9 42:23 58:20 94:17,20 104:12 128:11 128:14 129:10 records 33:9,11 34:14 57:2 112:18,23 113:22 recurring 71:2 Reddy 9:14,23 redeem 63:6 65:10 66:8,18 refer 5:16,18 referenced 97:12 referred 3:14 reflect 39:15 reflecting 82:11 registering 48:3 regular 40:20 regularly 61:15 87:9 reimbursed 68:11 73:3 relationship 98:7,7 relative 131:15 131:17 relevant 122:21 relief 13:17 99:17,19 remain 108:11 129:7 remained 105:20 remedies 13:17 remedy 99:18 remember 16:11 17:10 32:8,13</p>
--	---	--	--	--

32:14,20 35:9 43:2 52:10 53:7 56:14 57:24 63:11,17 66:22 72:6 78:4 83:25 96:6,20 97:20 97:23 112:2 126:3 renew 40:15 127:12 renewed 19:5,6 rent 8:18,19 82:16 repeating 93:19 replace 71:5,22 report 79:13 80:8 99:4,4 reported 1:25 79:21 131:6 reporter 4:13,20 6:10,14 8:15 16:25 98:2 119:23 131:1,5 reporter's 121:5 reporting 79:19 represent 5:16 118:8 represented 98:13 representing 13:21,25 require 50:23 88:21 required 45:3,4 45:13,19 50:15 50:25 86:1 88:4,8,15,24 89:1 92:4,14 reserve 128:19 128:19 reside 8:20,24 resolved 17:11 resource 124:23	resources 35:19 124:11 respect 87:23 92:12 respected 87:19 respectful 87:20 Respondent 1:7 2:8 4:18 responding 119:12 response 92:12 responses 6:11 7:8 responsiveness 111:11 rest 32:24 97:5 restrictions 74:16 return 77:7 78:2 103:8 returning 41:6 returns 77:13 79:5,13 83:19 83:21,25 84:5 127:19 128:3 revealing 13:4 Rhino 21:7,16 Rhode 47:9 right 11:16 17:9 17:24 19:18 21:17,22 24:22 26:4,8 28:6,22 33:4,20 36:19 39:9,23 40:5 40:16 42:4 43:11 44:12 47:1,1,14 50:7 50:10,20 51:7 51:25 54:5,7 60:22 61:18 65:1,6,7 67:5 67:17 68:12 69:20,23 70:7 72:8 73:1 74:5	74:14,24,25 75:18,23 76:5 76:25 77:5 80:18 84:6,7 86:16,16 88:3 89:4 90:18,25 91:12 97:5,6 99:23 105:7 109:14,22 112:8,14,15 114:18 115:22 117:24,25 118:6 120:8 125:16 127:7 127:17,25 risk 60:4,8 room 6:2 52:3 94:3 104:5 root 124:17,20 rope 52:4 Rose 1:14 4:9,10 rotation 76:9 roughly 27:8 29:18 rounder 63:19 row 59:22 RPR 1:25 131:24 rule 89:3,18 rules 6:7 74:9,9 74:10,16 ruling 109:10 run 18:17 52:16 71:11 72:12 89:22,23 104:10 122:12 122:14	sale 122:13 Sapphire 23:21 Sapphire's 106:17 sat 106:16 save 36:2 saw 39:7 saying 35:18 36:13 54:20 58:8 61:11 62:11 76:17 92:6 95:14 says 37:10 39:20 65:16 74:17 89:5 92:24 127:16 schedule 32:15 52:10 84:3 scheduling 61:12 school 17:5 19:16 20:6 32:7,14,16 73:23 schooling 32:6 SCHULTEN 2:9 Scotty 26:19 42:2 67:11 92:23,24 93:25 93:25 Scotty's 26:21 93:4,15,17 scramble 35:19 104:19 Seamless 22:3,3 22:4 second 24:22 88:11 123:10 Secretary 47:25 security 39:2 96:25 97:3 see 15:25 21:23 21:23 22:3	27:5 28:7 36:18,21 38:18 38:24 46:12,14 48:22 54:20 81:25 82:4 83:1 91:3 100:9 106:14 106:15 107:3 109:2 116:20 seeking 13:16,18 seen 34:18,24 35:6 39:11 97:18 128:3 select 41:25 selected 71:8 self-employed 83:22 send 77:21 78:6 80:3 119:5 sense 40:21 41:5 54:23 55:5 64:17 66:20 71:24 92:2 sensing 92:12 sent 78:5 119:12 separate 86:20 121:17,18 serve 11:20 served 11:10 90:11 server's 19:13 service 74:5 117:8,13,16 services 4:14 62:23 98:22 109:22 116:6 set 76:13,15 102:12 131:20 shadows 100:14 share 40:5 82:5 83:9 shared 8:14 84:8 119:18 127:21 127:23 128:5
		S		
		S 3:9 S-a-a-r-i 8:23 Saari 8:23 safe 39:6 safety 39:4		

she'd 40:12	97:21	50:10	23:14	straight 28:13
sheriff's 19:11	significance	songs 53:3,5	SS 131:2	106:2
19:11 33:24	5:24	sooner 16:12	St 1:14 4:9,10	stray 124:2
34:6 39:19	signing 96:6,20	Sophia's 20:16	stage 9:10 36:10	street 2:10
40:4 47:20,21	96:20	20:18 27:14	36:12 38:24	104:25
shift 25:4,6,8,10	similar 13:1,13	28:1,10	41:16 43:13,13	stretch 30:8
25:11,12,19,20	92:13	sorry 14:22	43:16 45:5,8	strike 26:14
25:22 26:3,7	single 56:10	17:22 21:12	45:11,14,20,23	String 3:18
26:10,24 27:2	sir 5:20,25 6:5	25:5 27:25	46:3,4,9,11,16	struck 60:25
27:3,4 35:15	7:9,18 9:6 10:8	30:1 36:7 39:6	46:19 49:7	stuff 16:5 33:13
37:15 38:15	10:21 23:20	39:11 47:7,8	74:8 76:9	33:21 34:16
42:3 43:25	24:3 26:22	47:10 56:17,22	104:4 123:12	69:2,24 71:22
53:22,24 93:4	34:4 35:5 42:8	57:20 95:9	123:14	85:3 88:9
93:16 105:13	42:11 68:13	101:16 108:22	stalled 87:16	101:15 103:18
108:2,4	121:23 128:17	sort 19:9 32:5	stamp 120:10	104:21
shoebox 61:23	sit 52:2 76:20,22	71:22 75:11	stand 52:1 77:3	successful
shoes 70:9,11,13	87:21 105:2	80:15 82:10	103:24	122:17
70:16,17,20,22	sitting 66:15	117:5 124:13	standard 49:24	sued 15:3,3,4
71:2 72:4,5	situation 29:6	sorts 125:3	standing 51:24	suffer 58:17
83:10	36:16 104:2	sound 28:21,22	start 22:6,8,11	suffered 59:1,7
shoplifting	six 19:23 20:2,21	31:14	24:15 29:21	suing 12:21 15:5
17:20 18:7,13	six-hour 42:19	sounds 6:21 8:7	started 22:11	29:1,2 99:25
Shore 16:19	six-hour-mini...	15:23 22:22	24:4,12 30:3	108:17,23,24
short 94:14,22	42:16	23:17 28:13	32:7,8,13	109:14 111:21
short-term	skilled 117:20	45:22 92:1	39:19 40:20	112:6
124:24	118:1,2	source 32:1	49:2 102:16	suit 13:17
shortcomings	skills 118:3	South 2:4	state 48:1 80:22	Suite 1:14 2:10
125:1	slip 65:16 82:24	span 23:4,5	131:2,5,21	4:10
shorthand	slips 39:14,14	31:21	statement 80:15	Suites 4:9
131:11,14	slow 21:10,10	speak 6:15 7:1	80:18,23 114:7	summarize
show 61:5 97:15	smoke 74:3	Spearmint 21:7	status 10:15	122:5
106:8,13 111:1	Social 96:23,25	21:16	stay 28:13 42:16	supervise 118:24
showing 111:7	97:3	special 49:18	42:19 104:23	supposed 15:11
shown 96:11	sold 49:3	specials 49:20	105:15,23	15:14 97:1,4
sic 30:12 88:14	sole 48:3,5	49:22	stayed 40:1	suppress 15:12
side 52:19	127:15	spell 9:2	104:17,18	15:14
sign 33:6,18	solicited 76:24	spending 54:6	steady 32:6	sure 13:24 15:13
90:4 94:2	somebody 18:16	spent 69:3,6,12	step 103:17	17:25 18:19
128:19	39:7 53:1	spoke 77:22	105:10	21:5 22:4 24:5
sign-in 33:17	103:16 123:19	95:22	steps 49:2	25:7,16,20
signage 75:10	somebody's	spoken 14:7	Steve 126:13	34:18,24 36:13
signature 96:16	66:22	96:2	stock 69:19,21	38:5 46:5
128:19 130:22	son 126:16,21,24	spot 106:5	stop 25:2	49:22 50:11
signed 33:21,23	song 49:22	Springfield	storage 78:7	51:23 60:21

63:15 65:23 72:22 77:12 78:8,9 79:23 84:2 86:4 87:6 97:21 98:1 100:19 103:20 105:25 114:9 119:10 surgery 73:15 surprised 39:7 survive 82:2 suspect 6:7 sworn 5:2 131:10 system 33:18 44:10	talking 5:19 24:12 35:2,4 35:22 44:6 46:19 54:12 67:15,17,25 70:22 73:9 75:2,2,3 76:25 81:5 82:14,22 82:23 86:19 97:2 109:11 115:9 tax 43:12 44:17 77:7,13 78:2 78:21 79:12,25 81:14 83:16,19 83:21 84:5 127:19,20,22 128:3 taxable 128:4 taxed 43:9 44:11 taxes 77:8 81:9 83:6 technically 92:14 tell 5:10 7:1 15:8 23:13 25:2 35:15 38:1 39:17 55:15 68:8 69:9,12 69:14 81:7,16 84:14 85:10 91:19 92:21 96:22 98:10 103:21 112:24 121:24 123:10 127:6,21 telling 81:5 103:17,21 ten 15:9,12,16 17:8 18:3,4 90:8 ten-minute 128:9 tender 34:3	tendered 119:25 Teri 118:20,24 term 59:3 terminology 59:5 terms 31:15 54:23 60:1 61:2 74:7,11 76:12 testified 5:4 14:8 14:19,20 testify 5:2 131:10 testimony 6:2 31:8 84:10 107:6 110:8 129:7 text 34:17 35:6 35:16,17,21 36:4 37:3 39:13 texted 35:9 texting 35:7,9 Thank 5:13 47:6 95:17 98:3 129:2,4 they'd 77:2 thing 12:3 32:9 39:5 40:13 48:12 75:11 83:11 101:23 107:20 126:11 things 6:12 15:11 29:7 31:2 34:23 35:24 60:17 68:18 71:9 72:25 73:9 74:10 75:10,15 75:21 83:10 89:21 101:13 106:15,16 112:2 119:5 124:20 125:3	think 7:21 9:3 12:25 14:2,20 15:10 16:17 18:2 19:10 21:20,24,25 22:1,4,4 24:1 26:6 32:20 36:22,22 37:6 47:12 53:11 59:6,8,9,13 63:16,16,24 64:10,11 67:12 69:16 73:22 76:7,8 77:18 80:4 86:24 90:14 95:22 102:19 111:15 112:1 116:15 120:9 125:14 125:15 127:8 127:14 128:8 third 24:22 thought 35:23 44:4,5 48:20 77:25 78:5,6 80:3 95:14 109:18 110:13 three 27:15 31:3 40:23,23 41:7 41:7,8 53:3,5 54:15,17,18 59:20 79:10 94:7 103:11 105:3 106:17 121:16 ticket 120:2 till 41:1 time 4:8 14:17 16:13 17:9 22:15 24:6,10 24:10,14,17,18 24:25 25:13 28:9 29:12,14 29:16 30:11,20	30:21 31:22,22 32:5,6,16,24 33:9 40:2,25 41:19,20,22 42:12 47:14 48:16 54:6,13 54:19 55:3,7 55:18,18 57:14 57:15 60:5 66:10 67:3 70:7 71:5,6 73:14 76:14 90:3 91:11 94:2,16,19 95:22,25 97:23 102:12 105:4 107:23 111:17 117:18 118:14 123:7 128:10 128:13 129:3,9 times 31:1 35:24 39:21 46:12 51:17 52:14 54:15,17 55:9 55:22 56:8 57:17 59:14,18 59:20 94:7,8 tip 65:14,14,16 65:16,18 67:6 86:1 87:9,11 87:12,22 88:1 88:4,10,16,21 89:1,3,4,5,5,9 89:10,22 90:25 91:13,15,17 92:4,7,16 101:24 102:9 104:11 117:9 117:12,16 tip-out 85:23 89:15 tip-outs 85:25 86:19 tipped 89:13
T				
T 3:9 tab 52:15,18 90:2 table 90:11 table-side 49:14 99:13 117:11 take 20:5 28:19 31:22 48:13 63:5 67:3 86:10 94:14 100:13 106:20 128:9 taken 1:12 6:10 94:18 111:22 128:12 takes 105:3 talk 9:7 11:25 16:21 42:25 49:5 52:7 55:14 70:9 79:16 85:25 87:17 89:15 talked 37:14 47:12 86:25 87:19 112:8 127:11,18				

93:1	transcription	typewriting	90:15 99:23	128:5
tipping 67:9	130:21 131:14	131:12	101:10,20	vary 31:9 43:4
88:11 90:6	trap 58:4	typewritten	103:20 106:24	Vegas 2:4 3:13
92:13,19 93:13	treatment	131:12	107:6 108:9	4:13 8:12,24
115:13,16	105:24	typically 11:5	109:13 110:2	9:5 22:7 23:11
Tips 89:5	trial 11:8	26:17 41:19	110:19 111:13	23:16 60:20
tired 87:18	tried 77:9		112:4 114:23	129:8
title 25:15	trouble 37:19	U	115:25 118:3	vehicle 90:21
today 4:5 11:25	true 131:13	U.S 63:7 67:20	understanding	venture 66:16
14:13 36:17	truth 5:2,3,3	ugliness 126:10	31:8 42:17	66:25
66:15	131:10	uh-huh 9:18	63:4 98:6,19	verbalize 6:11
today's 129:7	truthful 7:7	13:12 16:18	98:21 99:17	versus 4:17
told 10:14,18	try 6:15,23 7:7	24:23 27:22	104:15 110:20	vice 74:9
14:22 22:17	7:15 12:20	29:20 30:9,14	111:20	video 4:7,13
25:9 37:24	35:13 37:19	35:5 36:1	understood	129:8
67:18 85:8	45:9 70:2	41:10 42:18	56:17 60:4	videographer
93:20 101:19	75:16 111:17	43:23 52:21	77:12 98:24	2:16 4:5,12
102:14 103:24	114:25 115:2	53:2 61:19	100:19	94:16,19
105:12,13	124:3	66:6 80:6 85:7	underwritten	128:10,13
tolerated 75:11	trying 22:3 36:5	86:21 109:15	100:15	129:5
tomorrow 66:23	38:2,11 41:4,4	110:22 111:19	unfair 111:4,4,5	videotaped 1:10
tonight 89:6	44:19 64:4,14	112:9 113:1	universe 125:12	129:5,11
106:9	64:16 71:24	114:1 116:10	upfront 43:14	130:21,22
tooth 37:22	84:25 85:16	123:18	44:23,24	131:6,13
top 112:1,3	104:11 123:15	ultimately	upset 51:17	violence 126:2
114:16	123:19 124:17	107:24	101:3,7	VIP 50:13,15,17
total 102:17	125:1	Ummm 73:13	use 25:9 27:3	50:17,19,23
125:12	Tuesday 4:6	76:22	37:23 59:3,5	51:3,22 52:3,3
touch 95:19	Tuesdays 32:21	unable 55:23	62:17 63:18	52:8,23 53:21
touched 73:22	turned 11:4	126:19	71:23 101:12	54:4,6,14,17
touching 75:25	39:12	under- 118:3	101:25 124:19	54:19 55:7,11
town 29:23 31:3	TURNER 2:9	underreported	usually 7:10	55:12 62:23
31:5,7,9,12	twice 59:19 87:5	85:18	53:5 91:8	74:8,22 76:11
35:11 39:25	91:8 116:20	understand 5:23	120:20	89:24 90:9,11
60:17	two 7:11 11:2	6:1 7:1,2,4		90:16 92:23
trading 76:16	12:5 15:2,11	10:18 12:13	V	99:12 101:12
transaction 62:8	31:5 32:14	25:7 37:1	valet 86:5 90:24	115:3 117:16
63:12 67:3	40:23 41:7	45:17 51:12	90:25 91:6,13	122:13
transactions	43:10 44:6,15	54:2,22 55:19	varies 54:5,6	VIPs 98:23
67:1,15	49:16 52:12	56:13,19 58:16	69:13 71:12	visit 55:16
transcribed	78:4 88:10	61:11 62:11	91:24	visited 55:6,7
131:11	type 13:17 98:6	63:9 71:13	variety 68:25	voluminous 37:6
transcript 7:3	101:1 126:11	79:23 84:18	various 3:18	vs 1:5
131:12	types 73:5	85:4,13,22	80:13 127:24	Vu 21:8,14

27:12,13,19 28:7 29:2	42:1,7,10,13 43:11 48:18 50:10,11 51:10 53:1 58:4 60:19 61:4 68:20 73:18,23 75:6 87:15 89:5,9 92:15 92:22 94:4 98:10 108:10	31:1,15,15 41:7,8,25 54:12,15,17,19 56:4 59:21 94:24 95:12,15	128:23 129:4 131:20 woman 118:22 women 100:14 105:15 word 57:20 work 19:7 21:7 21:8 24:24 25:13 27:4 29:11 30:8,11 30:21 31:10,17 31:20 32:21 34:2 36:5,10 36:11 37:11,12 39:18,19 40:3 40:14,14,17 42:1,7 43:10 44:7,8 49:1 58:18 59:25 60:5,23 61:5,7 61:15 73:18 87:16,16 93:3 98:20 102:5,6 102:10 103:2 103:14 104:19 105:13 106:2,9 108:3 113:24 123:14 124:4 126:20	29:10,10 31:23 32:18 37:11 55:11,12 80:9 81:3 93:15,17 106:4 108:11 109:17 110:5 110:14 works 53:5 86:12 worth 63:20 64:18 wouldn't 32:10 51:12 64:3 66:10 69:16 84:3 87:17 92:6 write 57:24 100:15 written 119:6,12 wrong 70:20 103:21,22 107:11 wrote 97:6
<hr/> W <hr/>	wants 50:17 88:24 89:25 104:7,20,20 106:14 WARD 2:9 wasn't 13:24 19:6 36:13 41:20 48:13,14 93:3 105:1,25 109:10 watermark 56:9 56:15,16 way 18:16,19 19:14 24:5 34:13 35:10 36:25 37:16 62:12 68:7 73:14 74:17,18 76:23 85:13 we'll 20:24,25 21:19 26:15 36:19 we're 6:1 9:7 11:25 39:5 45:6,6 47:7 73:9 86:19 88:25 94:22 100:18 119:4 120:1 129:2 we've 21:17 28:25 29:9 81:4 94:13 110:13 127:3 week 24:22,22	weeks 31:5 weighing 60:13 weight 6:3 WEISS 2:9 welcome 5:14 went 17:5 26:13 27:12,13,14 28:7,8,10 34:8 35:11,14 39:21 39:25 43:6 44:7 46:4 47:13 59:25 60:5 63:19,22 76:11 87:1 92:22 98:20 104:16 110:20 112:2 113:24 114:9 weren't 32:19 61:8 65:5 76:23 103:10 When's 95:22 Whistler 23:14 wholesale 48:19 Who 16:12 wife 126:10 Williams 2:15 willing 60:8 window 30:24 63:19 withdraw 122:11 WITNESS 3:2 5:5 13:6 17:1 36:1,3 37:10 47:5,7,10 85:14 94:15 98:3 110:10 113:20 128:17	worked 21:6,7,9 22:13,14 25:22 26:18 27:11,15 31:16 37:12,12 37:13 39:20 40:9 41:5 54:14,24 55:4 59:21 64:17 102:17 103:4,5 105:10 109:24 112:19 118:12 working 20:8,11 20:13,13,14,16 20:20 25:2 26:11 27:2	<hr/> X <hr/> X 3:1,9 <hr/> Y <hr/> Y-o-u-r 9:3 yeah 10:17 11:19 12:7,16 12:19 13:7 14:3 16:13,17 16:20 17:4 18:4 21:15,20 22:4 25:23 26:1 27:7 28:4 28:10,16,17,24 36:12,12 37:5 37:8 38:3 46:4 51:8 53:23,23 54:8 57:12 58:5 59:18 64:20 65:2,2

69:17 71:24 72:4,17,17 73:20 75:21,24 76:1 78:9,25 80:3,10 81:19 83:2 91:4 97:4 97:7 102:13,15 118:15 121:20 121:20 122:23 123:5,21 124:1 124:14,25 125:14 126:12 year 8:17 16:11 28:22 78:8,10 78:10,14 79:21 81:15 102:15 year-end 80:22 years 15:9,12,16 17:8 18:3,4 22:23 23:4,18 23:19 32:14 77:5,10 79:10 79:21 81:4 102:10 103:3,5 103:8,11 118:6 118:11 yep 9:24 10:1,23 18:25 19:12 20:25 21:1 22:19,21 30:9 60:7 77:14,16 78:13 91:16 yesterday 47:9	<hr/> 1 <hr/> 13:11,13,21 96:9,12 97:11 97:16 1,000 104:7 106:19 1:54 1:12 4:2,8 131:8 10 51:23 63:14 63:18 65:20 67:4,7,19,21 67:22,25 90:7 90:16 91:18,19 91:21,22 10:00 37:13,13 100 52:12 53:1 63:20 64:2,3,9 65:5,19 72:15 72:17 91:24 105:11 106:4 106:16 117:15 105 64:19 1099 80:20,25 11 30:7 54:13,14 59:17 103:8,11 104:17,18 106:2 11-month 30:7 30:23 40:7 55:4 11:00 41:22 43:6 110 63:20,23,24 64:8,10 11715 1:25 131:24 119 3:16 12 3:17 120 64:11,18 65:19,19 121 3:18 127 3:20 13 63:15 67:4,19 77:9 140 65:21	15 52:13 53:4,5 67:25 78:11 86:11 117:15 16 11:4 17 1:12 3:14 4:1 97:12 131:8 17th 4:6 18 11:4 22:16 28:18 68:2,5 18-year-old 11:6 1979 10:7 22:17 1998 22:13 24:5 39:21 102:14 118:12	<hr/> 2 <hr/> 23:16 76:17 119:21,24 123:8 2- 53:9,9 2,000 82:1 2:00 32:23 2:30 32:23 20 22:23 23:4,18 23:19 31:4 49:16,16,20,22 50:1,6,10 54:20 67:6 69:13,14 87:11 90:7,8,16 91:14,23 92:25 94:3,9 103:19 104:8 117:11 20- 46:1 77:20 200 1:14 4:10 89:24 104:8 2003 16:13 2004 16:12 2009 19:4 2010 39:23 77:8 77:13 125:20 125:22 2011 39:23 41:1 59:15 77:9,15	102:18 118:15 2012 77:17 2013 77:19,20 2014 30:5,10 31:21 40:1,8,8 40:19 41:6 77:21 78:11,14 118:9 2014th 30:12 2015 24:21 27:8 28:7,14 29:18 30:5,6,10 31:22 32:8 37:17 40:8 41:1 59:16 78:2,12,13 102:18 107:23 2016 20:23 28:9 28:15 2017 1:12 3:14 4:1,6 97:12 131:8,22 25 43:9,12,13,16 43:22 44:6,11 44:14,15 45:10 45:25 46:1,23 250 76:18 260 2:10 2700 2:10 2831 1:14 4:10 28th 37:16	<hr/> 3 <hr/> 33:12,18,19 121:3,8 3- 53:11 3:00 25:6,23,25 26:24 3:37 94:17 3:55 94:20 30 53:8 71:18 300 53:9 30303 2:10 30th 131:22	333-1111 2:5 37 22:18 38 22:19 <hr/> 4 <hr/> 43:20 127:1,3 4- 53:13 4,000 82:1 4:40 128:11 4:51 128:14 4:52 129:9,12 40 43:8 70:17,17 71:19 72:20 400 89:25 404 2:11,11 45 43:15 86:10 <hr/> 5 <hr/> 53:4 87:11 91:14,18,21,22 5- 53:12,12,13 5:00 32:23,23,24 37:13,13 50 46:12 72:15 72:17 111:9 500 94:24 95:12 95:15 5008 9:1 507-0092 2:5 <hr/> 6 <hr/> 696:24 97:4,7 6,000 81:23 6:00 105:13 108:2,3 60 43:8 53:10 91:23 65 43:8,9,11,11 43:16 44:9,13 58:18,23 688-6800 2:11 688-6840 2:11 <hr/> 7 <hr/> 797:1,4
<hr/> Z <hr/> zero 56:2 57:4,6 57:17,23,24 58:23 zeros 57:16 ZIP 9:4 <hr/> 0 <hr/> 011600050109 1:5 4:15						

7,000 56:2,3,5 57:2,14,15 60:10 7:00 26:6 32:25 70 72:20 702 2:5,5 716 2:4 759 1:25 131:24				
<hr/> 8 <hr/>				
8:00 41:23,23 43:6 88 64:5 89052 4:11 89107 2:4 89108 9:4				
<hr/> 9 <hr/>				
9:00 25:23,25 32:11 41:22,22 96 3:11 97 3:13				