

Attachment 10

Attachment 10

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Mr. Smith (and Mr. Jones) go to Washington. Storey County taxpayers foot the bill.

APR

29



 [EDITOR \(HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/\)](http://thestoreyteller.online/author/samtoll/)

The Storey County Commissioners and County Manager Pat Whitten sent Commissioner Lance Gilman and County Lobbyist Greg “Bum” Hess to Washington D.C. January 17th – 22nd.

The trip to D.C. was authorized so Gilman and Hess could lobby for the zip code bill that died in committee last year. The zip code reconfiguration will help Storey County capture sales tax revenue lost to Washoe County. For products purchased and Nevada Sales Tax is collected, most computerized systems use the Zip Code to assign the tax liability. Since TRIC uses the Sparks Zip Code, Storey County loses out on nearly all the sales tax revenue collected.

This is bad for the taxpayers of Storey County as we have to shoulder the burden not relieved by this lost revenue stream. Meanwhile, Washoe County taxpayers rejoice as their tax burden is reduced.

Washoe County wins.

We Lose.

So it is a good idea to get this resolved. And it is the perfect job for an effective lobbyist. However...

A careful examination of the the dates of the trip caused the eyebrows of thestoreyteller.online editors to raise and notice a happy coincidence: Donald Trump was Inaugurated on January 21st.

We put in our records request on February 16th for the receipts spent on the festivities (filled on April 19th). On March 7th, Greg “Bum” Hess strolled to the podium of the Commissioners meeting and delivered this update on his tireless lobbying for Storey County. Is this another happy coincidence? Would he have delivered his little soliloquy had he not gotten wind of the public records request? Is there a reason that Lance Gilman let two meetings go by and did not remark about their furious skid greasing?

Listen to Greg lay it on here:

00:14

04:30

Let’s get this straight...

They met with our Nevada representatives (something they can do in Nevada) and stood next to the “personal secretary” of “The Cajun John Wayne” as Donald Trump became the 45th President of the United States. Oh, and they discovered the Muckers are nationwide. Um....

Impressive. Lobbying. Skills.

On the way out of town they checked out the girls lining up for the million woman march (a million bullets dodged as Hess and Gilman had already checked out of their hotel rooms...)

To recap, we paid \$ 7611.50 for them to attend Donald Trump’s Inauguration....

Seriously?

Mr. Smith and Mr. Jones have parlayed their positions in county governance to become wealthy and vastly wealthy. Yet they don’t have enough cash to pay their own way?

In-Freaking-Credible.

I have been to D.C. several times, but never on Inauguration Week. My sources tell me it is pretty much like the week that precedes Super Bowl; business as unusual. If you want to schedule meaningful work, you're in FantasyLand.

The aforementioned happy coincidence makes thestoreyteller.online editors ponder aloud:

"If Mrs. Clinton had become President of The United States on Inauguration Day, would Mr. Smith and Mr. Jones finally hunker down and figure out how Skype works?"

Spending money at the government level is all about priorities. In Washington D.C. and on B Street.

\$7611.50 represents just under a quarter of the annual salary of a new deputy. Or a quarter of a new patrol vehicle.

What are the priorities in Storey County?

On a positive note, Greg picked up his bar tab...

Guest: HESS/GREG BOX 314 VIRGINIA CITY, NV 89440 USA					DC Trip to Trump Inauguration	
Dates of stay: Jan 17, 2017 - Jan 22, 2017						
Room number: 340					3429.30	
Guest number: 9791					265.66	
Group number:					non reimb.	
Marriott Rewards number: XXXXX2954						
HESS CARD						
Date	Description	Reference	Charges	Credits		
01/17/17	TELECOM	BASEHSIA	0.00			
01/17/17	GIFTSHOP	2181	8.46			
01/17/17	PREMHSIA	PREMHSIA	0.00			
01/17/17	TR ROOM	340, 1	599.00			
01/17/17	ROOM TAX	340, 1	86.86			
01/18/17	PREMHSIA	PREMHSIA	0.00			
01/18/17	TR ROOM	340, 1	599.00			
01/18/17	ROOM TAX	340, 1	86.86			
01/19/17	LOBBYBAR	2804	159.80			
01/19/17	LOBBYBAR	2804	159.80			

01/19/17	LOBBYBAR	2900	48.40
01/19/17	PREMHSA	PREMHSA	0.00
01/19/17	TR ROOM	340, 1	599.00
01/19/17	ROOM TAX	340, 1	86.86
01/20/17	LOBBYBAR	2060	49.00
01/20/17	PREMHSA	PREMHSA	0.00
01/20/17	TR ROOM	340, 1	599.00
01/20/17	ROOM TAX	340, 1	86.86
01/21/17	PREMHSA	PREMHSA	0.00

2

01/21/17	TR ROOM	340, 1	599.00
01/21/17	ROOM TAX	340, 1	86.86
01/22/17	Payment - Visa XXXXXXXXXXXX9152		3,694.96

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Total balance	0.00 USD
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Was that the best night's sleep you've ever had? How about a repeat performance at your place!
[ShopRenaissance.com](http://www.shopmarriott.com/redirect.aspx?p=0802004&t=/rhr/&m=WASRW) =
<http://www.shopmarriott.com/redirect.aspx?p=0802004&t=/rhr/&m=WASRW>

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Important Information

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* Do Not Reply to this Email

This email is an auto-generated message. Replies to automated messages are not monitored. If you have any questions please contact the hotel directly at (202) 775-0800.

* Why Have I Received this Email?

You have received this email because you requested during your stay to receive an electronic version of your bill by email.

* Availability

Electronic versions of your hotel bill, available by email from our over 2,300 participating properties in the Marriott family of hotels in the USA and Canada, are emailed to you within 72 hours of check-out. These email messages reflect changes made to your bill up to 11pm on your day of departure. Any adjustments after that time may not be shown.

If you have received this email in error, please notify us:

https://marriott.com/suggest/suggest.mi?WT_Ref=eResConfo

Learn more about receiving your hotel bills by email:

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* Authenticity of Bills

Marriott retains official records of all charges and credits to your account and will honor only those records.

* Privacy

Your privacy is important to Marriott. For full details of our privacy policy, please visit our Privacy Statement:

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Guest: HESS/GREG / LANCE Gilman
BOX 314
VIRGINIA CITY, NV 89440
USA

DC Trip To Trump
Inauguration

Dates of stay: Jan 17, 2017 - Jan 22, 2017

Room number: 344

Guest number: 9793

Group number:

Marriott Rewards number: XXXXX2954

HESS CARD

Reimburse 3429.30 Room & TAX

Date	Description	Reference	Charges	Credits
01/12/17	Payment - Visa <u>DC POSIT</u> XXXXXXXXXXXX9152			1,000.00
01/17/17	TELECOM	BASEHSIA	0.00	
01/17/17	PREMHSIA	PREMHSIA	0.00	
01/17/17	<u>TR ROOM</u>	344, 1	599.00	
01/17/17	ROOM TAX	344, 1	86.86	
01/18/17	WATER	EVIAN2	10.00	
01/18/17	TAX	EVIAN2	1.00	
01/18/17	PREMHSIA	PREMHSIA	0.00	
01/18/17	<u>TR ROOM</u>	344, 1	599.00	
01/18/17	ROOM TAX	344, 1	86.86	
01/19/17	PREMHSIA	PREMHSIA	0.00	
01/19/17	<u>TR ROOM</u>	344, 1	599.00	
01/19/17	ROOM TAX	344, 1	86.86	
01/20/17	PREMHSIA	PREMHSIA	0.00	
01/20/17	<u>TR ROOM</u>	344, 1	599.00	
01/20/17	ROOM TAX	344, 1	86.86	
01/21/17	WATER	1EVIAN	5.00	
01/21/17	TAX	1EVIAN	0.50	
		2		
01/21/17	<u>PREMHSIA</u>	PREMHSIA	0.00	

01/21/17	TR ROOM	344, 1	599.00
01/21/17	ROOM TAX	344, 1	86.86
01/22/17	Payment - Visa XXXXXXXXXXXX9152		2,445.80

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Total balance	0.00 USD
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Was that the best night's sleep you've ever had? How about a repeat performance at your place!
ShopRenaissance.com =
<http://www.shopmarriott.com/redirect.aspx?p=0802004&t=/rhr/&m=WASRW>

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https://marriott.com/suggest/suggest.mi?WT_Ref=eResConfo

Learn more about receiving your hotel bills by email:

<http://marriott.com/rewards/eFolioAbout.mi>

* Authenticity of Bills

Marriott retains official records of all charges and credits to your account and will honor only those records.

Commercial Card Expense Reporting Express

Page 1 of 2



Statement Expenses

01/17/2017 08:36 AM PT
 Requested By: FAIN, JESSICA

Cardholder Summary

Cardholder Name:	GILMAN, LANCE	Start Date:	12/31/2016
Card Number:	xxxx-xxxx-xxxx-5287	End Date:	01/13/2017
Status:	Open	Reminder Period:	01/14/2017 through 01/16/2017
Charges:	4,184.20 USD	Grace Period:	01/17/2017 through 01/19/2017
Out-of-pocket:	0.00 USD		
Total Amount:	4,184.20 USD		

Charges

1.	Transaction Date 01/09/2017	Posting Date 01/11/2017	Merchant United 0162331412282 800-932-2732, TX	Split No	Receipt Image No	Receipt Submitted ‡ No	Amount / Original Currency 2,067.10 USD / 2,067.10
	FUND OBJECT CODE		DEPARTMENT			ACCOUNT DESCRIPTION	
2.	Transaction Date 01/09/2017	Posting Date 01/11/2017	Merchant United 0162331412283 800-932-2732, TX	Split No	Receipt Image No	Receipt Submitted ‡ No	Amount / Original Currency 2,067.10 USD / 2,067.10
	FUND OBJECT CODE		DEPARTMENT			ACCOUNT DESCRIPTION	
3.	Transaction Date 01/09/2017	Posting Date 01/11/2017	Merchant United 0162925552834 800-932-2732, TX	Split No	Receipt Image No	Receipt Submitted ‡ No	Amount / Original Currency 25.00 USD / 25.00
	FUND OBJECT CODE		DEPARTMENT			ACCOUNT DESCRIPTION	
4.	Transaction Date 01/09/2017	Posting Date 01/11/2017	Merchant United 0162925552835 800-932-2732, TX	Split No	Receipt Image No	Receipt Submitted ‡ No	Amount / Original Currency 25.00 USD / 25.00
	FUND OBJECT CODE		DEPARTMENT			ACCOUNT DESCRIPTION	
Total Charges: 4,184.20 USD							

‡ - The Receipt Submitted column indicates that a receipt was submitted via fax, email, at the statement level, or using a system other than the Commercial Card Expense Reporting service.

---End of Report---

00110153042

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https://wellsonecard.wellsfargo.com/ccer/ksoPrintTransactionsPopup.do




1/17/2017

00:00

00:00

Podcast: Play in new window (<http://thestoreyteller.online/wp-content/uploads/2017/04/Bum-Hess-March-7th-20170429-1124.mp3>) | Download (<http://thestoreyteller.online/wp-content/uploads/2017/04/Bum-Hess-March-7th-20170429-1124.mp3>)

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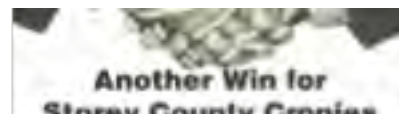




(<http://thestoreyteller.online/2017/05/01/letter-editor-cajun-john-wayne-says-lance/>)
 Letter To The Editor - Cajun John Wayne says, "Lance who?"
 (<http://thestoreyteller.online/2017/05/01/letter-editor-cajun-john-wayne-says-lance/>)
 May 1, 2017
 In "Letters to the Editor"



(<http://thestoreyteller.online/2017/05/02/mr-thompson-defends-indefensible-hook-line-sinker-time/>)
 Mr. Thompson defends the indefensible. Hook Line & Sinker time again
 (<http://thestoreyteller.online/2017/05/02/mr-thompson-defends-indefensible-hook-line-sinker-time/>)
 May 2, 2017
 In "Commentary"



(<http://thestoreyteller.online/2017/10/13/corporate-welfare-checks-roll-tric/>)
 Corporate Welfare Checks to Roll into TRIC - Again
 (<http://thestoreyteller.online/2017/10/13/corporate-welfare-checks-roll-tric/>)
 October 13, 2017
 In "News"

Posted in [News](http://thestoreyteller.online/news/) (<http://thestoreyteller.online/news/>) Tagged [Bum Hess](http://thestoreyteller.online/tag/bum-hess/) (<http://thestoreyteller.online/tag/bum-hess/>), [Donald Trump](http://thestoreyteller.online/tag/donald-trump/) (<http://thestoreyteller.online/tag/donald-trump/>), [Inauguration](http://thestoreyteller.online/tag/inauguration/) (<http://thestoreyteller.online/tag/inauguration/>), [Lance Gilman](http://thestoreyteller.online/tag/lance-gilman/) (<http://thestoreyteller.online/tag/lance-gilman/>), [Taxes](http://thestoreyteller.online/tag/taxes/) (<http://thestoreyteller.online/tag/taxes/>)
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← [JiveRadio hosts the Black Lillies on May 12th](http://thestoreyteller.online/2017/04/29/pipers-opera-house-hosts-the-black-lillies-on-may-12th/)
 (<http://thestoreyteller.online/2017/04/29/pipers-opera-house-hosts-the-black-lillies-on-may-12th/>)

[A message to the thestoreyteller.online Tribe](http://thestoreyteller.online/2017/04/30/a-message-to-the-thestoreyteller-online-tribe/) →
 (<http://thestoreyteller.online/2017/04/30/a-message-to-the-thestoreyteller-online-tribe/>)

8 thoughts on "Mr. Smith (and Mr. Jones) go to Washington. Storey County taxpayers foot the bill."



karl larsen (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/#comment-109>) April 30, 2017

reading "County Lobbyist Greg "Bum" Hess" makes me SO glad I got the hell out of Story county

Reply (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/?replytocom=109#respond>)

Edit (<http://thestoreyteller.online/wp-admin/comment.php?action=editcomment&c=109>)



Editor (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/#comment-110>) April 30, 2017

This exchange took place on the highlands chat group. For those who don't frequent that site I submit this for your amusement.

_____#_____

Bait Sniffed. Hook Set.

On Apr 30, 2017, at 11:45 AM, Kris Thompson via Groups.Io wrote:

Well the readers now have seen that despite our best efforts it looks like Antinoro's spokesperson just can't let it go, that we just can't have peace no matter what we do. This post is an example of a sore winner, someone who has to be spiteful no matter what.

Show Quoted Content

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How did Jerry become part of this? Since you drug his name into this mosh pit, Jerry is a big boy and doesn't need to hide behind Breck' apron strings or anyone else.

Lance, on the other hand, sends his annoying yapdog out to piddle all over the public square.

Sore winner? Try sore posterior. The soreness comes from burning \$7611.50 of taxpayers cash so two fat cats can attend the victory lap in D.C.

If you want peace, resign from public office and stay home at the Brothel.

County revenues are down and payroll is shooting though the roof. Paying two fat cats to ooze around D.C. is not responsible governance.

If Greg and Lance want to go, by all means, go. If Pat Whitten wants to pay their freight, he can pony up out of his personal war chest not ours.

Otherwise they can peel off a few benjies from their personal roll and have a blast.

I urge her and the other Antinoro team members for the second time to please just let the dust settle from the election. Let's move forward and try to do something together as opposed to continuing to throw spitwads from the cheap seats. If they are bound and determined to continue open warfare then we can certainly oblige but we hope this isn't necessary. Both sides have made their point with the public during the election, there was a result that we respect, and now let's please look forward not backwards.

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Open warfare? Again, if you and Lance want peace, remove yourselves from public office and stick to TRIC and the Brothel.

If you want to cook in the County kitchen, expect some the heat when you pour boiling water all over everyone.

As far as open warfare is concerned what are you going to do, start typing in all caps? Yikes! Send the Sheriff over to my house at 2:00 am to do a no knock like the good old days? You wish. Call my mom? Please Do. I learned to write like this from her.

You and your boss have provoked the good citizens of this community with your vile scree over these past four months. And you just discovered the marshmallows you used to steamroll and bamboozle have been replaced by folks who are not having it anymore. You paid over \$160K for this. You will get your money's worth. With compound interest.

Looking forward, we expect Commissioner Gilman to perform with the best interests of all Storey County and not those of his band of merry TRICsters.

He can start performing by coming thru on promised property tax rollbacks and the fabled TRIC gusher we have been hearing about for years and years and years.

The trip to Washington by Lance was on behalf of the County. There was hardcore lobbying regarding the zip code bill in congress and meetings with Senator Heller and congressional staff regarding the same. It's good for the county to show the flag on this key issue where the county has so much to gain. This is an issue with hundreds of thousands of dollars, perhaps more, are at issue. The cost of the trip to the county is minimal compared to the potential gain. The squeaky wheel gets the attention in DC.

Show Quoted Content

The trip to Washington by Lance was on behalf of the County. There was hardcore lobbying regarding the zip code bill in congress and meetings with Senator Heller and congressional staff regarding the same. It's good for the county to show the flag on this key issue where the county has so much to gain. This is an issue with hundreds of thousands of dollars, perhaps more, are at issue. The cost of the trip to the county is minimal compared to the potential gain. The squeaky wheel gets the attention in DC.

The weak sauce dripping from this paragraph insults the collective intelligence of everyone in the county. It was hardcore partying happening that week, not lobbying. According to Greg at the podium, He and Lance stood next to the personal secretary of the Cajun John Wayne, a freshman who has as much clout as a flea as he was sworn in about ten minutes before Trump. But they didn't stand next to the actual Cajun.

Lance and Greg picked the wrong week to visit D.C. to get anything of substance done other than lubricating squeaky wheels with 100 proof, steak and lobster.

Some of us readers were born at night, but none of us were born last night.

Besides that Lance paid OUT OF HIS OWN POCKET for entry fees to the events, for the inauguration ball, then republican ball, the republican breakfast meeting, the Nevada caucus meeting, and most of his own meals, and his ground transportation. Out of his pocket. And he never asked for reimbursement on this.

Um, Duh.

Lance should have done what any responsible quadrillionaire public office

holder who has the best interests of a community facing a revenue shortfall and deficits at heart; pay his own way to the dance.

And Lance didn't publicize that he spent a lot of his own money on this trip. Yet this kind of uninformed dishonest viciousness is what lance gets in return.

Uninformed Dishonest viciousness? Part of my public records request was for the log of meetings, participants and conversation topics discussed. Management 101 and an lead pipe cinch for my employees when they went into the field. Pat Whitten told me he doesn't require one. Go figure.

Fun fact about reporting facts; the facts don't lie. They might sting but they aren't dishonest.

Please Krislance, inform us. Provide the taxpayers of Storey County a detailed calendar of this trip showing the people they met with, the times of those meetings and the specific conversations relating to the bill that took place. Show us the results made from those conversations. Show us the telephone logs of the follow up phone calls Lance personally made to the Ragin' Cajun or anyone else and the nature and results of those conversations.

I'll eat my keyboard on the corner of C and Taylor and give you a week to draw a crowd if you can pony up anything that could be mistaken for actual proof of progress on the zip code bill directly attributed to the "hardcore lobbying" of January 17th - 22nd.

I'm not sure anyone would want to work in a County job when you have these kind of jackals always trying to nip at your heels.

It comes with the territory of elected public office. It's called accountability. Look it up.

Moving forward, know this. The people of Storey County are more ferocious than Jackals. We aim a little higher than your heels. And we don't nip.

Do your job and we'll happily keep an eye on you from the porch.

Thanks to the readers for considering my post.

Godspeed.

Sam Toll - Editor
editor@thestoreyteller.online (<mailto:editor@thestoreyteller.online>)
<http://www.thestoreyteller.online> (<http://www.thestoreyteller.online>)

Groups.io Links:

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tommy sargent (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/#comment-280>) August 17, 2017

as you know, Karl, I sold out of the (wingnut-filled) Highlands, bought your old M Street house and celebrated that and the inauguration by registering as a communist.

Imagine my disappointment when I got my card and it said "Other".

But the robo-calls stopped, so that's a plus.

As for this article, Dave, keep it up. thanks for your hard work.

Reply (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/?replytocom=280#respond>)

Edit (<http://thestoreyteller.online/wp-admin/comment.php?action=editcomment&c=280>)



Editor (<http://thestoreyteller.online>) August 17, 2017
(<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/#comment-281>)

So they wouldn't register you as a commie?!? Disrespectful!

And Tommy, for the record, this is Sam Toll carrying on the tradition of trench warfare factual reporting.

Reply (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/?replytocom=281#respond>)

Edit (<http://thestoreyteller.online/wp-admin/comment.php?action=editcomment&c=281>)



tommy sargent (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/#comment-282>) August 17, 2017

yes, Sam, sorry about that, I realized my error as soon as i hit post... tell your Dad i said hello!

Reply (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/?replytocom=282#respond>)

Edit (<http://thestoreyteller.online/wp-admin/comment.php?action=editcomment&c=282>)



Editor (<http://thestoreyteller.online>) (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/#comment-113>) May 1, 2017

This tit for tat went down on the highlands chat group between yours truly and Lance Gilman's spokesman. I'm sharing it here for those who don't frequent that infosphere.

Bait Sniffed. Hook Set.

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If Greg and Lance want to go, by all means, go. If Pat Whitten wants to pay their freight, he can pony up out of his personal war chest not ours.

Otherwise they can peel off a few benjies from their personal roll and have a blast.

I urge her and the other Antinoro team members for the second time to please just let the dust settle from the election. Let's move forward and try to do something together as opposed to continuing to throw spitwads from the cheap seats. If they are bound and determined to continue open warfare then we can certainly oblige but we hope this isn't necessary. Both sides have made their point with the public during the election, there was a result that we respect, and now let's please look forward not backwards.

Show Quoted Content

Open warfare? Again, if you and Lance want peace, remove yourselves from public office and stick to TRIC and the Brothel.

If you want to cook in the County kitchen, expect some the heat when you pour boiling water all over everyone.

As far as open warfare is concerned what are you going to do, start typing in all caps? Yikes! Send the Sheriff over to my house at 2:00 am to do a no knock like the good old days? You wish. Call my mom? Please Do. I learned to write like this from her.

You and your boss have provoked the good citizens of this community with your vile scree over these past four months. And you just discovered the marshmallows you used to steamroll and bamboozle have been replaced by folks who are not having it anymore. You paid over \$160K for this. You will get your money's worth. With compound interest.

Looking forward, we expect Commissioner Gilman to perform with the best interests of all Storey County and not those of his band of merry TRICsters.

He can start performing by coming thru on promised property tax rollbacks and the fabled TRIC gusher we have been hearing about for years and years and years.

The trip to Washington by Lance was on behalf of the County. There was hardcore lobbying regarding the zip code bill in congress and meetings with Senator Heller and congressional staff regarding the same. It's good for the county to show the flag on this key issue where the county has so much to gain. This is an issue with hundreds of thousands of dollars, perhaps more, are at issue. The cost of the trip to the county is minimal compared to the potential gain. The squeaky wheel gets the attention in DC.

The weak sauce dripping from this paragraph insults the collective intelligence of everyone in the county. It was hardcore partying happening that week, not lobbying. According to Greg at the podium, He and Lance stood next to the personal secretary of the Cajun John Wayne, a freshman who has as much clout as a flea as he was sworn in about ten minutes before Trump. But they didn't stand next to the actual Cajun.

Lance and Greg picked the wrong week to visit D.C. to get anything of substance done other than lubricating squeaky wheels with 100 proof, steak and lobster.

Some of us readers were born at night, but none of us were born last night.

Besides that Lance paid OUT OF HIS OWN POCKET for entry fees to the events, for the inauguration ball, then republican ball, the republican breakfast meeting, the Nevada caucus meeting, and most of his own meals, and his ground transportation. Out of his pocket. And he never asked for reimbursement on this.

Um, Duh.

Lance should have done what any responsible quadrillionaire public office holder who has the best interests of a community facing a revenue shortfall and deficits at heart; pay his own way to the dance.

And Lance didn't publicize that he spent a lot of his own money on this trip. Yet this kind of uninformed dishonest viciousness is what lance gets in return.

Uninformed Dishonest viciousness? Part of my public records request was for the log of meetings, participants and conversation topics discussed. Management 101 and an lead pipe cinch for my employees when they went into the field. Pat Whitten told me he doesn't require one. Go figure.

Fun fact about reporting facts; the facts don't lie. They might sting but they aren't dishonest.

Please Krislance, inform us. Provide the taxpayers of Storey County a detailed calendar of this trip showing the people they met with, the times of those meetings and the specific conversations relating to the bill that took place. Show us the results made from those conversations. Show us the telephone logs of the follow up phone calls Lance personally made to the Ragin' Cajun or anyone else and the nature and results of those conversations.

I'll eat my keyboard on the corner of C and Taylor and give you a week to draw a crowd if you can pony up anything that could be mistaken for actual proof of progress on the zip code bill directly attributed to the "hardcore lobbying" of January 17th – 22nd.

I'm not sure anyone would want to work in a County job when you have these kind of jackals always trying to nip at your heels.

It comes with the territory of elected public office. It's called accountability. Look it up.

Moving forward, know this. The people of Storey County are more ferocious than Jackals. We aim a little higher than your heels. And we don't nip.

Do your job and we'll happily keep an eye on you from the porch.

Thanks to the readers for considering my post.

Godspeed

Reply (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/?replytocom=113#respond>)

Edit (<http://thestoreyteller.online/wp-admin/comment.php?action=editcomment&c=113>)

Pingback: Letter To The Editor - Cajun John Wayne says, "Lance who?" – The Storey Teller (<http://thestoreyteller.online/2017/05/01/letter-editor-cajun-john-wayne-says-lance/>)

Edit (<http://thestoreyteller.online/wp-admin/comment.php?action=editcomment&c=114>)



Kay Dean (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/#comment-125>) May 4, 2017

To add insult to injury, the County lobbyist claimed, as a result of this trip, to now have a Congressman on board that previously did not support the zip code bill. Except the Congressman has never had a previous session! And the Congressman's assistant, who bumped into Hess and Gilman on the street, asserted emphatically that NO policy discussions ever took place and she never expected to hear from our lobbyist or commissioner ever again. Odd, don't you think? Not the impression one should leave with the assistant to the Congressman who you are now lobbying to support your bill!

Reply (<http://thestoreyteller.online/2017/04/29/mr-chips-goes-to-washington/?replytocom=125#respond>)

Edit (<http://thestoreyteller.online/wp-admin/comment.php?action=editcomment&c=125>)

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Logged in as Editor (<http://thestoreyteller.online/wp-admin/profile.php>). Log out? (http://thestoreyteller.online/wp-login.php?action=logout&redirect_to=http%3A%2F%2Fthestoreyteller.online%2F2017%2F04%2F29%2Fmr-chips-goes-to-washington%2F&_wpnonce=7a6c44fc4d)

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☐ Notify me of new posts by email.

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Thank you for your kind and generous support!



(<https://www.gofundme.com/freespeechdefense>)

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- Storey Teller Legal Defense Fund (<http://thestoreyteller.online/2017/12/30/storey-teller-legal-defense-fund/>)
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00:0000:00



"In our premiere podcast we interview Storey County Sheriff Gerald A..."

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3. Interview with Sheriff Antinoro - Episode Three (<http://thestoreyteller.online/podcast-...>)

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5. Sheriff Antinoro 4th of July- Episode Five (<http://thestoreyteller.online/podcast-player/...>)

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10. Disrespecting Women - Episode Ten (<http://thestoreyteller.online/podcast-player/208...>)

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- ▶ November 2017 (<http://thestoreyteller.online/2017/11/>)
- ▶ October 2017 (<http://thestoreyteller.online/2017/10/>)
- ▶ September 2017 (<http://thestoreyteller.online/2017/09/>)
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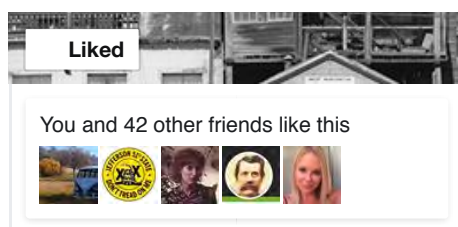
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00030778 (<http://www.statcounter.com>)

Attachment 11

Attachment 11

September 28th, 2017

Ms. Anne Langer
Storey County District Attorney
205 South C Street
P.O. Box 496
Virginia City, NV 89440

Mr. Adam Laxalt
Nevada Attorney General
100 North Carson Street
Carson City, NV 89701

Subject: Public Records Request and Obstruction Complaint against Storey County

I am writing to you today on the six month anniversary of a public records request whose purpose is to verify the status of the residences of two Storey County Officials. I have attached the email correspondence between myself and Storey County regarding the zoning of the addresses supplied by Lance Gilman when he submitted required documents to run for County Commissioner and Kris Thompson to confirm his residence to qualify for being appointed to serve on the Storey County Planning Commission.

According to various NRS statutes and Storey County Code, in order for an elected or appointed official to hold office or be appointed to a board in Storey County, the elected official or appointed board member must reside in Storey County.

The purpose of my query was to confirm that the residence addresses supplied by Mr. Gilman and Mr. Thompson, two sides of a small double wide mobile home, located behind the swimming pool at the Mustang Ranch Brothel, are zoned as legal residence addresses by Storey County Statute.

This request now has collected six months worth of dust and remains unanswered.

According to Mr. Austin Osborne, assistant Storey County Manager, when I asked him about it he claimed "the matter was still under investigation".

Yet when I went into the Storey County Community Development Department several weeks after the last email communication from Storey County on this matter, I was able to leave with the zoning status of the property in less than 5 minutes. I discovered that there is no place on Mustang Ranch parcel zoned residential, not even a watchman's residence.

In other words neither 5 and 56 Wild Horse Canyon Drive are legal residences; nobody can legally reside there or claim either address as their legal residence.

It is my contention that by supplying this address, both Mr. Thompson and Mr. Gilman appear to be guilty of perjury.

Further, as they do not reside in Storey County, they are exempt and prohibited from holding office of any kind in Storey County.

I further contend that by stonewalling this public records request, Storey County, Mr. Pat Whitten and Mr. Austin Osborn are obstructing justice.

It is common knowledge to anyone paying attention that Lance Gilman, who has multiple residence properties in Washoe county and is extremely wealthy, does not bunk with Kris Thompson in a doublewide trailer.

I respectfully request an immediate investigation into this matter in an effort to restore integrity in our elected and appointed officials and look forward to the fair and just application of law by removing these men from office.

Thank you for your kind attention to this matter.

Respectfully,

Sam Toll - Editor
editor@thestoreyteller.online
www.thestoreyteller.online
775-583-8655

Attachment 12

Attachment 12



PO BOX 498 VIRGINIA CITY, NV 89440
PHONE: 775-847-0953 FAX: 775-847-0924
EMAIL: sheriff@storeycounty.org

OFFICE USE ONLY

CASE #

DATE:

10/17/17

STATEMENT FORM

VOLUNTARY STATEMENT

NAME:

(Last, First, Middle)

STREET

ADDRESS:

(City, State, Zip)

MAILING

ADDRESS:

(City, State, Zip)

RACE:

- ☒ WHITE ☐ NTV AM
☐ BLACK ☐ ASIAN
☐ HISPANIC ☐ OTHER

SEX:

- ☒ MALE
☐ FEMALE

DATE OF BIRTH:

1962

SOCIAL SEC #

HEIGHT:

5'10"

WEIGHT:

200

HAIR:

Bru

EYES:

Hbz

HOME

PHONE:

CELL

PHONE:

WORK

PHONE:

FAX

NUMBER:

EMAIL

ADDRESS:

OTHER

CONTACT #

BEST CONTACT HOURS & DAYS:

OCCUPATION/STUDENT:

Self employed

WORK/SCHOOL ADDRESS:

Same

ADDITIONAL INFORMATION

INVOLVEMENT:

- ☐ DRIVER ☐ VICTIM
☐ PASSENGER ☐ WITNESS
☐ AUTO ☐ MOTORCYCLE
☐ TRUCK ☐ OTHER

LOCATION OF OCCURRENCE:

MAKE:

MODEL:

YEAR:

COLORS:

LICENSE PLATE/TEMP ID:

STATE:

IDENTIFYING FEATURES/ ACCESSORIES:

ODOMETER READING:

VEHICLE IDENTIFICATION NUMBER:

WRITTEN STATEMENT

See Attached Document & Attachments

Re Lance Gilman and Kris Thompson

Certified to be a true and correct copy of the
original on file in this office.

STOREY COUNTY SHERIFF
Virginia City, Nevada

1-31-18

Dated

By

[Signature] S116

Received

OCT 17 REC'D

Storey Co. Sheriff

USE BACK FOR ADDITIONAL SPACE AS NEEDED

THIS STATEMENT WAS

COMPLETED AT:

11:00 AM

TIME

10/17/2017

DATE (MM/DD/YYYY)

SIGNATURE OF PERSON
MAKING THIS STATEMENT:

[Signature]

WITNESS:

WITNESS:

[Signature] S116

October 17, 2017

Storey County Sheriff's Office
Box 498
Virginia City, Nevada 89440

Criminal Complaint of perjury against Lance Gilman and Kris Thompson

Sirs,

I have been directed by Storey County District Attorney Anne Langer to file the following complaint.

I have been waiting for a public records request with Mr. Austin Osborne, filed in late March 2017, to verify the zoning of 5, 5B and 56 Wild Horse Canyon Drive in Sparks Nevada.

After filing a public records request to determine the location of the address, I learned this is a dual wide mobile home structure located on the Mustang Ranch.

The purpose of the request with Mr. Osborne regarding the possibility of a residentially zoned area within the confines of the Mustang Ranch property was to determine if it was legally possible to maintain a personal residence. It is my understanding, later confirmed with the Community Development Department, that it is not legal for anyone to have a permanent residence on the premises.

I am accusing County Commissioner Lance Gilman and Storey County Planning Commission Member Kris Thompson of Perjury is due to information I received from Storey County Clerk Vanessa Stephens when she supplied proof of permanent residence of Mr. Thompson and Mr. Gilman.

Both documents show this property as their joint residence.

I contend, based on Storey County Zoning Authority, neither 5, 5B nor 56 Wild Horse Canyon Drive qualify as legal residences,

1. Each are guilty of perjury when they filled out their documents required by the Nevada Secretary of State
2. Because neither of them actually reside at the residence they listed with the Nevada Secretary of State, actual verifiable proof of their actual residence is necessary to determine if they are legally qualified to hold office in Storey County.

I further contend that Mr. Thompson is in violation of Storey County Ordinance 5.16.220 which requires a work card for anyone on the premises permanently.

Determining where Mr. Gilman and Mr. Thompson's pillows are is a simple matter of requisition the location/cell phone triangulation data from their cellular providers over the last two years. This data will conclusively and accurately locate where they sleep and thus determine where they actually reside.

Attached please find the complaint I filed with Storey County DA Langer and AG Laxalt

Respectfully,

Sam Toll
Gold Hill

Exhibit 2

Exhibit 2

SECOND DECLARATION OF SAM TOLL

1. I am the declarant and I am competent to make this testimony;
2. I have personal knowledge of each and every fact attested to herein;
3. I have been named as the Defendant in Case No. 18-trt-00001-1e in the First Judicial District Court in Storey County;
4. I have reviewed the February 21, 2018 Opposition to Anti-SLAPP Special Motion to Dismiss (“Opposition”) filed by Lance Gilman’s attorneys. I have also reviewed the Affidavit of Lance Gilman which is attached to the Opposition as Exhibit 3. Both the Opposition and the Affidavit contain statements of fact that are not accurate;
5. On Page 3 Line 11 of the Opposition it claims that I have published post after post “over a period of two years” defaming Gilman on the Storey Teller Website. I started the Teller in February of 2017, just over a year ago, so this statement is not accurate;
6. Also on Page 3 at Line 12 of the Opposition it claims that almost every single one of one of my posts on the Teller has defamed Gilman. This is not accurate. I have published approximately 247 posts on the Teller since its inception. The Opposition states on Page 25 Line 11 that “in excess of 40” posts on the Teller are about Gilman. So by Gilman’s own number about 16% of my postings are about Gilman. Gilman’s claims that I started the Teller just to target him or that in virtually every post I insult Gilman is not supported by the facts. I write about Gilman because some of the newsworthy business conducted in Storey County or by the Storey County Commission involves the Tahoe Reno Industrial Complex (“TRIC”) and/or the Mustang Ranch;
7. Page 14 lines 1-2 of the Opposition it states that Gilman has never received title to land from Storey County in any transaction. Throughout my articles, I use Lance Gilman and TRIC interchangeably. I understand that Gilman has an ownership stake in TRIC, and that he presents himself to the world as the face of TRIC, it is accurate to describe Gilman as representing TRIC. TRIC has received title to land from Storey County;
8. During a normal week the Teller website now receives between 800 and 1000 visitors. These basic numbers are confirmed by the Attachment 1 to this Declaration, which is a true and correct copy of a printout of the statcounter.com Weekly Status Report for my website from December 11, 2017 to December 17, 2017, and which shows I had 888 unique visits to the site that week. Given that I write about news in Storey County, and there are only about 4500 people in Storey County, it’s reasonable to conclude that a large percentage of Storey County residents visit the Teller website and are interested in the issues that I am writing about, including Gilman, the Storey County Commission, TRIC, and the Mustang Ranch, among other topics.

9. Gilman's statement that we are involved in a "private and quixotic fight" is not accurate. Everything I write about Gilman relates to his status as a Storey County Commissioner, as a principal of TRIC, or as owner of the Mustang Ranch. Even my statements about Gilman's residence are of interest to the public because as a Storey County Commissioner Gilman is supposed to reside in his district and represent the interests of his constituents, not just those of TRIC or the Mustang Ranch. If Gilman does not live in Storey County, he is much less likely to represent the interests of Storey County residents. I also routinely criticize other Storey County officials, such as the County Manager Pat Whitten and Community Development Director Gary Hames, among others.
10. At various points in the Opposition, such as on Page 43 line 1, it states that I did little or no diligence before making false statements about Gilman. This is untrue as well. As described below, for each statement I made that Gilman claims is defamatory, I investigated the facts before making the statement:
 - a. My opinion that Gilman does not live in Storey County is a result of my investigation into the matter, including: reports from a confidential informant that states that Gilman leaves the Mustang Ranch and heads towards Reno every evening around 8:00 pm, the fact that where Gilman claims to live is not zoned for multi-family residences, the fact that the double wide in which Gilman claims to live is right behind a brothel, and the fact that it just doesn't make sense that Gilman, one of the richest people in the State, lives in a double wide (as defined in a response by the Storey County Assessor to a public records request I made inquiring about the structure) trailer with two bunk mates, Kris Thompson and Jennifer Barnes-Milsap, who I discovered list the same address as their residence in a response to a public records request on registered voting addresses I made with the Storey County Clerk;
 - b. My opinion that Gilman engaged in Reverse Graft is set out in the article attached to my first Declaration as Attachment 1, Storey County has been strapped with debt to pay for infrastructure for TRIC developer expenses which should have been paid for by TRIC and the debt for which not assumed by Storey County. The proposed "pipeline deal" that Gilman discusses in this Affidavit is just one example. The article explains that the pipeline deal would divert taxes to pay for a pipeline that will benefit TRIC and TRIC occupants only, and that TRIC and the occupants should pay for such infrastructure;
 - c. My opinion that Gilman receives special consideration regarding rules and regulations is based on the fact, in the big picture, TRIC has received free land from Storey County, that Storey County modifies, changes, and amends rules and regulations for both the Mustang Ranch and TRIC. In the article attached to my first Declaration as Attachment 6, I specifically spell out what I mean when I say that Gilman receives special consideration regarding rules and regulations;

- d. My opinion that Gilman received land for free from Storey County is supported by the fact that as part of the USA Parkway/Tesla deal, Storey County gave TRIC a portion of the parkway for free. Although Gilman claims in his Affidavit that this benefits the County because it decreases maintenance costs and the entire Tesla deal will result in increased tax revenue to the County in the future, it doesn't change the fact that Storey County gave land to TRIC for free, which TRIC then sold to the State at a huge profit. While the USA Parkway giveaway is the most egregious, reconveyance of land from Storey County to TRIC for no consideration is a frequent occurrence on the public record at Storey County Commission Meetings;
 - e. My opinion that Gilman's trip to Washington DC was a personal trip is supported by my investigation into the matter. Before I wrote the article in Attachment 10 to my first Declaration, I called the Storey County Manager Pat Whitten regarding any documentation of lobbying efforts during the trip in question, and he responded that there was none. I also made a public records request. The documents I obtained as a result of this public records request stated that the trip was for Trump's inauguration - a personal purpose; the documents are reproduced in the article itself. There was no evidence that the DC trip involved any public business at all when I published my article.
11. The statement that Gilman did not want follow the law when relicensing the Mustang Ranch brothel was not made by me, but I believed the statement was a true expression of Gilman's attitude at the time it was published and that the statement represented the author's opinion, not a statement of fact about whether Gilman actually followed the law. Gilman was involved in an ongoing dispute with a lender over licensing issues related to the Wild Horse brothel, as he describes in his own Affidavit. Before publishing the article, I read reports in the Comstock Chronicle about the lawsuit between Gilman and the lender. I also researched and obtained the investigation into Gilman by the Ethics Commission (attached to the underlying Motion as Exhibit 1) and the Nevada Supreme Court's decision in Case No. 65104, in which the Supreme Court affirming Gilman's loss to the lender (Attached hereto as Attachment 2) and concluded that Gilman breached the covenant of good faith and fair dealing and that Gilman failed to fight the revocation of the license of the Wild Horse. Based on my research, I believe that Gilman's act of merging the two properties in combination with the revocation of the Wild Horse shows that he did not want to follow the law by obtaining a new license for the Wild Horse or "expanding" the license for the Mustang Ranch brothel, he wanted special rules and consideration from Storey County to justify his actions;
12. My statement in the article in Attachment 4 to my first Declaration that Gilman would reimburse Storey County for the estimated \$30,000 spent on the Recall Election of Sheriff Antinoro was satire, as it is humorous given the circumstances the piece describes. The article very clearly says this at the bottom of the piece. No

reasonable person could construe the contents of the article as being factual statements. The first comment at the bottom of the article made on May 20, 2017 states, "I love Satire." along with a laugh-out-loud emoji.

13. As a result of Gilman's lawsuit against me, I have had to amend the appeal for funds to support the Teller to a go fund me page asking for help to pay to defend this suit. Before I collected money to keep the Teller ad-free by stating, "support the Teller and keep fact-based news about Storey County Ad Free," but the money I collect from the site now goes to pay to defend this suit. I also have been spending considerable of my time aiding in the defense of Gilman's lawsuit; time I would have otherwise spent investigating and reporting on the political affairs of Storey County, which I believe is the whole point of Gilman's suing me.
14. If I were to give testimony in open court, it would be substantively the same as that set forth herein above.

Pursuant to the provisions of NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

By:  _____ Dated: 2/26/18
Sam Toll

Attachment 1

Attachment 1

From: StatCounter.com Reports reports@statcounter.com
Subject: Storey Teller - Weekly Stats Report 11 Dec - 17 Dec 2017 [samtoll]
Date: December 18, 2017 at 2:32 AM
To: Sam Toll editor@thestoreyteller.online

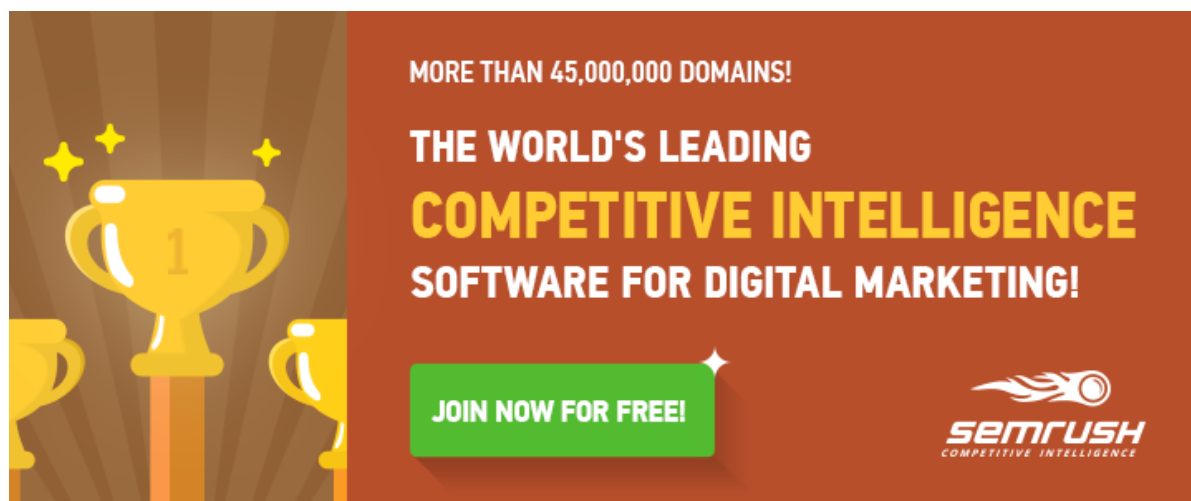
SR

Hi Sam Toll,

Weekly Stats Report: 11 Dec - 17 Dec 2017
Project: Storey Teller
URL: <http://www.thestoreyteller.online>

Summary

	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total	Avg
Pageloads	104	276	105	840	332	123	211	1,991	284
Unique Visits	64	129	55	328	151	52	109	888	127
First Time Visits	26	81	23	137	64	18	25	374	53
Returning Visits	38	48	32	191	87	34	84	514	73

A promotional banner for Semrush. On the left, there are three golden trophies of increasing size, with the largest one in the center having a '1' on it and three stars above it. The background is a dark orange gradient. On the right, white text reads 'MORE THAN 45,000,000 DOMAINS!' followed by 'THE WORLD'S LEADING COMPETITIVE INTELLIGENCE SOFTWARE FOR DIGITAL MARKETING!' in a larger font. Below this is a green button with white text that says 'JOIN NOW FOR FREE!'. In the bottom right corner is the Semrush logo, which includes a stylized flame icon and the text 'SEMRUSH COMPETITIVE INTELLIGENCE'.

If you find that you have "No data available", you may want to consider increasing your StatCounter log quota by upgrading your account. Simply [login to your StatCounter account now!](#)

The email report stats have just a fraction of the information that is available to you. To view your real-time stats reports simply [login to your StatCounter account now!](#)

If you wish to disable email reports please [click here](#).

Kind regards,

Aodhan and the StatCounter Team

Attachment 2

Attachment 2

IN THE SUPREME COURT OF THE STATE OF NEVADA

CASH ASSET MANAGEMENT, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; LLG HOLDINGS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; MUSTANG MEMORIES,
LLC, A NEVADA LIMITED LIABILITY
COMPANY; CASH PROCESSING
SERVICES, LLC; AND NORTHERN
NEVADA FUNDING, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Appellants,
vs.
TG INVESTMENTS, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Respondent.

No. 65104

FILED

APR 15 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court judgment after a jury verdict in a contract and real property action. First Judicial District Court, Storey County; James E. Wilson, Judge.

Respondent TG Investments, LLC (TGI) loaned appellant Cash Asset Management, LLC (CAM) \$2,250,000 so that CAM could open and operate a brothel in Storey County. The loan was secured by a deed of trust on the real property where the brothel was located and required CAM to maintain a license for the brothel, fight any revocation of the license, and pay TGI interest including a percentage of the gross revenues. CAM stopped paying TGI the interest, and TGI filed the underlying action. While the action was pending, a Storey County ordinance

governing brothels was amended and the Storey County Brothel Licensing Board revoked the brothel's license. A jury found that CAM breached the contract and the covenant of good faith and fair dealing. Based on the jury's verdict, the district court entered a judgment against CAM finding that it owed TGI \$1,909,378.67 and ordered the encumbered real property sold with the proceeds to be applied to CAM's debt to TGI. CAM filed motions for judgment as a matter of law, a new trial, and to alter or amend the judgment, which were all denied. This appeal followed.

Having considered the parties' arguments and the record on appeal, we conclude that the district court properly denied CAM's original and renewed motions for judgment as a matter of law. *See Nelson v. Heer*, 123 Nev. 217, 222-23, 163 P.3d 420, 424 (2007) (explaining that this court views the evidence and all inferences in favor of the nonmoving party and reviews de novo an order denying a motion for judgment as a matter of law). CAM admitted that it breached the contract by acknowledging that it owed TGI \$26,861 in underpaid interest and by conceding at trial that it failed to appeal the license revocation. Further, the jury could draw reasonable inferences from the evidence offered that CAM failed to fight the revocation of the license and that CAM influenced the amendment of the brothel ordinance and sought the revocation of the license in an effort to void its obligations to TGI. Thus, there was sufficient evidence supporting the jury's verdict that CAM breached the contract and the covenant of good faith and fair dealing.

Additionally, the district court did not abuse its discretion in denying CAM's motion for a new trial because there was no irregularity in the proceedings, the jury did not manifestly disregard the jury

instructions, and the damages were not excessive. *See Bayerische Motoren Werke Aktiengesellschaft v. Roth*, 127 Nev. 122, 133, 252 P.3d 649, 657 (2011) (explaining that this court reviews the denial of a motion for a new trial for an abuse of discretion). While TGI elicited testimony concerning the appropriateness of the brothel license revocation, because such testimony was relevant to show arguments that CAM could have made if it had challenged the revocation, TGI did not make collateral attacks on the brothel ordinance or the Storey County Brothel Licensing Board's revocation of the license. Further, because there was no evidence that if TGI had applied for a brothel license, the brothel's license would not have been revoked, it was possible for the jury to reach its verdict while applying the jury instruction concerning mitigation of damages. *See Price v. Sinnott*, 85 Nev. 600, 606, 460 P.2d 837, 840 (1969) (providing that a new trial is unwarranted when it is possible for the jurors to reach the verdict that they reached after properly applying all jury instructions to the evidence presented at trial). Also, the damages awarded were not excessive as they were less than the amount of damages presented by one of the expert accountants.

Lastly, the district court did not abuse its discretion in denying CAM's motion to alter or amend the judgment's order for the sale of the property securing the debt. *See AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 589, 245 P.3d 1190, 1197 (2010) (explaining that this court reviews an order denying a motion to alter or amend a judgment for an abuse of discretion). TGI only pursued one action, the underlying action, to recover the debts owed to it by CAM. And after the jury found that CAM had breached the contract and the covenant of good

faith and fair dealing and established the amount of CAM's debt, the court properly ordered the property sold under NRS 40.430 (2013) to satisfy the debt. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Douglas, J.
Douglas

Cherry, J.
Cherry

Gibbons, J.
Gibbons

cc: Hon. James E. Wilson, District Judge
Debbie Leonard, Settlement Judge
Gunderson Law Firm
Law Offices of Mark Wray
Storey County Clerk

Exhibit 3

Exhibit 3

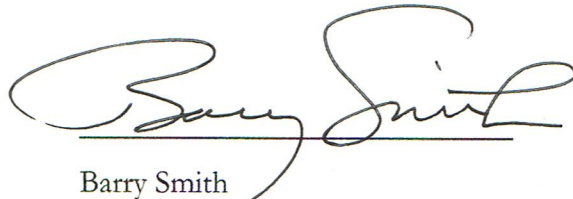
DECLARATION OF BARRY SMITH

I, Barry Smith, declare that the assertions in this Declaration are true and correct and are based upon my personal knowledge, and that I am competent to testify to the facts stated below:

1. I am the Executive Director of the Nevada Press Association, which is located at 102 N. Curry St., Carson City, Nevada;
2. The Nevada Press Association is the formal trade organization for news publications in the state of Nevada. It is a voluntary non-profit organization that represents daily and weekly news publications in Nevada and the Lake Tahoe region of Northern California, as well as online news services, magazines and others. The history of Nevada Press Association dates back to 1865, when an association of Nevada newspapers was first organized. In 1924, the organization officially became the Nevada State Press Association after a journalism professor at the University of Nevada, Reno spearheaded a final reorganization campaign;
3. Sam Toll, through his website the StoreyTeller, joined the Nevada Press Association in August of 2017; and
4. The StoreyTeller is an active member of the Nevada Press Association in good standing.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed May 7th, 2018 in Carson City, Nevada:



Barry Smith

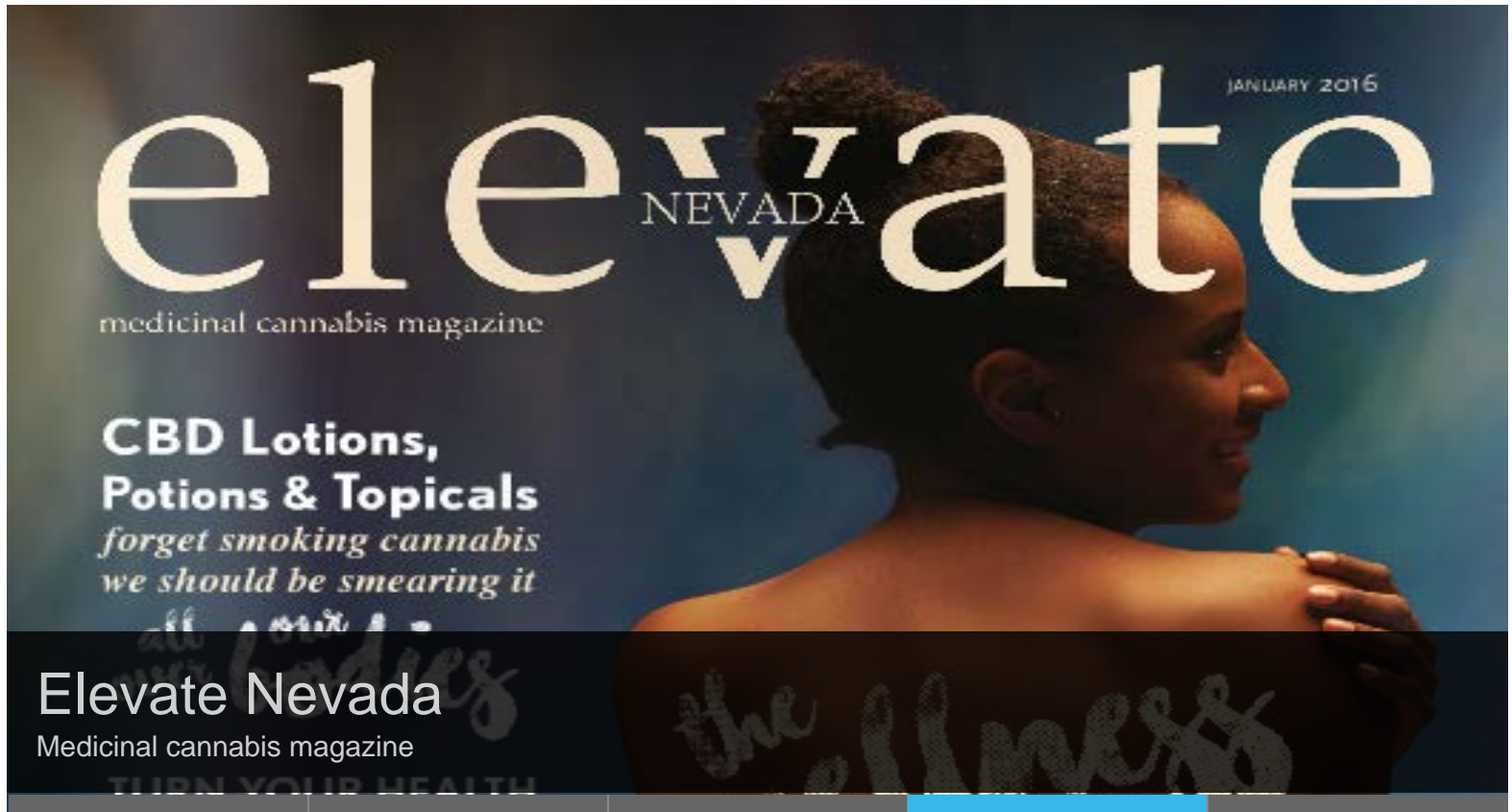
Exhibit 4

Exhibit 4



NEVADA PRESS ASSOCIATION

THE BEST IN JOURNALISM SINCE 1924



[Home](#) / [About us](#) / [Directory of publications](#) / [Specialized publications](#)

Specialized publications

☐ Barry Smith ☐ August 29, 2015 ☐ 1 Comment

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Specialized Publications

[Athlon Sports](#)
[Carson Valley Times](#)
[Construction Notebook](#)
[Elevate Nevada](#)
[El Tiempo](#)
[Gaming Today](#)
[High Rise Life Magazine](#)
[Las Vegas Business Press](#)

Related Articles



Daily newspapers

☐ September 15, 2015

Toll - Appx. - 000905

[Las Vegas Weekly](#)
[Las Vegas Magazine](#)
[Let's Talk Nevada.com](#)
[Link Magazine](#)
[NevadaGram](#)
[The Nevada Independent](#)
[The NOW Report](#)
[Nevada Legal News](#)
[Nevada Momentum](#)
[Nevada Magazine](#)
[The Nevada Rancher](#)
[Northern Nevada Business Weekly](#)
[One Voice](#)
[RANGE magazine](#)
[Silver And Black Today](#)
[Tahoe Cannabis](#)
[The Storeyteller](#)
[Vegas Cannabis](#)
[Vegas Inc.](#)
[The Vegas Voice](#)
[Veterans Reporter](#)
[View Neighborhood Newspapers](#)

News services

[The Associated Press](#)
[Nevada News Bureau](#)

Organizations

[NV Energy](#)
[Nevada Policy Research Institute](#)
[Donald W. Reynolds School of Journalism](#)
[Show Media](#)

Individuals

[John Barrette](#)
[Marilyn Newton](#)
[Leslie L. Mujica](#)

[Interested in joining?](#)

CARSON CITY
County: Carson City



[How to become an NPA member](#)

☐ [September 15, 2015](#)



[Non-daily newspapers in Nevada](#)

☐ [September 15, 2015](#)



[Directory of state press associations](#)

☐ [August 1, 2015](#)

Battle Born

2460 Fairview Drive
Carson City, NV 89701
Telephone: (775) 887-7250
FAX: (775) 887-7256
Publisher: Bill Burks
Editor: Erick Studenicka
Circulation: 5,500
Publication Day: Quarterly

[Public affairs magazine of the Nevada National Guard](#)

The logo for Battle Born features the words "Battle Born" in a bold, yellow, sans-serif font with a slight 3D effect. The text is set against a blue rectangular background.

*** CarsonNow.org**

1577 Caboose Drive
Carson City, NV 89701
Telephone: (775) 230-3806
Type of publication: Online news
Publication Day: Monday-Sunday
Publisher: Kirk Caraway
Editor: Jeff Munson

[CarsonNow.org](#)

The logo for CarsonNOW.org features the word "Carson" in a bold, red, serif font, followed by "NOW.org" in a bold, grey, sans-serif font. Below the text is a red horizontal line, and underneath that is the tagline "Your One Stop for Carson City News" in a smaller, italicized, grey font.

Nevada Magazine

401 N. Carson Street
Carson City, NV 89701
775-687-0610
855-729-7117
Publisher: Janet M. Geary
Managing Editor: Megan Mueller
Circulation Manager: Carrie Roussel
Ad Sales/Marketing Manager: Adele Hoppe

[NevadaMagazine.com](#)

The logo for Nevada Magazine features the word "NEVADA" in a large, bold, blue, serif font. Below it, the word "MAGAZINE" is written in a smaller, blue, sans-serif font, with wide letter spacing.

RANGE magazine

106 E. Adams St., Ste. 201
Carson City, NV 89706
Telephone: (775) 884-2200
Fax: 775-884-2213
Publisher/Editor: C.J. Hadley
Circulation: 48,000 per quarter
Publication Day: Quarterly

[rangemagazine.com](#)

The logo for RANGE magazine features the word "RANGE" in a large, bold, red, sans-serif font with a distressed, hand-painted appearance. Below it, the tagline "THE COWBOY SPIRIT ON AMERICA'S OUTBACK" is written in a smaller, black, sans-serif font.

GARDNERVILLE
County: Douglas

Carson Valley Times

1481 Angora Drive
Gardnerville, NV 89460
Telephone: (775) 781-6900
Type of publication: online news
Publication Day: multiple times daily
Publisher/Editor: Joey Crandall
CarsonValleyTimes.com



Nevada Momentum

102 N. Curry St.
Carson City, NV 89703
NevadaMomentum.com



GOLD HILL

County: Storey

NevadaGram

Type of publication: Online news and travel
Editor: David Toll
www.nevadatravel.net



The Storey Teller

Type of publication: Online news and travel
Editor: Sam Toll
thestoreyteller.onlin



LAS VEGAS

County: Clark

El Tiempo

1111 W. Bonanza Road
Las Vegas, NV 89106
Telephone: (702) 387-2972
FAX: (702) 251-0736
Publisher: Gabriela Jurica
Editor: Maria Cristina Matta-Caro
Sales Manager: Gabriela Jurica
Circulation Manager: Ali Nahangi
Circulation: 50,000



Publication Day: Friday (p.m.)

www.eltiempolv.com

Elevate Nevada

7120 Rafael Ridge Way

Las Vegas, NV 89119

Telephone: 702-737-8464

Fax: 702-457-8464

Editor: Beth Schwartz

Publisher: Guy Bertuzzi

Circulation: 30,000

Publication: Monthly

elevatenv.com



Gaming Today

4577 S. Industrial Road

Las Vegas, NV 89193

Telephone: (702) 798-1151

FAX: (702) 798-2069

Publisher: Eileen M. Di Rocco

Executive Editor:

Managing Editor:

Ad Director: Gabrielle Reisler

Ad Rep: Erick Knapp

Circulation: 90,000

Publication Day: Tuesday

www.gamingtoday.com



High Rise Life Magazine

1216 S. Rainbow Blvd.

Las Vegas, NV 89146

Telephone: (702) 944-8773

FAX: (702) 944-8773

Editor-in-Chief: Selcen Kavruklar

Circulation: 10,000

Publication: Monthly

www.highriselifevegas.com



Vegas Cannabis

3227 Meade Ave., Ste. 1-A

Las Vegas, NV 89102

Telephone: (702) 622-8001

Publisher: Bill Shehan

Editor: Stephanie Shehan



Toll - Appx. - 000909

Type of Publication: Magazine

Circulation: 30,000

Publication Frequency: Monthly

<http://vegascannabismag.com/>

***Vegas Inc.**

2360 Corporate Circle Dr., Third Floor

Henderson, NV 89074

Telephone: (702) 990-2545

FAX: (702) 383-7264 (news)

Group Publisher: [SEP] Gordon Prouty

Assistant Publisher: Breen Nolan

Editor:

Senior Ad Manager: Jeff Jacobs

Director of Circulation: Ron Gannon

Circulation: 8,000

Publication Day: Monday, except last Monday of the year

www.lasvegas.com

The logo for Vegas Inc. features the word "VEGAS" in a bold, red, sans-serif font, followed by "INC" in a lighter, outlined, sans-serif font.

The Vegas Voice

2880 Bicentennial Parkway, Ste. 100-244

Henderson, NV 89044

Telephone: (702) 251-4441

FAX: (702) 666-0427

Publisher/Editor: Dan Roberts

Circulation: 40,000

Publication Day: Monthly

www.thelasvegasvoice.net

The logo for The Vegas Voice features the words "THE VEGAS VOICE" in a bold, red, sans-serif font. Below the text is a black banner with the tagline "FOR YOUR HEALTH, WEALTH, AND GOOD TIMES" in white, sans-serif capital letters.

Las Vegas Business Press

1111 W. Bonanza Rd.

Las Vegas, NV 89106

Telephone: (702) 871-6780

FAX: (702) 871-3740

Publisher: Debbie Donaldson

Editor: Lynn Collier

Ad Director:

Circulation: 8,500

Publication Day: Monday

www.lvbusinesspress.com

The logo for Las Vegas Business Press features the words "LAS VEGAS" in a small, white, sans-serif font above the words "BUSINESS PRESS" in a large, white, serif font, all set against a dark green background.

Las Vegas Magazine

2275 Corporate Circle, Ste. 300

Henderson, NV 89074

The logo for Las Vegas Magazine features the word "lasvegas" in a lowercase, red, sans-serif font, with "MAGAZINE" in a smaller, white, sans-serif font below it, all set against a black background.

Toll - Appx. - 000910

Telephone: (702) 383-7185
FAX: (702) 383-1089
Publisher: Kim Armenta
Editor: Jack Houston
Circulation 140,000
Weekly room guide/luxury magazine
www.lasvegasmagazine.com

Silver And Black Today

10967 Calcedonian St.
Las Vegas, NV 89141
Telephone: (702) 802-9921
Publisher: Scott Gulbransen
Frequency: Daily
Circulation (monthly): 65,000
silverandblacktoday.com



Las Vegas Weekly

2360 Corporate Circle Drive, Fourth Floor
Henderson, NV 89074
Telephone: (702) 990-2550
FAX: (702) 990-2424
Publisher: Travis Keys
Senior Editor: Geoff Carter
Managing Editor: Brock Radke
Ad Director: Travis Keys
Consulting Publisher: Bruce Spotleson
Circulation: 75,000
Publication Day: Thursday
www.lasvegasweekly.com



Link Magazine

9107 Del Webb Blvd.
Las Vegas, NV 89134
Telephone: (702) 966-1436
Editor/Executive Director: Paul Henderson
Managing Editor: Jeannette Carrillo
Type of publication: monthly with weekly website
Circulation: 8,500
www.suncitylink.com



The Nevada Independent

7455 Arroyo Crossing, Ste. 220
Las Vegas, NV 89113



Telephone: (702) 378-0893

Editor: Jon Ralston

Type of publication: online news

www.thenevadaindependent.com

Nevada Legal News

930 South Fourth Street, Suite #100

Las Vegas, NV 89101

Telephone: (702) 382-2747

FAX: (702) 598- 0641

Publisher: Scott Sibley

Assistant Operations Manager: Rosie Qualls

Ad Directory: Luz Munoz

Circulation: 1,000

Publication Days: Monday-Friday (a.m.)

www.nevadalegalnews.com



Nevada Policy Research Institute/ Nevada Journal

7130 Placid St.

Las Vegas, NV 89119-4203

Telephone: (702) 222-0642

FAX: (702) 227-0927

President: Sharon J. Rossie

Communications Director: Michael Schaus

npri.org



One Voice

2621 Losee Road

North Las Vegas 89030

Published monthly for Nevada National Security Site

Editors: Jeff Donaldson and Lory Jones

Circulation: 3,800

<http://www.nnss.gov/>



Paint This Desert

10257 Philmont Ct.

Las Vegas, NV 89183

Editor/Publisher: Ed Fuentes

PaintThisDesert.com

PAINTTHISDESERT

*** UNLV Scarlet & Gray Free Press**

4505 S. Maryland Pkwy. #45201

Toll - Appx. - 000912

Las Vegas, NV 89154
702-895-3889
Fax: (702) 895-1515
Editor: Bianca Cseke
Circulation: 3,000 twice weekly
www.unlvfreepress.com

Vegas Seven

701 Bridger Ave., Ste. 400
Las Vegas NV 89101
702-798-7000
FAX: (702) 384-9009
Publisher: Michael Skenandore
Senior Editors: Paul Szydelko and Xania Woodman
Circulation: 62,000
Publication Day: Thursday
www.weeklyseven.com

*** Veterans Reporter**

1609 Stocker St.
North Las Vegas, NV 89030
Telephone: (702) 642-7028
Fax: (702) 642-2141
General Manager: William Hsia
Production Manager: Brian T. Cox
Circulation: 11,000
Monthly
www.veteransreporter.com

View Neighborhood Newspapers

1111 W. Bonanza Road
Las Vegas, NV 89106
Telephone: (702) 380-4589
Fax: (702) 477-3852
Editor: Jeff Mosier
Circulation:
www.viewnews.com/

LOVELOCK
County: Pershing

The Nevada Rancher

1022 South Grass Valley Road

THE
Scarlet & Gray
FREE PRESS

VEGAS **seven**

Veterans Reporter News

VIEW

Winnemucca, NV 89445
Telephone: (775) 623-5011
FAX: (775) 623-5243
Managing Editor: Carmen Kofoed
Ad Consultant: Mildred Ferraro
Circulation: Sharon Vedis
Circulation: 2,000
Publication Day: First Tuesday of the month
insidenorthernnevada.com



Mesquite County: Clark

***Let's Talk Nevada.com**
PO Box 1292 (89024)
980 Crestview Drive
Mesquite, NV 89027
Telephone; (702) 600-4066
Fax: (866) 605-0417
Type of publication: Online daily publication of news and opinion
Publisher: John Williams
Editor: Elaine Hurd
LetsTalkNevada.com



RENO County: Washoe

Northern Nevada Business Weekly
50 W. Liberty St., Ste. 203
Reno, NV 89501
Telephone: (775) 770-1173
FAX: (775) 770-1171
Publisher: Kirsten McGregor
Editor: Sally Roberts
Circulation Manager: Candice Lindsey
Circulation: 5,500
Publication Day: Monday
www.nnbw.biz



***The Nevada Sagebrush (UNR)**

1664 N. Virginia St. Mailstop 058
Reno, NV 89557-0001



Toll - Appx. - 000914

Phone: 775-784-6969

Fax: 775-784-1952

Advertising: 775-784-7773

Editor-In-Chief: Jacob Solis

Managing Editor: Jordan Russell

www.nevadasagebrush.com

Sierra Contractors Source

860 Maestro Drive

Reno, NV 89511

Telephone: (775) 329-7222

Fax: (775) 329-7255

Publisher: Frank Hawbolt

Managing Editor: Jana Higgins

Circulation: 1,000

Publication day: Friday

scsplanroom.com

The logo for Sierra Contractor's Source is a rectangular box with a dark, textured background. The text "Sierra Contractor's Source" is written in a large, white, serif font at the top. Below it, in a smaller, white, sans-serif font, is the tagline "Your Ultimate Construction Guide".

TAHOE

Tahoe Cannabis

3227 Meade Ave., Ste. 1-A

Las Vegas, NV 89102

Telephone: (702) 622-8001

Publisher: Bill Shehan

Editor: Stephanie Shehan

Type of Publication: Magazine

Circulation: 15,000

Publication Frequency: Monthly

<http://vegascannabismag.com/>



NASHVILLE, TN

***Athlon Sports**

2451 Atrium Way, Ste 320

Nashville, TN 37214-5102

Telephone: (615) 327-0747

FAX: (615) 327-1149

Publisher: Anthony Flaccavento

Editor: Charlie Miller

Circulation: 9,000,000

Frequency of Publication: Monthly

Type of Publication: Newspaper Magazine

www.athlonsports.com



** Indicates publication is not currently an active member of the Nevada Press Association.*

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« Previous
[Is the open meeting law really that hard?](#)

Next »
[What to say](#)

One comment



Karen Thomas

September 13, 2016 at 6:26 pm

Wow! What a list of publications! Previously in Reno, the Northern Nevada Business Weekly was my go-to source for keeping up on business in Northern Nevada. Now with a footprint also in the Las Vegas metro, it's great to see a variety of publications to choose from! Thank you Nevada Press!

Nevada Press Association

The Nevada Press Association is the formal trade organization for news publications in the state of Nevada. It is a voluntary non-profit organization that represents daily and weekly news publications in Nevada and the Lake Tahoe region of Northern California, as well as online news services, magazines and others. The history of NPA dates back to 1865, when an association of Nevada newspapers was first organized. In 1924, the organization officially became the Nevada State Press Association after a journalism professor at the University of Nevada, Reno spearheaded a final reorganization campaign.

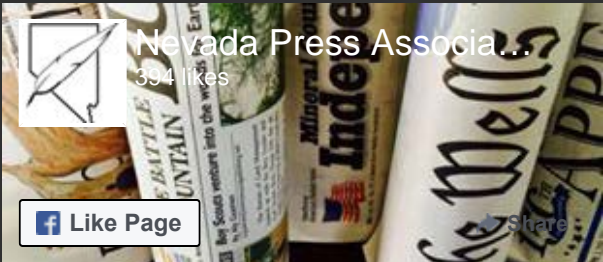
Our mission

The NPA is dedicated to representing the common interests of Nevada newspapers, furthering the public's right to know through an understanding that strong newspapers (protected by the First Amendment) are the cornerstone of a democratic society, promoting a closer fellowship within the newspaper fraternity, encouraging the elevation of journalistic standards and promoting the value of newspaper advertising.

102 N. Curry St.,
Carson City, Nevada
775.885.0866

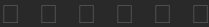
Find us on Facebook

Toll - Appx. - 000916



Be the first of your friends to like this

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Exhibit 5

Exhibit 5



State of Nevada
**Legislative Counsel
Bureau**



Press

SAM TOLL

1 GUS W. FLANGAS, ESQ.
Nevada Bar No. 004989
2 Email: gwf@fdlawlv.com
JESSICA K. PETERSON, ESQ.
3 Nevada Bar No. 10670
Email: jkp@fdlawlv.com
4 FLANGAS DALACAS LAW GROUP
3275 South Jones Boulevard, Suite 105
5 Las Vegas, Nevada 89146
Telephone: (702) 307-9500
6 Facsimile: (702) 382-9452
Attorneys for Plaintiff
7
8

9 **IN THE FIRST JUDICIAL DISTRICT COURT**

10 IN AND FOR STOREY, COUNTY, NEVADA
11
12

13 LANCE GILMAN, an individual,)

14 Plaintiff,)

15 vs.)

16 SAM TOLL, an individual; DOES I-V,
inclusive; and ROE ENTITIES VI-X,
17 inclusive,)

18 Defendants.)

Case No.: 18-TRT-00001-1e

Dept No.: II

**REPLY TO OPPOSITION TO
PLAINTIFF'S MOTION TO COMPEL;
MOTION FOR SANCTIONS; MOTION
TO EXTEND THE TIME PERIOD
FOR DISCOVERY; AND IN THE
ALTERNATIVE, MOTION FOR
PARTIAL SUMMARY JUDGEMENT**

19 COMES NOW the Plaintiff, LANCE GILMAN, by and through his attorneys, GUS W.
20 FLANGAS, ESQ. and JESSICA K. PETERSON, ESQ., of the FLANGAS DALACAS LAW
21 GROUP, and hereby Replies to the Opposition to Plaintiff's Motion to Compel; Motion for
22 Sanctions; Motion to Extend the Time Period for Discovery; and in the Alternative, Motion for
23 Partial Summary Judgement, filed by the Defendant, SAM TOLL.

24 This Reply is based upon the Pleadings and Papers on file herein, the attached Points
25
26
27
28

1 and Authorities and oral argument to be made by Counsel at any Hearing of this Matter.

2 Dated this 4th day of June, 2018.

3
4
5 GUS W. FLANGAS, ESQ.
Nevada Bar No. 04989
gwf@fdlawlv.com
6 JESSICA K. PETERSON, ESQ.
Nevada Bar No. 10670
jkp@fdlawlv.com
7 **FLANGAS DALACAS LAW GROUP**
8 3275 South Jones Blvd., Suite 105
Las Vegas, Nevada 89146
9 Telephone: (702) 307-9500
Facsimile: (702) 382-9452
10 *Attorneys for Plaintiff*
11

12 **POINTS AND AUTHORITIES**

13 **A. INTRODUCTION.**

14 The Defendant, SAM TOLL (hereinafter the “Defendant”), filed an Opposition to the
15 Plaintiff’s Motion to Compel; Motion for Sanctions; Motion to Extend the Time Period for
16 Discovery; and in the Alternative, Motion for Partial Summary Judgement (hereinafter referred to
17 as the “Motion to Compel”). As part of this Reply Brief, the Plaintiff, LANCE GILMAN, hereby
18 incorporates as though set forth in full, the “Plaintiff’s Supplemental Opposition to the
19 Defendant’s Anti-SLAPP Motion.” For the most part, in replying to the Defendant’s Opposition,
20 the Plaintiff maintains those facts and arguments contained in the Motion to Compel and will
21 only address those issues that ostensibly require some further limited comment.

22 **B. CONTRARY TO THE DEFENDANT’S ASSERTIONS, NEVADA’S NEWS**
23 **SHIELD STATUTE DOES NOT APPLY TO HIM.**

24 In the Motion to Compel, the Plaintiff asserted that to invoke the privilege an individual
25 is required to be either a *reporter, former reporter or editorial employee of any newspaper,*
26 *periodical or press association or employee of any radio or television station.* See NRS 49.275.
27 In the absence of one of those labels an individual is not entitled to invoke the privilege to protect
28 either the information he obtained or the source of the information. As stated in the Motion to

1 Compel, “[I]t is well settled in Nevada that words in a statute should be given their plain
2 meaning unless this violates the spirit of the act.” Diaz v. Eighth Judicial Dist. Court ex rel.
3 County of Clark, 116 Nev. At 94, 993 P.2d at 54 citing McKay v. Bd. of Supervisors, 102 Nev.
4 644, 648, 730 P.2d 438, 441 (1986). “ ‘[N]o part of a statute should be rendered nugatory, nor
5 any language turned to mere surplusage, if such consequences can properly be avoided.’ ” Diaz
6 v. Eighth Judicial Dist. Court ex rel. County of Clark, 116 Nev. At 94, 993 P.2d at 54-55 citing
7 Paramount Ins. v. Rayson & Smitley, 86 Nev. 644, 649, 472 P.2d 530, 533 (1970) (alteration in
8 original) (quoting Torreyson v. Board of Examiners, 7 Nev. 19, 22 (1871)). Thus, “[w]here a
9 statute is clear on its face, a court may not go beyond the language of the statute in determining
10 the legislature's intent.” Diaz v. Eighth Judicial Dist. Court ex rel. County of Clark, 116 Nev. At
11 94-95, 993 P.2d at 55 citing McKay, 102 Nev. at 648, 730 P.2d at 441.

12 As stated in the Motion to Compel, there is nothing contained in the four corners of the
13 statute that applies to the Defendant in this matter; specifically, there is nothing providing for a
14 blogger such as the Defendant in the statute. Moreover, the Defendant has never made a showing
15 how he qualifies for the protections afforded by NRS 49.275. In addition, in the “About Section”
16 of the Storey Teller, the Defendants states that “the [Storey Teller] was created to provide a
17 source of irritation to the Good Old Boys who operate The Biggest Little County in the World
18 with selfish impunity forever.” Therefore, the Storey Teller by its own admission was not
19 created for the purpose of disseminating news to the general public.

20 To contraindicate the Plaintiff's assertions, and to assert that the Defendant does fall
21 within the protections of NRS 49.272, the Defendants asserts the following: (1) a self serving
22 Declaration that he started the Teller to provide an alternative and competing news source; (2) a
23 reference to one of his publications stating such things that the Teller is “facts-not-fake news,”
24 and find out what is really going on in Storey County;” (3) a self serving Declaration that the
25 Teller receives 800 and 1,000 visitors in a normal week; (4) a reference to his membership in the
26 Nevada Press Association; (5) a reference to holding a Press Badge from the Nevada Legislature;
27 and (6) a reference to Webster's Dictionary definition of a reporter. Not a single one of these is
28 dispositive on the issue whether the Defendant can invoke the privilege protections afforded by

1 NRS 49.275.

2 Nowhere in his Opposition, does the Defendant ever address how he falls under the
3 protection of NRS 49.275, in light of the statutory construction principals set forth in the Motion
4 to Compel. Moreover, as stated above, according to the “About Section” of the Storey Teller,
5 “the [Storey Teller] was created to provide a source of irritation to the Good Old Boys who
6 operate The Biggest Little County in the World with selfish impunity forever.” Therefore, the
7 Storey Teller by its own admission was not created for the purpose of disseminating news to the
8 general public. See Too Much Media, LLC v. Hale, 206 N.J. 209 (2011) (the Hale Court
9 noted that the focus was not *what* the law protected but *whom* it protected. In holding that Hale
10 was not protected, the Court noted that the site upon which Hale posted her comments was an
11 internet message board which was not “news Media” because it was not disseminating news to
12 the general public). In other words, the Defendant self concludes that he is reporter subject to the
13 protections afforded by NRS 49.275.

14 C. **THE DEFENDANT FAILS TO ADDRESS THE PLAINTIFF’S ASSERTION**
15 **THAT THE DEFENDANT’S ATTEMPT TO USE NEVADA’S NEWS SHIELD**
STATUTE SHOULD YIELD SO THAT JUSTICE MAY BE SERVED.

16 As stated in the Motion to Compel, although the news shield statute provides an absolute
17 privilege to reporters engaged in the newsgathering process, there may be certain situations, e.g.,
18 when a defendant's countervailing constitutional rights are at issue, in which the news shield
19 statute might have to yield so that justice may be served. See Id; Aspen Financial Services, Inc.
20 v. Eighth Judicial Dist. Court of State ex rel. County of Clark, 129 Nev. 878, 313 P.3d 875
21 (2013). As further stated in the Motion to Compel, it should be noted that the Court will not
22 allow a media defendant totally to avoid accountability for defamatory utterances through
23 manipulative use of the shield law. See Las Vegas Sun, Inc. v. Eighth Judicial Dist. Court In and
24 For County of Clark, 104 Nev. at 513, 761 P.2d at 853. The shield law creates a protective
25 environment for the reporter who is engaged in obtaining, preparing and collecting information.
26 Id. It does not create a special privilege for news media litigants, however. Id.

27 Notwithstanding that the Defendant fails to address any of these arguments in his
28 Opposition, the Defendant by his own admission in the “About Section” of the Storey Teller, the

1 Defendants states that “the [Storey Teller] was created to provide a source of irritation to the
2 Good Old Boys who operate The Biggest Little County in the World with selfish impunity
3 forever. It then begs the question on how irritating the “Good Old Boys” transforms the
4 Defendant into a reporter who is engaged in obtaining, preparing and collecting information.

5 In the instant case, the Defendant has accused the Plaintiff of perjury claiming that the
6 Plaintiff lied under oath on forms he submitted pertaining to his residency in Storey County.
7 Perjury is a felony. NRS 199.120, entitled, “Definition; penalties,” states:

8 A person, having taken a lawful oath or made affirmation in a judicial proceeding
9 or in any other matter where, by law, an oath or affirmation is required and no other
penalty is prescribed, who:

10 1. Willfully makes an unqualified statement of that which the person does
11 not know to be true;

12 2. Swears or affirms willfully and falsely in a matter material to the issue
or point in question;

13 3. Suborns any other person to make such an unqualified statement or to
14 swear or affirm in such a manner;

15 4. Executes an affidavit pursuant to NRS 15.010 which contains a false
statement, or suborns any other person to do so; or

16 5. Executes an affidavit or other instrument which contains a false
17 statement before a person authorized to administer oaths or suborns any other
18 person to do so, is guilty of perjury or subornation of perjury, as the case may be,
which is a category D felony and shall be punished as provided in NRS 193.130.
(Emphasis added).

19 Without one iota of evidence to support his untrue statement, the Defendant is now hiding
20 behind the Shield Statute to conceal the ball on **what he did or didn’t do** to confirm the
21 Plaintiff’s residency in Storey County. Notwithstanding that the Defendant is not entitled to such
22 protections under the News Shield Statute, for justice to be served, the Defendant should be
23 compelled to answer the questions posed by the undersigned counsel related to his efforts to
24 confirm his untrue statements. In other words, the news shield statute should have to yield
25 especially considering there is nothing earth shattering about how the Defendant arrived at his
26 conclusions that the Plaintiff committed perjury.

27

28

1 **D. THE PLAINTIFF RESPECTFULLY REQUESTS THAT THE COURT EXTEND**
2 **THE TIME PERIOD FOR CONDUCTING DISCOVERY.**

3 Pursuant to the Court's Order, the deadline for completing the limited discovery is May
4 11, 2018. The Plaintiff would need the additional time for discovery to retake the Defendant's
5 Deposition and other Depositions that would follow from his testimony should the Court grant
6 the Motion to Compel. Regardless of whether the Court grants the Motion to Compel, the
7 Plaintiff needs additional time to conduct discovery to fully look at what the Defendant knew
8 about the falsity of his statements. The Defendant's assertion about having the Plaintiff having
9 30 days in which to conduct unlimited discovery is somewhat disingenuous given that the
10 Plaintiff was not given notice of the Court's Order for many days after it was issued, and given
11 that the Defendant's counsel limited their availability of dates for the Plaintiff's counsel to
12 conduct depositions and the time limitations imposed by the Nevada Rules of Civil Procedure.

13 **E. THE COURT SHOULD GRANT THE PLAINTIFF'S MOTION FOR PARTIAL**
14 **FOR SUMMARY JUDGMENT AND ISSUE A RULING THAT BECAUSE THE**
15 **DEFENDANT INVOKED NEVADA'S NEW SHIELD STATUTE, THE**
DEFENDANT SHALL NOT BE ALLOWED TO RELY ON THE PRIVILEGED
INFORMATION AS A DEFENSE IN THIS MATTER.

16 In his Opposition, the Defendant makes the blanket statement that the Plaintiff Motion for
17 Summary Judgment is not proper because it can only apply to a claim and cannot be entered on a
18 single evidentiary issues or discovery issue. This is not a correct recitation of the law. NRCP 56
19 provides in pertinent part:

20 (a) For Claimant. A party seeking to recover upon a claim, counterclaim,
21 or cross-claim or to obtain a declaratory judgment may, at any time after the
22 expiration of 20 days from the commencement of the action or after service of a
23 motion for summary judgment by the adverse party, move with or without
supporting affidavits for a summary judgment in the **party's favor upon all or**
any part thereof. (Emphasis added).¹

24 Under NRCP 56, summary judgment is appropriate when the pleadings, depositions,
25 answers to interrogatories, admissions, and affidavits, if any, that are properly before the court
26

27 ¹ The Defendant in his Opposition merely cites a portion of NRCP 56(a) and conveniently
28 leaves out the pertinent parts including but not limited to the emphasized language. See
Defendant's Opposition, page 9.

1 demonstrate that no genuine issue of material fact exists, and the moving party is entitled to
2 judgment as a matter of law. Wood v. Safeway, Inc., 121 Nev. 724, 121 P.3d 1026 (2005). Even
3 the Wood case refers to facts not claims and the clear implication is that summary judgment is
4 appropriate for resolving some factual issues even if it is not the entire claim. Thus, the
5 requested partial summary judgment is appropriate.

6 As set forth in the Motion to Compel, once a media litigant has invoked the protection of
7 the news shield statute to resist discovery, the defendant may not later rely on the privileged
8 information as a defense. See Diaz v. Eighth Judicial Dist. Court ex rel. County of Clark, 116
9 Nev. 88, 101, 993 P.2d 50, 58-59 citing Las Vegas Sun, Inc. v. Eighth Judicial Dist. Court In and
10 For County of Clark, 104 Nev. 508, 514, 761 P.2d 849, 853-854 (1988). Moreover, to the extent
11 that a plaintiff in a defamation action is required to prove that a media litigant either knew that
12 the published information was false or acted in reckless disregard of the truth, an assertion of the
13 shield statute may result in discovery sanctions. Diaz v. Eighth Judicial Dist. Court ex rel.
14 County of Clark, supra at Footnote 6. Interestingly, the Defendant admits that the Plaintiff is
15 correct in the assertion about the applicability of the Diaz case.² Therefore, the Court should
16 issue an Order granting partial summary judgment precluding the Defendant from relying on the
17 privileged information as a defense.³

18 **F. CONCLUSION.**

19 As clearly demonstrated in the Motion to Compel, the Defendant during is Deposition
20 improperly asserted the privilege afforded by Nevada's News Shield Statute at least ten times.
21 Because of the number of times the Defendant refused to to answer questions based on the Media
22 Shield privilege, the undersigned terminated the Defendant's Deposition so that this Motion to
23 Compel could be filed. According to the "About Section" of the Storey Teller, "the [Storey

24 _____
25 ² See the Defendant's Opposition, page 9.

26 ³ For some reason the Defendant in his Opposition states that the Plaintiff's reliance on
27 Diaz is misplaced in that "broadcast of substance of conversations with confidential sources does
28 not constitute waiver of privilege against disclosure of identities of such sources." See the
Defendant's Opposition, page 9. Nowhere in the Motion to Compel does the Plaintiff address
any form of waiver whatsoever.

1 Teller] was created to provide a source of irritation to the Good Old Boys who operate The
2 Biggest Little County in the World with selfish impunity forever.” Clearly, this is not what was
3 envisioned by the legislature in enacting NRS 49.275. Moreover, there is nothing providing for a
4 blogger such as the Defendant in the statute. Therefore, the Defendant is not entitled to the
5 protections afforded by NRS 49.275. Notwithstanding that the Defendant is not entitled to such
6 protections under the News Shield Statute, for justice to be served, the Defendant should be
7 compelled to answer the questions posed by the undersigned counsel related to his efforts to
8 confirm his untrue statements. In other words, the news shield statute should have to yield
9 especially considering that the Defendant accused the Plaintiff of perjury (a crime) and there is
10 nothing earth shattering about how the Defendant arrived at his conclusions that the Plaintiff
11 committed perjury.

12 If the Court is inclined to grant the Motion to Compel, the Plaintiff respectfully requests
13 that the Court impose sanctions in an amount to cover the Plaintiff’s counsel’s travel costs,
14 lodging costs, court reporter fees, and attorney fees incurred in bringing this instant Motion.

15 Because the deadline for completing the limited discovery was May 11, 2018, the
16 Plaintiff respectfully requests additional time for discovery to retake the Defendant’s Deposition
17 and other Depositions that would follow from his testimony should the Court grant the Motion to
18 Compel. Regardless of whether the Court grants the Motion to Compel, the Plaintiff needs
19 additional time to conduct discovery to fully look at what the Defendant knew about the falsity of
20 his statements.

21 In the alternative, the Court should grant the Plaintiff’s Motion for Partial Summary
22 Judgment. There are no genuine issues of material fact pertaining to the Defendant invoking
23 Nevada’s New Shield Statute. It is clear from the transcript of the Defendant’s Deposition.
24 Therefore, partial summary judgment is appropriate on the issue of whether the Defendant can
25 rely on the privileged information as a defense.

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DATED this 9 day of June, 2018.

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1 CERTIFICATE OF SERVICE

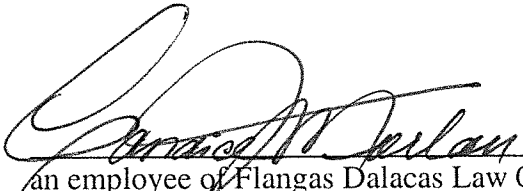
2 I hereby certify that I am an employee of FLANGAS DALACAS LAW GROUP, and
3 that on this 4th day of June, 2018, served a true and correct copy of the **REPLY TO**
4 **OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL; MOTION FOR SANCTIONS;**
5 **MOTION TO EXTEND THE TIME PERIOD FOR DISCOVERY; AND IN THE**
6 **ALTERNATIVE, MOTION FOR PARTIAL SUMMARY JUDGEMENT** as indicated
7 below:

8 X By depositing the same in the United States mail, first-class, postage
9 prepaid, in a sealed envelope, at Las Vegas, Nevada pursuant to N.R.C.P.
10 5(b) addressed as follows
11 By facsimile, pursuant to EDCR 7.26 (as amended)
12 X By electronic mail.

13
14 John L. Marshall
15 570 Marsh Avenue
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20 Attorneys for Defendant
21

22 
23 an employee of Flangas Dalacas Law Group
24
25
26
27
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Attorneys for Plaintiff

IN THE FIRST JUDICIAL DISTRICT COURT

IN AND FOR STOREY, COUNTY, NEVADA

LANCE GILMAN, an individual,
Plaintiff,

Case No.: 18-TRT-00001-1e
Dept No.: II

VS.

**PLAINTIFF'S MOTION TO COMPEL;
MOTION FOR SANCTIONS; MOTION
TO EXTEND THE TIME PERIOD
FOR DISCOVERY; AND IN THE
ALTERNATIVE, MOTION FOR
PARTIAL SUMMARY JUDGEMENT**

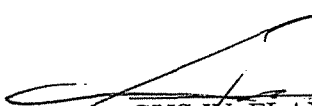
SAM TOLL, an individual; DOES I-V,
inclusive; and ROE ENTITIES VI-X,
inclusive,
Defendants.

COMES NOW the Plaintiff, LANCE GILMAN, by and through his attorneys, GUS W. FLANGAS, ESQ. and JESSICA K. PETERSON, ESQ., of the FLANGAS DALACAS LAW GROUP, and moves this Honorable Court to compel the Defendant, SAM TOLL, to provide proper responses to questions asked of him during his Deposition wherein he asserted privilege pursuant to the Nevada News Shield Statute, NRS 49.275; to impose sanctions on the Defendant for his failure to answer the applicable questions asked of him during his Deposition, and to extend the time period for discovery in this matter. In the alternative, the Plaintiff moves for Partial Summary Judgment against the Defendant restricting him from using the privileged information as a defense in this matter.

This Motion is based upon the Pleadings and Papers on file herein, the attached Points

1 and Authorities and oral argument to be made by Counsel at any Hearing of this Matter.

2 Dated this 10th day of May, 2018.

3
4 
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16 *Attorneys for Plaintiff*

11 POINTS AND AUTHORITIES

12 I. 13 STATEMENT OF FACTS

14 A. INTRODUCTION.

15 The instant suit involves certain false and defamatory statements made by the Defendant
16 about the Plaintiff. The Defendant, SAM TOLL (hereinafter the "Defendant"), published and
17 publishes a blog online under the website address of <http://thestoreyteller.online> (hereinafter the
18 "Storeyteller Website"). The central focus of the Storeyteller Website is ridiculing, insulting and
19 defaming the Plaintiff, LANCE GILMAN (hereinafter the "Plaintiff").

20 The Defendant's attacks on the Plaintiff with false and defamatory statements have been
21 continuous, unrelenting, and constantly targeting him personally. The false statements made by
22 the Defendant are so far beyond acceptable and legal conduct, that the Plaintiff felt compelled to
23 take action to protect his reputation. Because of the false unending stream of defamatory
24 statements published by the Defendant about the Plaintiff, the Plaintiff filed a Complaint against
25 the Defendant for Defamation Per Se.

26 The Defendant filed a Special Motion to Dismiss based on Nevada's Anti- SLAPP
27 statute, NRS 41.635 et. Seq, which the Plaintiff opposed. On or about April 9, 2018, the Court
28

1 issued its "Order Granting Anti-SLAPP Special Motion to Dismiss in Part, Allowing Limited
2 Discovery and Staying Further Proceedings" (hereinafter the "Order"). In the Order, the Court
3 gave the Plaintiff until May 11, 2018, to conduct discovery "limited solely to information as to
4 whether Toll knew the resident communications were false or whether he acted with high degree
5 of awareness of the probable falsity of the statement or had serious doubts as to the publication's
6 truth."

7 After coordinating schedules of the counsel for both Parties, the Deposition of the
8 Defendant was scheduled for and conducted on Friday, May 4, 2018, in Virginia City, Nevada.
9 During the course of the Deposition, questions were asked by the undersigned counsel about how
10 the Defendant arrived at his so-called knowledge about the Plaintiff's residency. Instead of
11 answering many of the questions, the Defendant under the advice of his counsel asserted
12 privilege under the Nevada Media Shield Statute which is set forth in NRS 49.275. Because the
13 Defendant refused to answer the questions presented and asserted the Media Shield privilege, the
14 undersigned counsel terminated the Deposition to file the instant Motion to Compel his answers.
15 It is the position of the Plaintiff that the Media Shield Privilege does not apply to the Defendant.

16 **B. THE DEFENDANT'S FAILURE TO ANSWER THE QUESTIONS PRESENTED.**

17 The following are a sample of the questions asked of the Defendant which he refused to
18 answer under the advice of counsel on the grounds of privilege pursuant to the Media Shield
19 Statute, NRS 49.275.¹

20 **1. FIRST ASSERTION OF PRIVILEGE.**²

21 Q. Did you consult anybody to make an opinion as to what's right and what's wrong as to
22 the zoning out there?

23 A. Yes.

24 **MR. BUSBY:** Objection, asked and answered. Go ahead, Mr. Toll.

25
26 ¹ An excerpt of the Rough Transcript of the Defendant's Deposition is attached hereto as
27 Exhibit "1" (hereinafter referred to as the "Defendant's Depo"). Please note that all page
28 numbers referenced herein from the Defendant's Depo are transcript page numbers and not the
page number at the bottom of the document.

² See the Defendant's Depo, pages 69-70.

1 THE WITNESS: Yes.

2 BY MR. FLANGAS:

3 Q. Who did you consult?

4 A. Dozens and dozens of other concerned citizens in the county.

5 Q. Okay. What are the names of some of the folks that you consulted about whether or
6 not the zoning was correct or how they were using the zoning was correct?

7 MR. BUSBY: I'm going to go ahead and October based on the news privilege statute, which --

8 Mr. Toll, I'm going to go ahead and invoke the news shield law in response to Mr. Flangas'
9 question, and I'm going to direct you not to answer.

10 BY MR. FLANGAS:

11 Q. Are you going invoke the news shield?

12 A. Absolutely.

13 2. SECOND ASSERTION OF PRIVILEGE.³

14 Q. Okay. I'm going to go back to my question, because you, again, weren't responsive to
15 my question. You can say "I don't know" if you don't know. That's fine. The question is: What
16 did -- where did you come up with your definition -- and I know I've asked and answered this, but
17 I'm going to ask the follow-on. Where did you come up with your definition of what constitutes a
18 multi-family dwelling? You told me the ordinance. I'm asking you: What does the ordinance say
19 what constitutes a multi-family dwelling?

20 MR. BUSBY: Same objection. Go ahead and answer, Mr. Toll.

21 THE WITNESS: Technically, in my recollection of ordinance, says that a single-family
22 dwelling is all that is permitted. A multi-family dwellings is not permitted. Using the reasonable
23 man statute that I have inside my brain, a multi-family dwelling is -- could be considered -- you
24 know, obviously we don't live in the day of the nuclear family anymore; however, a family unit
25 consists typically of a -- it's two sets of adults and then any children that may be a result of that
26 union.

27 BY MR. FLANGAS:

28 Q. This reasonable man standard, that's your own reasonable man standard; is that
correct?

A. Based upon the information that has been given to me by people who I have consulted
with, as we've described earlier, those people are also reasonable men and women, and they also
have come to the same conclusion. So no, it's not just my conclusion, it's the conclusion of the
community.

Q. And you're not going to disclose who these -- the members of the community that have
this conclusion?

³ See the Defendant's Depo, pages 76-77.

1 A. No, sir.
2 MR. BUSBY: Same objection, news shield statute.

3 MR. FLANGAS: I'll probably have to file a motion on that.

4 3. THIRD ASSERTION OF PRIVILEGE.⁴

5 Q. Now, you're claiming Mr. Gilman doesn't live at number 5 Wild Horse Drive; right?

6 A. Yes.

7 Q. Now, one of the grounds for you to make that statement is because you find it hard to
8 believe that one of the wealthiest men in Northern Nevada would be residing where he resides;
right?

9 A. I'm also basing that opinion upon -- the answer to your question is yes. However, I'm
10 also basing that opinion upon interviews and information that have been given to me by third-party
sources.

11 Q. And you're not going to divulge who these third-party sources are?

12 A. No, sir.

13 MR. BUSBY: Objection, news shield statute.

14 MR. FLANGAS: The news shield statute doesn't really shield against official sources and things
15 like that.

16 BY MR. FLANGAS:

17 Q. So the question is to the official sources. Did you consult any official forces
[sources]?

18 MR. BUSBY: Same objection, news shield statute. Don't answer that.

19 BY MR. FLANGAS:

20 Q. Are you not going to answer?

21 A. Based upon the advice of my counsel, I will not answer that question.

22 4. FOURTH ASSERTION OF PRIVILEGE.⁵

23 Q. Now, let's, let's talk about what investigation you did to confirm whether or not Mr.
24 Gilman lives where he lives. Okay? First question: Did you ever drive by to see if he was there?

25 A. Can't get into the property without buzzing the gate.

26 Q. All right. So the answer is no, you've never been by to see if he's there or not?

27 ⁴ See the Defendant's Depo, pages 77-78.

28 ⁵ See the Defendant's Depo, pages 79-81.

1 A. It's not possible for me to drive by there. It is impossible for me to drive by there.

2 Q. Now, I asked you in the first part of this deposition about your relationship with Mr.
3 Antinoro, and that Mr. Antinoro is on the brothel board, and you, you told me that; right?

4 A. Yes.

5 Q. You also told me that Mr. Antinoro is -- his office also oversees regulation of the
6 brothels; right?

7 A. Per county code, yes, he does.

8 Q. And I think you even gave me an anecdote that one of your family members, or
9 somebody else you knew, did the same years ago; right?

10 A. No. What I was alluding to, to clarify, is that my father wrote Joe Conforte's
11 biography.

12 Q. Okay. There you go. So you meet with Mr. Antinoro about three times a month, you
13 said?

14 A. I do not meet with --

15 **MR. BUSBY:** Hold on. Objection, mischaracterizes earlier testimony and asked and answered.

16 **BY MR. FLANGAS:**

17 Q. Well, you interact with him about three times a month; right?

18 A. Virginia City is a small town and I occupy the same space as Mr. Antinoro
19 occasionally.

20 Q. You can go and see him any time you want in the sheriff's department, virtually?

21 A. Just like any other citizen in Storey County:

22 Q. All right. Did you ever ask Mr. Antinoro about Mr. Gilman's residency?

23 **MR. BUSBY:** Objection, news shield statute.

24 **MR. FLANGAS:** That's not a shield statute there, counsel.

25 **MR. BUSBY:** Mr. Flangas, you're welcome to file you're a motion and disagree, but I'm going to
26 direct my client to not answer that question.

27 **THE WITNESS:** Based upon my counsel's advice, I am not going to answer that
28 question.

5. **FIFTH ASSERTION OF PRIVILEGE.**⁶

Q. Did you ever go to the sheriff's office to verify Mr. Antinoro's -- excuse me -- Mr.
Gilman's residency?

⁶ See the Defendant's Depo, page 81.

1 MR. BUSBY: Same objection. Don't answer that question.

2 6. SIXTH ASSERTION OF PRIVILEGE.⁷

3 MR. FLANGAS: Are you really going to invoke the Shield on whether or not somebody went to
4 the sheriff's office to verify residency, counsel?

5 MR. BUSBY: Mr. Flangas, we can argue about this later before the Court. If you have any
6 questions for my witness, please go ahead.

7 BY MR. FLANGAS:

8 Q. So did you -- so you're not going to answer the question on whether or not you went to
9 the sheriff's office to verify the residency of Mr. Gilman?

10 MR. BUSBY: Same objection. Don't answer that.

11 BY MR. FLANGAS:

12 Q. Are you going to take the same tact on virtually every question I ask now as to what
13 you did to verify the residency of Mr. Gilman?

14 MR. BUSBY: Objection, calls for legal opinion. Don't answer that question. Go ahead.

15 7. SEVENTH ASSERTION OF PRIVILEGE.⁸

16 BY MR. FLANGAS:

17 Q. You talk in your affidavit about a -- an informant, or somebody, that told you that Mr.
18 Gilman was leaving the premises at 8:00 every evening and going towards Reno. Who was this
19 informant?

20 MR. BUSBY: Objection, news shield statute. Don't answer that question.

21 8. EIGHTH ASSERTION OF PRIVILEGE.⁹

22 Q. Have you ever seen a residence that Mr. Gilman lives in in Reno?

23 A. Have I seen a residence?

24 Q. Yes.

25 A. I have seen multiple properties that are owned by Mr. Gilman that are in Washoe
26 County. I have not seen a residence of Mr. Gilman.

27 Q. Have you ever seen Mr. Gilman in any other residence?

28 A. I don't follow Mr. Gilman around. I have no -- I did not personally pursue Mr.

⁷ See the Defendant's Depo, pages 81-82.

⁸ See the Defendant's Depo, page 82.

⁹ See the Defendant's Depo, pages 82-84.

1 Gilman. I did not do any of that.

2 Q. Well, see, I'm kind of confused, here, because you're telling me about all of this in
3 your second declaration -- let's go with your first declaration. In paragraph 18 you talk about all
4 this diligence you're doing, but you never once went to see whether or not Mr. Gilman lived
5 anywhere else other than number 5 Wild Horse?

6 A. So I did public records requests, I checked the websites of Washoe County to
7 determine ownership of properties. The Mustang Ranch, as you know, is behind a locked gate,
8 which, which prevents casual observers from making any observations. And so the answer to your
9 question is as, as phrased, did I drive by, did I go look for Mr. Gilman anywhere in Washoe
10 County, no, I did not.

11 Q. You have no idea where Mr. Gilman lives, do you?

12 A. I have a pretty good idea of where he lives, yes.

13 Q. Why don't you give me that pretty good idea and what your basis for it is.

14 A. I interviewed an individual who told me that Mr. Gilman's toys, his cars, his
15 motorcycles, all his fancy clothes, all his cool stuff, is at a place that is not on the Mustang Ranch
16 property.

17 Q. Who's this interview?

18 MR. BUSBY: News shield statute. Don't answer that.

19 **9. NINTH ASSERTION OF PRIVILEGE.¹⁰**

20 Q. So my -- so conveniently you're doing all this investigation, but you
21 can't give me a single source other than you're going to invoke this shield.

22 A. I'm not giving you any source, that's correct. I don't have to.

23 **10. TENTH ASSERTION OF PRIVILEGE.¹¹**

24 Q. No. Did you ever go check over there, the brothel license applications?

25 A. "Over there"? Where is "over there"?

26 Q. The sheriff's office.

27 A. Yes, I did.

28 Q. And it showed number 5; right?

A. I don't recall.

¹⁰ See the Defendant's Depo, page 85.

¹¹ See the Defendant's Depo, pages 86-87.

1 Q. You don't recall. Did you ever talk to the sheriff about it?

2 MR. BUSBY: Objection, news shield statute. Don't answer that.

3 BY MR. FLANGAS:

4 Q. Did you ever talk to the sheriff about it?

5 MR. BUSBY: Same objection. Don't answer that.

6 Because of the number of time the Defendant's refused to answer questions based on the
7 Media Shield privilege, the undersigned terminated the Defendant's Deposition.¹²

8 II.
9 ARGUMENT

10 A. THE PLAINTIFFS' MOTION TO COMPEL SHOULD BE GRANTED AND THE
11 DEFENDANTS SHOULD BE COMPELLED TO PROVIDE THE REQUESTED
12 DISCOVERY.

13 A motion to compel discovery is an enforcement mechanism used when someone fails to
14 comply with a discovery request. Okada v. Eighth Judicial District Court in and for County of
15 Clark, 2018 WL 387927, __ P.3d __ (Nev.S.Ct. 2018). See generally NRCP 37 (providing
16 procedure for failure to cooperate in discovery).

17 At any time after the filing of a joint case conference report, or not sooner than 10 days
18 after a party has filed a separate case conference report, or upon order by the court or discovery
19 commissioner, any party who has complied with Rule 16.1(a)(1) may obtain discovery by one or
20 more of the following additional methods: depositions upon oral examination or written
21 questions; written interrogatories; production of documents or things or permission to enter upon
22 land or other property under Rule 34 or Rule 45(a)(1)©, for inspection and other purposes;
23 physical and mental examinations; and requests for admission. NRCP 26(a). A party may take
24 the testimony of any person, including a party, by deposition upon oral examination without
25 leave of court except as provided in subdivision (a)(2) of this rule. NRCP 30(a)(1).

26 Unless otherwise limited by order of the court in accordance with these rules, the Parties
27 may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter
28

¹² See the Defendant's Depo, page 87.

involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party, including the existence, description, nature, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of any discoverable matter. NRCP 26(b)(1). It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence. Id. See F.T.C. v. AMG Services, Inc., 291 F.R.D. 544 (D.Nev. 2013) (Relevance for discovery purposes is considerably broader than relevance for trial purposes; for discovery purposes, relevance means only that the materials sought are reasonably calculated to lead to the discovery of admissible evidence). Relevant evidence has been defined as evidence which has a tendency to make the existence of any fact of consequence to the determination of the action more or less probable than it would without the evidence. Desert Cab Inc. v. Marino, 108 Nev. 32, 823 P.2d 898 (1992). The question becomes whether the Defendant could rely on Nevada's News Shield Statute to assert a privilege.

B. THE DEFENDANT'S RELIANCE ON NRS 49.275, NEVADA'S NEWS SHIELD STATUTE TO ASSERT PRIVILEGE IS MISPLACED.

Nevada's Shield Law, NRS 49.275, provides in pertinent part as follows:

No reporter, former reporter or editorial employee of any newspaper, periodical or press association or employee of any radio or television station may be required to disclose any published or unpublished information obtained or prepared by such person in such person's professional capacity in gathering, receiving or processing information for communication to the public, or the source of any information procured or obtained by such person, in any legal proceedings, trial or investigation:

1. Before any court, grand jury, coroner's inquest, jury or any officer thereof.

Nevada's news shield statute is one of the most liberal in the country. Diaz v. Eighth Judicial Dist. Court ex rel. County of Clark, 116 Nev. 88, 93-94, 993 P.2d 50,54 (2000) citing Leslye deRoos Rood and Ann K. Grossman, *The Case for a Federal Journalist's Testimonial Shield Statute*, 18 Hastings Const. L.Q. 779 (1991) (comparing the protection provided by various state news shield statutes) [hereinafter Testimonial Shield Statute]. The statute confers

1 upon journalists an absolute privilege from disclosure of their sources and information in any
2 proceeding.

3 Nevada's news shield statute is not limited to confidential sources, but includes any
4 source. Diaz v. Eighth Judicial Dist. Court ex rel. County of Clark, 116 Nev. At 101, 993 P.2d at
5 59. The shield statute covers both published and unpublished information, and includes both the
6 information obtained and the source of the information. Id.

7 The protections from Nevada news shield statute extends protection only to the
8 journalist's newsgathering and dissemination activities within the journalist's professional
9 capacity. See Diaz v. Eighth Judicial Dist. Court ex rel. County of Clark, 116 Nev. At 101, 993
10 P.2d at 59. Nevada's news shield statute provides no protection for information gathered in other
11 capacities. Id.

12 1. **NEVADA'S NEW SHIELD STATUTE DOES NOT APPLY TO THE**
13 **DEFENDANT.**

14 To invoke the privilege an individual is required to be either a *reporter, former reporter*
15 *or editorial employee of any newspaper, periodical or press association or employee of any*
16 *radio or television station.* See NRS 49,275. In the absence of one of those labels an individual
17 is not entitled to invoke the privilege to protect either the information he obtained or the source
18 of the information.

19 "It is well settled in Nevada that words in a statute should be given their plain meaning
20 unless this violates the spirit of the act." Diaz v. Eighth Judicial Dist. Court ex rel. County of
21 Clark, 116 Nev. At 94, 993 P.2d at 54 citing McKay v. Bd. of Supervisors, 102 Nev. 644, 648,
22 730 P.2d 438, 441 (1986). " '[N]o part of a statute should be rendered nugatory, nor any language
23 turned to mere surplusage, if such consequences can properly be avoided.' " Diaz v. Eighth
24 Judicial Dist. Court ex rel. County of Clark, 116 Nev. At 94, 993 P.2d at 54-55 citing Paramount
25 Ins. v. Rayson & Smitley, 86 Nev. 644, 649, 472 P.2d 530, 533 (1970) (alteration in original)
26 (quoting Torreyson v. Board of Examiners, 7 Nev. 19, 22 (1871)). Thus, "[w]here a statute is
27 clear on its face, a court may not go beyond the language of the statute in determining the
28 legislature's intent." Diaz v. Eighth Judicial Dist. Court ex rel. County of Clark, 116 Nev. At 94-

1 95, 993 P.2d at 55 citing McKay, 102 Nev. at 648, 730 P.2d at 441.

2 There is nothing contained in the four corners of the statute that applies to the Defendant
3 in this matter. As the Court is aware, the Defendant writes for the Storey Teller. According to
4 the "About Section" of the Storey Teller, "the [Storey Teller] was created to provide a source of
5 irritation to the Good Old Boys who operate The Biggest Little County in the World with selfish
6 impunity forever."¹³ Clearly, this is not what was envisioned by the legislature in enacting NRS
7 49.275. In addition, there is nothing providing for a blogger such as the Defendant in the statute.
8 Moreover, the Defendant has never made a showing how he qualifies for the protections afforded
9 by NRS 49.275. Therefore, the Defendant is not entitled to the protections set forth in NRS
10 49.275.

11 In the case of Too Much Media, LLC v. Hale, 206 N.J. 209 (2011) the New Jersey
12 Supreme Court analyzed New Jersey's Shield Law to decide whether the newsperson's privilege
13 extends to a self-described journalist who posted comments on an Internet message board. *In its'*
14 *exhaustive analysis, the Hale Court noted that* New Jersey's Shield Law (like Nevada's) is
15 among the broadest in the nation and protects all significant news-gathering activities. However,
16 the Hale Court noted that the focus was not *what* the law protected but *whom* it protected. In
17 holding that Hale was not protected, the Court noted that the site upon which Hale posted her
18 comments was an internet message board which was not "news Media" because it was not
19 disseminating news to the general public.

20 In the instant case and as just stated, the Defendant writes for the Storey Teller.
21 According to the "About Section" of the Storey Teller, "the [Storey Teller] was created to
22 provide a source of irritation to the Good Old Boys who operate The Biggest Little County in the
23 World with selfish impunity forever."¹⁴ Therefore, the Storey Teller by its own admission was
24 not created for the purpose of disseminating news to the general public. As in Hale, since the
25 Storey Teller is not "news" because its purpose is not to disseminate news to the general public,

27 ¹³ See Exhibit "2", for a copy of the Defendant's blog.

28 ¹⁴ Id.

1 the Defendant is not a reporter, or editorial employee and is precluded from invoking the
2 privilege.

3 2. **THE DEFENDANT'S ATTEMPT TO USE NEVADA'S NEWS SHIELD**
4 **STATUTE SHOULD YIELD SO THAT JUSTICE MAY BE SERVED.**

5 Although the news shield statute provides an absolute privilege to reporters engaged in
6 the newsgathering process, there may be certain situations, e.g., when a defendant's
7 countervailing constitutional rights are at issue, in which the news shield statute might have to
8 yield so that justice may be served. See Id; Aspen Financial Services, Inc. v. Eighth Judicial
9 Dist. Court of State ex rel. County of Clark, 129 Nev. 878, 313 P.3d 875 (2013).

10 In the instant case, the Defendant has accused the Plaintiff of perjury claiming that the
11 Plaintiff lied under oath on forms he submitted pertaining to his residency in Storey County.
12 Without one iota of evidence to support his untrue statement, the Defendant is now hiding behind
13 the Shield Statute to conceal the ball on **what he did or didn't do** to confirm the Plaintiff's
14 residency in Storey County. Notwithstanding that the Defendant is not entitled to such
15 protections under the News Shield Statute, for justice to be served, the Defendant should be
16 compelled to answer the questions posed by the undersigned counsel related to his efforts to
17 confirm his untrue statements. In other words, the news shield statute should have to yield
18 especially considering there is nothing earth shattering about how the Defendant arrived at his
19 conclusions that the Plaintiff committed perjury.

20 It should be noted that the Court will not allow a media defendant totally to avoid
21 accountability for defamatory utterances through manipulative use of the shield law. See Las
22 Vegas Sun, Inc. v. Eighth Judicial Dist. Court In and For County of Clark, 104 Nev. at 513, 761
23 P.2d at 853. The shield law creates a protective environment for the reporter who is engaged in
24 obtaining, preparing and collecting information. Id. It does not create a special privilege for
25 news media litigants, however. Id.

26 C. **SHOULD THE COURT DECIDE TO COMPEL THE DEFENDANT TO**
27 **ANSWER THE QUESTIONS AS SET FORTH HEREIN, THE PLAINTIFF**
28 **RESPECTFULLY REQUESTS THAT THE COURT IMPOSE SANCTIONS.**

Generally, sanctions may only be imposed where there has been willful noncompliance

1 with a court order or where the adversary process has been halted by the actions of the
2 unresponsive party. GNLV Corp. v. Service Control Corp., 111 Nev. 866, 869, 900 P.2d 323,
3 325 (1995) citing Fire Ins. Exchange v. Zenith Radio Corp., 103 Nev. 648, 651, 747 P.2d 911,
4 913 (1987). Fundamental notions of fairness and due process require that discovery sanctions be
5 just and that sanctions relate to the specific conduct at issue. GNLV Corp. v. Service Control
6 Corp., 111 Nev. at 869, 900 P.2d at 325 citing Young v. Johnny Ribeiro Building, 106 Nev. 88,
7 92, 787 P.2d 777, 779 (1990).

8 In the instant case, the Plaintiff respectfully requests sanctions in an amount to cover the
9 Plaintiff's counsel's travel costs, lodging costs, court reporter fees, and attorney fees incurred in
10 bringing this instant Motion.

11 **D. THE PLAINTIFF RESPECTFULLY REQUESTS THAT THE COURT EXTEND**
12 **THE TIME PERIOD FOR CONDUCTING DISCOVERY.**

13 Pursuant to the Order, the deadline for completing the limited discovery is May 11, 2018.
14 The Plaintiff would need the additional time for discovery to retake the Defendant's Deposition
15 and other Depositions that would follow from his testimony should the Court grant the Motion to
16 Compel. Regardless of whether the Court grants the Motion to Compel, the Plaintiff needs
17 additional time to conduct discovery to fully look at what the Defendant knew about the falsity of
18 his statements.

19 **E. THE COURT SHOULD GRANT THE PLAINTIFF'S MOTION FOR PARTIAL**
20 **FOR SUMMARY JUDGMENT AND ISSUE A RULING THAT BECAUSE THE**
21 **DEFENDANT INVOKED NEVADA'S NEW SHIELD STATUTE, THE**
DEFENDANT SHALL NOT BE ALLOWED TO RELY ON THE PRIVILEGED
INFORMATION AS A DEFENSE IN THIS MATTER.

22 Under NRCP 56, summary judgment is appropriate when the pleadings, depositions,
23 answers to interrogatories, admissions, and affidavits, if any, that are properly before the court
24 demonstrate that no genuine issue of material fact exists, and the moving party is entitled to
25 judgment as a matter of law. Wood v. Safeway, Inc., 121 Nev. 724, 121 P.3d 1026 (2005). The
26 substantive law controls which factual disputes are material and will preclude summary
27 judgment; other factual disputes are irrelevant. Id. A factual dispute is genuine when the
28 evidence is such that a rational trier of fact could return a verdict for the nonmoving party. Id.

1 While the pleadings and other proof must be construed in a light most favorable to the
2 nonmoving party, that party bears the burden to "do more than simply show that there is some
3 metaphysical doubt" as to the operative facts in order to avoid summary judgment being entered
4 in the moving party's favor. Id. The nonmoving party "must, by affidavit or otherwise, set forth
5 specific facts demonstrating the existence of a genuine issue for trial or have summary judgment
6 entered against him." Id. However, the nonmoving party "is not entitled to build a case on the
7 gossamer threads of whimsy, speculation, and conjecture." Id. In the instant case, there remain
8 genuine issues of material fact pertaining to certain issues that preclude summary judgment.

9 In the instant case, there are no genuine issues of material fact pertaining to the Defendant
10 invoking Nevada's New Shield Statute. It is clear from the transcript of the Defendant's
11 Deposition. Therefore, partial summary judgment is appropriate on the issue of whether the
12 Defendant can rely on the privileged information as a defense.

13 In Diaz, the Court reaffirmed its ruling as it pertains to actions for libel. In particular, the
14 court ruled that once a media litigant has invoked the protection of the news shield statute to
15 resist discovery, the defendant may not later rely on the privileged information as a defense. See
16 Diaz v. Eighth Judicial Dist. Court ex rel. County of Clark, 116 Nev. At 101, 993 P.2d at 58-59
17 citing Las Vegas Sun, Inc. v. Eighth Judicial Dist. Court In and For County of Clark, 104 Nev.
18 508, 514, 761 P.2d 849, 853-854 (1988). Moreover, to the extent that a plaintiff in a defamation
19 action is required to prove that a media litigant either knew that the published information was
20 false or acted in reckless disregard of the truth, an assertion of the shield statute may result in
21 discovery sanctions. Diaz v. Eighth Judicial Dist. Court ex rel. County of Clark, supra at
22 Footnote 6.

23 Based upon the foregoing, the Court should issue an Order granting partial summary
24 judgment precluding the Defendant from relying on the privileged information as a defense.

25 III. 26 CONCLUSION

27 At his Deposition, the Defendant improperly asserted the privilege afforded by Nevada's
28 News Shield Statute at least ten times. Because of the number of times the Defendant refused to

1 to answer questions based on the Media Shield privilege, the undersigned terminated the
2 Defendant's Deposition so that this Motion to Compel could be filed. According to the "About
3 Section" of the Storey Teller, "the [Storey Teller] was created to provide a source of irritation to
4 the Good Old Boys who operate The Biggest Little County in the World with selfish impunity
5 forever." Clearly, this is not what was envisioned by the legislature in enacting NRS 49.275.
6 Moreover, there is nothing providing for a blogger such as the Defendant in the statute.
7 Therefore, the Defendant is not entitled to the protections afforded by NRS 49.275.
8 Notwithstanding that the Defendant is not entitled to such protections under the News Shield
9 Statute, for justice to be served, the Defendant should be compelled to answer the questions
10 posed by the undersigned counsel related to his efforts to confirm his untrue statements. In other
11 words, the news shield statute should have to yield especially considering that the Defendant
12 accused the Plaintiff of perjury (a crime) and there is nothing earth shattering about how the
13 Defendant arrived at his conclusions that the Plaintiff committed perjury.

14 If the Court is inclined to grant the Motion to Compel, the Plaintiff respectfully requests
15 that the Court impose sanctions in an amount to cover the Plaintiff's counsel's travel costs,
16 lodging costs, court reporter fees, and attorney fees incurred in bringing this instant Motion.

17 Because the deadline for completing the limited discovery is May 11, 2018, the Plaintiff
18 respectfully requests additional time for discovery to retake the Defendant's Deposition and other
19 Depositions that would follow from his testimony should the Court grant the Motion to Compel.
20 Regardless of whether the Court grants the Motion to Compel, the Plaintiff needs additional time
21 to conduct discovery to fully look at what the Defendant knew about the falsity of his statements.

22 In the alternative, the Court should grant the Plaintiff's Motion for Partial Summary
23 Judgment. There are no genuine issues of material fact pertaining to the Defendant invoking
24 Nevada's New Shield Statute. It is clear from the transcript of the Defendant's Deposition.
25 Therefore, partial summary judgment is appropriate on the issue of whether the Defendant can
26 rely on the privileged information as a defense.

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DATED this 10th day of May, 2018.

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Attorneys for Plaintiff

Exhibit “1”: Extract of the Deposition of the Defendant, Sam Toll

Exhibit “2”: Copy of the Defendant’s blog at the Storeyteller Website.

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of FLANGAS DALACAS LAW GROUP, and that on this 10th day of May, 2018 served a true and correct copy of **PLAINTIFF'S MOTION TO COMPEL; MOTION FOR SANCTIONS; MOTION TO EXTEND THE TIME PERIOD FOR DISCOVERY; AND IN THE ALTERNATIVE, MOTION FOR PARTIAL SUMMARY JUDGEMENT** as indicated below:

 X By depositing the same in the United States mail, first-class, postage prepaid, in a sealed envelope, at Las Vegas, Nevada pursuant to N.R.C.P. 5(b) addressed as follows

 By facsimile, pursuant to EDCR 7.26 (as amended)

 X By electronic mail.

John L. Marshall
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Attorneys for Defendant


an employee of Flangas Dalacas Law Group

EXHIBIT 1

EXHIBIT 1

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1 IN THE SECOND JUDICIAL DISTRICT COURT OF THE
2 STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE

3 -000-

4
5 LANCE GILMAN, an individual, :
6 Plaintiff, :
7 :
8 vs. :
9 :
10 SAM TOLL, an individual; DOES :
11 I-V, and ROE ENTITIES VI-X, :
12 inclusive, :
13 :
14 Defendants. :
15 :
16 =====

17 DEPOSITION OF SAMUEL TOLL
18 Friday, May 4, 2018
19 Virginia City, Nevada
20
21
22
23
24

25 REPORTED BY: SUSAN E. BELINGHERI, CCR #655

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Rough Draft

APPEARANCES:

For the Plaintiff:

*ATTORNEY FIRM
Attorneys at Law
By: *ATTORNEY NAME
*Attorney Address
Reno, Nevada *

For the Defendant:

**ATTORNEY FIRM
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I N D E X

EXAMINATION:

Page 2

PAGE

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4 By Mr. Flangas

*

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7 EXHIBITS: DESCRIPTION: PAGE

8 Exhibit 1 **

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♀

1 PURSUANT TO NOTICE, and on Friday, the 4th
2 day of May, 2018, at the hour of 10:05 a.m. of said day,
3 at the offices of Community Chest, 175 E. Carson Street,
4 Virginia City, Nevada, before me, Susan E. Belingheri, a
5 notary public, personally appeared SAMUEL TOLL.

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-oOo-

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7

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SAMUEL TOLL,

9

having been duly sworn,

10

was examined and testified as follows:

11

12

EXAMINATION

13

BY MR. FLANGAS:

14

Q. Good morning, sir. We've already met. I'm Gus

15

Flangas. I represent the plaintiff in this action,

16

Lance Gilman.

17

Could you please state your name and spell it for

18

the record.

19

A. My name is Samuel Clover Toll. S-a-m-u-e-l,

20

C-l-o-v-e-r, T-o-l-l, just like the bridge.

21

Q. Mr. Toll, you just took an oath; correct?

22

A. I did, yes.

23

Q. You understand that that oath has the same

24

ramifications and solemnity as though you took it in a

25

court of law?

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1

A. I do.

2

Q. When I say "ramifications," what I mean is the

3

same ramifications for perjury as though you took it in

4

a court of law. Do you understand that?

5

A. I do.

6

Q. Have you ever had your deposition taken before?

7

A. No, sir.

8

Q. I'm going to go over some ground rules to do this

Page 4

Rough Draft

4 physical parcel, which the Mustang Ranch occupies, that
5 fall in that range. As is 56, 52 -- or 5 and 5B Wild
6 Horse Canyon Drive.

7 Q. So what's Mr. Gilman's residence?

8 A. According to his driver's license, it is 5 Wild
9 Horse Canyon Drive, and I believe --

10 Q. Okay. So --

11 A. -- that that is, that is on page 11 of 21 of
12 Exhibit 7.

13 Q. So the five prostitutes residing at 1000 Wild
14 Horse, how do you make the connection that they reside
15 with Mr. Gilman?

16 A. They're all one -- part of the same property.
17 And in fact, back in the good old days, you know, Joe
18 Conforte had a block of 200 prostitutes that all voted
19 using his address at the brothel.

20 Q. What's the address of the brothel?

21 A. I've just described those to you, to my
22 knowledge. We can check with the assessor. I believe
23 that I've got an email, which we included and attached
24 in one of the attachments that we provided for this
25 deposition, that describes the range of addresses.

66

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1 Q. So is the brothel number 5 Wild Horse, according
2 to you?

3 A. No. According to the assessor -- if you look at
4 page 3 of 21 there's a Google Earth picture with a
5 circle around -- the document is nearly impossible to

Rough Draft

6 make out in this printout -- where it says, "Lance
7 Gilman and Kris Thompson are roommates here."
8 Q. Where did that picture come from?
9 A. As I stated, Google Earth.
10 Q. Did you -- were you the one that Googled it?
11 A. I am.
12 Q. You're one that put it there in that article?
13 A. That's my handiwork.
14 Q. All right. So my question for you: Is the
15 address number 5, where Mr. Gilman resides, the same as
16 the address for the brothel?
17 MR. BUSBY: Objection, asked and answered.
18 Go ahead.
19 THE WITNESS: No, it is not. However,
20 however, the compound, the complex, is all in the same
21 parcel, and that parcel is zoned agricultural/industrial
22 2, which permits only a single-family dwelling, which I
23 guess we could, you know, go online and look up from
24 Merriam's dictionary what a single family is, but I'm
25 pretty sure, unless you live in Utah, it doesn't consist

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1 of two men and a woman as a family.
2 BY MR. FLANGAS:
3 Q. You mentioned to a minute ago five prostitutes
4 are residing with him, too, and you told me -- I asked
5 you where are you getting that five prostitutes are
6 residing with him, and then you're telling me that the
7 prostitutes reside at 1000, and Mr. Gilman resides at 5.
8 So I'm trying to see how they're all living under the

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9 same roof, here.

10 A. I have no idea who's sleeping with who, but I do
11 know this, if you look at the parcel number -- and I
12 believe it's 001-161-121, although I may be not
13 accurately reflecting the, the lot. There are four lots
14 that actually make up the compound. They're all zoned
15 the same, and they all have the same zoning
16 requirements, which means that only a man and a woman,
17 or their kids, or a man and a man and their kids, or a
18 woman and a woman and their kids, but a single family,
19 and not a multiple family, not a bunch people, not a
20 commune, not a group of prostitutes and their pimp, can
21 live there.

22 Q. Are you -- you mentioned earlier you're not a
23 zoning expert; right?

24 MR. BUSBY: Objection, asked and answered.

25 THE WITNESS: Yes. As I've already

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

9

1 stated --

2 BY MR. FLANGAS:

3 Q. Just a yes or no so I can go on to my next
4 question.

5 A. Yes.

6 Q. Did you consult anybody to make an opinion as to
7 what's right and what's wrong as to the zoning out
8 there?

9 A. Yes.

10 MR. BUSBY: Objection, asked and answered.

Rough Draft

11 Go ahead, Mr. Toll.

12 THE WITNESS: Yes.

13 BY MR. FLANGAS:

14 Q. Who did you consult?

15 A. Dozens and dozens of other concerned citizens in
16 the county.

17 Q. Okay. What are the names of some of the folks
18 that you consulted about whether or not the zoning was
19 correct or how they were using the zoning was correct?

20 MR. BUSBY: I'm going to go ahead and
21 October based on the news privilege statute, which --

22 BY MR. FLANGAS:

23 Q. Well, first of all, were any of these people your
24 attorney?

25 MR. BUSBY: Not first of all. Please let me

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

‡

1 finish my objection sir.

2 I'm citing to Nevada's Shield law, codified
3 under NRS 49.275, the news media:

4 "No reporter, former reporter or editorial
5 employee of any newspaper, periodical or press
6 association, or any employee of any radio or television
7 station may be required to disclose any published or
8 unpublished information obtained or prepared by such a
9 person in such person's professional capacity in
10 gathering, receiving or processing information for
11 communication with the public, or the source of any
12 information procured or obtained by such a person, in
13 any legal proceeding, trial or investigation."

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Rough Draft

14 And that includes issues before courts. So
15 Mr. Toll, I'm going to go ahead and invoke the news
16 shield law in response to Mr. Flangas' question, and I'm
17 going to direct you not to answer.

18 BY MR. FLANGAS:

19 Q. Are you going invoke the news shield?

20 A. Absolutely.

21 Q. Were you looking -- were these consultants, was
22 this in your trying to do this to gather news for a news
23 story?

24 A. Every person who I talked to who provides me
25 information that I later write about is a source.

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

♀

1 Q. Every single person. So you relied on these
2 so-called news source consultants to arrive at your
3 opinion that what Mr. Gilman -- how he was occupying
4 those premises was incorrect. Am I stating your answer
5 correctly?

6 A. Yes.

7 Q. Now, you said you consulted with many people to
8 arrive at that opinion; right?

9 A. Yes. And let me clarify.

10 Q. Just let's start with that first --

11 MR. BUSBY: Mr. Flangas, please --

12 BY MR. FLANGAS:

13 Q. -- and then you can clarify.

14 MR. BUSBY: -- let the witness answer the
15 question before you move on.

Rough Draft

16 MR. FLANGAS: Well, the question, with all
17 due respect, counsel, the question called for a yes or
18 no answer, and then I can go into the next one and he
19 can verify all -- clarify all he wants.

20 MR. BUSBY: Mr. Flangas, I'd like the record
21 to reflect that the witness is not being permitted to
22 fully answer his questions before being interrupted by
23 the examiner, and I object on that basis and I ask that
24 the witness be allowed to answer the question that
25 you're asking before you continue.

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

♀

1 MR. FLANGAS: With all due respect, counsel,
2 you have been interjecting improper objections
3 throughout this entire deposition. You're using the
4 "asked and answered" when he isn't, obviously, clearly
5 not answering the questions that I asked. He's gone off
6 on several tangents. You've been coming up with a host
7 of objections, I think, that are completely designed to,
8 you know, to muddle -- muddy up the record. Not only
9 muddy up the record, but to try to -- you know, whatever
10 attempt you're trying do to throw me off, which it's
11 obviously not working.

12 So I would appreciate that the objections be
13 legally valid objections. And, you know, the reason
14 we're having so much trouble getting through this depo
15 is because every single question I've asked, you've
16 interspersed some form of objections.

17 MR. BUSBY: Mr. Flangas, if you continue to
18 ask questions and not allow the deponent to answer them

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Rough Draft

19 fully before interrupting him, we'll cease the
20 deposition and we'll ask for a conference to -- with the
21 judge to resolve the matter.

22 I've stated the exact basis for every single
23 objection that I've made on the record. They're
24 permitted under law, perfectly proper. So I guess we
25 can either proceed or not.

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

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1 MR. FLANGAS: The record speaks for itself,
2 counsel. I fully intend to proceed on this. If you
3 want to cancel the depo, please, you have whatever
4 rights you want to -- you know, however you want to do
5 it. The bottom line is I asked for a yes or no question
6 and I get -- I start getting quotations to certain
7 things, everything from the Jerry Falwell case to what
8 George Orwell said. So --

9 MR. BUSBY: Mr. Flangas, disagreeing with
10 the substance of the answer of the witness is not
11 grounds for interrupting and proceeding with another
12 question without letting the witness completely answer
13 the question you've asked.

14 BY MR. FLANGAS:

15 Q. Go ahead and answer the question.

16 A. Can you repeat the question, please?

17 MR. FLANGAS: Can you read back the
18 question, please?

19 (Whereupon the reporter read the record.)

20 THE WITNESS: Yes.

Rough Draft

21 BY MR. FLANGAS:

22 Q. Did you want to clarify so we can appease your
23 counsel on this one?

24 A. To clarify, as I earlier suggested, I speak to a
25 variety of people, locally, the state level, and people

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

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†

1 who have professional capacities and people who do not,
2 and all of those people are considered sources.

3 Q. Now, you mentioned that you consulted with a
4 number of people to determine whether or not Mr. Gilman
5 was residing properly, as pertaining to the zoning in
6 his residence; right?

7 MR. BUSBY: Objection, asked and answered.
8 Go ahead.

9 THE WITNESS: In regards to the zoning, yes.
10 As you can see, the, the public records request reflect
11 that.

12 BY MR. FLANGAS:

13 Q. How many people did you consult?

14 A. On the zoning issue?

15 Q. Yes.

16 A. I've only really talked to a half-dozen
17 individuals, and Mr. Osborne, and the -- Lyndi and Kathy
18 in the planning department.

19 Q. The reason you consulted with those folks is
20 because you entertained doubts as to what the zoning
21 was; right?

22 A. I have no doubts as to what the zoning is, and I
23 have no doubts as to what the, what the zoning says and

Rough Draft

24 what they allow and what they don't allow. However, the
25 whole purpose of going down the zoning route has

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

♀

1 absolutely nothing to do with the fact that I absolutely
2 do not believe -- and I indeed understand that I'm under
3 oath -- that Mr. Gilman lives at the double-wide trailer
4 behind the whorehouse. I just don't believe it. In
5 fact, the investigation that I've done prior to even
6 being served, recent investigation, confirms that even
7 more stringently.

8 However, the purpose, since we're talking about
9 zoning, is to illustrate to the gentle readers of The,
10 of The Teller and to the citizens and voters and
11 taxpayers of Storey County, that there are two sets of
12 rules under which we exist. And there's one set of
13 rules for the privileged Mr. Gilman, and there's another
14 set of rules for folks who can't buy a thousand hogs and
15 set them up on their residential property that's not
16 zoned agricultural without seeing the sheriff and
17 getting shut down.

18 Q. Where did you arrive for your definition and
19 what's appropriate for multi-family use?

20 A. From the Storey County ordinance.

21 Q. What ordinance did you look at?

22 A. It's in the Storey County ordinance book. I
23 don't have it -- I can't quote it gospel -- or paragraph
24 and verse.

25 Q. What did it tell you?

ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

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1 A. As I've stated on record before, that the only
2 thing that can exist on -- as far as dwellings are
3 concerned on agricultural zoned property is a
4 single-family dwelling. The, the parcel is also zoned
5 industrial. The only thing that a person can sleep in
6 on an industrial park is a, is a watchman's quarters.

7 Q. Okay. I'm going to go back to my question,
8 because you, again, weren't responsive to my question.
9 You can say "I don't know" if you don't know. That's
10 fine.

11 The question is: what did -- where did you come
12 up with your definition -- and I know I've asked and
13 answered this, but I'm going to ask the follow-on.
14 where did you come up with your definition of what
15 constitutes a multi-family dwelling? You told me the
16 ordinance. I'm asking you: what does the ordinance say
17 what constitutes a multi-family dwelling?

18 MR. BUSBY: Same objection. Go ahead and
19 answer, Mr. Toll.

20 THE WITNESS: Technically, in my
21 recollection of ordinance, says that a single-family
22 dwelling is all that is permitted. A multi-family
23 dwellings is not permitted. Using the reasonable man
24 statute that I have inside my brain, a multi-family
25 dwelling is -- could be considered -- you know,

ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

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Rough Draft

1 obviously we don't live in the day of the nuclear family
2 anymore; however, a family unit consists typically of
3 a -- it's two sets of adults and then any children that
4 may be a result of that union.

5 BY MR. FLANGAS:

6 Q. This reasonable man standard, that's your own
7 reasonable man standard; is that correct?

8 A. Based upon the information that has been given to
9 me by people who I have consulted with, as we've
10 described earlier, those people are also reasonable men
11 and women, and they also have come to the same
12 conclusion. So no, it's not just my conclusion, it's
13 the conclusion of the community.

14 Q. And you're not going to disclose who these -- the
15 members of the community that have this conclusion?

16 A. No, sir.

17 MR. BUSBY: Same objection, news shield
18 statute.

19 MR. FLANGAS: I'll probably have to file a
20 motion on that.

21 BY MR. FLANGAS:

22 Q. Now, you're claiming Mr. Gilman doesn't live at
23 number 5 Wild Horse Drive; right?

24 A. Yes.

25 Q. Now, one of the grounds for you to make that

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

8

1 statement is because you find it hard to believe that

Rough Draft

2 one of the wealthiest men in Northern Nevada would be
3 residing where he resides; right?

4 A. I'm also basing that opinion upon -- the answer
5 to your question is yes. However, I'm also basing that
6 opinion upon interviews and information that have been
7 given to me by third-party sources.

8 Q. And you're not going to divulge who these
9 third-party sources are?

10 A. No, sir.

11 MR. BUSBY: Objection, news shield statute.

12 MR. FLANGAS: The news shield statute
13 doesn't really shield against official sources and
14 things like that.

15 BY MR. FLANGAS:

16 Q. So the question is to the official sources. Did
17 you consult any official forces?

18 MR. BUSBY: Same objection, news shield
19 statute. Don't answer that.

20 BY MR. FLANGAS:

21 Q. Are you not going to answer?

22 A. Based upon the advice of my counsel, I will not
23 answer that question.

24 Q. So we've established one of the reasons you don't
25 believe he lives there is based on -- and it's been

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

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1 asked and answered, I know, but it to lead into the next
2 question. One of the reasons you're saying this is
3 because you find it hard to believe that Mr. Gilman
4 would live where he does because he's a wealthy man;

Rough Draft

5 right?

6 A. Yes.

7 Q. Now, let's, let's talk about what investigation
8 you did to confirm whether or not Mr. Gilman lives where
9 he lives. Okay? First question: Did you ever drive by
10 to see if he was there?

11 A. Can't get into the property without buzzing the
12 gate.

13 Q. All right. So the answer is no, you've never
14 been by to see if he's there or not?

15 A. It's not possible for me to drive by there. It
16 is impossible for me to drive by there.

17 Q. Now, I asked you in the first part of this
18 deposition about your relationship with Mr. Antinoro,
19 and that Mr. Antinoro is on the brothel board, and you,
20 you told me that; right?

21 A. Yes.

22 Q. You also told me that Mr. Antinoro is -- his
23 office also oversees regulation of the brothels; right?

24 A. Per county code, yes, he does.

25 Q. And I think you even gave me an anecdote that one

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

♀

1 of your family members, or somebody else you knew, did
2 the same years ago; right?

3 A. No. What I was alluding to, to clarify, is that
4 my father wrote Joe Conforte's biography.

5 Q. Okay. There you go.

6 So you meet with Mr. Antinoro about three times a

Rough Draft

7 month, you said?

8 A. I do not meet with --

9 MR. BUSBY: Hold on. Objection,
10 mischaracterizes earlier testimony and asked and
11 answered.

12 BY MR. FLANGAS:

13 Q. Well, you interact with him about three times a
14 month; right?

15 A. Virginia City is a small town and I occupy the
16 same space as Mr. Antinoro occasionally.

17 Q. You can go and see him any time you want in the
18 sheriff's department, virtually?

19 A. Just like any other citizen in Storey County.

20 Q. All right. Did you ever ask Mr. Antinoro about
21 Mr. Gilman's residency?

22 MR. BUSBY: Objection, news shield statute.

23 MR. FLANGAS: That's not a shield statute
24 there, counsel.

25 MR. BUSBY: Mr. Flangas, you're welcome to

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

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1 file your a motion and disagree, but I'm going to direct
2 my client to not answer that question.

3 THE WITNESS: Based upon my counsel's
4 advice, I am not going to answer that question.

5 BY MR. FLANGAS:

6 Q. Did you ever go to the sheriff's office to verify
7 Mr. Antinoro's -- excuse me -- Mr. Gilman's residency?

8 MR. BUSBY: Same objection. Don't answer
9 that question.

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Rough Draft

10 MR. FLANGAS: Are you really going to invoke
11 the shield on whether or not somebody went to the
12 sheriff's office to verify residency, counsel?

13 MR. BUSBY: Mr. Flangas, we can argue about
14 this later before the Court. If you have any questions
15 for my witness, please go ahead.

16 BY MR. FLANGAS:

17 Q. So did you -- so you're not going to answer the
18 question on whether or not you went to the sheriff's
19 office to verify the residency of Mr. Gilman?

20 MR. BUSBY: Same objection. Don't answer
21 that.

22 BY MR. FLANGAS:

23 Q. Are you going to take the same tact on virtually
24 every question I ask now as to what you did to verify
25 the residency of Mr. Gilman?

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

9

1 MR. BUSBY: Objection, calls for legal
2 opinion. Don't answer that question. Go ahead.

3 BY MR. FLANGAS:

4 Q. You talk in your affidavit about a -- an
5 informant, or somebody, that told you that Mr. Gilman
6 was leaving the premises at 8:00 every evening and going
7 towards Reno. Who was this informant?

8 MR. BUSBY: Objection, news shield statute.
9 Don't answer that question.

10 BY MR. FLANGAS:

11 Q. And so what is it, that if Mr. Gilman goes

Rough Draft

12 towards -- if Mr. Gilman is heading towards Reno at
13 8:00 -- scratch that.

14 How many times a week does Mr. Gilman leave and
15 go towards Reno at 8:00, according to your source?

16 A. According to my source, it's virtually every
17 night.

18 Q. And how does your source know this?

19 A. Because of the position that they occupy, they
20 are there.

21 Q. Do they have -- do they follow Mr. Gilman?

22 A. No.

23 Q. Have you ever seen a residence that Mr. Gilman
24 lives in in Reno?

25 A. Have I seen a residence?

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

♀

1 Q. Yes.

2 A. I have seen multiple properties that are owned by
3 Mr. Gilman that are in Washoe County. I have not seen a
4 residence of Mr. Gilman.

5 Q. Have you ever seen Mr. Gilman in any other
6 residence?

7 A. I don't follow Mr. Gilman around. I have no -- I
8 did not personally pursue Mr. Gilman. I did not do any
9 of that.

10 Q. Well, see, I'm kind of confused, here, because
11 you're telling me about all of this in your second
12 declaration -- let's go with your first declaration. In
13 paragraph 18 you talk about all this diligence you're
14 doing, but you never once went to see whether or not Mr.

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Rough Draft

15 Gilman lived anywhere else other than number 5 wild
16 Horse?

17 A. So I did public records requests, I checked the
18 websites of Washoe County to determine ownership of
19 properties. The Mustang Ranch, as you know, is behind a
20 locked gate, which, which prevents casual observers from
21 making any observations. And so the answer to your
22 question is as, as phrased, did I drive by, did I go
23 look for Mr. Gilman anywhere in Washoe County, no, I did
24 not.

25 Q. You have no idea where Mr. Gilman lives, do you?

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

♀

1 A. I have a pretty good idea of where he lives, yes.

2 Q. Why don't you give me that pretty good idea and
3 what your basis for it is.

4 A. I interviewed an individual who told me that Mr.
5 Gilman's toys, his cars, his motorcycles, all his fancy
6 clothes, all his cool stuff, is at a place that is not
7 on the Mustang Ranch property.

8 Q. Who's this interview?

9 MR. BUSBY: News shield statute. Don't
10 answer that.

11 BY MR. FLANGAS:

12 Q. And they told you that Mr. Gilman's got a house,
13 this source?

14 A. Mr. Gilman houses his nice clothes, his
15 motorcycles, his vehicles, his, his rich -- his
16 expensive cars, all his, you know, jewelry and all of

Rough Draft

17 his personal effects -- perhaps not all, but certainly a
18 majority of them -- at a place that is not on the
19 Mustang Ranch compound.

20 Q. What's the address of the place?

21 A. He did not reveal.

22 Q. You have no idea what's in his places, do you?

23 A. I sure don't. I've never been there.

24 Q. You don't know what clothes he has.

25 A. So what's interesting is Mr. Gilman could have,

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

7

1 at any time, invited me to his place, shown me where he
2 lives, and put an end to this. He could also have, as I
3 requested in one of my -- no, actually, I didn't request
4 this in a piece -- in a conversation with someone, that
5 he could release his cell phone records showing
6 triangulation of where he parked his cell phone from
7 midnight -- or 10:00 p.m. to 6:00 a.m. and shut me up at
8 any time.

9 Q. Why does he have to do that?

10 A. Why doesn't he -- why does he have to sue me for
11 claiming that he doesn't live there.

12 Q. Because you're the one that did it.

13 A. Right. So if he --

14 Q. But why does he have to prove --

15 A. He doesn't.

16 Q. -- anything to you?

17 A. He absolutely doesn't.

18 Q. So my -- so conveniently you're doing all this
19 investigation, but you can't give me a single source

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Rough Draft

20 other than you're going to invoke this shield.

21 A. I'm not giving you any source, that's correct. I
22 don't have to.

23 Q. Are you aware that Mr. Gilman lists 5 Wild Horse
24 on his brothel application?

25 A. Am I aware that he lifts 5 wild Horse--

85

ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

1 Q. Lists. Lists, not lifts.

2 A. -- lists 5 Wild Horse -- yes, I am.

3 MR. BUSBY: Objection, confusing question.

4 Go ahead.

5 BY MR. FLANGAS:

6 Q. Okay. Are you -- do you know that Mr. Gilman has
7 a CCW issued by the sheriff of Storey County?

8 A. I do not know that, no.

9 Q. It lists number 5 Wild Horse.

10 A. So what? I contend still, to this day, that he
11 doesn't live there.

12 Q. Did you ever go check this, or did you --

13 A. As I've stated earlier, I cannot go check it
14 because he resides behind a locked gate.

15 Q. No. Did you ever go check over there, the
16 brothel license applications?

17 A. "Over there"? Where is "over there"?

18 Q. The sheriff's office.

19 A. Yes, I did.

20 Q. And it showed number 5; right?

21 A. I don't recall.

Rough Draft

22 Q. You don't recall. Did you ever talk to the
23 sheriff about it?
24 MR. BUSBY: Objection, news shield statute.
25 Don't answer that.

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

1 BY MR. FLANGAS:
2 Q. Did you ever talk to the sheriff about it?
3 MR. BUSBY: Same objection. Don't answer
4 that.
5 MR. FLANGAS: Counsel, I guess we're done
6 today. I'm going to have to file a motion, because --
7 MR. BUSBY: Okay. I'd like to examine the
8 witness.
9 MR. FLANGAS: No. We'll pick this up later.
10 MR. BUSBY: I'd like the record to reflect
11 that counsel for the defendant has refused to allow
12 counsel for the plaintiff to examine the witness.
13 MR. FLANGAS: Let the record reflect that
14 the issue is is you're not letting your client answer
15 any questions, and so I'm going to have to go file a
16 motion with the Court before we go any further in this
17 deposition, because I can't finish my deposition because
18 he's hiding behind this -- you know, improperly hiding
19 behind this shield law.
20 MR. BUSBY: I'm sorry you feel that way.
21 (Deposition concluded at 11:50 p.m.)

22 -000-

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ROUGH DRAFT *** ROUGH DRAFT *** ROUGH DRAFT

EXHIBIT 2

EXHIBIT 2

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About

We created The Storey Teller to provide a source of irritation to the Good Old Boys who operate the The Biggest Little County in the World with selfish impunity since forever.

Consider us the junkyard watchdog; our eyes on the ball while everyone else busy doing other stuff.

Expect us to deliver mosquito activism; always buzzing around, sometimes drawing blood to benefit the citizens at the expense of the people who think they own this county to benefit those who do; We The People.

Our battle is against waste, abuse, fraud and self-interest over public interest.

You can express your opinion anonymously without fear of reprisal. We encourage participation from the both the washed and unwashed, the seen and the unseen. If you have a rant to rave about or would like to rouse the rabble, send an email to editor@thestoreyteller.online. If you want to remain anonymous, just let me know. I will not reveal your identity if you want to say your piece and not lose your job or get red tagged (typical repercussion of the Good Old Boy network for speaking out).

The Teller is run by Sam Toll and friends.

We can be reached by US Mail at Post Office Box 78, Virginia City, NV 89440 or by calling (775) 583-8655

If you would like to contact us through this website, fill out this form and we'll respond.

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"Disrespecting Women - Episode 10"

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2. Patricia Ackerman Candidate For District 39- Episode 11 (<http://thestoreyteller.online/...>)
3. Interview with Sheriff Gerald Antinoro - Episode One (<http://thestoreyteller.online/po...>)
4. Jim Hindle, Storey County Chair of the Republican Party - Episode Two (<http://thestore...>)
5. Interview with Sheriff Antinoro - Episode Three (<http://thestoreyteller.online/podcast-...>)
6. Sheriff Antinoro discusses Body Cams and County Safety (<http://thestoreyteller.online/...>)
7. Sheriff Antinoro 4th of July- Episode Five (<http://thestoreyteller.online/podcast-player/...>)
8. Sheriff talks about Legal Marijuana - Episode Six (<http://thestoreyteller.online/podcast...>)
9. Interview with Danny Tarkanian - Episode Seven (<http://thestoreyteller.online/podcas...>)
10. Dan Schwartz, Candidate for Governor - Episode Eight (<http://thestoreyteller.online/p...>)
11. Sheriff Antinoro (<http://thestoreyteller.online/podcast-player/2084/sheriff-antinoro....>)

ARCHIVES

- ▶ May 2018 (<http://thestoreyteller.online/2018/05/>)
- ▶ April 2018 (<http://thestoreyteller.online/2018/04/>)
- ▶ March 2018 (<http://thestoreyteller.online/2018/03/>)
- ▶ February 2018 (<http://thestoreyteller.online/2018/02/>)
- ▶ January 2018 (<http://thestoreyteller.online/2018/01/>)
- ▶ December 2017 (<http://thestoreyteller.online/2017/12/>)
- ▶ November 2017 (<http://thestoreyteller.online/2017/11/>)
- ▶ October 2017 (<http://thestoreyteller.online/2017/10/>)
- ▶ September 2017 (<http://thestoreyteller.online/2017/09/>)
- ▶ August 2017 (<http://thestoreyteller.online/2017/08/>)
- ▶ July 2017 (<http://thestoreyteller.online/2017/07/>)
- ▶ June 2017 (<http://thestoreyteller.online/2017/06/>)
- ▶ May 2017 (<http://thestoreyteller.online/2017/05/>)
- ▶ April 2017 (<http://thestoreyteller.online/2017/04/>)
- ▶ March 2017 (<http://thestoreyteller.online/2017/03/>)
- ▶ February 2017 (<http://thestoreyteller.online/2017/02/>)

CATEGORIES

- ▶ Arts and Culture (<http://thestoreyteller.online/arts-and-culture/>) (11)
- ▶ Commentary (<http://thestoreyteller.online/commentary/>) (28)
- ▶ Community News (<http://thestoreyteller.online/community-news/>) (52)
- ▶ Editorial (<http://thestoreyteller.online/editorial/>) (55)
- ▶ Event (<http://thestoreyteller.online/event/>) (2)
- ▶ Letters to the Editor (<http://thestoreyteller.online/letters-to-the-editor/>) (29)
- ▶ News (<http://thestoreyteller.online/news/>) (117)
- ▶ Podcast (<http://thestoreyteller.online/podcast/>) (1)
- ▶ Satire (<http://thestoreyteller.online/satire/>) (7)

RECENT COMMENTS

- ▶ Editor (<http://thestoreyteller.online>) on Truth, Lies, and Consequences. (<http://thestoreyteller.online/2018/05/05/truth-lies-and-consequences/#comment-906>)
- ▶ Carmen Kuffner on Truth, Lies, and Consequences. (<http://thestoreyteller.online/2018/05/05/truth-lies-and-consequences/#comment-905>)
- ▶ Truth, Lies, and Consequences. – The Storey Teller (<http://thestoreyteller.online/2018/05/05/truth-lies-and-consequences/>) on Storey County Republican Committee votes to approve resolution opposing the Recall of Sheriff Antinoro (<http://thestoreyteller.online/2017/03/28/storey-county-republican-committee-votes-to-approve-resolution-opposing-the-recall-of-sheriff-antinoro/#comment-904>)
- ▶ Cashion Callaway on Truth, Lies, and Consequences. (<http://thestoreyteller.online/2018/05/05/truth-lies-and-consequences/#comment-902>)

► Stephen Bloyd on 2019 Storey County Budget Preview
(<http://thestoreyteller.online/2018/05/03/2019-storey-county-budget-preview/#comment-900>)

Home (<http://thestoreyteller.online>) News (<http://thestoreyteller.online/news/>)

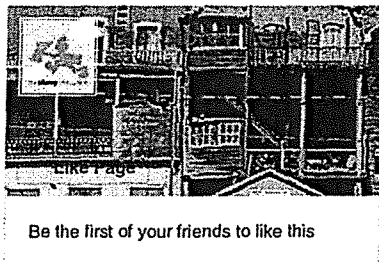
Editorial (<http://thestoreyteller.online/editorial/>) Satire (<http://thestoreyteller.online/satire/>)

Event (<http://thestoreyteller.online/event/>)

Arts and Culture (<http://thestoreyteller.online/arts-and-culture/>)

About (<http://thestoreyteller.online/about-us/>)

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May 2018

MT W	T
1 2	3 (http://thestoreyteller)
7 8 9	10 (http://thestoreyteller.online/2018/05/09/)
14 15 16	17
21 22 23	24
28 29 30	31

« Apr (<http://thestoreyteller.online/2018/04/>)

HOURS & INFO

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editor@thestoreyteller.online
(<mailto:editor@thestoreyteller.online>)
24/7/365

UPCOMING EVENTS

There are no upcoming events at this time.

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00042553 (<http://www.statcounter.com>)

4

1 Case No. 18-trt-00001-1e

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16 *Attorneys for the Defendant*

17
18 **IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
19 **IN AND FOR STOREY COUNTY**

20 LANCE GILMAN,

21 Plaintiff(s),

22 vs.

23 SAM TOLL,

24 Defendant(s).
25 _____/

26 **OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL; MOTION FOR**
27 **SANCTIONS; MOTION TO EXTEND THE TIME PERIOD FOR**
28 **DISCOVERY; AND IN THE ALTERNATIVE MOTION FOR PARTIAL**
SUMMARY JUDGMENT

FILED

2018 MAY 22 AM 3:52

STOREY COUNTY CLERK

BY *D. New*
DEPUTY

COMES NOW, SAM TOLL, (“Defendant” or “Toll”), by and through the undersigned counsel, and hereby files the following Opposition to the May 10, 2018 Motion to Compel; Motion for Sanctions; Motion to Extend the Time Period for Discovery; and In the Alternative. Motion for Summary Judgment (hereinafter “Motion(s)”) filed by Plaintiff LANCE GILMAN (“Plaintiff” or “Gilman”).

This Opposition is based upon the following Memorandum of Points and Authorities, the pleadings and papers filed herein, and any oral argument on this matter the the Court should require.

MEMORANDUM OF POINTS AND AUTHORITIES

I. *Background*

On April 9, 2018, the Court entered an Order Granting Anti-SLAPP Special Motion to Dismiss in Part, Allowing Limited Discovery, and Staying Further Proceedings (hereinafter “Court’s Order”). The Court’s Order found in favor of the Defendant on seven out of the eight alleged defamatory statements alleged in the Plaintiff’s Complaint and concluded that the resident communications at issue, i.e. Toll’s statements that Gilman does not live in Storey County, were made in direct connection with an issue of public interest in a place open to the public or on a public forum. (Court’s Order at 14:9). The Court granted leave to the Defendant to conduct discovery, “limited solely to information as to whether Toll knew the resident statements were false or whether he acted with a high degree of awareness of the probable falsity of the statement or had serious doubts as to the

1 publication's truth.” (Court’s Order at 21:8)

2
3 During the discovery period, the Defendant's have deposed the Plaintiff and Mr.
4 Austin Osbourne, a Storey County employee to whom Mr. Toll submitted public records
5 requests. The Defendants are aware of no other discovery conducted by the Plaintiff.
6

7 **II. *Argument***

8 The Plaintiff moves and argues: (1) That the Court compel Mr. Toll to answer
9 questions regarding the sources of information in his stories despite the News Shield
10 Privilege codified in NRS 49.275 (Motion at 9:10) because it does not apply to Toll because
11 he is a blogger (Motion at 11:12); (2) That the Court impose sanctions on Mr. Toll for
12 invoking the News Shield Privilege (Motion at 13:26); (3) That the Court extend the time
13 for discovery in this matter (Motion at 14:11); and, (4) In the alternative, the Court grant
14 partial summary judgment and issue a ruling that because of the Defendant invoked the
15 News Shield Privilege, the Defendant may not later rely on privileged information as a
16 defense in this matter (Motion at 14:19).
17
18
19

20 ***A. The News Shield Statute Protects Toll's Sources***

21
22 The Plaintiff argues that Toll should be compelled to answer questions disclosing the
23 confidential sources of his news stories regarding Mr. Gilman’s purported residence.
24 Plaintiff argues that the News Shield Privilege does not apply to the Defendant because he
25 is a “blogger.” (Motion at 12:6) The Plaintiff also argues that because the Teller’s website
26 states that it was created to provide a source of irritation to the Good Old Boys who
27
28

1 operate The Biggest Little Country in the World that the Teller was not created for the
2
3 purpose of disseminating news to the general public. (Motion at 12:21). Both of Plaintiff's
4 arguments fail.

5
6 First, Toll is a reporter and the title "blogger" does not drive application of the News
7 Shield Statute. In the February 1, 2018 Declaration of Sam Toll, attached hereto as Exhibit
8 1, Toll describes that he started the Teller to provide an alternative to the Comstock
9 Chronicle, which he states is a competing local news source. Attached to Exhibit 1 are
10 various articles published in the Teller, which all relate to news events and/or opinion
11 and/or satire about news events in Storey County, and all of which self identify the Teller as
12 a source of news. On page 7 of 12 on Attachment 1 to Exhibit 1, it states: "Thank you for
13 supporting local facts-not-fake news" and "If you want to find out what happened last
14 week, buy a paper. To find out what's really going in in Storey County, check out
15 thestoreyteller.online."

16
17
18
19 In the February 26, 2018 Declaration of Sam Toll, attached hereto as Exhibit 2, Toll
20 states that during a normal week the Teller receives between 800 and 1000 visitors, and that
21 based on these numbers he believes that a large percentage of the overall residents in Storey
22 County visit the Teller and are interested in the issues that Toll writes about, including
23 Lance Gilman, the Storey County Commission, TRIC, and the Mustang Ranch, among
24 other topics.
25
26

27 Attached hereto as Exhibit 3 is the declaration of Barry Smith, Executive Director of
28

1 the Nevada Press Association. Mr. Smith's declaration describes the Nevada Press
2 Association, states that the Defendant joined the Nevada Press Association in August of
3 2017, and states that the Defendant is an active member in good standing of the Nevada
4 Press Association. Exhibit 4 is a copy of the Nevada Press Association's website listing
5 "Specialized Publications," under which The StoreyTeller is listed along with numerous
6 other Nevada publications. Attached hereto as Exhibit 5 is a photo of Toll's press badge
7 from the Nevada legislature issued by the Legislative Counsel Bureau.
8

9
10
11 A "reporter" is defined as: "(1) : a person employed by a newspaper, magazine, or
12 television company to gather and report news (2) : a person who broadcasts news."¹ There
13 is no dispute as to whether the Teller, which is run by Mr. Toll, is an online news source that
14 broadcasts news. Toll self-identifies as a reporter, he holds himself out as a reporter, is a
15 member of the Nevada Press Association, and is regarded as a reporter by others, including
16 the Nevada Press Association and the Legislative Counsel Bureau, who issued Toll a press
17 badge. Thus, Nevada's Press Shield Privilege in NRS 49.275 protects Toll from being
18 compelled to disclose his sources.
19
20
21

22 Second, NRS 49.275 broadly protects any information that is gathered in the course
23 of preparing a news story, as well as the sources of such information. *Aspen Fin. Services, Inc.*
24 *v. Eighth Judicial Dist. Court of State ex rel. County of Clark*, 129 Nev. 878, 884, 313 P.3d 875,
25 879, 129 Nev. Adv. Op. 93, 2013 WL 6224478 (2013). Even where application of NRS.
26
27
28

¹ <https://www.merriam-webster.com/dictionary/reporter?src=search-dict-hed>

1 49.275 might significantly impair a defamation plaintiff's ability to meet his burden of
2
3 proving actual malice, the News Shield Privilege precludes disclosure of confidential
4 sources and information:

5
6 The Court fully recognizes that application of Nevada's shield law may
7 significantly impair Plaintiff's ability to meet his burden of proving "actual
8 malice" under *New York Times v. Sullivan*, supra. The Court appreciates as well
9 that application of Nevada's shield law deprives Plaintiff of discovery he
10 would be entitled to take in a State without such a near absolute press
11 privilege statute. However, the Nevada legislature, in granting almost absolute
12 protection to a journalist from disclosure of his confidential sources, has made
13 a decision to favor the public's interest in access to information over an
14 individual's interest in vindicating his reputation in a defamation action.
15 Reconciling such conflicting interests is an appropriate function of a legislative
16 body. *Newton v. Nat'l Broad. Co., Inc.*, 109 F.R.D. 522, 530, 2 Fed. R. Serv. 3d
17 320, 18 Fed. R. Evid. Serv. 118, 11 Media L. Rep. 1950 (D. Nev. 1985)

18 Numerous news sources in Nevada are not traditional print "newspapers," but offer
19 content exclusively online like the Teller, such as The Nevada Independent,² which is
20 spearheaded by Nevada journalist Jon Ralston. Although one can pejoratively refer to
21 Ralston or Toll as merely "bloggers," they are the modern day version of what a reporter
22 was before the internet changed the media landscape.

23 As to whether the News Shield Statute applies equally to a traditional newspaper or
24 an online news outlet like the StoreyTeller and the Nevada Independent, courts' addressing
25 the issue state that there is no difference in how similar legal principles should be applied:

26 We agree with our sister circuits. The protections of the First Amendment do
27 not turn on whether the defendant was a trained journalist, formally affiliated
28 with traditional news entities, engaged in conflict-of-interest disclosure, went
beyond just assembling others' writings, or tried to get both sides of a story.
As the Supreme Court has accurately warned, a First Amendment distinction
between the institutional press and other speakers is unworkable: "With the

² <https://thenevadaindependent.com/>

1 advent of the Internet and the decline of print and broadcast media ... the line
2 between the media and others who wish to comment on political and social
3 issues becomes far more blurred.” *Obsidian Fin. Group, LLC v. Cox*, 740 F.3d
4 1284, 1291, 42 Media L. Rep. 1186, 14 Cal. Daily Op. Serv. 500, 2014 Daily
5 Journal D.A.R. 627, 2014 WL 185376 (9th Cir. 2014) quoting *Citizens United v.*
6 *Fed. Election Comm'n*, 558 U.S. 310, 352, 130 S. Ct. 876, 905 (2010).

7 ***B. No Violation Occurred to Justify Discovery Sanctions - The Required Procedures***
8 ***for Requesting Sanctions under the FJDCR 15 and NRCP 37 were not followed***

9 The Plaintiff requests, should the Court compel Mr. Toll to disclose his sources,
10 sanctions in an amount to cover the Plaintiff's counsel's travel costs, lodging costs, court
11 reporter fees, and attorney fees incurred in bringing the Motion. (Motion at 13-14). “Parties
12 may obtain discovery regarding any matter, ***not privileged***, which is relevant to the subject
13 matter involved in the pending action.” NRCP 26(b)(1) [***emphasis added***] Toll’s sources
14 are privileged under NRS 49.275 and not discoverable under the applicable rules of civil
15 procedure.
16 procedure.

17 Further, NRCP 37(a)(2)(B) states that if a deponent fails to answer a question
18 propounded or submitted under NRCP 30 the discovering party may move for an order
19 compelling an answer. NRCP 37(a)(2)(B) also requires that the motion include a
20 certification that the movant has in good faith conferred or attempted to confer with the
21 person or party failing to make the discovery in an effort to secure the information or
22 material without court action. FJDCR 15(11) also requires that motions to compel
23 discovery or for sanctions for failure to provide discovery will not be considered unless a
24 statement of the movant is attached to the Motion certifying that after a personal
25 statement of the movant is attached to the Motion certifying that after a personal
26 statement of the movant is attached to the Motion certifying that after a personal
27 statement of the movant is attached to the Motion certifying that after a personal
28 statement of the movant is attached to the Motion certifying that after a personal

1 consultation with opposing counsel and a good faith effort to comply, counsel has been
2
3 unable to satisfactorily resolve the matter. No such attempt to meet and confer took place
4 outside of the deposition and no such certification by the Plaintiff's counsel is attached to
5 the Motion.
6

7 Further, as described above, sanctions in this case are not warranted because the
8 Defendant invoked the News Shield Privilege in NRS 49.275 in an appropriate and lawful
9 manner, with sufficient grounds, and in good faith.
10

11 ***C. There is no reasonable justification for further time for discovery***

12 The Plaintiff requests additional time to conduct discovery to fully look at what the
13 Defendant knew about the falsity of his statements. (Motion at 14:17) To the best of the
14 undersigned counsel's knowledge, the only discovery conducted by the Plaintiff in this
15 matter was the deposition of the Defendant on May 4, 2018, and the deposition of Storey
16 County employee Austin Osbourne on May 11, 2018. The Court has provided the Plaintiff
17 with ample opportunity to conduct essentially unlimited discovery within 30 days of the
18 Court's Order on the issue of Toll's good faith belief in his statements that Gilman does
19 not reside behind the Mustang Ranch, but the Plaintiff let this time pass without substantial
20 effort. Further, proper invocation of the Press Shield Privilege by the Defendant is not a
21 sound reason for extending the time for discovery in this case.
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26 ***D. Summary Judgment May Resolve Claims, Not Evidentiary or Discovery Issues***

27 The Plaintiff requests that the Court enter partial summary judgment on the issue of
28

1 whether the Defendant can rely on privileged information as a defense, citing *Diaz v. Eighth*
2 *Judicial Dist. Court ex rel. County of Clark*, 116 Nev. 88, 91, 993 P.2d 50, 52, 28 Media L. Rep.
3 1513, 2000 WL 96832 (2000) (Motion at 15:11).

4
5 NRCP 56(a) states that a party seeking to recover upon a claim, counterclaim, or
6 cross-claim or to obtain a declaratory judgment may move for summary judgment. The
7 Plaintiff's Motion is not seeking summary judgment as to a "claim" but rather one single
8 evidentiary or discovery issue. Whether Toll properly invoked the News Shield Privilege is
9 not an element of the Plaintiff's defamation claim. The court cannot enter "judgment" on a
10 single evidentiary or discovery issue in a case, such as whether the News Shield Privilege is
11 properly invoked under NRCP 56. Under NRCP 54(a) a "judgment" is a decree and any
12 order from which an appeal lies, i.e. a decision from the Court that resolves a claim.
13

14
15 The Plaintiff's reliance on *Diaz* is also misplaced. While it is the case that once a
16 media litigant has invoked the protection of the news shield statute to resist discovery, the
17 defendant may not later rely on the privileged information as a defense, *Diaz v. Eighth*
18 *Judicial Dist. Court ex rel. County of Clark*, 116 Nev. at 101 (2000), broadcast of substance of
19 conversations with confidential sources does not constitute waiver of privilege against
20 disclosure of identities of such sources. *Newton v. Nat'l Broad. Co., Inc.*, 109 F.R.D. 522, 2
21 Fed. R. Serv. 3d 320, 18 Fed. R. Evid. Serv. 118, 11 Media L. Rep. 1950 (D. Nev. 1985).
22 Under *Diaz*, Toll can still rely on the information provided to him by confidential
23 informants regarding Gilman's residence as a basis for his belief that Gilman does not live
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1 in Storey County without revealing who those confidential sources are. "The shield statute
2 covers both published and unpublished information, and includes both the information
3 obtained and the source of the information." *Diaz v. Eighth Judicial Dist. Court ex rel. County of*
4 *Clark*, 116 Nev. at 101 (2000). Further, pursuant to NRS 49.405(1), a claim of a privilege,
5 whether in the present proceeding or upon a prior occasion, is not a proper subject of
6 comment by judge or counsel and no inference may be drawn therefrom.
7
8

9
10 **III. Conclusion**

11 WHEREFORE, The Defendant respectfully requests that this Court Deny the
12 Plaintiff's Motion(s).
13

14 **NRS 239B.030(4) AFFIRMATION**

15 I certify that the attached filing includes no social security numbers or other personal
16 information.
17

18 Respectfully submitted this May ~~21~~ 2018:

19
20 By: 

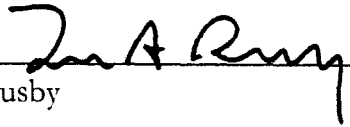
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Attorneys for the Defendant

1
2
3 **CERTIFICATE OF SERVICE**

4 I certify that on the date indicated below I served the foregoing document on the
5 following parties via US Mail, postage prepaid, and/or electronic service.
6

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8 JESSICA K. PETERSON
9 Flangas Dalacas Law Group
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11 Las Vegas, NV 89164
12 702-307-9500
13 F - 702-382-9452

14 By: 
15 Luke Busby
16
17
18
19
20
21
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23
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28

Dated: 5-22-18

Exhibit List

1. February 1, 2018 Declaration of Sam Toll
2. February 26, 2018 Declaration of Sam Toll
3. Declaration of Barry Smith
4. NPA Website
5. Sam Toll Legislative Press Tag

Exhibit 1

Exhibit 1

DECLARATION OF SAM TOLL

1. I am the declarant and I am competent to make this testimony;
2. I have personal knowledge of each and every fact attested to herein;
3. I have been named as the Defendant in Case No. 18-trt-00001-1e in the First Judicial District Court in Storey County;
4. In January 2017 the I decided to start storeyteller.online (the "Teller");
5. I bought the storeyteller.online domain on February 14th 2017 and made the first post on the website on February 18th;
6. When I started the Teller I hoped to provide an online alternative to the Comstock Chronicle, which is a competing local news source;
7. The initial focus of the Teller was to provide a local news source where people in Storey County could obtain the facts surrounding information contained in pieces criticising the Storey County Sheriff Gerald Antinoro published by the proponents of the effort to recall the Sheriff that was ongoing at that time;
8. Although I had some suspicions, when I started the Teller I did not know that Lance Gilman, who is a Storey County Commissioner, was deeply involved in the recall effort;
9. The recall vote was held on April 11, 2017, and was unsuccessful. After the recall vote I became aware of facts that show that Lance Gilman was a major supporter of the recall effort;
10. After the recall effort of the Sheriff was unsuccessful I was encouraged to continue the Teller by the strong support of the community;
11. I am aware that Lance Gilman has claimed in this lawsuit that I have made false and defamatory statements about him in the Teller;
12. I do not know which articles or statements in the Teller about which Gilman complains specifically, but I suspect that it includes the articles attached hereto as Attachments 1-11, all of which are true and correct copies of articles published in the Teller relevant to Gilman's claims;
13. I authored all of the articles in Attachments 1-10 with the exception of the article in Attachment 5 titled, "Long Live King Lance," by "Annie Mouse," which is the pseudonym I use for anonymous submissions to the Teller;
14. The article in Attachment 4 is clearly labeled as satire as follows: "For those of you from Rio Linda, this article was reprinted with permission from the Shallot. If you thought this was stranger than fiction, you should adjust your satire-o-meter." "The Shalott" is a satirical news website based in Australia, similar to 'The Onion. "From Rio Linda" is a reference to a phrase used by media figure Rush Limbaugh, meaning to put things into terms that those lacking sophistication can understand. The

- statements in the article in Attachment 4 were not meant to be taken literally, but rather as comedy/commentary on the ongoing feud between Gilman and the Sheriff;
15. With the exception of the satire piece in Attachment 4 and the anonymous submission in Attachment 5, I believe that the statements of fact that I have made about Gilman in Attachments 1, 2, 3, 6, 7, 8, 9, and 10. are the truth and I made these statements because I believe that the public should have full information about what government officials, including Mr. Gilman, are doing. Each of the articles I authored are related to subjects of political concern relevant to voters and taxpayers in Storey County.
 16. On September 28, 2017, I filed a complaint to the Storey County District Attorney ("DA") (cc'ed to Nevada Attorney General Adam Laxalt) regarding Lance Gilman's residence and was advised by the DA that since I was making an accusation of a criminal offense, that I needed to file a complaint with the Storey County Sheriff's Office. Attached hereto as Attachment 11 is a true and correct copy of the complaint I filed with the DA.
 17. On October 17, 2017, I then filed a complaint regarding Lance Gilman's residence with Storey County Sheriff's Office, a true and correct copy of which is attached hereto as Attachment 12.
 18. I conduct research for the pieces I write in the Teller by gathering information from a variety of sources. This includes using the internet to access places like the Storey County Website, Las Vegas Sun, RGJ, the Nevada Revised Statutes, Nevada Appeal, Transparent Nevada and others. I attend and actively participate in the Storey County Commissioner meetings regularly as well as the Storey County Planning Department and the Virginia City Tourism Commission meetings. I was selected as a public witness during the effort to recall the Sheriff. I attend many many other public gatherings that generate public interest stories. I filed over 50 public records requests in 2017 and set up a database on January 1, 2018 to manage them. As of January 18th, 2018, I have filed 9 public records requests in that database. I have a working relationship with almost every elected official in Storey County and receive anonymous tips from employees of the County and other residents. I also conduct interviews with folks in the field with my "podcast in a backpack" equipment.
 19. While Gilman is a frequent topic of my writing in the Teller, this is the case because of his stature in the County and his frequent participation in newsworthy events. I often write about other topics and other public figures in Storey County.
 20. I have no personal malice against Lance Gilman, and I admire his accomplishments as a businessman and his contributions to the economic vitality of Northern Nevada and Storey County, and I have expressed this to Gilman at public meetings of the Storey County Commission. But, I believe that Gilman's conduct as a government official combined with his business interests in the County creates a massive conflict of interest to the detriment of the public good. The articles I have written in the Teller are highly and bombastically critical of Gilman because I believe the facts show

that Gilman uses his position as Storey County Commissioner to enrich himself and his associates, and that Gilman does not even live in Storey County.

21. If I were to give testimony in open court, it would be substantively the same as that set forth herein above.

Pursuant to the provisions of NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

By:  _____ Dated: 2/1/18
Sam Toll

Attachment 1

Attachment 1

[HOME \(HTTP://THESTOREYTELLER.ONLINE\)](http://thestoreyteller.online)

[NEWS \(HTTP://THESTOREYTELLER.ONLINE/NEWS/\)](http://thestoreyteller.online/news/)

[EDITORIAL \(HTTP://THESTOREYTELLER.ONLINE/EDITORIAL/\)](http://thestoreyteller.online/editorial/)

[LETTERS TO THE EDITOR \(HTTP://THESTOREYTELLER.ONLINE/LETTER-TO-THE-EDITOR/\)](http://thestoreyteller.online/letter-to-the-editor/)

[ABOUT \(HTTP://THESTOREYTELLER.ONLINE/ABOUT-US/\)](http://thestoreyteller.online/about-us/)

[SATIRE \(HTTP://THESTOREYTELLER.ONLINE/SATIRE/\)](http://thestoreyteller.online/satire/)

Storey County Taxpayer's Investment in TRIC Tops \$100 Million Dollars With Latest Pipeline Deal

AUG

6



 [EDITOR \(HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/\)](http://thestoreyteller.online/author/samtoll/)

The August 1st Commissioners Meeting agenda included a proposal for Storey County Taxpayers to borrow \$35 Million Dollars to purchase 19 miles of pipeline for the TRIC General Improvement District to transfer effluent purchased from Washoe County. TRIC will upgrade their existing plant on their own dime and Storey Count and Nevada State Taxpayers will build the pipeline from Sparks to the TRIC. TRIC will then sell the liquid gold to water hungry clients like Google and Switch to cool server farms that they currently run (Switch) or will build (Google).

This pipeline “deal” once again confirms to anyone paying attention that Commissioner Lance Gilman does not serve at the pleasure of Storey County Residents Voters. Rather, we and our pocketbooks serve at the pleasure and plunder of Lance Gilman, Don Norman and the band of merry TRICsters.

This pipeline “deal” proposes the use of taxes that would otherwise be spent to benefit all of Storey Count instead of being diverted to directly benefit Commissioner Gilman’s enterprise.

Nicole Barde has been the Lone Ranger in her reporting of County Commissioner Meetings since she started in 2015. In her breakdown of the August 1st meeting (**which I encourage you to read here** (<http://www.bardeblog.com/so-whats-going-on/212-summary-of-the-august-1-2017-storey-county-commission-meeting>)), she delivers a lengthy in-depth and dead on point dissection of the latest effort of Brothel Owner, TRIC Executive and self serving crony County Commissioner Lance Gilman to once again have Storey County Taxpayers forfeit \$35 Million Dollars of future tax revenue from a “special tax area” so he and Don Norman can make even more money.

In the real world projects like this pipeline “deal” would normally be borne by the developer as part of the improvement of their development. But here in the surreal world we call Storey County, **the chumps** errr... Storey County Taxpayers gleefully divert tax revenue directly into the band of merry TRICsters pockets.

Ms. Barde accurately called this Corporate Welfare, I call it reverse graft. In the alternate reality call that exists in the Courthouse, it’s a “public-private partnership-investment-thingy”.

If nothing else, you have to admire the ginormity of the brass balls these hucksters clang around in broad daylight.

I read Ms. Barde’s piece and was almost finished with my assessment of the deal when I read TRIC employee, and Lance Gliman roommate Kris Thompson* defend the proposed swindle and personally attack Ms. Barde’s piece labeling her as “progressive, anti-business and liberal”. I will break down his post in a separate piece **but you can read it for yourself here** (https://vch.groups.io/g/main/topic/responding_to_ms_barde_s/5741061?p=,,20,0,0,0::recentpostdate%2Fsticky,,20,2,0,5741061). In his defense of TRIC, he uses his Houdini like attention deflection skills to cleverly avoid the facts that Ms. Barde revealed. All while attacking her by painting her as a bleeding heart, knee-jerk, commie pinko, sjw libtard.

While I can’t speak for Ms. Barde, I want to make one thing perfectly clear before I deliver my assessment of this hustle.

I am not a Progressive Liberal. Not. Even. Close.

I like to tell folks I am a Reformed Liberal, but technically I am Classical Liberal (https://en.wikipedia.org/wiki/Classical_liberalism). A Libertarian.

I read works by F. A. Hayek (http://product.half.ebay.com/_W0QQprZ52642953), Bastiat (<http://bastiat.org/en/petition.html>), von Mises (<https://www.mises.org/>), Albert Nock (<https://www.mises.org/library/our-enemy-state-2>), Lysander Spooner (<http://www.lysanderspooner.org/>), Hans Hoppe (<http://www.hanshoppe.com/>), Jeffrey Tucker (<https://liberty.me/members/jeffreytucker/>) and Tom Woods (<http://tomwoods.com/>).

I listen to daily podcasts from Tom Woods (<http://www.stitcher.com/podcast/tom-woods-show/the-tom-woods-show>), Jason Stapleton (<http://www.stitcher.com/podcast/trade-empowered/the-live-show-with-jason-stapleton>) and the Liberty.Me Network (<http://www.stitcher.com/podcast/libertyme>).

I encourage you put a shotgun to your TV and Radio and join me in the real world of ideas.

One of the most rewarding things I have done in the last 30 years is being able to represent the Libertarian Party at High Schools in Placer County including the school where three of my children graduated; Del Oro High School. Placer County's Office of Education registers seniors to vote with their Rock the Vote program where they invite all registered political parties to introduce their party to freshly minted voters.

In my 5 minute Libertarian Party Platform overview, I include the following passage:

“When I moved here in 1983, I got a job at an Apple Dealership. This was before the Apple Store that you are all used to. A local businessman opened a dealership and sold Apple Computers to hobbyists. I met Steve Jobs and Steve Wozniak four days before the Macintosh Computer was released in 1984. I bought my Macintosh 128k Computer from Jobs and brought it back to Rocklin and proceeded to sell the pants of it.

In 1986 I quit selling computers and founded The Electric Page in downtown Sacramento. Within 5 years I had 50+ employees, owned an 8,000 square foot building and had a 5 million a year run rate.

And I did it without any help from the government.”

Small Government Free Market Capitalist Entrepreneur. Not. A. Liberal.

Back to the Pipeline Hustle

When this deal is approved by Marshall McBride and Jack McGuffey, TRIC will have accomplished another spectacular job of bamboozling Storey County officials. It will mean that Storey County and Nevada Taxpayers have **dumped \$100 million dollars of what can only be described as “reverse graft” directly into the pockets of the band of merry TRICsters.**

The details of this deal legally encumber 2.1 million dollars of “future tax revenue” to pay for the

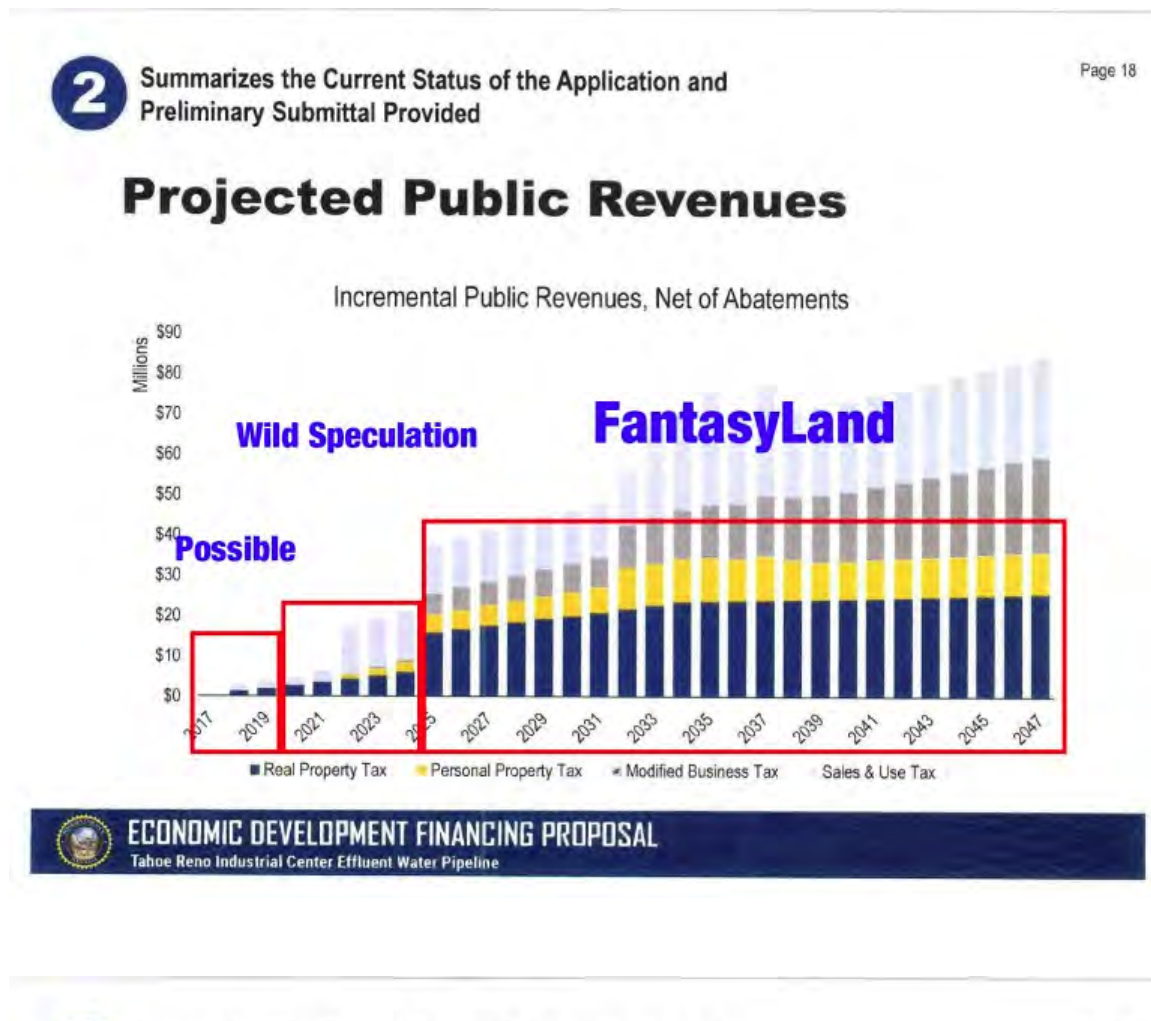
pipeline that is the legal property of the TRIC GID.

When I was at the podium expressing my “activist”** opinions on this matter, Storey County Manager Pat Whitten told me that they are trying to use tax revenue provided by SB1, Tesla-like business stimulation legislation passed by the Nevada Legislature (<http://mvprogress.com/2016/01/06/legislators-sum-up-recent-special-session/>) designed to lure now defunct Tesla wannabe Faraday Futures (<https://www.nytimes.com/2015/12/11/automobiles/faraday-future-north-las-vegas-jia-yueting.html>). Mr. Whitten suggested the State of Nevada would pay half of the \$ 2.1 Million dollars with money in the Faraday Futures pool leaving the balance coming from “future tax tax revenues from new business”. Mr. Whitten said on record this revenue would not be available if they didn’t try to capture the money.

Being the eternal skeptic, I am in the process of confirming this claim by contacting the State of Nevada. So far I have had no luck getting confirmation, but I am only two rounds of voicemail into the process. I will report my findings in a followup article.

Jeremy Aguero of Las Vegas consulting firm Applied Analysis (<http://appliedanalysis.com/>) said in his presentation the projections beyond three years are conjecture. I suggest they lie somewhere between Wild Speculation pure Fantasy.

Take a Look:



2

Summarizes the Current Status of the Application and Preliminary Submittal Provided

Page 21

Bond Repayment Schedule

	Year Ending June 30	Initial Balance	Principal	Interest	Total Payment	Ending Balance	TIA Revenue	Coverage Ratio
Reality	Year 2018	\$28,555,000	\$0	\$0	\$0	\$28,555,000	\$3,274,916	NA
	Year 2019	\$28,555,000	\$0	\$1,362,063	\$1,362,063	\$28,555,000	\$4,118,480	3.02x
	Year 2020	\$28,555,000	\$0	\$1,362,063	\$1,362,063	\$28,555,000	\$4,979,939	3.66x
	Year 2021	\$28,555,000	\$740,000	\$1,362,063	\$2,102,063	\$27,815,000	\$6,751,089	3.21x
Fantasy	Year 2022	\$27,815,000	\$765,000	\$1,339,863	\$2,104,863	\$27,050,000	\$17,026,751	8.09x
	Year 2023	\$27,050,000	\$790,000	\$1,315,000	\$2,105,000	\$26,260,000	\$19,682,493	9.35x
	Year 2024	\$26,260,000	\$815,000	\$1,287,350	\$2,102,350	\$25,445,000	\$21,513,246	10.23x
	Year 2025	\$25,445,000	\$850,000	\$1,254,750	\$2,104,750	\$24,595,000	\$38,112,055	18.11x
	Year 2026	\$24,595,000	\$880,000	\$1,220,750	\$2,100,750	\$23,715,000	\$39,822,766	18.96x
	Year 2027	\$23,715,000	\$920,000	\$1,181,150	\$2,101,150	\$22,795,000	\$41,527,015	19.76x
	Year 2028	\$22,795,000	\$965,000	\$1,139,750	\$2,104,750	\$21,830,000	\$43,220,037	20.53x
	Year 2029	\$21,830,000	\$1,010,000	\$1,091,500	\$2,101,500	\$20,820,000	\$44,935,768	21.38x
	Year 2030	\$20,820,000	\$1,060,000	\$1,041,000	\$2,101,000	\$19,760,000	\$46,647,488	22.20x
	Year 2031	\$19,760,000	\$1,115,000	\$988,000	\$2,103,000	\$18,645,000	\$48,361,950	23.00x
	Year 2032	\$18,645,000	\$1,170,000	\$932,250	\$2,102,250	\$17,475,000	\$56,659,311	26.95x
	Year 2033	\$17,475,000	\$1,230,000	\$873,750	\$2,103,750	\$16,245,000	\$68,390,281	32.51x
	Year 2034	\$16,245,000	\$1,290,000	\$812,250	\$2,102,250	\$14,955,000	\$70,707,954	33.63x
	Year 2035	\$14,955,000	\$1,355,000	\$747,750	\$2,102,750	\$13,600,000	\$76,749,267	36.50x
	Year 2036	\$13,600,000	\$1,425,000	\$680,000	\$2,105,000	\$12,175,000	\$71,024,204	33.74x
	Year 2037	\$12,175,000	\$1,495,000	\$608,750	\$2,103,750	\$10,680,000	\$78,385,946	37.26x
	Year 2038	\$10,680,000	\$1,570,000	\$534,000	\$2,104,000	\$9,110,000	\$71,569,979	34.02x
	Year 2039	\$9,110,000	\$1,650,000	\$455,500	\$2,105,500	\$7,460,000	\$72,197,367	34.28x
	Year 2040	\$7,460,000	\$1,730,000	\$373,000	\$2,103,000	\$5,730,000	\$73,685,801	35.04x
	Year 2041	\$5,730,000	\$1,815,000	\$286,500	\$2,101,500	\$3,915,000	\$75,204,969	35.79x
	Year 2042	\$3,915,000	\$1,910,000	\$195,750	\$2,105,750	\$2,005,000	\$76,755,475	36.45x
	Year 2043	\$2,005,000	\$2,005,000	\$100,250	\$2,105,250	\$0	\$78,337,933	37.21x



ECONOMIC DEVELOPMENT FINANCING PROPOSAL

Tahoe Reno Industrial Center Effluent Water Pipeline

I call these projections speculative fantasy mindful that we are one Orange Tweet or North Korean Missile into Seoul away from a major deviation from the ice cream and lollipops shown in the charts above. The debt, however dwells firmly in the real world. If the tax revenues fall short, the taxpayers of Storey County are obligated to pay the loan. That is why they need Storey County Commission Approval.

The last point I want to make on this is to remind sober minded residents of Storey County that encumbering us with this debt takes the cream off the top of the annual flood of mythical revenue from the Oceans of Cash floating in the Sea of TRIC. The first Million Dollars goes to buy the TRICsters a pipeline to transport the liquid gold they will make a killing on.

- Shaun Griffin of the Community Chest could use a million dollars to pay for the Community Center instead of begging for nickles.
- Stacey Gilbert could use a million dollars to build a new Senior Center.
- With a million dollars we could build a new pool.
- A Million Dollars to use to benefit the Storey County Residents anywhere.

But no.

Commissioner Lance Gilman wants that money to pay for infrastructure to benefit his band of merry TRICsters.

Final thoughts on Reverse Graft and Creative Math and the pipeline deal.

In her piece, Ms. Barde places the debt we already owe for the TRIC boondoggle at \$67 Million once this pipeline “deal” is rubber stamped and rammed up our checkbook. Yet my headline puts the number at breaking the \$ 100 Million Dollar mark. How do I get \$100 million out of \$67 Million?

I include the \$42 Million dollars the TRICsters pocketed when they sold USA Parkway to the State of Nevada. Yes, Pat Whitten and the County Commissioners gave Lance and the TRICsters our little stretch of the roadway, got a maxed out \$45 Million “Interest Free” credit card and the TRICsters sold the road to NDOT for \$42 million (<https://lasvegassun.com/news/2015/mar/26/some-call-him-hypocrite-gilman-others-want-alterna/>).

Mad Props on world class negotiating skills “**Team Storey**”!

An elected official is supposed to selflessly serve the interests of all their constituents to the best of their ability, not the other way around.

This pipeline “deal” is the latest effort to benefit TRIC at the expense of every person in Storey County and should make everyone stand up and voice outrage.

If our current County Leadership fail to recognize this for what it is and approve it, it’s time to demand a change of those leaders.

Marshall McBride is our only hope to shoot this hustle down. If you think Lance should finance his own projects, call or email Marshall and let him know.

Marshall McBride – County Commissioner

- mmcbride@storeycounty.org
- 775-847-0968

Please call him and tell him the Teller sent you

* According to public records, Commissioner Gilman and Planning Department Board Member Kris Thompson are bunkmates in a double wide trailer near the swimming pool at the brothel Commissioner Gilman owns. Right.

** Kris Thompson called Sam Toll and Nicole Barde anti-business activists during public comment on August 1st, 2017.

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8 thoughts on “Storey County Taxpayer’s Investment in TRIC Tops \$100 Million Dollars With Latest Pipeline Deal”



Ray McPartlin (<http://thestoreyteller.online/2017/08/06/tric-corporate-welfare-passes-100-million-dollars-latest-pipeline-deal/#comment-261>)

August 6, 2017

Beyond outrageous...there must be a better word. Someone help me out. When are the citizens of Storey county going to wake up to this corruption?

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August 7, 2017

(<http://thestoreyteller.online/2017/08/06/tric-corporate-welfare-passes-100-million-dollars-latest-pipeline-deal/#comment-262>)

The best way to set the alarm clock and wake people up is to tell your neighbors to pick up the phone and call the commissioners. Let them know how you feel...

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Update on Mustang Ranch Zoning Complaint

NOV
18


 [EDITOR \(HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/\)](http://thestoreyteller.online/author/samtoll/)

We recently shared our frustrations with Storey County Administration in what we considered to be stonewalling our request for information about the zoning of Mustang Ranch (which you can read here (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/>)). Additionally, we question the residency status of two public officials; County Commissioner Lance Gilman and Planning Commissioner Kris Thompson.

Our investigation seeks information and answers to issues posed below:

The actual residence of Mr. Gilman and Mr. Thompson

- In documents provided to County Clerk Vanessa Stephens, Gilman and Thompson list 5 Wild

Horse Canyon and 56 Wild Horse Canyon Drive as their legal residences.

- According to Assessor Jana Seddon, these addresses are associated with two sides of a doublewide trailer on blocks behind the swimming pool of The Mustang Ranch Brothel.
- According to Mr. Thompson and Mr. Gilman, they are bunkmates in the doublewide
- If Mr. Thompson indeed lives in the doublewide, according to Storey County Ordinance, he needs a work card. Our sniffing around suggests such a work card does not exist. As Brothel owner, if Mr. Gilman actually lives on site, he doesn't need a work card.
- According to common sense combined with functioning neural synapses, one of the wealthiest men in Northern Nevada doesn't put head to pillow within earshot of the transactional action going down near his alleged, less than 1000 square foot half doublewide.
- According to everyone and their mothers, Mr. Gilman lives in Reno
- If these moms are to be believed, Mr. Gilman can't legally hold office as Storey County Commissioner.

The Zoning of Mustang Ranch

- If the Ranch is zoned residential, then it is legal to claim it as their legal residence.
- If the Ranch is zoned anything other than residential, it is illegal to claim it as a legal residence.
- If the Ranch is zoned anything other than residential, people may be able to "sleep" with each other for 20-30 minutes, but not overnight.
- If the zoning ordinances are ignored by impotent people, why should the rest of us pay any attention to them?

The Criminal Complaint of Cheating and Lying

- If Gilman and Thompson live there, they are in violation of county ordinance and subject to misdemeanor criminal conduct (cheating).
- If Gilman and Thompson don't live there, they are guilty of perjury when they filled out proof of residency forms (lying)
- If Gilman and Thompson exist in a parallel universe of Storey County immune from the trivial annoyances of law, code and ordinance compliance, why can't the rest of us teleport to that universe so we can chill with them and ignore the rules too?

Stonewalling and Restricting the Free Flow of Public Information

Earlier this month I sent Assistant County Manager, Human Resources Manager, Planning Director, Master Plan Point Man and Man of Mystery Austin Osborne an email asking why it has taken him six months past the five days required by Nevada Revised Statute (NRS) to respond to my innocuous question, "What is the zoning for 5 and 56 Wild Horse Canyon Drive?"

He referred me to the email response made within the five-day time frame prescribed by NRS telling me he and Kathy Canfield were looking into the matter. I reminded him that telling me he was busy and that he would get back to me may technically satisfy NRS, **but it didn't actually answer the question.**

I advised him that I was still waiting for an official reply.

I shared that in May I wandered into the Community Development Department and walked out with a printout saying Mustang Ranch was zoned industrial.

I sent him, DA Langer and Battle Born Consuting LLC principal Gary Hames the email below which finally produced an (amazing) answer to my super simple question “What is the zoning on the Mustang Ranch?”.

Austin Osborne

StoreyTeller November 9, 2017 at 7:10 AM



RE: County Code Violation

[Details](#)

To: Editor, Cc: Gary Hames, Gary Hames, scda, Gerald Antinoro & 3 more

Sam,

I responded to all of your document requests per NRS. I will gladly respond to any questions or concerns of the DA's or AG's office upon their request. The subject property is zoned Agriculture. The matter is being addressed otherwise. Thank you and have a good day.

Austin

From: Editor [<mailto:editor@thestoreyteller.online>]

Sent: Wednesday, November 08, 2017 5:33 PM

To: Austin Osborne

Cc: Gary Hames; Gary Hames; scda; Gerald Antinoro

Subject: County Code Violation

Ms. Langer, Mr. Osborne & Mr. Hames,

As you may know, The Storey Teller filed a complaint with the Storey County DA and the Nevada State AG and the Sheriff's Office regarding a public record request regarding the zoning of the Mustang Ranch and 5, 5B and 56 Wild Horse Canyon Drive.

You can read about the complaint [here](#).

Even though the public records request regarding the zoning status of the Mustang Ranch Property, which NRS requires an answer to within 5 days remains open six months after it was filed, I learned the Mustang Property is not zoned residential after a 3 minute visit to Community Development several months ago.

Both Lance Gilman and Kris Thompson claim 5, 5B and 56 Wild Horse Canyon as their legal residence when filing paperwork with the County Clerk to hold elected and appointed office.

Yet the entire Mustang Ranch parcel is not zoned for residential occupancy.

It is not legal for anyone to live there.

Since this is a Storey County Code violation and the proof of residency to hold public office claims the Wild Horse Canyon addresses, what action will be taken now that your departments have been officially advised of the violation?

What are the enforcement procedures?

Fines?

Red Tags?

Jail Time?

Wrist Slaps?

Please advise what action the County is taking to address this violation.

My readers have asked me why the county has not taken action on this matter.

As you know, the law applies to everyone equally, including those in power.

Is there special consideration being made because this involves our County Commissioner and his employee and a county planning commissioner?

Mr. Kris Thompson told the community that there is an effort underway to rezone a portion of the Mustang to “clean this up”. Is this true?

Respectfully,

Sam Toll - Editor
editor@thestoreyteller.online
www.thestoreyteller.online
775-583-8655



Eight Months Later we learn how the Mustang Ranch is zoned.

This is the only response to the above email full of questions posed in part by conversations with you, gentle reader.

Storey County District Attorney and Nevada Attorney General, the enforcement arms of criminal charges, are church mouse quiet.

Battle Born Consulting's Gary Hames, Chief Enforcement Officer of Storey County code violations (but not an actual Storey County employee), drools asleep at the wheel.

Mr. Osborne includes two incredible, mind-blowing six-word sentences scribbled into his grudging email:

1. The subject property is zoned Agriculture.
2. The matter is being addressed otherwise.

Whisky. Tango. Foxtrot.

The Mustang Ranch is zoned “Agriculture”. What does that even mean?

Astonished, I called two other jurisdictions who license brothels; Lyon and Nye Counties. The Community Development Office in Lyon County (operated by actual county employees and not empty suited, unqualified crony “consultants”) advised me that the 4 licensed brothels operate under a strict and carefully constructed county zoning ordinance; Ordinance X. Additionally these brothels function

under an equally strict Special Use Permit (SUP) that is regularly reviewed and is reviewed regularly.

Nye County regulates brothels under similar sober-minded and careful attention. They take their jobs seriously and construct an ordinance that serves the constituents of the county carefully.

What these two counties don't have is the owner of any of these brothels seated as County Commissioner.

But not here in Storey County. No Sir. We zone our brothels "Agriculture"

If this doesn't plop the reality that the self-serving self-interests of the Owner of the Mustang Ranch and County Commissioner Lance Gilman trump the interests of the residents and taxpayers of Storey County smack dab into the broadest of dazzling daylight, what does?

Keep walking, people. There's nothing to see here...

The Next Sentence Is Just As Bizzare; "The matter is being addressed otherwise."

What in God's Green Earth does this mean? Austin "The Master of Opacity" Osborne could not be less clear.

Sounds like they plan on "fixing" the matter in some happy quiet little way under the cloak of invisibility.

- Are they going to rezone the property?
- Are they going to give the County Commissioner and his boy wonder an exclusion?
- Are they going to approve a friendly little SUP?
- Are they going to look the other way?
- Will everyone else get to have their trivial infractions fixed with expensive county employee labor?
- Are they going to stand on their heads while consulting the Magic 8-Ball?
- All of the above?

Nothing would surprise me.

The Double Standard is Alive and Well For County Commissioner Gilman and Planning Commissioner Thompson

People tell me that Storey County maintains two standards separating the people who think they own this county from the ones who actually do.

People also tell me this fact doesn't sit well with them.

It doesn't sit well with me.

It shouldn't sit well with you, either.


As the countdown to the next election cycle ticks off, it's stuff like this that makes us take inventory of our leadership.


I suggest you ask the simple question; **Are our leaders conducting Storey County Business with your and my interest or self-interest at heart?**

Next November I guess we'll know our answer.


Stay Tuned.

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Commissioner Lance Gilman Vows To Pay Property Taxes.
(<http://thestoreyteller.online/2017/12/27/gilman-to-pay-property-taxes-in-2018/>)

December 27, 2017

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(<http://thestoreyteller.online/2017/05/20/lance-gilman-vows-pay-antinoros-ethics-fine/>)

Gilman pledges to Pay Antinoro's Ethics Fine
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(<http://thestoreyteller.online/2017/11/19/sunday-word-of-the-day-profit/>)

2 thoughts on “Update on Mustang Ranch Zoning Complaint”



Stephen Bloyd (<http://thestoreyteller.online/2017/11/18/update-mustang-ranch-zoning-complaint/#comment-429>)

Maybe if is zoned “Agriculture” because Storey County considers prostitutes to be barnyard chattel.

Reply (<http://thestoreyteller.online/2017/11/18/update-mustang-ranch-zoning-complaint/?replytocom=429#respond>)

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Teller Files Criminal Complaint with Storey DA, Sheriff

OCT
16



 [EDITOR \(HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/\)](http://thestoreyteller.online/author/samtoll/)

On March 28th, 2017, The Storey Teller filed a public record request with Assistant County Manager, Planning Director and all around busy guy Austin Osborne. In this request we asked for the zoning of the Mustang Ranch Compound, specifically to see if any section of the property was zoned residential. This residential zoning inquiry was the result of previous requests filed with County Clerk Vanessa Stephens and County Assessor Jana Seddon.

We asked Clerk Stephens for the proof of legal residences claimed by Leonard Lance Gilman and Kris Thompson required by Nevada State Law for anyone running for office or holding an appointed office.

The request from County Clerk Stephens was fulfilled in one business day. It revealed that Leonard Lance Gilman resides at 5B Wild Horse Canyon Drive and Kris Thompson resides at 56 Wild Horse Canyon Drive.

Since the United States Post Office does not show 5B or 56 Wild Horse Canyon as addresses in their system (they will return any correspondence sent there as “Address Unknown”) we asked Assessor Jana Seddon where these addresses physically were. Her response, delivered in two business days, was remarkable; Lance and Kris reside in a dual wide mobile home located behind the swimming pool at the Mustang Ranch.

Let me say that again.

Lance Gilman, one of the wealthiest men in Northern Nevada, lives in a mobile home behind the swimming pool with his employee and roommate Kris Thompson. At a the brothel.

While many Storey County Resident were born at night, none of us reading this were born last night. Suggesting this is a fact stretches credulity around the planet. Twice.



Must be exciting living in an actual cathouse; think of all the interesting people you meet!

After I learned where County Commissioner Gilman and Planning Commissioner Thompson claim to live, I then sent my public record request to Mr Osborne. As stated above, this request was to determine the zoning of the Mustang Ranch and was filed on March 28. After several back and forth

emails, included below, the matter went cold. I saw Mr Osborne on multiple occasions and asked him about the inquiry. I got the usual dismissive reason, “We’re in the midst of the Budget” or “I’m in the middle of revising a statute” or “My dog ate my keyboard”.

During the months of delay on the simple request of what is the zoning of the Mustang Ranch, I decided to stroll into the Community Development Department and ask them. Within 5 minutes I was holding the printout containing the zoning of the Mustang Ranch.

Nowhere on Mustang property is it zoned residential. So nobody can live there. And nobody can claim they live there. In order to live there, the property must be zoned..... residential.

Six months later...

On the six month anniversary of the initial, unfilled, public record request The Teller filed a criminal complaint with Storey County District Attorney Anne Langer and Nevada Attorney General Adam Laxalt. DA Langer advised me that since I was making a criminal complaint I needed to file the complaint with the Sheriff’s Office before she could proceed.

The purpose of this complaint is to hold accountable County Commissioner Gilman and Planning Commissioner Thompson for committing perjury when they filed paperwork claiming to live somewhere it is illegal to live. Since they took office illegally and since they don’t actually live at Wild Horse Canyon Drive (or anywhere else in the county for that matter) and can’t legally reside where they claimed they did, we conclude and insist they be prosecuted for perjury and removed from office.

My complaint also charged that Mr Thompson was most likely in violation of county ordinance 5.16.220 which reads in part:

5.16.220 Work card registration required.

A. It is unlawful for any person to work as an independent contractor or be employed or for a licensee to employ or allow a person on the premises of a licensed operation, unless the person is the holder of a valid current work card issued by the sheriff. Customers of the brothel are exempt from this requirement.

Because brothel work cards are not public record, I can only make the claim without actual proof. The Sheriff’s Office issues the work cards so they will immediately know if Mr Thompson holds one.

Once the Criminal Complaint is completed I will share the results with you, kind reader.

Below, find the public documents and emails filed with DA Langer, AG Laxalt and Sheriff Antinoro.

Stay Tuned...

September 28th, 2017

Ms. Anne Langer
Storey County District Attorney
205 South C Street
P.O. Box 496 Virginia City, NV 89440
Mr. Paul Laxalt

Nevada Attorney General

100 North Carson Street Carson City, NV 89701 Subject: Public Records Request and Obstruction Complaint
against Storey County

I am writing to you today on the six month anniversary of a public records request whose purpose is to verify the status of the residences of two Storey County Officials. I have attached the email correspondence between myself and Storey County regarding the zoning of the addresses supplied by Lance Gilman when he submitted required documents to run for County Commissioner and Kris Thompson to confirm his residence to qualify for being appointed to serve on the Storey County Planning Commission.

According to various NRS statutes and Storey County Code, in order for an elected or appointed official to hold office or be appointed to a board in Storey County, the elected official or appointed board member must reside in Storey County.

The purpose of my query was to confirm that the residence addresses supplied by Mr. Gilman and Mr. Thompson, two sides of a small double wide mobile home, located behind the swimming pool at the Mustang Ranch Brothel, are zoned as legal residence addresses by Storey County Statute.

This request now has collected six months worth of dust and remains unanswered.

According to Mr. Austin Osborne, assistant Storey County Manager, when I asked him about it he claimed "the matter was still under investigation".

Yet when I went into the Storey County Community Development Department several weeks after the last email communication from Storey County on this matter, I was able to leave with the zoning status of the property in less than 5 minutes. I discovered that there is no place on Mustang Ranch parcel zoned residential, not even a watchman's residence.

In other words neither 5 and 56 Wild Horse Canyon Drive are legal residences; nobody can legally reside there or claim either address as their legal residence.

It is my contention that by supplying this address, both Mr. Thompson and Mr. Gilman appear to be guilty of perjury.

Further, as they do not reside in Storey County, they are exempt and prohibited from holding office of any kind in Storey County.

I further contend that by stonewalling this public records request, Storey County, Mr. Pat Whitten and Mr. Austin Osborn are obstructing justice.

It is common knowledge to anyone paying attention that Lance Gilman, who has multiple residence properties in Washoe county and is extremely wealthy, does not bunk with Kris Thompson in a doublewide trailer. I respectfully request an immediate investigation into this matter in an effort to restore integrity in our elected and appointed officials and look forward to the fair and just application of law by removing these men from office.

Thank you for your kind attention to this matter.

Respectfully,

Sam Toll - Editor
editor@thestoreyteller.online
www.thestoreyteller.online
775-583-8655

From: **Austin Osborne** aosborne@storeycounty.org
Subject: **RE: Public Records Request**
Date: **March 29, 2017 at 5:42 PM**
To: **Editor** editor@thestoreyteller.online
Cc: **Lyndi Renaud** lrenaud@storeycounty.org, **Kathy Canfield** kcanfield@storeycounty.org

Sam,

Lyndi will look into this and get back with you on the zoning within the NRS period.

Thank you,
Austin

From: Editor [<mailto:editor@thestoreyteller.online>]
Sent: Wednesday, March 29, 2017 12:35 PM
To: Austin Osborne
Subject: Public Records Request

Greetings Mr. Osborne

This email represents a public records request for the zoning of two Storey County addresses. I was advised that your office handles this request from Cynthia at Community Development

These addresses are 56 Wild Horse Canyon Drive and 5 Wild Horse Canyon Drive, Sparks

Thank you for your kind attention to this matter.

Sam Toll - Editor
editor@thestoreyteller.online
www.thestoreyteller.online
775-583-8655
Got a story? Got an idea? Tell us!
Help stir the pot and keep the kettle hot.



From: **Kathy Canfield** kcanfield@storeycounty.org
Subject: **Emailing: NVSTOR15 (15)**
Date: **March 31, 2017 at 8:48 AM**
To: **Editor** editor@thestoreyteller.online

KC

The attached map documents the location of 1000 Wild Horse Canyon Drive, APN 04-161-21. I don't show any parcels identified as 1100 Wild Horse Canyon Drive when I query the mapping program. Am I in the right location for what you are looking for?

Your message is ready to be sent with the following file or link attachments:

NVSTOR15 (15)

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



From: **Austin Osborne** aosborne@afarmynutrition.org
Subject: **RE: Emailing: NVSTOR15 (15)**
Date: **April 27, 2017 at 7:45 AM**
To: **Editor** editor@thestoreyteller.online, **Kathy Canfield** kcanfield@storeycounty.org



Hello Sam,

I am still looking into the matter and will get you an answer. We have a lot on our plate right now, so thank you for your patience. Please direct your follow up questions directly to me so that Kathy can focus on her other priorities. Thank you for your understanding and have a good day.

Austin

From: Editor [mailto:editor@thestoreyteller.online]
Sent: Tuesday, April 25, 2017 6:57 PM
To: Kathy Canfield
Cc: Austin Osborne
Subject: Fwd: Emailing: NVSTOR15 (15)

Kathy,

Have you been able to uncover the disposition of residential zoning on the parcel APN 04-161-2. I have highlighted in red the area identified by the assessor as the location of 5, 5B and 56 Wild Horse Canyon Drive.

Thank you for your kind attention to this matter.

Sam

Begin forwarded message:

From: Editor <editor@thestoreyteller.online>
Subject: Re: Emailing: NVSTOR15 (15)
Date: March 31, 2017 at 10:47:13 AM PDT
To: Kathy Canfield <kcanfield@storeycounty.org>

Kathy,

Thank you for your prompt reply,

Yes that is the location, APN 04-161-21 (detail of the Mustang Ranch Complex below via google earth).

Somewhere in that complex there are two physical addresses; 5 and 56 Wild Horse Canyon Drive.

Based on what I know, the entire parcel is zoned Commercial/Industrial.

Based on what I know, the entire parcel is zoned Commercial/Industrial.

Are there any nooks and crannies somewhere in there designated residential; specifically 5 and 56 Wild Horse Canyon Drive?

According to public documents there are two residences located somewhere in the Mustang Ranch complex (5 and 56 Wild Horse Canyon Drive) and if so, they would require residential zoning.

That is the focus of my query; is there any location within that parcel that is zoned residential and is legally approved for people to reside?

I appreciate your time and effort on this inquiry.

Respectfully,

Sam Toll
editor@thestoreyteller.online
www.thestoreyteller.online
775-583-8655



thestoreyteller.online



Sam Toll - Editor

editor@thestoreyteller.online

www.thestoreyteller.online

Lance Gilman's Proof of residency on file with Clerk Stephens




STATEMENT OF LANCE GILMAN
RE RENT FOR KRIS THOMPSON

November 30, 2015

Kris Thompson resides by my permission at 5B Wild Horse Canyon Drive, Sparks, NV 89434 as part of an employment arrangement he has with Lance Gilman Commercial Real Estate Services Co. He does not pay rent for this living space.

Thank you for your consideration.


L. Lance Gilman



Reno/Sparks/Carson City (775) 684-4DMV (4368)
 Las Vegas Area (702) 486-4DMV (4368)
 Rural Nevada (877) 368-7828
 Fax: (775) 684-4992
 Website: www.dmvnv.com

Certification of Nevada Residency

This certification is used to support a claim that you are a Nevada resident. You must be a resident of Nevada to be eligible for a Driver's License (DL), Driver Authorization Card (DAC) or Identification Card (ID) [NRS 483.250 (7), 483.290 (5)(b), and 483.934]. The definition of "resident" is found in NRS 483.141.

Customer Information			
Name <u>KRIS THOMPSON</u>			
Residential Address <u>53 Wild Horse Canyon Dr.</u>	City <u>Sparks</u>	State <u>NV</u>	Zip <u>898934</u>
Mailing Address if different <u>424501 USA Parkway</u>	City <u>Sparks</u>	State <u>NV</u>	Zip <u>89934</u>
DL/DAC/ID Number		Social Security Number (not required for a DAC)	

This form and one of the following documents must be submitted to show proof of Nevada residency.

ORIGINAL OR CERTIFIED COPY DATED WITHIN 60 DAYS	ORIGINAL OR CERTIFIED COPY OF LAST ISSUED DOCUMENT
<ul style="list-style-type: none"> • Receipt for rent of a residential address • A record from a public utility for residential service • A bank or credit card statement • A paycheck stub • A document from a state or federal court • A record, receipt or bill requesting payment • Motel, hotel, campground or recreational vehicle park receipts showing that you have been residing in Nevada for at least 30 consecutive days • A Nevada Voter registration card issued pursuant to NRS 293.517 • A document showing receipt of public assistance or benefits from a State of Nevada agency • Military Leave and Earnings Statement (LES) to evidence Nevada residency of applicant deployed outside of Nevada while serving on active duty • A student identification card from a Nevada educational institution • FORM DMV115 - Relief Agency or Shelter Certification • FORM DMV116 - Property Owner Residency Affidavit 	<ul style="list-style-type: none"> • A property tax record, lease, rental agreement, mortgage document or deed of a Nevada residence • Enrollment records from a Nevada educational institution • A vehicle liability insurance card, binder or bill issued by a Nevada-based carrier (cannot be handwritten) • Confidential Address Program (CAP) documents issued pursuant to NRS 217.462 to 217.471, inclusive • Tax records other than property taxes

DISCLOSURE STATEMENT: The Privacy Act as passed by the United States Congress authorizes the use of your Social Security number for the purpose of verifying your identity. This number must be provided and will be used in the administration of driver's license laws as required by NRS 483.290. (This is not required for a DAC.)

I hereby certify under penalty of perjury that all statements in this application are true and correct. I agree and understand that any misstatement of material facts may cause cancellation and/or denial of my driver's license or identification card under NRS 483.420 and NRS 483.530, respectively. I further understand that any misstatement of facts may be a misdemeanor or felony under NRS 483.530 and may be punishable pursuant to NRS 193.130.

Applicant's Signature [Signature] Date Nov 30 2015

IF the applicant is not able to produce one of the above required documents in his or her name, this certification must be signed by a second resident living at the same residential address. The applicant must present proof of residency showing the second resident's name and residential address in the form of one document listed above. The second resident does not need to accompany the applicant to the DMV.

Signature of Second Resident Attesting to Nevada Residency [Signature] Driver's License or Identification Card No. 0800486479

DMV-005 (Rev. 1/2014)

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8 thoughts on “Teller Files Criminal Complaint with Storey DA, Sheriff”



Ann Mack (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/#comment-377>)

October 17, 2017

I love you! Be prepared for some weird government thing to arrive at your door. Rich cheaters do not like publicity. Hillary Clinton for example. Best of luck getting something accomplished, get rid of thieves like Denny Dotson, the political kickback meter from Virginia city, NV and his family taking money under a promotions scam called liquid blue. Is there any honest people willing to stand up to these money hungry clods? Enough!

Reply (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/?replytocom=377#respond>)

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**Editor** (<http://thestoreyteller.online>)

October 18, 2017

(<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/#comment-378>)

People warn me to check my lug nuts and watch my back. Both Heckler & Koch and Mossberg are my co-pilots so I worry very little about my back.

Your point about government arriving at my door is more like it. Thank goodness we elected a Sheriff that will not be their intimidation department. Instead they will have to resort to using county code to hassle me and since that won't work, they'll just have to sit and spin.

I plan on busting out a piece about the VCTC and the graft that goes on there, asking the question why do we spend 10% of our budget on 100 businesses in the County, many of whom don't live or own property in Storey County.

Reply (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/?replytocom=378#respond>)

Edit (<http://thestoreyteller.online/wp-admin/comment.php?action=editcomment&c=378>)

**Susan Stubbs** (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/#comment-379>)

October 18, 2017

What is "At a the brothel"? Unbelievable that you will report on the violation of this law, yet say nothing about the criminal you have for a sheriff. I have, in my hands, a rape report from 2014 involving the sheriff and Deputy Tony Docen. Sparks criminal report number 14-430. You can get your own intriguing copy for only \$5.00. The sheriff is also guilty of a class D felony; that of assisting in the concealment of a child from her biological father. I have documentation of this as well. At least the Mustang is contributing to the community. What is the sheriff doing for the community other than getting charged with ethics violations and sexual harassment? Why aren't you reporting on any of this? Sounds to me that you're pretty biased in your reporting and are not taking a non-biased, third person point of view; something that all seasoned reporters do. Oh, and it may behoove you to take a grammar class or two to brush up on your writing skills. I guarantee you'll hear nothing but crickets from the direction of Anne Langer's office. Good luck with that!

Reply (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/?replytocom=379#respond>)

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**Editor** (<http://thestoreyteller.online>)

October 18, 2017

(<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/#comment-380>)

Susan, thanks for reading The Teller.

I have read the Sparks Police report. The entire county read similar things when Lance Gilman sent us the smeary stuff and dropped \$ 160,000 on the Recall Effort. All the charges in the world have yet to result in arrest or conviction.

I have read the Family Court Custody Documents. It's pretty hard to conceal a child from a father who abandoned the child and fled the state. The father is concealing himself from his responsibility while imposing a hardship on the child's mother by not fulfilling his child support responsibility.

Interestingly, this matter has nothing to do with the fact that the County Commissioner doesn't live in the county and committed perjury.

If you'd like you can report me to Sheriff Antinoro.

He has an entire Internet division of grammar police standing at the ready to correct and serve.

I called them on you for not capitalizing the proper noun "Sheriff" ... 😊

Reply (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/?replytocom=380#respond>)

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Susan Stubbs (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/#comment-388>)

October 19, 2017

Wow...you are obviously reading the smear campaign against my husband. Your 'facts' are incredibly skewed. The fact that you've "read the family court documents" tells me you're in bed with the sheriff as well and much of the rest of Storey County. As for "sheriff" being a proper noun, the word is only capitalized if it is followed by a proper noun; for example the name of the sheriff himself. I dusted off my master's degree in English and clarified this rule. Truth be told there is nothing proper about your sheriff, therefore I would not capitalize his name regardless of the English rules of capitalization. My husband did not flee the state. He merely moved. My husband pays child support as well as health insurance for his daughter. If you would like to hear the other side of the story, something all good reporters should do, please contact me directly.

Reply (<http://thestoreyteller.online/2017/10/16/teller-files-criminal-complaint-storey-county-da-sheriff/?replytocom=388#respond>)

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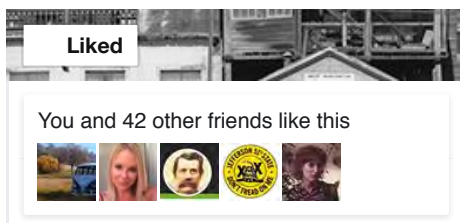
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Gilman pledges to Pay Antinoro's Ethics Fine

MAY
20



 [EDITOR \(HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/\)](http://thestoreyteller.online/author/samtoll/)

Brothel Owner Lance Gilman told thestoreyteller.online he will cover the 1000.00 fine incurred by his ethics investigation request filed against Sheriff Gerald Antinoro.

In an exclusive press release sent to The Teller, spokesman Kris Thompson said, “TRIC and The Mustang Ranch want to help our community heal after the polarizing recall effort we forced residents in our good county to endure this Spring. We realize spending \$160,000 to unseat the Sheriff to achieve our own personal vendetta was both mean spirited and downright ugly. For this we are deeply sorry. In the spirit of moving peacefully and constructively forward, we have pledged to not only pay the 1000.00 fine imposed on the Sheriff as a result of our petty complaint but also to reimburse Storey County for the estimated \$30,000 spent on the Recall Election. He will also return the \$7600 Storey

County taxpayers paid for the trip to the Donald Trump Inauguration Party he and his valet enjoyed earlier this year.”

But that’s not all.

Mr. Thompson’s press release continued: “Mr. Gilman wants to silence his critics and prove to the community he has turned over a new leaf. Therefore, he will finally honor campaign promises made over the last six years. Commissioner Gilman will distribute the entire 29,100,000 purchase price of the property Google bought earlier this year to the residents of Storey County. On July 4th, 2017, we will be holding a Independence Day festival at the Mustang Ranch where we will deliver a check for \$7100 to every man, woman and child in Storey County along with a frozen turkey and a brass ring good for one free ride on the Mustang Ranch Merry-Go-Round.”


“I want the people of Storey County to know that I am a man of integrity and my word is more valuable than gold. This County has been very, very good to me and I want to deliver on promises I made over and over to the good people of Storey County regarding the cash that would be gushing around here. I want to thank them along with the entire **Team Storey** Team for helping Mr. Norman and me becoming the wealthiest people who do business in Storey County but don’t actually live here” said Mr. Gilman.


In related news, Corrado de Gasprias announced on Friday the discovery of what he calls “the worlds largest Gold and Silver deposit, a modern day El Dorado!” under C Street. He announced that CMI has been granted the necessary permitting by county manager Pat Whitten and the County Commissioners. Digging under the Delta Saloon will start as early as June first.

For more information, contact Comstock Mining Inc.’s and TRIC’s public relations officer Elaine Spencer-Barkdull of the Comstock Chronicle at comstockchronicle@gmail.com.


For those of you from Rio Linda, this article was reprinted with permission from the Shallot. If you thought this was stranger than fiction, you should adjust your satire-o-meter.

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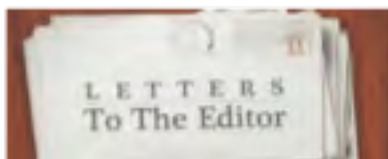
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Jeanne Gribbin (<http://thestoreyteller.online/2017/05/20/lance-gilman-vows-pay-antinoros-ethics-fine/#comment-141>)

May 20, 2017

I love Satire 😊

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TJ Snodgrass (<http://thestoreyteller.online/2017/05/20/lance-gilman-vows-pay-antinoros-ethics-fine/#comment-143>)

May 23, 2017

I read the above linked article this morning, and at first wondered where Sam got that file photo of Lance, resplendent in his ostrich skin jacket and glinting aviators, sans cowboy hat. As my eyes roamed through the first few paragraphs, I honestly was thinking, “Really? REALLY?????” and then I realized ole Sam was pulling my leg all the way to Joe Conforete’s penthouse in Rio.

This is a FINE piece of editorial humorous sarcasm that surely deserves a shot in the Nevada Press Association’s annual competition. Be sure to submit it, Sam!

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Juanita Cox (<http://thestoreyteller.online/2017/05/20/lance-gilman-vows-pay-antinoros-ethics-fine/#comment-144>) May 23, 2017

WOW! I thought my prayers had been answered and we would all get an early Christmas present along with a turkey.....damn.....

This was a great article.

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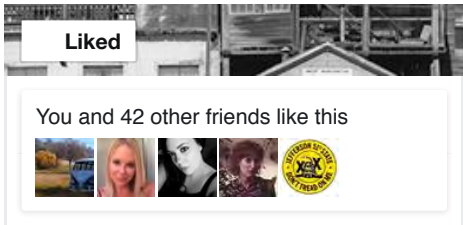
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Long Live The King

FEB
26



 [EDITOR \(HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/\)](http://thestoreyteller.online/author/samtoll/)

This piece was submitted by a resident of Storey County who wishes to remain anonymous. If you would like to submit a piece and post with or without revealing your identity, please email to editor@thestoreyteller.online or annie.mouse@thestoreyteller.online. Why sit on your hands when using them to type your mind is so much better. For your hands and your community.

Long Live King Lance

by Annie Mouse

That's essentially what almost 600 Storey County citizens said when they signed the petition to recall Sheriff Antinoro. King Lance must be celebrating in his whorehouse with his concubine (that's their stated address on the petition), now that his dream of ENTIRELY controlling Storey County is about to come true.

THAT's what this recall petition was about – it was Lance showing Antinoro who has the upper hand in Storey – NOT the LAW, not the SHERIFF, but a County Commissioner.

This started years ago when Lance fleeced his investor by not making his payments to him on the loan the man had made to help build the Wildhorse brothel. Essentially, Lance shut down the Wildhorse, saying it didn't exist anymore, and christened the property the Mustang Ranch. Quite clever wasn't it? By making the name change, he told his investor to "Take a hike. The Wildhorse doesn't exist anymore." Funny thing is, the courts didn't agree and the investor won. But, in the meantime, because Lance had shut down the Wildhorse and reopened it as the Mustang, he thought he didn't need to go through the investigation that the Nevada Revised Statutes require for the opening of a new brothel. He didn't want to follow the law. The County Commissioners even agreed with him. Why should Lance, the man who's been a virtual Santa Claus (at least he tries to convince people he is) for Storey County, have to follow the law? Sheriff Antinoro said the law had to be followed and that the Mustang had to be closed for the required number of days, per state statute, for the investigation with which ALL brothels must

comply. King Lance was furious. He secretly plotted payback.

So, King Lance ran for County Commissioner. What did it matter that he owned the largest business in the county; surely St. Nick couldn't ever have a conflict of interest, could he? He had a glorious campaign – spent over \$35 THOUSAND DOLLARS on it. Never has a candidate spent so much on a campaign in this county! But, he ran huge advertisements in the newspapers – publishers LOVED him! He had BBQ's – the people LOVED him! He had rallies with food, chocolate, and speeches about how King Lance was going to bring the financial prosperity he'd accumulated to all the voters. Virginia City was going to be transformed! He'd share his secrets for success with the shop owners and earnings would soar. Tourists would jam the boardwalks every day of the year because of his promotional skills. We'd have the BEST schools, the BEST roads, and BEST of ALL, we'd have LOWER property taxes because the wealth of taxes his

Golden Goose generated – Tahoe Reno Industrial Center, or TRIC (appropriate, huh?), would be so copious, that every property owner in Storey would reap the benefits!!!!

Remember all that? It was only about five years ago. Surely you remember? Did King Lance make good on his promises?

But, the voters believed Lance. They munched on his BBQ, they consumed his crudite', they chowed down on his chocolate, and they ATE HIS LIES! King Lance was elected. Once in office, when King Lance was asked about these promises, he always had excuses; but he did have groceries for seniors, and checks for charity functions. They helped King Lance keep up his Santa Claus image.

2016 rolled around, and King Lance was up for re-election but would anyone run against him? OF COURSE NOT! Who has at least \$35 THOUSAND DOLLARS to try to compete with King Lance? Who has spent the last four years raining money and groceries around the county? NO ONE, because no one has that kind of money, and most importantly, NO ONE has the POWER that King Lance has acquired during his time in office.

Now, King Lance was ready for retaliation against the Sheriff who had dared to cross him years ago. He had a list he'd made of Antinoro's transgressions (who cared how true, embellished or fabricated they were), from IMPRINTED PENS no less, to sexual harassment, a bungled murder case, inflated budgets, \$144 THOUSAND DOLLARS the Sheriff had stolen from the county. King Lance licked his lips in anticipation of the delicious dish of revenge he'd serve. Last year, Antinoro had the audacity to do the regular inspection of King Lance's brothel workers' paperwork. How DARE he set foot in the King's realm without invitation!


The retaliation came in the form of a recall petition. At the top was the list of all of Antinoro's sins. He was a CRIMINAL and MUST BE RECALLED! King Lance assembled a group of lackeys that were his Recall Committee. All were underlings who'd proven their allegiance to him. Some were characters who were of ill repute and hated in the county. Pawns were sent out to get signatures. "Yes, Antinoro ASSAULTED women! He STOLE money from the county! He had PENS PRINTED with his name on them using YOUR MONEY. He ABETTED in a MURDER case!" – Anything was said to get petitions signed.


As he lay in his bed at night, King Lance mused smugly on how all his plans were working. The petitions were signed, sloppily and with many errors, but it was Storey County, wink, wink! There would be a recall election, and how his Committee would MALIGN Antinoro even MORE – he wouldn't be able to show his face ANYWHERE! "Ha ha! Antinoro will be OUT, and I, er myself and my fellow commissioners that is, will appoint a NEW Sheriff!!! Of course he will be of my choosing, do my bidding, and never say 'Peep!' unless I ask, and then I will tell him how long and how loud. I WILL FINALLY RULE ALL OF Storey County! I can't believe how EASY it was to get those sheep to do what I want. Those groceries and checks were all worth it. When I'm termed out in 2020, maybe I'll run for U.S. Senate...." Sleep overcame King Lance, as he turned over and snuggled closer to the warm Rubenesque body next to his. "You're so smart, I think you could be President, Lance. I really do." she cooed.

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You made it this far. Why not jump in the mosh pit and add a comment. Even if you are dancing alone, dance.

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One thought on “Long Live The King”



Daniel Caravallo (<http://thestoreyteller.online/2017/02/26/long-live-the-king/#comment-22>) March 16, 2017

One Day King Lance Gilman will surely meet the KING OF KINGS JESUS CHRIST, And he will answer for all the bad he has done.

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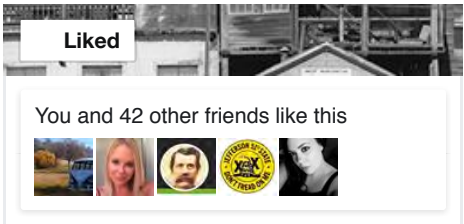
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Leadership – Sunday Word Of The Day

DEC

3



EDITOR ([HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/](http://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/))

leadership | 'lēdər, SHip | noun

- The action of leading a group of people or an organization: different styles of leadership.
- The state or position of being a leader: the leadership of the party.
- [treated as singular or plural] the leaders of an organization, country, etc.: a change of leadership had become desirable.

The packet for the upcoming Storey County Commissioners Meeting was released last Thursday (and modified on Friday) and I had to raise my eyebrows as I read some of the agenda items.

I'll post a preamble to the meeting and run down my take on some of the agenda items soon (if you just

can't wait you can see the packet for yourself here (http://www.storeycounty.org/AgendaCenter/ViewFile/Agenda/_12052017-733)) as this meeting looks to be one of the more interesting meetings we have seen in quite some time.

A couple of the items got me thinking about the concept of leadership as it relates to Storey County Governance. In my mind, one of the most important roles of leadership is **doing the right thing** for the people you represent. Many of the pieces I post shine the light on the actions taken by Storey County Leadership that serve self and special interests at the expense of We The People.

I point out these actions and look at them through the lens of “**Are They Doing The Right Thing?**”

Let's consider some of the events of this year and ask “Are They Doing The Right Thing?”

Cronyism

Cronyism initiated by Pat Whitten and approved by the County Commissioners.

- Awarding an \$11,345 monthly no-bid contract to Battle Born Consulting, aka Gary Hames, to run the “world class” Community Development Department, where he is learning on the job about structural and other types of integrity.
- Awarding a \$4500 monthly no-bid contract to Mike Nevin to oversee the installation of the Sewer Project when qualified candidates for the position of Public Works Director were passed over in favor of Jason Van Havel. These candidates could have overseen the Sewer project and run the Department without needing to feather the Nevin Nest with Taxpayer Money every month.
- Giving out \$70,000 retirement bonuses to Gary Hames and Dean Haymore in the form of PERS contract purchases.

Based on the contents of the aforementioned Commissioner Meeting Packet, the Commissioners appear to be shocked about the conduct of the County Manager. Yet they were at the same meetings I was at when they voted to approve every one of the above actions. Where were they? Were they asleep at the wheel? Part of responsible governance includes paying attention.

Real Estate Purchases

Purchasing and improving Real Estate in Virginia City while other areas of the County remain neglected and in need of urgent repairs like the Lockwood Bridge, the imaginary Virginia City Highlands Community Center, and Mark Twain Fire Department. While Storey County is in a unique position with respect to historic properties and has shown sober-minded leadership with the 4th Ward School, The Fire House Museum and St. Marys, they have shown questionable vision with the Black & Howell property, the Bank of America Building the Gold Hill Depot and the Camel Races Arena. This year they have busted out the county checkbook for property in Virginia City:

- Pipers Opera House \$360,000
- The House between the Courthouse and Pipers – \$385,000
- Courthouse Parking Lot – \$900,000
- Threatening to use Eminent Domain to steal property from private land owners

Special Interests

The Commissioner Lance Gilman – TRIC Speical Interest merry-go-round that gives Mr. Gilman and TRIC access to the Storey County check book, tax coffers, real property and special consideration regarding rules and regulations.

- Saddling Storey County Taxpayers with a \$35 Million dollar effluent pipeline connecting TRIC tenants to the “liquid gold” effluent from Sparks. This pipeline will divert a million dollars per year of potential tax revenue from the General Fund for the next 30 years.
- Repeatedly reconveying Storey County property to TRIC with zero consideration or payment that TRIC has turned around and included the free property into lucrative land deals, including the one that gave a portion of the USA Parkway to TRIC (for free) which Mr. Gilman and TRIC turned around and sold to NDOT for \$43 Million Dollars (without giving us a single penny or paying down the \$47 Million Dollar Storey County Credit Card balance).
- Allowing the Mustang Ranch to illegally operate for decades on property zoned for Agricultural use.
- Allowing an illegal multi-family dwelling for Mr. Gilman and Mr. Thompson to claim as their residence.
- Failing to require Mr. Gilman to reside in the district he represents within Storey County.

The Recall Election of Sheriff Antinoro.

Finally, consider people in Storey County employ who signed the recall petition. While it is their legal right to sign the petition, what does their signature say about their impartiality and moral responsibility to do the right thing? Was this the right thing to do? Only Commissioner McBride considered the community before petty grievances and did not sign the petition.

Do The Right Thing

The question we should all be asking of Pat Whitten and our Commissioners every day is “Are you doing the right thing by all the citizens of Storey County.”


If the answer is yes, then let’s cheerfully sign up for more of the same heaping helping of leadership we have enjoyed (endured) this year.


If the answer is no, it’s up to We The People find us some new faces with fresh eyes.

The countdown to the Primary Election is underway.

Tick. Tock.

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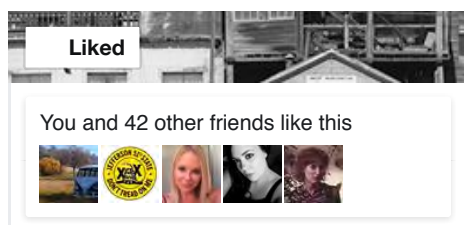
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Sunday Word of the Day – Profit

NOV
19



👤 EDITOR ([HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/](http://thestoreyteller.online/author/samtoll/))

In our second Sunday word of the Day essay, we chose the word **Profit**.

noun a financial gain, especially the difference between the amount earned and the amount spent in buying, operating, or producing something: pretax profits | his eyes brightened at the prospect of profit. • advantage; benefit: there's no profit in screaming at referees from the bench.

verb (profits, profiting, profited) [no object] obtain a financial advantage or benefit, especially from an investment: the only people to profit from the entire episode were the lawyers. • obtain an advantage or benefit: not all children would profit from this kind of schooling. • [with object] be beneficial to: it

would profit us to change our plans.

Brothel resident, TRIC Project Manager, Storey County Planning Commissioner and Lance Gilman bunkmate Kris Thompson used the word of the day in reference to tax revenue generated by companies at TRIC. He posted his comments on Jack McGuffey's "irrelevant" (<http://thestoreyteller.online/2017/11/12/irrelevant-the-sunday-word-of-the-day/>) VCH chat group which you can read here (<https://vch.groups.io/g/main/message/50998>) and here (<https://vch.groups.io/g/main/message/51010>).

As I read Kris Thompson say this, the pinball machine I was playing went tilt.

Mr. Thompson's statement is mind-blowing on many levels.

First and foremost is reveals the mindset of Mr. Thompson's cabal; The Band of Merry TRICsters. These fools consider the tax revenue generated by companies inside the "Largest Industrial Park In The World" is profit to be used to benefit the park.

This notion comes as no surprise when you consider the self-serving actions displayed by Brothel Owner, TRIC Sales and Marketing Manager, TRIC Shareholder and Storey County Commissioner, Lance "The Magnificent" Gilman. When you look at how Storey County has conducted business since Gilman's election in 2012 and before, Storey County taxes serve the interests of TRIC every time you turn around.

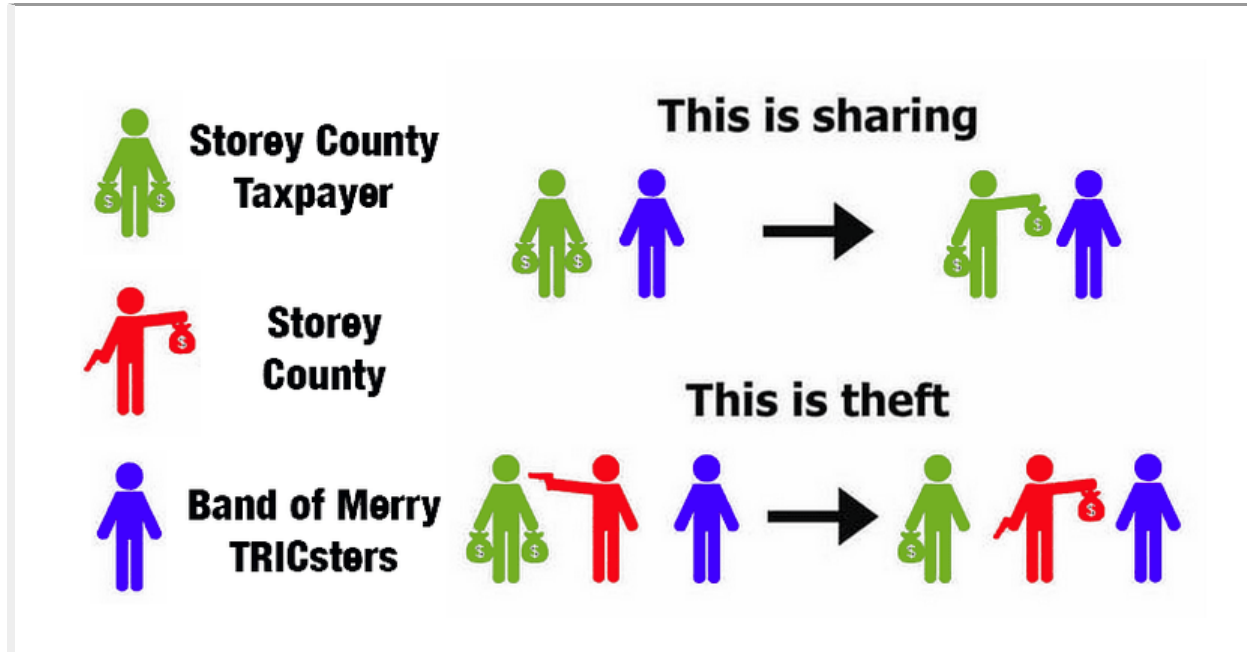
Under the watchful eye of Commissioner Gilman we have given away the farm:

- We gave them a freeway interchange in Washoe County
- We gave them a railhead to help load and unload TRIC businesses.
- We gave them our portion of USA Parkway so they could turn around and sell it to NDOT for \$43 million dollars.
- We give them land every time we turn around at Commissioner Meetings with zero financial consideration.
- We are about to give them \$35 million to transport fecal material for an effluent pipeline so they can sell water to their client base.

Theses gifts (developer expenses) are paid for with Storey County "profit" (tax revenue) generated from TRIC. Gleeefully, inside the world headquarters of The Band Of Merry TRICsters, spending this "profit" is sport. In reality, their profit is actually tax revenue that would otherwise be deposited into our general fund to, for example, pay for the bridge that has been washed out for nearly a year in Lockwood or the Community Center in the Highlands.

The Band Of Merry TRICsters view our tax revenue as their

rightful property.



Yes, Virginia, Taxation is theft.

If I stole all your money at gunpoint and gave every cent I stole from you to a starving homeless child, it would still be theft.

Yet Storey County takes your money at the point of a gun (yes, you will be arrested and caged if you don't pay your taxes, ask Wesley Snipes). Storey County then takes our cash and pays themselves killer salaries, retirement and health benefits and then decides how much of what's left of the "profit" they will share with The Band Of Merry TRICsters. Everyone cheerfully opens up their wallet and lets them in. After all, who will fix our roads?

Taxes come from our hard earned money. From working stiffs and billion dollar corporations alike.

When our elected and appointed government officials treat our tax revenue as profit, it's time for a revolution.


Once again, Taxes are not Profit.


Our revolution will not be fought on the streets of Concord or Lexington.

In Storey County, our Revolution will be fought at the ballot box. June and November 2018.

Hasta La Victoria Siempre!

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(<http://thestoreyteller.online/2017/08/11/town-meeting-learns-tric-pipeline-proposal/>)
 VCH "Town Hall" Learns About TRIC Pipeline Proposal
 (<http://thestoreyteller.online/2017/08/11/town-meeting-learns-tric-pipeline-proposal/>)
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One thought on “Sunday Word of the Day – Profit”



Stephen Bloyd (<http://thestoreyteller.online/2017/11/19/sunday-word-of-the-day-profit/#comment-432>)

November 19, 2017

Now that you mention taxes, has Mr. Thompson ever paid the quarter million or so he owes to the state of California? Why should he be allowed to represent Storey County in any capacity?

[Reply](http://thestoreyteller.online/2017/11/19/sunday-word-of-the-day-profit/?replytocom=432#respond) (<http://thestoreyteller.online/2017/11/19/sunday-word-of-the-day-profit/?replytocom=432#respond>)

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Leadership, Part Two

DEC

4



👤 EDITOR ([HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/](http://thestoreyteller.online/author/samtoll/))

It's reassuring to know that when I write something (in a house or with a mouse) that makes it's way to the (McGuffey-says-it's-Irrelevant) Virginia Highlands chat group, TRIC Executive, Mustang Ranch Brothel resident and Lance Gilman bunkmate Kris Thompson pipes up with a longwinded diatribe about what a pants on fire guy I am.

Mr. Thompson took umbrage to my most recent Sunday Word of the Day essay about Leadership (which you can read [here](#)) with a critical piece of his own (posted below) on the VCH.

For those who don't frequent the VCH chat group, here is my response where I expand on the whole Leadership in Storey County thing.

This will reply to Mr. Thompson, The Minister of Truth.

Before we get to the meat of the bone, for the record:

The words I write, be they In a box or with a fox, are my own and are intended for the gentle residents, taxpayers and voters of Storey County.

I do not represent a cabal, cartel, conspiracy or a confederacy. Of dunces or otherwise.

Like the Green Hornet, I roll with my faithful Japanese valet Kato and The Black Beauty. That's it.

The Tollbardona cabal is a fabrication of The Ministry of Truth.

Graft and Payola

The Minister's claim of transparency is pure irony.

I'll be writing about this later so I'll save my commentary about how Pat Whitten gave golden parachutes to his homies Hames, Haymore and Nevin to the tune of **\$215,000 freaking dollars** only to watch your boss and his fellow Commissioners feign shock and astonishment after they unanimously approved the graft.

Fact.

Community Development and Public Works

Gary Hames is as qualified as Me and Bobby McGee to inspect the billion dollar GigaFactory.

Mike Nevin was awarded his graft before Jason Van Havel went on paid leave.

Look it up.

Another Fact: Van Havel beat out an applicant with years of direct experience installing the exact type of "very critical projects" Nevin has never overseen and could have run the Public Works Department while overseeing the "very critical project" thus obviating the need to pay for the same job twice.

You know, someone who has been where we are going and isn't a relative.

Fact.

Bleeding Heart Liberal

Mr. Thompson, if you read anything I have written (in a boat or with a goat), you would know that as a Libertarian:

I HATE RED TAPE AND REGULATION.

I HATE LICENSES, FEES AND TAXES OF EVERY COLOR, TYPE AND FLAVOR.

I LOVE FREE MARKET CAPITALISM.

I HATE GOVERNMENT CORRUPTION AND CRONY CORPORATISM

Quit painting me with the "liberal" brush. It's classical liberalism. Get it right.

I am so freaking conservative, I make almost every conservative I know look a little pink.

Pay attention.

Fact.

TRIC Effluent Pipeline

I'll repeat myself (again) by saying I fully support the construction of the Effluent Pipeline.

Fully. Support. The. Pipeline.

I just don't want the Storey County Taxpayers to be the chumps paying for it.

TRIC/Google/Tesla/Switch paying for their Pipeline to provide them with their water to cool their servers = **Great.**

Storey County Tax Revenue stolen from teachers and firefighters and police and given to TRIC/Google/Tesla/Switch to pay for their Pipeline to provide them with their water to cool their servers = **The Opposite Of Great.**

Fact.

It's about Leadership

We need people in leadership who have been where we are going. We just may need people who have been to places you can't see from the top of Mt. Davidson.

If that Leadership used to lead in San Francisco or Sacramento or St. Louis or Pittsburg or New York or London or Berlin or Dubai or Pretoria or Beijing or Tokyo, so be it.

We need fresh eyes and sharp minds to parlay the yuge, wonderful, large-handed gift of besplendored amazement which Lance the Magnificent and you, his Minister of Truth, have so generously bestowed upon us, the little people of Storey County into something even more yuge, wonderful and large-handed.

The Leadership we need to realize our potential won't come from the five families who think they own this place simply because they have run it for the last 60 years.

Proof of this can be found in the Hames and Nevin's contracts and their golden parachute retirement bonuses. This corrupt graft is the another shining example of the Good Old Boy Cronyism and Self Serving, Self-Interested horse-apples the gentle little people of Storey County have been been force fed for decades.

The winds of change are blowing.

Stay Tuned...

This is what I was responding to, from the keyboard fo the Minister himself...

This will respond to the post by Ms. Barde and Mr. Toll (and Mr. Carmona who they are campaigning for). The upcoming Toll/Barde/Carmona cartel campaign for public office is clearly trying to get off the ground now.

The Whitten agenda items show the County is operating at a very high level of transparency – they are completely airing this issue out in a public meeting with everyone having notice ahead of time. All documents are being provided and a report was prepared all of which is part of the record. The Agenda item provides a number of acceptable options for the Commission. The options are laid out for all to see. It should be noted that the three individuals mentioned devoted almost a century of work – basically their entire adult lives – to serving the residents of Storey County. I'm sure more will come out at the meeting concerning the reasons.

The Toll/Barde/Carmona cartel complains about the Battle Born contract for plan reviews and building inspections and the temporary use of Mike Nevin to supervise a very critical project after the suspension of the Public Works director. They offer no alternatives here, not one. They just gripe about what the County did.

No one knows TRI better than Gary Hames. No one has dealt face to face with more companies out here than Gary Hames (except maybe Dean Haymore who also retired). Hames knows inside and out the Storey County “magic” which has drawn the best companies in the world into TRI. The critics I presume would want to advertise a department head position for interviewing with people applying from San Francisco and Sacramento. They would come in here having no idea what brought the massive success to the County, and they would implement systems that they are experienced with – eg. red tape and high fees. It would kill development in this County. And who specifically would they proposed take on the critical VC sewer project? They would want someone from Sacramento coming in to handle the delicate and sensitive nature of the project in the heart of Virginia city – that would be a disaster. The course taken by the County in both instances is a safe, prudent course. And no better alternative – has been suggested or put forward by anyone.

The pipeline comments again show these three don't understand either the deal being worked or the basics of economic development. The water in the pipeline will provide the ability to bring high water using customers. These facilities tend to be very dense in capital investment – eg they would pay much higher real and personal property tax payers (the facilities could be in the billions of capital investment instead of millions). Without the pipeline, many of these companies would locate elsewhere. The Toll/Barde/Carmona cartel would kill this pipeline deal. They don't want the pipeline, period. This would greatly restrict economic development and capital investment in the County going forward. But it appears that's what their goal is – no more economic development, and no more job growth in this county. Companies looking here to invest and create jobs would be driven away quickly by the attitude of this crew – but that's their goal. Let alone the fact that 4,000 acre feet plus of treated sewage outflow would continue to be discharged into the Truckee River rolling right through Lockwood and Painted Rock.

They comment about the Tesla deal and how that deal should not have been made. And they ignore the fact that TRI put a ton of skin in the game for Tesla. TRI provided over 3,000 acres to Tesla free of charge. TRI only got paid because it sold land for the USA Parkway/Infinity Highway to the State, who paid TRI for it. TRI also provided around 500 acre feet of water to Tesla to get them into TRI. This was

no sweetheart deal at all, TRI put a ton of its own skin in the deal to win Tesla for the park. And the County is being paid I believe over \$3 million per year by Tesla, even during the abatement period. If these three had been in power, there would be no Tesla, no Switch and no Google. And had they been in power at the beginning there certainly wouldn't be a TRI as they would have quickly run off any potential developer.

Lastly, the Toll/Barde/Carmona group again claims Lance does not live in his district. This is a false statement of a fact plain and simple. He lives here in the River District and has for over a decade.

I guess the sole basis of the upcoming campaign is to rip into Lance Gilman and try tear him down in every way possible. That's pretty sad treatment for a man who has brought thousands of jobs and billions in capital investment to this County and the region, and all the charitable food he sends out every week to senior centers, the backpack programs for the little kids from needy families, and the other donations he makes all the time. Sad treatment indeed.


Yet they want to tear this man to pieces so they can get one of their own into a position of power in this County. All should beware. Be very aware.


Thanks to all readers for considering my post. I've been trying to stay silent and focus on helping the horse situation and doing my job out here at the park, but the lies in the post were just way out of line. If I don't respond to these three in the future, just please consider what would be (and should be) said about the actual truth of the matter in response to their posts.


Thanks much.

Kris

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One thought on “Leadership, Part Two”



Cashion Callaway ([http://thestoreyteller.online/2017/12/04/leadership-redux/#comment-454](#))

December 4, 2017

Ahem. I do believe y’all do have people who have been where you are going, which is in a very tight circle. Three people. For decades, endlessly. Once you decide on governance by five, things will get more real, not to mention more fun.

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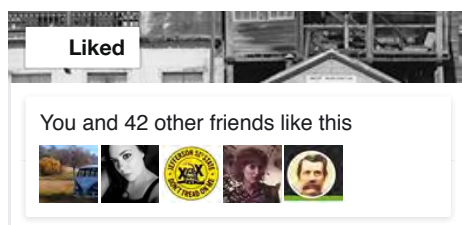
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TRIC Executive Shoves Foot in Mouth – The Storey Teller Helps.

SEP

23



EDITOR ([HTTP://THESTOREYTELLER.ONLINE/AUTHOR/SAMTOLL/](http://thestoreyteller.online/author/samtoll/))

Mustang Brothel Resident and TRIC Executive Kris Thompson recently ripped Nicole Barde's coverage of the September 19th Storey County Commissioners Meeting (which you can read here (<http://thestoreyteller.online/2017/09/21/storey-county-commissioners-meeting-report-nicole-barde/>)) as "dishonest". Ms. Barde is fully capable of defending herself so rather than taking umbrage with Mr. Thompson's dirty pool with her, I chose to rip apart his "facts".

I will be pushing a piece this weekend with my take on the Meeting (probably in three parts) but I thought I would share the commentary in case readers of the Teller don't subscribe to the Virginia City Highlands email chat group. I first present Mr. Thompson's tripe, then follow it with my own.

Enjoy.

This will respond to Ms. Barde.

Ms. Barde's summary is completely dishonest.

I hope the readers know by now that what Ms. Barde says in her summary has no connection to the truth of what actually happens at the meetings.

First off, her claims are contradictory. Her first claim is that the "fix is in" between TRI and the County government because there was a very small land reconveyance. But then she criticizes Lance because he has not yet been able to coerce the County into giving property owners a property tax rebate – eg so she is saying here that Lance doesn't control the County?. Well which is it????

The Tax Rebate issue is not dead. Lance is pushing for it personally and I am as well. The County government has had enough money to benefit senior employees with higher salaries and retirement buyouts and to increase County union pay and benefits. Some of this perfectly appropriate of course. For decades our County lagged behind others in employer salaries and benefits. And it is a good thing it's being fixed. And lord knows the County employees work hard and are good and professional at what they do. But when I hear the argument that there isn't any money, not one penny available, to reward residents, I have a hard time buying it.

The County has a number of options available here – There are legal ways to provide tax reductions for residents only, and the county has been given that concept. The County has been told that rebates would be legal as well. And there are other options available. There is a workshop scheduled for next month and I look forward to seeing what happens there.

The "free land giveaway" to TRI, is simply a reconveyance of very thin strip of land in a drainage area to allow an incoming business to put a slope there so their building pad is stable. It's called a slope easement." TRI is not charging the buyer for this strip of land. TRI originally gave this land to the County free of charge. But this allows the County to charge taxes on the land to the incoming buyer. So let's summarize – right now, the land is doing nothing and the County does not make revenue from it. After this transfer the County gets a new business on the land adjacent which will produce revenue and can gain property taxes. It's a no brainer.

Ms. Barde would love to see Storey County government turn into a new San Francisco. She is a radical liberal. Another Nancy Pelosi in the flesh. She thinks business is the enemy. She believes the government should be large and overbearing. That the private sector should have to beg the government for action, that if a business needs action or services from the government that the business should be punished financially and pay through the nose for whatever they might need. In her mind, there is no such thing as economic development, unless its the government grabbing more from the private sector.

If she had her way there would be no TRI. No one would have ever made a deal on her terms. Readers here will remember how she ranted that the Tesla deal was a terrible mistake, and that it never should have happened. That would be news to the 5,000 workers that are today on site at the Gigafactory, and their families who are benefiting from those great jobs.

Can you imagine if someone like her was in a responsible position at the County. Businesses thinking of coming to Storey County would have one meeting with her, where whatever they would be asking for would be nitpicked and nitpicked, and they would walk out the door, shake their head, and never come back.

Last, it's remarkable at how Ms Barde can nitpick just about anything. And with all that nitpicking, she never offers any real solutions or alternative approaches. She doesn't want solutions, she wants problems for her own personal gain politically.

Thanks for considering my post.

Kris Thompson

This will respond to Mr. Thompson.

While I can't speak for Ms. Barde, I can tell you I am a principled conservative who looks at welfare recipients without small children to support with distaste.

Principled conservatives look at white collar welfare recipients like Tesla and TRIC, companies who can afford to pay their way but choose to freeload on taxpayer money, with venomous contempt.

Unlike the RINO's in Storey County government and among the ranks of the band of merry TRICsters, genuine principled conservatives view the continued corporate welfare at TRIC, soon to eclipse \$110 Million with the pipeline "deal", with vile disgust.

My initial assessment of the remarkable Commissioner Meeting conducted in the Courthouse with a Million Dollar parking lot on September 19th, 2017 can be read here —> <http://thestoreyteller.online/2017/09/21/storey-county-commissioners-meeting-report-nicole-barde/> (<http://thestoreyteller.online/2017/09/21/storey-county-commissioners-meeting-report-nicole-barde/>)

I double dog dare you to compare me to Nancy "don't know whats in it till we pass it" Pelosi.

The fix is in between Storey County Government and TRIC and has been for years.

Anyone paying attention sees this for what it is; as disgusting an example of collusion between government and business to benefit individual elected officials and the businesses at the expense of the

Taxpayers anywhere in these United States.

Readers of this chat group will not need take your or my or Ms. Barde's assessment of what went on at the Commissioners meeting but will get to hear you telling the commissioners that this "worthless" stripe of land is essential to cutting a real estate deal with an active buyer.

I like to use indisputable facts of what transpired to tell the story.

Stay Tuned.

As a taxpayer, I am delighted that you are conducting business at TRIC because at some point, once the abatements expire, Storey County perhaps may benefit one day.

Perhaps.

But lets look at the latest land swindle err... reconveyance carefully:

If your proposed land deal is contingent on Storey County Taxpayers giving you the stripe of land, then that land is not worthless. It has value to you and to your client.

In the free market, something is worth only what someone else is willing to pay for it.

While you claim that you are not charging your client for the stripe of land, If you cannot close your pending deal without the stripe of land being part of the deal, it has value.

Having value, at the very least, giving the "worthless" stripe back to TRIC should incur a modest deduction from the \$45 Million of developer improvements (corporate welfare) we somehow got snookered into owing you and your band of merry TRICsters.

Anything.

Even if it's only 5 bucks.

That is how a this principled conservative who looks at freeloaders and thieves of taxpayer money with disgust sees things.

For the readers information, here is what this stripe of land looks like:





Gerrymanderish Land Stripe

And now that Pat Whitten has the power to approve more corporate welfare and can add to the \$45 Million dollar TRIC welfare account behind closed doors, I'll bet you 5 bucks that the our debt to the TRICsters will double by the time Pat retires. My grandson is stoked.

Principled Conservatives fight waste, abuse and corruption with nuclear weapons, F-22's, Tanks, grenade launchers, M60's, Molotov cocktails, small arms fire, knives, sticks, stones and bare knuckles.

We certainly don't lift our skirts every time some gladhanded TRICster wanders by looking for a place to sniff out taxpayer handouts.

Sam Toll – Editor

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P.S. I want to play centerfield for the San Francisco Giants as much as Lance wants to deliver on his promised tax rebates, maybe more so. I'm giving odds on me getting on an Opening Day Lineup Card before Lance's mythical Tax rebate check arrives in your mailbox.

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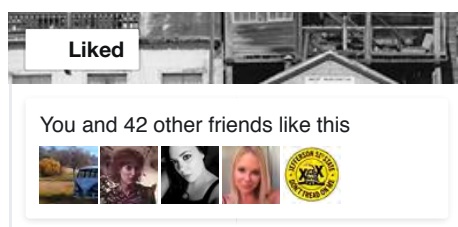
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IN THE SUPREME COURT OF THE STATE OF NEVADA

SAM TOLL,

Petitioner,

vs.

THE FIRST JUDICIAL DISTRICT COURT
FOR THE STATE OF NEVADA, IN AND FOR
STOREY COUNTY, AND THE HONORABLE
JAMES WILSON JR., DISTRICT JUDGE,

Respondents,

and

LANCE GILMAN,

Real Party in Interest,

_____ /

Case No. 78333

D.C. Case No.
18-trt-00001

PETITIONER'S APPENDIX

VOLUME 4

1. Motion to Compel and for Sanctions - 5-10-2018: Nos. 690-739
2. Opposition to Motion to Compel - 5-22-2018: Nos. 740-919

Respectfully submitted March 18, 2019:

By: 
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The First Jud. Dist. Ct. - Storey County
Honorable James E Wilson Jr.
26 S. B St.
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775-847-0969

By: 
Luke Busby

Dated: 3/18/2019