

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN MARCUS, an individual,
Appellant,

vs.

FULL COLOR GAMES, INC., A
NEVADA CORPORATION,
Respondent.

Case No. 79512

Electronically Filed
Feb 14 2020 07:07 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

APPEAL

from a decision in favor of Respondent
entered by the Eighth Judicial District Court, Clark County, Nevada
The Honorable Mark R. Denton, District Court Judge
District Court Case No. A-17-759862-B

APPELLANT'S APPENDIX VOLUME VI

JOSEPH A. GUTIERREZ, ESQ.
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DATE	DESCRIPTION	VOLUME	PAGES
05/01/2019	Affidavit of Service	V	AA0789 – AA0790
08/30/2017	Amended Verified Shareholder Derivative Complaint and Amended Complaint	I	AA0035 – AA0068
02/04/2019	Defendant Full Color Games, Inc.’s Amended Answer, Counterclaims, and Third-Party Complaint	IV	AA0569 – AA0783
02/01/2019	Defendant Full Color Games, Inc.’s Answer, Counterclaims, and Third- Party Complaint	III	AA0359 – AA0568
06/14/2019	Full Color Games, Inc.’s Opposition to Third-Party Defendant Brian Marcus’ Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)	V	AA0926 – AA0936
08/26/2019	Notice of Appeal	VI	AA0965 – AA1062
07/29/2019	Notice of Entry of Order on Third Party Defendant Brian Marcus’ Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)	V	AA0958 – AA0964
07/29/2019	Order on Third-Party Defendant Brian Marcus’ Special Motion to Dismiss	V	AA0954 – AA0957

	Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)		
11/27/2017	Plaintiffs' Opposition to Defendants' Motion for Summary Judgment on all Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint and Counter-Motion for Leave to File an Amended Complaint	I/II/III	AA0069 – AA0323
12/06/2019	Recorder's Transcript of Hearing Re: Third-Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)	VI	AA1063 – AA1074
01/12/2018	Second Amended Verified Shareholder Derivative Complaint and Second Amended Complaint	III	AA0324 – AA0358
02/11/2019	Summons	V	AA0784 – AA0788
06/21/2019	Third Party Defendant Brian Marcus' Reply in Support of Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)	V	AA0937 – AA0953
05/15/2019	Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party	V	AA0791 – AA0925

	Complaint Pursuant to NRS 41.660 (Anti-Slapp)		
08/11/2017	Verified Shareholder Derivative Complaint and Complaint	I	AA0001 – AA0034

CERTIFICATE OF SERVICE

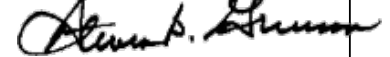
I certify that on the 14th day of February 2020, this document was electronically filed with the Nevada Supreme Court. Electronic service of the foregoing: APPELLANT’S OPENING BRIEF and VOLUMES I-V of the JOINT APPENDIX shall be made in accordance with the Master Service List as follows:

Mark A. Hutchison
Todd W. Prall
HUTCHISON & STEFFEN, PLLC
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89200
Attorneys for Respondent Full Color Games, Inc.

DATED this 14th day of February 2020.

/s/ Brandon Lopipero

An Employee of MAIER GUTIERREZ & ASSOCITES



Electronically Filed
Sep 03 2019 09:18 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOAS

JOSEPH A. GUTIERREZ, ESQ.
Nevada Bar No. 9046
STEPHEN G. CLOUGH, ESQ.
Nevada Bar No. 10549
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Attorneys for Third Party Defendant Brian Marcus

DISTRICT COURT

CLARK COUNTY, NEVADA

In re: FULL COLOR GAMES, INC.

Case No.: A-17-759862-B
Dept. No.: XIII

MARK MUNGER, an individual; DAVID'S
HARD WORK TRUST LTD. 3/26/2012, a
California Trust; MOORE FAMILY TRUST, a
California Trust; MILLENNIUM TRUST
COMPANY, LLC CUSTODIAN FBO GARY
SOLSO, IRA, a California Trust; JEFFREY
CASTALDO; an individual; MARA H.
BRAZER, as Trustee for the MARA H. BRAZER
TRUST UTA 2/12/2004; a California Trust;
individually and as shareholders of FULL
COLOR GAMES, INC.; DOES 1 through 10; and
ROE CORPORATIONS 1 through 10, inclusive,

NOTICE OF APPEAL

Plaintiffs,

vs.

DAVID MAHON, an individual; GLEN
HOWARD, an individual; INTELLECTUAL
PROPERTY HOLDINGS, LLC, a Nevada
limited liability company; INTELLECTUAL
PROPERTY HOLDINGS, LTD, an Isle of Man
corporation; FULL COLOR GAMES, LLC; a
Nevada limited liability company; FULL
COLOR GAMES LTD., an Isle of Man
corporation; FULL COLOR GAMES N.A., INC.
a Nevada corporation; FULL COLOR GAMES
GROUP, INC., a Nevada corporation; JACKPOT
PRODUCTIONS, LLC, a Nevada limited
liability company; DOES I through X; and ROE
CORPORATIONS I through X, inclusive,

1	Defendants.
2	DAVID MAHON, an individual; GLEN
3	HOWARD, an individual; INTELLECTUAL
4	PROPERTY HOLDINGS, LLC, a Nevada
5	limited liability company; FULL COLOR
6	GAMES, N.A., LLC; a Nevada limited liability
7	company; FULL COLOR GAMES GROUP,
8	INC., a Nevada corporation; JACKPOT
9	PRODUCTIONS, LLC, a Nevada limited
10	liability company; FULL COLOR GAMES,
11	INC., a Nevada corporation,
12	Counter-claimants,
13	vs.
14	MARK MUNGER, an individual; DOES I
15	through V; and ROE CORPORATIONS I
16	through V,
17	Counter-defendants.
18	FULL COLOR GAMES, INC., a Nevada
19	corporation,
20	Counter-claimant,
21	MARK MUNGER, an individual; DAVID'S
22	HARD WORK TRUST LTD. 3/26/2012, a
23	California Trust; MOORE FAMILY TRUST, a
24	California Trust; MILLENNIUM TRUST
25	COMPANY, LLC, CUSTODIAN FBO GARY
26	SOLSO, IRA, a California Trust; MARA H.
27	BRAZER, as Trustee for the MARA H.
28	BRAZER TRUST UTA 2/12/2004, a California
	Trust; JEFFREY CASTALDO, an individual;
	Counter-defendants.
	FULL COLOR GAMES, INC., a Nevada
	corporation,
	Third-Party Plaintiff,
	vs.
	SEBASTIAN J. BASTIAN, an individual; DIRK
	SIMMONS, an individual; MARTIN LINHAM,
	an individual; PLAYTECH SYSTEMS LTD, a
	Bahamian limited company;
	ISLANDLUCK.COM, a Bahamian subsidiary of
	PLAYTECH; DAVINCI TRADING GROUP, a
	Cayman Islands limited liability company;
	DAVINCI HOLDINGS LTD, an Isle of Man
	limited liability company; ILG SOFTWARE

LTD, an Isle of Man limited liability company; VALCROS, LLC, a Nevada limited liability company; G. BRADFORD SOLSO, an individual; DAVID ECKLES, an individual; MARA H. BRAZER, an individual; TERESA MOORE, an individual; LARRY MOORE, an individual; B.L. MOORE CONSTRUCTION INC., a California corporation; BRIAN MARCUS, and individual; JOHN BROCK III, an individual; JOHN BROCK IV an individual; MUNGER & ASSOCIATES, INC., a Nevada Corporation; MULTISLOT, LTD, an Isle of Man Company; ERIC J. JUNGELS, an individual; JEFF HORAN, an individual; SPIN GAMES, LLC, a Nevada limited liability company; KENT YOUNG, an individual; KUNAL MISHRA, an individual; RICHARD NEWMAN, an individual; NEWMAN LAW, LLC, a Nevada limited liability company; COOPER BLACKSTONE, LLC, a Nevada limited liability company; DOES I through X; and ROE CORPORATIONS I through X,

Third-Party Defendants.

Notice is hereby given that Third Party Defendant Brian Marcus (referred to as “Third Party Defendant” or “Marcus”), by and through his attorneys of record, hereby appeals to the Nevada Supreme Court from an Order on Third Party Defendant Brian Marcus’ Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp). The Order is attached hereto as **Exhibit 1**, rendered by the Eighth Judicial District Court, Clark County, Nevada, entered on July 29, 2019.

DATED this 26th day of August 2019.

Respectfully submitted,

MAIER GUTIERREZ & ASSOCIATES

/s/ Joseph A. Gutierrez

JOSEPH A. GUTIERREZ, ESQ.

Nevada Bar No. 9046

STEPHEN G. CLOUGH, ESQ.

Nevada Bar No. 10549

DANIELLE J. BARRAZA, ESQ.

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Attorneys for Third Party Defendant Brian Marcus

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CERTIFICATE OF SERVICE

Pursuant to Administrative Order 14-2, a copy of the foregoing **NOTICE OF APPEAL** was electronically filed on the 26th day of August 2019, and served through the Notice of Electronic Filing automatically generated by the Court's facilities to those parties listed on the Court's Master Service List:

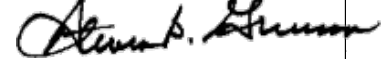
Mark A. Hutchison, Esq.
Todd Prall, Esq.
HUTCHISON & STEFFEN, LLC
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145
Attorneys for Defendants David Mahon, Glen Howard, Intellectual Properties Holding, LLC, Full Color Games, LLC, Full Color Games, N.A., Inc., Full Color Games Group, Inc. and Jackpot Productions, LLC

Pat Lundvall, Esq.
Rory T. Kay, Esq.
Jason B. Sifers, Esq.
MCDONALD CARANO LLP
2300 West Sahara Avenue, Suite 120
Las Vegas, Nevada 89102
Attorneys for Third-Party Defendants Spin Games, LLC and Kent Young

/s/ Brandon Lopipero
An Employee of MAIER GUTIERREZ & ASSOCIATES

EXHIBIT 1

EXHIBIT 1



ORDR

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Todd W. Prall (9154)
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tpmall@hutchlegal.com

*Attorneys for Defendant & Counter-claimant
Full Color Games Inc.*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In re: FULL COLOR GAMES, INC.
a
MARK MUNGER, an individual; DAVID'S
HARD WORK TRUST LTD. 3/26/2012, a
California Trust; MOORE FAMILY TRUST, a
California Trust; MILLENIUM TRUST
COMPANY, LLC CUSTODIAN FBO GARY
SOLSO, IRA, a California Trust; JEFFREY
CASTALDO; an individual; MARA H.
BRAZER, as Trustee for the MARA H.
BRAZER TRUST UTA 2/12/2004, a California
Trust; individually and as shareholders of FULL
COLOR GAMES, INC.; DOES 1 through 10;
and ROE CORPORATIONS 1 through 10,
inclusive,

Plaintiffs,

vs.

DAVID MAHON, an individual; GLEN
HOWARD, an individual; INTELLECTUAL
PROPERTIES HOLDING, LLC, a Nevada
limited liability company; INTELLECTUAL
PROPERTY HOLDINGS, LTD., an Isle of Man
corporation; FULL COLOR GAMES,
LLC, a Nevada limited liability company;
FULL COLOR GAMES, LTD., an Isle of Man
corporation; FULL COLOR GAMES, N.A.,
INC., a Nevada corporation; FULL COLOR
GAMES GROUP, INC., a Nevada corporation;
JACKPOT PRODUCTION, LLC, a Nevada
limited liability company; Nominal Defendant
FULL COLOR GAMES, INC., a Nevada
corporation; DOES I through X; and ROE
CORPORATIONS I through X,

Defendants.

Case No. A-17-759862-B
Dept. No. 13

**ORDER ON THIRD PARTY
DEFENDANT BRIAN MARCUS'
SPECIAL MOTION TO DISMISS
THIRD-PARTY COMPLAINT
PURSUANT TO NRS 41.660 (ANTI-
SLAPP)**

RECEIVED

JUL 26 2019

DISTRICT COURT DEPT#13

1	DAVID MAHON, an individual; GLEN
2	HOWARD, an individual; INTELLECTUAL
3	PROPERTIES HOLDINGS, LLC, a Nevada
4	limited liability company; FULL COLOR
5	GAMES, N.A., INC., a Nevada corporation;
6	FULL COLOR GAMES GROUP, INC., a
7	Nevada corporation; JACKPOT
8	PRODUCTIONS, LLC, a Nevada limited
9	liability company, FULL COLOR GAMES,
10	INC., a Nevada corporation,
11	Counter-claimants,
12	vs.
13	MARK MUNGER, an individual; DOES I
14	through V; and ROE CORPORATIONS I
15	through V,
16	Counter-defendants.
17	FULL COLOR GAMES, INC., a Nevada
18	corporation,
19	Counter-claimant,
20	v.
21	MARK MUNGER, an individual; DAVID'S
22	HARD WORK TRUST LTD. 3/26/2012, a
23	California Trust; MOORE FAMILY TRUST, a
24	California Trust; MILLENNIUM TRUST
25	COMPANY, LLC, CUSTODIAN FBO GARY
26	SOLSO, IRA, a California Trust; MARA H.
27	BRAZER, as Trustee for the MARA H.
28	BRAZER TRUST UTA 2/12/2004, a California
29	Trust; JEFFREY CASTALDO; an individual;
30	B.L. Moore Construction, Inc., a California
31	corporation;
32	Counter-defendants.
33	FULL COLOR GAMES, INC., a Nevada
34	corporation,
35	Third-Party Claimant,
36	v.
37	SEBASTIAN J. BASTIAN, an individual; DIRK
38	SIMMONS, an individual; MARTIN LINHAM,
39	an individual; PLAYTECH SYSTEMS LTD, a
40	Bahamian limited company;
41	ISLANDLUCK.COM, a Bahamian subsidiary of

1 PLAYTECH; DAVINCI TRADING GROUP, a
2 Cayman Islands limited liability company;
3 DAVINCI HOLDINGS LTD, an Isle of Man
4 limited liability company; ILG SOFTWARE
5 LTD, an Isle of Man limited liability company;
6 VALCROS, LLC, a Nevada limited liability
7 company; G. BRADFORD SOLSO, an
8 individual; DAVID ECKLES, an individual;
9 MARA H. BRAZER, an individual; TERESA
10 MOORE, an individual; LARRY MOORE, an
11 individual; BRIAN MARCUS, and individual;
12 JOHN BROCK III, an individual;; JOHN
13 BROCK IV an individual; MUNGER &
14 ASSOCIATES, INC., a Nevada Corporation;
15 MULTISLOT, LTD, an Isle of Man Company;
16 ERIC J. JUNGELS, an individual; JEFF
17 HORAN, an individual; SPIN GAMES, LLC, a
18 Nevada limited liability company; KENT
19 YOUNG, an individual; KUNAL MISHRA, an
20 individual; RICHARD NEWMAN, an
21 individual; NEWMAN LAW, LLC, a Nevada
22 limited liability company; Cooper Blackstone,
23 LLC, a Nevada limited liability company; DOES
24 I through X; and ROE CORPORATIONS I
25 through X.

26 Third-Party Defendants

27 Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint

28 Pursuant to NRS 41.660 (Anti-SLAPP) came on for hearing on June 27, 2019. Danielle J.

29 Barraza, Esq. appeared on behalf of Third-Party Defendant Brian Marcus. Todd W. Prall, Esq.
30 appeared on behalf of Third-Party Plaintiff Full Color Games, Inc.

31 The Court, having reviewed the papers on file herein and having heard arguments of
32 counsel enters the following order:

33 ////

34 ////

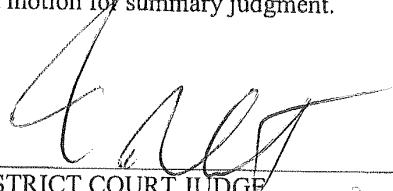

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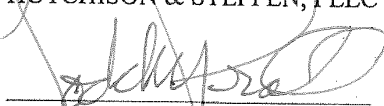
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1 IT IS HEREBY ORDERED that Third Party Defendant Brian Marcus' Special Motion to
2 Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-SLAPP) is denied in its entirety
3 without prejudice to a Rule 12(b)(5) motion or a motion for summary judgment.

4 DATED this 26th day of July, 2019.

5
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7 
DISTRICT COURT JUDGE 

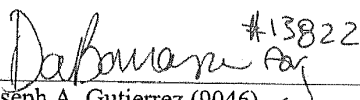
8 Submitted by:

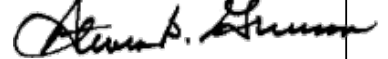
9 HUTCHISON & STEFFEN, PLLC
10 

11 Mark A. Hutchison (4639)
12 Todd W. Prall (9154)
13 Peccole Professional Park
14 10080 West Alta Drive, Suite 200
15 Las Vegas, NV 89145
16 *Attorneys for Defendant & Counter-claimant*
17 *Full Color Games Inc.*

18 Reviewed by:

19 MAIER GUTIERREZ & ASSOCIATES

20  #13822
21 Joseph A. Gutierrez (9046)
22 Stephen G. Clough (10549)
23 8816 Spanish Ridge Avenue
24 Las Vegas, NV 89148
25 *Attorney for Third-Party Defendant Brian Marcus*
26
27
28



1 **ASTA**

2 JOSEPH A. GUTIERREZ, ESQ.

3 Nevada Bar No. 9046

4 STEPHEN G. CLOUGH, ESQ.

5 Nevada Bar No. 10549

6 **MAIER GUTIERREZ & ASSOCIATES**

7 8816 Spanish Ridge Avenue

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11 E-mail: jag@mgalaw.com

12 sgc@mgalaw.com

13 *Attorneys for Third Party Defendant Brian Marcus*

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 In re: FULL COLOR GAMES, INC.

Case No.: A-17-759862-B

Dept. No.: XIII

17 MARK MUNGER, an individual; DAVID'S
18 HARD WORK TRUST LTD. 3/26/2012, a
19 California Trust; MOORE FAMILY TRUST, a
20 California Trust; MILLENNIUM TRUST
21 COMPANY, LLC CUSTODIAN FBO GARY
22 SOLSO, IRA, a California Trust; JEFFREY
23 CASTALDO; an individual; MARA H.
24 BRAZER, as Trustee for the MARA H. BRAZER
25 TRUST UTA 2/12/2004; a California Trust;
26 individually and as shareholders of FULL
27 COLOR GAMES, INC.; DOES 1 through 10; and
28 ROE CORPORATIONS 1 through 10, inclusive,

Plaintiffs,

vs.

DAVID MAHON, an individual; GLEN
HOWARD, an individual; INTELLECTUAL
PROPERTY HOLDINGS, LLC, a Nevada
limited liability company; INTELLECTUAL
PROPERTY HOLDINGS, LTD, an Isle of Man
corporation; FULL COLOR GAMES, LLC; a
Nevada limited liability company; FULL
COLOR GAMES LTD., an Isle of Man
corporation; FULL COLOR GAMES N.A., INC.
a Nevada corporation; FULL COLOR GAMES
GROUP, INC., a Nevada corporation; JACKPOT
PRODUCTIONS, LLC, a Nevada limited
liability company; DOES I through X; and ROE
CORPORATIONS I through X, inclusive,

CASE APPEAL STATMENT

Defendants.

DAVID MAHON, an individual; GLEN HOWARD, an individual; INTELLECTUAL PROPERTY HOLDINGS, LLC, a Nevada limited liability company; FULL COLOR GAMES, N.A., LLC; a Nevada limited liability company; FULL COLOR GAMES GROUP, INC., a Nevada corporation; JACKPOT PRODUCTIONS, LLC, a Nevada limited liability company; FULL COLOR GAMES, INC., a Nevada corporation,

Counter-claimants,

vs.

MARK MUNGER, an individual; DOES I through V; and ROE CORPORATIONS I through V,

Counter-defendants.

FULL COLOR GAMES, INC., a Nevada corporation,

Counter-claimant,

MARK MUNGER, an individual; DAVID'S HARD WORK TRUST LTD. 3/26/2012, a California Trust; MOORE FAMILY TRUST, a California Trust; MILLENNIUM TRUST COMPANY, LLC, CUSTODIAN FBO GARY SOLSO, IRA, a California Trust; MARA H. BRAZER, as Trustee for the MARA H. BRAZER TRUST UTA 2/12/2004, a California Trust; JEFFREY CASTALDO, an individual;

Counter-defendants.

FULL COLOR GAMES, INC., a Nevada corporation,

Third-Party Plaintiff,

vs.

SEBASTIAN J. BASTIAN, an individual; DIRK SIMMONS, an individual; MARTIN LINHAM, an individual; PLAYTECH SYSTEMS LTD, a Bahamian limited company; ISLANDLUCK.COM, a Bahamian subsidiary of PLAYTECH; DAVINCI TRADING GROUP, a Cayman Islands limited liability company; DAVINCI HOLDINGS LTD, an Isle of Man

limited liability company; ILG SOFTWARE LTD, an Isle of Man limited liability company; VALCROS, LLC, a Nevada limited liability company; G. BRADFORD SOLSO, an individual; DAVID ECKLES, an individual; MARA H. BRAZER, an individual; TERESA MOORE, an individual; LARRY MOORE, an individual; B.L. MOORE CONSTRUCTION INC., a California corporation; BRIAN MARCUS, and individual; JOHN BROCK III, an individual; JOHN BROCK IV an individual; MUNGER & ASSOCIATES, INC., a Nevada Corporation; MULTISLOT, LTD, an Isle of Man Company; ERIC J. JUNGELS, an individual; JEFF HORAN, an individual; SPIN GAMES, LLC, a Nevada limited liability company; KENT YOUNG, an individual; KUNAL MISHRA, an individual; RICHARD NEWMAN, an individual; NEWMAN LAW, LLC, a Nevada limited liability company; COOPER BLACKSTONE, LLC, a Nevada limited liability company; DOES I through X; and ROE CORPORATIONS I through X,

Third-Party Defendants.

Third Party Defendant Brian Marcus, by and through his attorneys of record, hereby submits this case appeal statement.

1. Name of appellant filing this case appeal statement: Brian Marcus

2. Identify the judge issuing the decision, judgment, or order appealed from: Honorable District Court Judge Mark R. Denton; Order on Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-SLAPP).

3. Identify each appellant and the name and address of counsel for each appellant: Brian Marcus c/o Joseph A. Gutierrez, Esq., Stephen G. Clough, Esq. and Danielle J. Barraza, Esq. of the law firm MAIER GUTIERREZ & ASSOCIATES located at 8816 Spanish Ridge Avenue, Las Vegas, Nevada 89148.

4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel): Full Color Games Inc. c/o Mark A.

1 Hutchison, Esq. and Todd W. Prall, Esq., of the law firm HUTCHISON & STEFFEN, PLLC located at
2 10080 West Alta Drive, Suite 200, Las Vegas, Nevada 89145.

3 5. Indicate whether any attorney identified above in response to question 3 or 4 is not
4 licensed to practice law in Nevada and, if so, whether the district court granted that attorney
5 permission to appear under SCR 42 (attach a copy of any district court order granting such
6 permission):

7 Not applicable.

8 6. Indicate whether appellant was represented by appointed or retained counsel in the district
9 court:

10 Yes, appellant was represented by retained counsel in the district court.

11 7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

12 Yes, appellant is represented by retained counsel on appeal.

13 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date
14 of entry of the district court order granting such leave:

15 Not applicable. Appellant did not apply for and was not granted leave to proceed in forma
16 pauperis in the district court.

17 9. Indicate the date the proceedings commenced in the district court (e.g., date complaint,
18 indictment, information, or petition was filed):

19 Full Color Games Inc.'s Third-Party Complaint was filed on February 1, 2019, with the
20 Amended Third-Party Complaint filed on February 4, 2019.

21 10. Provide a brief description of the nature of the action and result in the district court,
22 including the type of judgment or order being appealed and the relief granted by the district court:

23 Shareholders in Respondent company, Full Color Games, Inc. ("FCGI"), sued FCGI and its
24 principal, David Mahon, for fraud in improperly converting assets of the company to its own use (the
25 "Shareholder Derivative Lawsuit"). Appellant Brian Marcus, an investor in FCGI, did not participate
26 in the Shareholder Derivative Lawsuit but did submit a declaration in support of the Shareholder
27 Derivative Lawsuit ("the Marcus Declaration"). Respondent FCGI and Mahon sued Appellant
28

1 Marcus based on the Marcus Declaration, claiming: 1) intentional recruitment of racketeering; 2)
2 securities fraud and perjury; 3) inducing a lawsuit; and 4) abuse of process.

3 As all of FCGI's claims against Appellant Marcus arise from truthful statements made in the
4 Marcus Declaration, Appellant Marcus filed a special motion to dismiss pursuant to NRS 41.660 (anti-
5 SLAPP) on May 15, 2019.

6 Respondents filed its opposition on June 14, 2019, taking a new position that its claims are not
7 based on the Marcus Declaration, but instead on Marcus' alleged discussions with Mark Munger (the
8 plaintiff in the Shareholder Derivative Lawsuit). As Appellant Marcus set forth in his June 21, 2019
9 reply brief, this new position still fails on several grounds. The statements complained of by
10 Respondent (including in the Marcus Declaration and those allegedly made to Mark Munger) are all
11 protected under Nevada's anti-SLAPP statute. Moreover, Respondent has not provided one scintilla
12 of actual evidence (because none exists) to support its claims, relying instead entirely on pure
13 speculation and wild conjecture.

14 The motion was fully briefed, and a hearing was held on the motion on June 27, 2019.
15 Following the hearing, the district court denied the motion, without including findings of fact or
16 conclusions of law establishing the basis for the denial. A signed order was filed on July 29, 2019,
17 with notice of entry of the district court's order denying the motion filed the same day.

18 Pursuant to NRS 41.670(4), Appellant Marcus is appealing the district court's order denying
19 the anti-SLAPP motion to dismiss.

20 11. Indicate whether the case has previously been the subject of an appeal to or original writ
21 proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the
22 prior proceeding:

23 This case has not previously been the subject of an appeal to or original writ proceeding in the
24 Supreme Court

25 12. Indicate whether this appeal involves child custody or visitation:

26 This appeal does not involve child custody or visitation.

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13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:
Appellant is not opposed to settlement discussions.

DATED this 26th day of August 2019.

Respectfully submitted,
MAIER GUTIERREZ & ASSOCIATES

/s/ Joseph A. Gutierrez
JOSEPH A. GUTIERREZ, ESQ.
Nevada Bar No. 9046
STEPHEN G. CLOUGH, ESQ.
Nevada Bar No. 10549
DANIELLE J. BARRAZA, ESQ.
Nevada Bar No. 13822
8816 Spanish Ridge Avenue
Las Vegas, Nevada 89148
Attorneys for Third Party Defendant Brian Marcus

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CERTIFICATE OF SERVICE

Pursuant to Administrative Order 14-2, a copy of the foregoing **CASE APPEAL STATEMENT** was electronically filed on the 26th day of August 2019, and served through the Notice of Electronic Filing automatically generated by the Court's facilities to those parties listed on the Court's Master Service List:

Mark A. Hutchison, Esq.
Todd Prall, Esq.
HUTCHISON & STEFFEN, LLC
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145
Attorneys for Defendants David Mahon, Glen Howard, Intellectual Properties Holding, LLC, Full Color Games, LLC, Full Color Games, N.A., Inc., Full Color Games Group, Inc. and Jackpot Productions, LLC

Pat Lundvall, Esq.
Rory T. Kay, Esq.
Jason B. Sifers, Esq.
MCDONALD CARANO LLP
2300 West Sahara Avenue, Suite 120
Las Vegas, Nevada 89102
*Attorneys for Third-Party Defendants
Spin Games, LLC and Kent Young*

/s/ Brandon Lopipero
An Employee of MAIER GUTIERREZ & ASSOCIATES

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

Location: **Department 13**
Judicial Officer: **Denton, Mark R.**
Filed on: **08/11/2017**
Cross-Reference Case Number: **A759862**
Supreme Court No.: **79395**

CASE INFORMATION

Case Type: **Other Business Court Matters**
Case Flags: **Discovery heard by Department
Appealed to Supreme Court
Business Court
Jury Demand Filed
Filing Fee Balance Due
5-17-19 \$1543 TPDeft. Teresa
Moore #55 7/18/19 \$135.00
due for TPC for Spin Games,
LLC. #9
Intentional Misconduct Case**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	A-17-759862-B
Court	Department 13
Date Assigned	08/11/2017
Judicial Officer	Denton, Mark R.

PARTY INFORMATION

Plaintiff

Brazer, Mara H.
Removed: 04/25/2019
Dismissed

Castaldo, Jeffrey

David's Hard Work Trust Ltd. 3/26/2012

Eckles, David

Full Color Games Inc

Mara H Brazer Trust UTA 2/12/2004
Removed: 04/25/2019
Dismissed

Millennium Trust Company, LLC

Moore Family Trust

Munger, Mark

Lead Attorneys

Gutierrez, Joseph A.
Retained
702-629-7900(W)

Gutierrez, Joseph A.
Retained
702-629-7900(W)

Gutierrez, Joseph A.
Retained
702-629-7900(W)

Gutierrez, Joseph A.
Retained
702-629-7900(W)

Gutierrez, Joseph A.
Retained
702-629-7900(W)

Gutierrez, Joseph A.

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

Retained
702-629-7900(W)

Defendant	Solso, G. Bradford	
	Full Color Games Group Inc	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Full Color Games LLC	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Full Color Games Ltd	
	Full Color Games NA Inc	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Howard, Glen	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Intellectual Property Holdings LLC	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Intellectual Property Holdings Ltd	
	Jackpot Productions LLC	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Mahon, David	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
Counter Claimant	Full Color Games Group Inc	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Full Color Games Inc Removed: 02/01/2019 Data Entry Error	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
	Full Color Games Inc	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Full Color Games LLC Removed: 06/22/2018 Data Entry Error	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Full Color Games NA Inc	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Howard, Glen	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Intellectual Property Holdings LLC	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Jackpot Productions LLC	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

	Mahon, David	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Spin Games, LLC	Lundvall, Patricia K. <i>Retained</i> 702-873-4100(W)
Counter Defendant	Brazer, Mara H. Removed: 04/25/2019 Dismissed	
	Castaldo, Jeffrey	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
	David's Hard Work Trust Ltd. 3/26/2012	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
	Full Color Games Inc	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
	Mara H Brazer Trust UTA 2/12/2004 Removed: 04/25/2019 Dismissed	
	Millennium Trust Company, LLC	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
	Moore Family Trust	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
	Munger, Mark	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
	Munger, Mark	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
Fourth Party Defendant	Full Color Games Ltd	
	Mahon, David	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
Fourth Party Plaintiff	Spin Games, LLC	Lundvall, Patricia K. <i>Retained</i> 702-873-4100(W)
Other Defendant	Full Color Games Inc Removed: 10/30/2018 Data Entry Error	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
	Full Color Games Inc	Hutchison, Mark A <i>Retained</i> 702-385-2500(W)
Third Party Defendant	B L Moore Construction Inc	Gutierrez, Joseph A. <i>Retained</i> 702-629-7900(W)
	Bastian, Sebastian J	

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

Brazer, Mara H

Removed: 04/25/2019
Dismissed

Brock, John, III

Brock, John, IV

Cooper Blackstone LLC

Newman, Richard H

Retained
702-257-1483(W)

Davinci Holdings Ltd

Davinci Trading Group

Eckles, David

Horan, Jeff

ILG Software Ltd

Islandluck.com

Jungels, Eric J

Linham, Martin

Marcus, Brian

Mishra, Kunal

Lundvall, Patricia K.

Retained
702-873-4100(W)

Moore, Larry

Gutierrez, Joseph A.

Retained
702-629-7900(W)

Moore, Teresa

Gutierrez, Joseph A.

Retained
702-629-7900(W)

Multislot Ltd

Munger and Associates Inc

Newman Law LLC

Newman, Richard H

Retained
702-257-1483(W)

Newman, Richard

Playtech Systems Ltd

Simmons, Dirk

Solso, G Bradford

Spin Games LLC

Lundvall, Patricia K.

Retained
702-873-4100(W)

Spin Games, LLC

Lundvall, Patricia K.

Retained
702-873-4100(W)

Valcros LLC

Young, Kent

Lundvall, Patricia K.

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

**Third Party
Plaintiff**

Full Color Games Inc
Removed: 02/01/2019
Data Entry Error

Full Color Games Inc

Mishra, Kunal

Spin Games, LLC

Young, Kent

Retained
702-873-4100(W)

Gutierrez, Joseph A.
Retained
702-629-7900(W)

Hutchison, Mark A
Retained
702-385-2500(W)

Lundvall, Patricia K.
Retained
702-873-4100(W)

Lundvall, Patricia K.
Retained
702-873-4100(W)

Lundvall, Patricia K.
Retained
702-873-4100(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
08/11/2017	 Complaint (Business Court) Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Verified Shareholder Derivative Complaint and Complaint Demand for Jury Trial</i>	
08/11/2017	 Initial Appearance Fee Disclosure Filed By: Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>	
08/16/2017	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>	
08/16/2017	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>	
08/16/2017	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>	
08/16/2017	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>	
08/16/2017	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>	
08/16/2017		

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>
08/16/2017	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>
08/16/2017	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>
08/16/2017	 Summons Electronically Issued - Service Pending Party: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust <i>Summons - Civil</i>
08/30/2017	 Amended Complaint Filed By: Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H. <i>Amended Verified Shareholder Derivative Complaint and Amended Complaint; Demand for Jury Trial</i>
08/30/2017	 Initial Appearance Fee Disclosure Filed By: Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H. <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
09/12/2017	 Summons Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Summons - Civil</i>
09/12/2017	 Summons Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Summons - Civil</i>
09/12/2017	 Summons Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Summons - Civil</i>
09/12/2017	 Summons Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

Summons - Civil

09/19/2017	 Summons Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Summons - Civil</i>
09/28/2017	 Summons Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Summons - Civil</i>
10/10/2017	 Summons Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Summons - Civil</i>
10/16/2017	 Acceptance of Service Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Acceptance of Service</i>
10/20/2017	 Initial Appearance Fee Disclosure Filed By: Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Defendant Full Color Games LLC; Counter Claimant Full Color Games NA Inc; Counter Claimant Full Color Games Group Inc; Counter Claimant Jackpot Productions LLC <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
10/24/2017	 Stipulation and Order Filed by: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Defendant Full Color Games LLC; Counter Claimant Full Color Games NA Inc; Counter Claimant Full Color Games Group Inc; Counter Claimant Jackpot Productions LLC <i>Stipulation and Order to Strike the Motion for Summary Judgment on All Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint</i>
10/24/2017	 Notice of Entry of Stipulation and Order Filed By: Fourth Party Defendant Mahon, David <i>Notice of Entry of Stipulation and Order to Strike the Motion for Summary Judgment on All Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint</i>
10/25/2017	 Motion Filed By: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Defendant Full Color Games LLC; Counter Claimant Full Color Games NA Inc; Counter Claimant Jackpot Productions LLC <i>Motion for Summary Judgment on All Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint</i>
11/13/2017	 Motion









DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

	<p>Filed By: Fourth Party Defendant Mahon, David <i>Motion for Order Requiring Plaintiff to Furnish Security Pursuant to NRS 41.520</i></p>
11/20/2017	<p> Stipulation and Order Filed by: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Defendant Full Color Games LLC; Counter Claimant Full Color Games NA Inc; Counter Claimant Full Color Games Group Inc; Counter Claimant Jackpot Productions LLC <i>Stipulation and Order to Continue Motion for Summary Judgment on All Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint</i></p>
11/21/2017	<p> Notice of Entry of Order Filed By: Fourth Party Defendant Mahon, David <i>Notice of Entry of Stipulation and Order to Continue Motion for Summary Judgment on all Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint</i></p>
11/27/2017	<p> Opposition to Motion For Summary Judgment Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Plaintiffs' Opposition to Defendants' Motion for Summary Judgment on all Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint and Counter-Motion for Leave to File and Amended Complaint</i></p>
11/30/2017	<p> Opposition to Motion Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Plaintiffs' Opposition to Defendants' Motion for Order Requiring Plaintiff to Furnish Security Costs Pursuant to NRS 41.520</i></p>
12/12/2017	<p> Reply in Support Filed By: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen <i>Reply in Support of Motion for Order Requiring Plaintiff to Furnish Security Pursuant to NRS 41.520</i></p>
12/12/2017	<p> Reply in Support Filed By: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen <i>Reply in Support of Motion for Summary Judgment on All Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint</i></p>
12/14/2017	<p>Motion for Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Defendants' Motion for Summary Judgment on All Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Complaint</i></p> <p>MINUTES Denied Without Prejudice; <i>Denied Without Prejudice</i></p>
12/14/2017	<p>Motion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Defendants David Mahon and Glen Howard's Motion for Order Requesting Plaintiff to Furnish Security Pursuant to NRS 41.520</i></p> <p>MINUTES Denied; <i>Denied</i></p>
12/14/2017	

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
12/20/2017	 Decision (2:53 PM) (Judicial Officer: Denton, Mark R.) Decision Made; <i>Decision Made</i>
12/20/2017	 Decision and Order <i>Decision</i>
12/29/2017	 Ex Parte Application to Extend Time for Service Filed By: Counter Defendant Munger, Mark <i>Plaintiffs' Ex Parte Application to Extend Time to Serve Intellectual Property Holdings, Ltd. and Full Color Games, Ltd.</i>
01/08/2018	 Stipulation and Order Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Stipulation and Order to Replace 958 Partners</i>
01/08/2018	 Order Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Plaintiff Eckles, David; Counter Defendant Castaldo, Jeffrey; Counter Defendant Mara H Brazer Trust UTA 2/12/2004 <i>Order Denying Defendants' Motion for Order Requesting Plaintiff to Furnish Security</i>
01/09/2018	 Notice of Entry of Stipulation and Order Filed By: Counter Defendant Munger, Mark <i>Notice of Entry of Stipulation and Order re: Replace</i>
01/09/2018	 Notice of Entry of Order Filed By: Counter Defendant Munger, Mark <i>Notice of Entry of Order re: Security</i>
01/12/2018	 Second Amended Complaint Filed By: Counter Defendant Millennium Trust Company, LLC <i>Second Amended Verified Shareholder Derivative Complaint and Second Amended Complaint</i>
01/12/2018	 Initial Appearance Fee Disclosure <i>Initial Appearance Fee Disclosure</i>
01/19/2018	 Demand Filed By: Fourth Party Defendant Mahon, David <i>Defendants' Demand for Deposit of Non-Resident Cost Bond to Plaintiff Mark Munger</i>
01/19/2018	 Demand Filed By: Fourth Party Defendant Mahon, David <i>Defendant's Demand for Deposit of Non-Resident Cost Bond to Plaintiff Mara H. Brazer, as Trustee for the Mara H. Brazer Trust UTA 2/12/2004</i>
01/19/2018	 Demand

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

	Filed By: Fourth Party Defendant Mahon, David <i>Defendants' Demand for Deposit of Non-Resident Cost Bond to Plaintiff David's Hard Work Trust Ltd. 3/26/2012</i>
01/19/2018	 Demand Filed By: Fourth Party Defendant Mahon, David <i>Defendants' Demand for Deposit of Non-Resident Cost Bond to Plaintiff Moore Family Trust</i>
01/19/2018	 Demand Filed By: Fourth Party Defendant Mahon, David <i>Defendants' Demand for Deposit of Non-Resident Cost Bond to Plaintiff Millennium Trust Company, LLC Custodian FBO Gary Solso, IRA</i>
01/19/2018	 Demand Filed By: Fourth Party Defendant Mahon, David <i>Defendants' Demand for Deposit of Non-Resident Cost Bond to Plaintiff Jeffrey Castaldo</i>
02/05/2018	 Objection <i>Plaintiffs' Objection to Defendants' Demand for Deposition of Non-Resident Cost Bond to All Plaintiffs on an Order Shortening Time</i>
02/13/2018	 Response Filed by: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen <i>Defendants' Response to Plaintiffs' Objection to Defendants' Demand for Deposition of Non-Resident Cost Bond to All Plaintiffs on an Order Shortening Time</i>
02/15/2018	 Objection (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiffs' Objection to Defendants' Demand for Deposition of Non-Resident Cost Bond to All Plaintiffs on an Order Shortening Time</i> Granted; <i>Granted</i>
03/02/2018	 Order Filed By: Counter Defendant Munger, Mark <i>Order Sustaining in Part and Overruling in Part Plaintiffs' Demand for Deposition of Non-Resident Cost Bond to All Plaintiffs</i>
03/05/2018	 Notice of Entry Filed By: Counter Defendant Munger, Mark <i>NOTICE OF ENTRY OF ORDER SUSTAINING IN PART AND OVERRULING IN PART PLAINTIFFS' OBJECTION TO DEFENDANTS' DEMAND FOR DEPOSITION OF NON-RESIDENT COST BOND TO ALL PLAINTIFFS</i>
03/07/2018	 Notice of Posting of Cost Bond Filed By: Counter Defendant Munger, Mark <i>Notice of Posting of Cost Bond</i>
03/26/2018	 Motion for Partial Summary Judgment Filed By: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen <i>Defendants' Motion to Dismiss or, Alternatively, Partial Summary Judgment on the Fourth, Fifth, Sixth, Seventh, and Thirteenth Claims for Relief, and the Eighth and Ninth Claims for Relief to the Extent Those Claims Are Based on the Fraud Allegations in the Second Amended Complaint</i>
03/28/2018	 Motion Filed By: Counter Defendant Munger, Mark

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B









Motion to Appoint Special Master

04/05/2018	 Stipulation and Order Filed by: Fourth Party Defendant Mahon, David <i>Stipulation and Order to Continue the Hearings Set (1) Defendants' Motion to Dismiss or, alternatively Partial Summary Judgment on the Fourth, Fifth Sixth, Seventh, and Thirteenth Claims for Relief, and the Eighth and Ninth Claims for Relief to the Extent Those Claims are Based on the Fraud Allegations in the Second Amended Complaint and (2) Plaintiffs' Motion to Appoint a Special Master</i>
04/09/2018	 Notice of Entry of Stipulation and Order Filed By: Fourth Party Defendant Mahon, David <i>Notice of Entry of Stipulation and Order to Continue the Hearings Set for (1) Defendants' Motion to Dismiss or Alternatively, Partial Summary Judgment on the Fourth, Fifth, Sixth, Seventh, and Thirteenth Claims for Relief, and the Eighth and Ninth Claims for Relief to the Extent Those Claims Are Based on the Fraud Allegations in the Second Amended Complaint and (2) Plaintiffs' Motion to Appoint a Special Master</i>
04/23/2018	 Opposition Filed By: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen <i>Defendants' Opposition to Plaintiffs' Motion to Appoint Special Master</i>
04/23/2018	 Opposition to Motion For Summary Judgment Filed By: Counter Defendant Munger, Mark <i>Plaintiffs' Opposition to Defendants' Motion to Dismiss or Alternatively, Partial Summary Judgment on the Fourth, Fifth, Sixth, Seventh, and 13th Claim for Relief, and the Eight and Ninth claims for Relieve to the Extent Those claims are Based on the Fraud Allegations in the Second Amended Complaint</i>
05/02/2018	 Reply in Support Filed By: Counter Defendant Munger, Mark <i>Plaintiffs' Reply in Support of Motion to Appoint a Special Master</i>
05/03/2018	 Reply in Support Filed By: Fourth Party Defendant Mahon, David <i>Reply in Support of Defendants' Motion to Dismiss Or, Alternatively, Partial Summary Judgment on the Fourth, Fifth, Sixth, Seventh, and Thirteenth Claims for Relief, and the Eighth and Ninth Claims for Relief to the Extent Those Claims Are Based on the Fraud Allegations in the Second Amended Complaint</i>
05/08/2018	 Opposition to Motion For Summary Judgment Filed By: Counter Defendant Munger, Mark <i>Plaintiffs' Supplement to Plaintiff's Opposition to Defendants' Motion to Dismiss or Alternatively</i>
05/10/2018	Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Defendants' Motion to Dismiss or, Alternatively, Partial Summary Judgment on the Fourth, Fifth, Sixth, Seventh, and Thirteenth Claims for Relief, and the Eighth and Ninth Claims for Relief to the Extent Those Claims Are Based on the Fraud Allegations in the Second Amended Complaint</i> Granted in Part; <i>Granted in Part</i>
05/10/2018	Motion for Appointment (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Motion to Appoint Special Master</i> Denied Without Prejudice; <i>Denied Without Prejudice</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

05/10/2018	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
05/23/2018	Order of Dismissal (Judicial Officer: Denton, Mark R.) Debtors: David Mahon (Defendant), Glen Howard (Defendant), Intellectual Property Holdings LLC (Defendant), Intellectual Property Holdings Ltd (Defendant), Full Color Games LLC (Defendant), Full Color Games Ltd (Defendant), Full Color Games NA Inc (Defendant), Full Color Games Group Inc (Defendant), Jackpot Productions LLC (Defendant) Creditors: Mark Munger (Plaintiff), David's Hard Work Trust Ltd. 3/26/2012 (Plaintiff), Moore Family Trust (Plaintiff), Jeffrey Castaldo (Plaintiff), Mara H. Brazer (Plaintiff), Mara H Brazer Trust UTA 2/12/2004 (Plaintiff), Full Color Games Inc (Plaintiff), Millennium Trust Company, LLC (Plaintiff) Judgment: 05/23/2018, Docketed: 05/23/2018 Comment: Certain Claims
05/23/2018	 Decision and Order Filed By: Counter Defendant Munger, Mark <i>Decision and Order</i>
05/24/2018	 Notice of Entry of Decision and Order Filed By: Counter Defendant Munger, Mark <i>Notice of Entry of Decision and Order Regarding Defendants' Motion to Dismiss or, Alternatively, Partial Summary Judgment on the Fourth, Fifth, Sixth, Seventh, and Thirteenth Claims for Relief, and the Eight and Ninth Claims for Relieve to the Extent Those Claims are Base on the Fraud Allegations in the Second Amended Complaint</i>
05/30/2018	 Order Denying Motion Filed By: Fourth Party Defendant Mahon, David <i>Order Denying Plaintiffs' Motion to Appoint a Special Master</i>
05/31/2018	 Notice of Entry of Order Filed By: Fourth Party Defendant Mahon, David <i>Notice of Entry of Order Denying Plaintiffs' Motion to Appoint a Special Master</i>
06/07/2018	 Motion Filed By: Fourth Party Defendant Mahon, David <i>Defendants' Motion for Reconsideration of Court's Order Denying Defendants' Motion to Dismiss the Third, Thirteenth, and Fourteenth Claims for Relief in the Second Amended Complaint</i>
06/22/2018	 Answer and Counterclaim Filed By: Fourth Party Defendant Mahon, David <i>Answer and Counterclaims</i>
06/25/2018	 Opposition to Motion Filed By: Counter Defendant Munger, Mark <i>Plaintiff's Opposition to Defendants' Motion for Reconsideration of Court's Order Denying Defendants' Motion to Dismiss the Third, Thirteenth, and Fourteenth Claims for Relief in the Second Amended Complaint</i>
06/27/2018	 Answer to Counterclaim Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Counter Defendant Millennium Trust Company, LLC <i>Plaintiff/Counter-Defendant Mark Munger s Answer To Defendant/Counter-Claimants Counterclaims</i>

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07/12/2018	 Reply Filed by: Fourth Party Defendant Mahon, David <i>Reply in Support of Defendants' Motion for Reconsideration of Court's Order Denying Defendants' Motion to Dismiss the Third, Thirteenth, and Fourteenth Claims for Relief in the Second Amended Complaint</i>
07/17/2018	 Minute Order (10:00 AM) (Judicial Officer: Denton, Mark R.) Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>
07/18/2018	 Business Court Order <i>Business Court Order</i>
07/19/2018	CANCELED Motion For Reconsideration (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Judge</i> <i>Defendants' Motion for Reconsideration of Court's Order Denying Defendants' Motion to Dismiss the Third, Thirteenth, and Fourteenth Claims for Relief in the Second Amended Complaint</i>
07/23/2018	 Mandatory Rule 16 Conference (3:00 PM) (Judicial Officer: Denton, Mark R.) 07/23/2018, 08/13/2018 Matter Heard; Matter Heard; Matter Heard; Matter Heard; <i>Matter Heard</i>
08/02/2018	 Stipulation and Order Filed by: Counter Defendant Munger, Mark <i>Stipulation and Order to Continue Rule 16 Meeting</i>
08/23/2018	 Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call <i>Order Re Rule 16 Conference, Setting Civil Jury Trial, Pre Trial, Calendar Call, and Deadlines for Motions; Discovery Scheduling Order</i>
09/05/2018	 Joint Case Conference Report Filed By: Counter Defendant Munger, Mark <i>Joint Case Conference Report</i>
09/06/2018	 Status Check (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Status Check: JCCR</i> Matter Heard; <i>Matter Heard</i>
09/06/2018	CANCELED Status Check (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - Duplicate Entry</i>
10/30/2018	 Stipulation and Order Filed by: Fourth Party Defendant Mahon, David <i>Stipulation and Order</i>
10/31/2018	 Notice of Entry of Stipulation and Order Filed By: Fourth Party Defendant Mahon, David <i>Notice of Entry of Stipulation and Order</i>

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11/02/2018	 Motion Filed By: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen <i>Motion to Dismiss Full Color Games, LTD. and Intellectual Properties Holding, LTD. for Failure to Serve Pursuant to NRCP 4</i>
11/21/2018	 Motion Filed By: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Defendant Full Color Games LLC; Counter Claimant Full Color Games NA Inc; Counter Claimant Full Color Games Group Inc; Counter Claimant Jackpot Productions LLC <i>Motion to Amend the Discovery Scheduling Order to Conduct Discovery in Phases and for a Protective Order Pursuant to NRCP 26(c)</i>
12/03/2018	 Opposition <i>Plaintiffs' Opposition to Defendants' Motion to Dismiss Full Color Games, LED, and Intellectual Properties Holdings, LTD. for Failure to Serve Pursuant to NRCP 4 and Countermotion to Extend Time to Serve</i>
12/06/2018	 Stipulation and Order Filed by: Counter Defendant Munger, Mark <i>Stipulation and Order to Continue Hearing on Motion to Dismiss</i>
12/07/2018	 Opposition and Countermotion Filed By: Counter Defendant Munger, Mark <i>Plaintiffs' Opposition to Defendants' Motion to Amend the Discovery Scheduling Order to Conduct Discovery in Phases and for a Protective Order Pursuant to NRCP 26(c) and Countermotion for Leave to File Third Amended Complaint and Countermotion to Compel Discovery</i>
12/10/2018	 Reply Filed by: Counter Claimant Intellectual Property Holdings LLC <i>Reply In Support of Motion to Dismiss Full Color Games, LTD. And Intellectual Properties Holding, LTD. For Failure to Serve Pursuant to N.R.C.P. 4</i>
12/13/2018	Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Motion to Dismiss Full Color Games Ltd. and Intellectual Properties Holding, Ltd for Failure to Serve Pursuant to NRCP 4</i> Denied Without Prejudice; <i>Denied Without Prejudice</i>
12/13/2018	Opposition and Countermotion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiffs Opposition to Defendants Motion to Dismiss Full Color Games Led and Intellectual Properties Holdings Ltd for Failure to Serve Pursuant to NRCP 4 and Countermotion to Extend Time to Serve</i> Matter Heard; <i>Matter Heard</i>
12/13/2018	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
12/27/2018	 Reply in Support Filed By: Fourth Party Defendant Mahon, David <i>Reply In Support of Motion to Amend The Discovery Scheduling Order to Conduct Discovery In Phases and For a Protective Order Pursuant to N.R.C.P. 26(c) and Opposition to Counter-Motion for Leave to File Third-Party Amended Complaint and Opposition to Motion to Compel Discovery</i>

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01/07/2019	Motion to Amend (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Motion to Amend the Discovery Scheduling Order to Conduct Discovery in Phases and for a Protective Order Pursuant to NRCP 26(c)</i> Denied in Part; <i>Denied in Part</i>
01/07/2019	Opposition and Countermotion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiffs' Opposition to Defendants' Motion to Amend the Discovery Scheduling Order to Conduct Discovery in Phases and for a Protective Order Pursuant to NRCP 26(c) and Countermotion for Leave to File Third Amended Complaint and Countermotion to Compel Discovery</i> Denied in Part; <i>Denied in Part</i>
01/07/2019	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
01/23/2019	 Notice Filed By: Counter Defendant Munger, Mark <i>Notice of Filing Verifications of Second Amended Complaint by Plaintiff Shareholders</i>
01/23/2019	 Motion to Dismiss Filed By: Fourth Party Defendant Mahon, David <i>(2/14/19 Withdrawn) Motion to Dismiss David's Hard Work Trust LTD. 2/26/201, Moore Family Trust, Millienium Trust Company, LLC Custodian FBO Gary Solso, IRA, Jeffrey Castaldo, and Mara H. Brazer, Trustee For the Mara H. Brazer, Trustee For the Mara H. Brazer Trust for Failure to Submit a Verification of The Second Amended Complaint Per the Court's Order</i>
01/31/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
01/31/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
01/31/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
01/31/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
01/31/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
01/31/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
01/31/2019	 Order Filed By: Counter Defendant Munger, Mark

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Order Regarding Plaintiffs' Opposition to Defendant's Motion to Amend the Discovery Scheduling Order to Conduct Discovery in Phases and for Protective Order and Counter motions

02/01/2019	 Answer (Business Court) Filed By: Plaintiff Full Color Games Inc <i>Defendants Full Color Games, Inc.'s Answer, Counterclaims, and Third-Party Complaint</i>
02/01/2019	 Notice of Appearance Party: Plaintiff Full Color Games Inc <i>Notice of Appearance</i>
02/04/2019	 Notice of Entry of Order Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Counter Defendant Millennium Trust Company, LLC <i>Notice of Entry of Order Plaintiffs' Opposition to Defendants' Motion to Amend the Discovery Scheduling Order to Conduct Discovery in Phases and for Protective Order Pursuant to NRCP 26(c) And Countermotion for Leave to File Third Amended Complaint And Countermotion to Compel Discovery</i>
02/04/2019	 Initial Appearance Fee Disclosure <i>Initial Appearance Fee Disclosure</i>
02/04/2019	 Amended Answer Filed By: Plaintiff Full Color Games Inc <i>Defendant Full Color Games, Inc.'s Amended Answer, Counterclaims, and Third-Party Complaint</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending









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	Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/11/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/13/2019	 Summons Electronically Issued - Service Pending Party: Defendant Full Color Games LLC <i>Summons</i>
02/13/2019	 Summons Electronically Issued - Service Pending Party: Defendant Full Color Games LLC <i>Summons</i>
02/13/2019	 Summons Electronically Issued - Service Pending Party: Defendant Full Color Games LLC <i>Summons</i>
02/14/2019	 Notice of Withdrawal of Motion Filed By: Fourth Party Defendant Mahon, David <i>Notice of Withdrawal of Motion to Dismiss David's Hard Work Trust LTD. 2/26/2006, Moore Family Trust, Millenium Trust Company, LLC Custodian FBO Gary Solso, IRA, Jeffrey Castaldo, and Mara H. Brazer, Trustee For the Marah H. Brazer Trust for Failure to Submit a Verification of the Second Amended Complaint Per the Court's Order Without Prejudice</i>
02/14/2019	

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	 Stipulated Protective Order Filed By: Fourth Party Defendant Mahon, David <i>Stipulated Protective Order</i>
02/14/2019	 Motion for Partial Summary Judgment Filed By: Fourth Party Defendant Mahon, David <i>Motion for Partial Summary Judgement Against Mark Munger on All Derivative Claims</i>
02/15/2019	 Notice of Entry Filed By: Fourth Party Defendant Mahon, David <i>Notice of Entry of Stipulated Protective Order</i>
02/21/2019	 Ex Parte Motion Filed By: Fourth Party Defendant Mahon, David <i>Ex Parte Motion for a Protective Order to Quash or Modify Subpoenas to Bank of America, N.A. and Wells Fargo, N.A. on an Order Shortening Time</i>
02/25/2019	 Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Motion to Dismiss David's Hard Work Trust LTD. 2/26/201, Moore Family Trust, Millienium Trust Company, LLC Custodian FBO Gary Solso, IRA, Jeffrey Castaldo, and Mara H. Brazer, Trustee For the Mara H. Brazer, Trustee For the Mara H. Brazer Trust for Failure to Submit a Verification of The Second Amended Complaint Per the Court's Order</i> Withdrawn; <i>Withdrawn</i>
02/25/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
02/25/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
02/25/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
02/26/2019	 Opposition to Motion For Protective Order Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Third Party Defendant Solso, G Bradford; Third Party Defendant Eckles, David <i>Plaintiffs/Counter-Defendants Opposition to Ex Parte Motion for a Protective Order to Quash or Modify Subpoenas to Bank of America, N.A. and Wells Fargo, N.A. on an Order Shortening Time</i>
02/27/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/28/2019	 Motion for Protective Order (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Ex Parte Motion for a Protective Order to Quash or Modify Subpoenas to Bank of America, N.A. and Wells Fargo, N.A. on an Order Shortening Time</i> Granted in Part; <i>Granted in Part</i>

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02/28/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/28/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/28/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Defendant Mahon, David <i>Summons</i>
02/28/2019	 Answer to Counterclaim Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Third Party Defendant Solso, G Bradford; Third Party Defendant Eckles, David <i>Plaintiffs/Counter-Defendants Answer to Defendant Full Color Games, Inc.'s Counterclaims and Third-Party Complaint</i>
03/04/2019	 Opposition to Motion For Summary Judgment Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Third Party Defendant Solso, G Bradford; Third Party Defendant Eckles, David; Third Party Defendant Brazer, Mara H <i>Plaintiffs' Opposition to Defendants' Motion for Summary Judgment Against Mark Munger on all Derivative Claims</i>
03/07/2019	 Decision <i>Decision</i>
03/11/2019	 Reply Filed by: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Defendant Full Color Games LLC; Counter Claimant Full Color Games NA Inc; Counter Claimant Full Color Games Group Inc; Counter Claimant Jackpot Productions LLC; Plaintiff Full Color Games Inc <i>Reply in Support of Motion for Partial Summary Judgment Against Mark Munger on All Derivative Claims</i>
03/14/2019	 Motion to Dismiss Filed By: Third Party Defendant Newman Law LLC; Third Party Defendant Cooper Blackstone LLC; Third Party Defendant Newman, Richard <i>THIRD-PARTY DEFENDANTS SPECIAL MOTION TO DISMISS ACTION PRUSUSANT TO NEV. REV. STAT. ANN. 41.650, et seq</i>
03/14/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/18/2019	 Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Motion for Partial Summary Judgment Against Mark Munger on All Derivative Claims</i> Matter Continued; <i>Matter Continued</i>
03/19/2019	 Motion to Compel Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust

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Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Third Party Defendant Solso, G Bradford; Third Party Defendant Eckles, David
Plaintiffs' Motion to Compel Full Color Gams, Inc.'s Compliance with 16.1 Production of Documents on an Ex Parte Order Shortening Time and Sanctions









03/21/2019	 Affidavit of Service Filed By: Counter Defendant Munger, Mark <i>Affidavit of Service</i>
03/21/2019	 Affidavit of Service <i>Affidavit of Service</i>
03/27/2019	 Motion for Partial Summary Judgment Filed By: Fourth Party Defendant Mahon, David <i>Motion for Partial Summary Judgement on Any Derivative Claims Based on Full Color Games, Inc.'s Alleged Ownership Interest In Full Color Games, LTD.</i>
03/27/2019	 Motion to Dismiss-Alternative Mtn Partial Summary Judgment Filed By: Fourth Party Defendant Mahon, David <i>Renewed Motion to Dismiss Full Color Games, LTD., and Intellectual Properties Holding, LTD. for Failure to Serve Pursuant to N.R.C.P. 4</i>
03/27/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/27/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/28/2019	 Opposition Filed By: Counter Claimant Full Color Games Group Inc <i>Third-Party Plaintiff's Opposition to Third-Party Defendants' Special Motion to Dismiss Action Pursuant to Nev. Rev. Stat. Ann. 41.650, et seq.</i>
03/29/2019	 Opposition Filed By: Plaintiff Full Color Games Inc <i>Plaintiff's Opposition to Plaintiff's Motion to Compel Full Color Games, Inc.'s Compliance With 16.1 Production of Documents On an Ex Parte Order Shortening Time and Sanctions and Counter-Motion for Security Pursuant to NRS 41.521</i>
04/01/2019	 Notice of Appearance Party: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent <i>Notice of Appearance</i>
04/01/2019	 Initial Appearance Fee Disclosure Filed By: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent <i>Initial Appearance Fee Disclosure</i>
04/02/2019	 Reply in Support Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Plaintiff Solso, G. Bradford; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Third Party Defendant Eckles, David <i>Plaintiffs' Reply in Support of Motion to Compel Full Color Games, Inc.'s Compliance with 16.1 Production of Documents and Plaintiff's Opposition to Countermotion for Security</i>

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Pursuant to NRS 41.520

04/03/2019	 Reply Filed by: Fourth Party Defendant Mahon, David <i>Reply in Support of Countermotion for Security Pursuant to NRS 41.520</i>
04/03/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
04/03/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
04/04/2019	Motion to Compel (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Plaintiffs' Motion to Compel Full Color Games, Inc.'s Compliance with 16.1 Production of Documents on an Ex Parte Order Shortening Time and Sanctions</i> Granted in Part; <i>Granted in Part</i>
04/04/2019	Opposition and Countermotion (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Defendants' Opposition to Plaintiff's Motion to Compel Full Color Games, Inc.'s Compliance With 16.1 Production of Documents On an Ex Parte Order Shortening Time and Sanctions and Counter-Motion for Security Pursuant to NRS 41.521</i> Denied; <i>Denied</i>
04/04/2019	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
04/05/2019	 Amended Answer <i>Plaintiffs/Counter-Defendants Amended Answer to Defendant Full Color Games, Inc.'s Counterclaims and Third-Party Complaint</i>
04/12/2019	 Motion to Dismiss Filed By: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal <i>Third-Party Defendants Spin Games, LLC, Kent Young, and Kunal Mishra's Motion to Dismiss Third-Party Complaint; and Motion for More Definite Statement</i>
04/12/2019	 Initial Appearance Fee Disclosure Filed By: Third Party Plaintiff Mishra, Kunal <i>Initial Appearance Fee Disclosure</i>
04/13/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
04/15/2019	 Stipulation and Order Filed by: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Counter Defendant Millennium Trust Company, LLC <i>Stipulation and Order to Extend Deadline for Plaintiffs' to File Oppositions to Pending Motions</i>
04/16/2019	

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	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
04/16/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
04/16/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
04/16/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
04/16/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service</i>
04/19/2019	 Notice of Entry of Stipulation and Order Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Counter Defendant Millennium Trust Company, LLC <i>Notice of Entry of Stipulation and ORder to Extend Deadline for Plaintiffs' to File Oppositions to Pending Motions</i>
04/19/2019	 Opposition to Motion For Summary Judgment Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Counter Defendant Millennium Trust Company, LLC <i>Plaintiffs' Opposition to Defendant' Motion for Partial Summary Judgment on all Derivative Claims Based on Full Color Games, Inc.'s Alleged Onwership Interest in Full Color Games, Ltd.</i>
04/19/2019	 Opposition to Motion to Dismiss Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Brazer, Mara H.; Counter Defendant Mara H Brazer Trust UTA 2/12/2004; Counter Defendant Millennium Trust Company, LLC <i>Plaintiffs' Opposition to Defendants' Renewed Motion to Dismiss Full Color Games, Ltd. and Intellectual Properties Holdings, Ltd. for failure to Serve Pursuant to NRCP 4 and Countermotion to Extend Time to Serve</i>
04/20/2019	 Reply to Opposition Filed by: Third Party Defendant Newman Law LLC; Third Party Defendant Cooper Blackstone LLC; Third Party Defendant Newman, Richard <i>Third Party Defendants' Reply in Support of Special Motion to Dismiss</i>
04/25/2019	 Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Third-Party Defendants' Special Motion to Dismiss Action Pursuant to Nev.Rev.Stat.Ann. Section 41.650, et seq.</i> Denied Without Prejudice; <i>Denied Without Prejudice</i>

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04/25/2019	 Reply <i>Reply in Support of Renewed Motion to Dismiss Full Color Games, LTD. and Intellectual Properties Holding, LTD. for Failure to Serve Pursuant to NRCP 4 and Opposition to Countermotion to Extend Time to Serve</i>
04/25/2019	 Reply <i>Reply in Support of Motion for Partial Summary Judgment on any Derivative Claims Based on Full Color Games, Inc.'s Alleged Ownership Interest in Full Color Games, LTD.</i>
04/29/2019	Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 03/27/2019 Motion for Partial Summary Judgment <i>Motion for Partial Summary Judgment on Any Derivative Claims Based on Full Color Games, Inc.'s Alleged Ownership Interest In Full Color Games, LTD.</i> Hearing Set; <i>Hearing Set</i>
04/29/2019	Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) Events: 03/27/2019 Motion to Dismiss-Alternative Mtn Partial Summary Judgment <i>Renewed Motion to Dismiss Full Color Games, LTD., and Intellectual Properties Holding, LTD. for Failure to Serve Pursuant to N.R.C.P. 4</i> Granted; <i>Granted</i>
04/29/2019	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
04/29/2019	 Notice <i>Three Day Notice of Intent to Take Default</i>
04/30/2019	 Opposition Filed By: Fourth Party Defendant Mahon, David <i>Full Color Games, Inc.'s Opposition to Third-Party Defendants Spin Games, Inc.'s, Ken Young's, and Mishra Kusal's Motion to Dismiss or Motion for More Definite Statement</i>
05/01/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service [John Brock III]</i>
05/01/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Full Color- Affi of Service</i>
05/02/2019	 Errata Filed By: Fourth Party Defendant Mahon, David <i>Errata to Full Color Games, Inc.'s Opposition to Third-Party Defendants Spin Games, Inc.'s, Kent Young's, and Kunal Mishra's Motion to Dismiss or Motion for More Definite Statement</i>
05/02/2019	 Stipulation and Order for Dismissal With Prejudice Filed By: Counter Claimant Full Color Games Group Inc <i>Stipulation and Order for Dismissal With Prejudice</i>
05/02/2019	 Stipulation and Order Filed by: Counter Claimant Full Color Games Group Inc <i>Stipulation and Order to Extend Time to Respond to Third-Party Defendants Spin Games, LLC, Kent Young, and Kunal Mishra's Motion to Dismiss Third-Party Complaint and Motion</i>

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for More Definite Statement

- 05/02/2019  Notice of Entry of Stipulation & Order for Dismissal
Filed By: Counter Claimant Full Color Games Group Inc
Notice of Entry of Stipulation and Order for Dismissal With Prejudice
- 05/02/2019  Stipulation and Order
Filed by: Defendant Full Color Games LLC; Counter Claimant Full Color Games Group Inc
Stipulation and Order to Extend Time to Respond to Third-Party Defendants Spin Games, LLC, Kent Young, and Kunal Mishra's Motion to Dismiss Third-Party Complaint and Motion for More Definite Statement
- 05/02/2019 **Order of Dismissal With Prejudice** (Judicial Officer: Denton, Mark R.)
Debtors: Mara H. Brazer (Plaintiff, Trustee)
Creditors: David Mahon (Defendant), Glen Howard (Defendant), Intellectual Property Holdings LLC (Defendant), Full Color Games NA Inc (Defendant), Full Color Games Group Inc (Defendant), Jackpot Productions LLC (Defendant), Full Color Games Inc (Other Defendant)
Judgment: 05/02/2019, Docketed: 05/03/2019
Debtors: Mara H. Brazer (Counter Defendant)
Creditors: David Mahon (Counter Claimant), Glen Howard (Counter Claimant), Intellectual Property Holdings LLC (Counter Claimant), Full Color Games NA Inc (Counter Claimant), Full Color Games Group Inc (Counter Claimant), Jackpot Productions LLC (Counter Claimant), Full Color Games Inc (Counter Claimant)
Judgment: 05/02/2019, Docketed: 05/03/2019
Debtors: Mara H Brazer (Third Party Defendant)
Creditors: Full Color Games Inc (Third Party Plaintiff)
Judgment: 05/02/2019, Docketed: 05/03/2019
- 05/03/2019  Notice of Entry of Stipulation and Order
Filed By: Fourth Party Defendant Mahon, David
Notice of Entry of Stipulation and Order to Extend Time to Respond to Third-Party Defendants Spin Games, LLC, Kent Young, and Kunal Mishra's Motion to Dismiss Third-Party Complaint and Motion for More Definite Statement
- 05/07/2019  Motion to Dismiss
Filed By: Counter Defendant Munger, Mark; Third Party Defendant Munger and Associates Inc; Third Party Defendant Valcros LLC
Third Party Defendants, Counterclaimants, Mark Munger, Valcros, LLC Munger & Associates, Inc. Motion to Dismiss
- 05/07/2019  Motion to Dismiss
Filed By: Counter Defendant Moore Family Trust; Third Party Defendant Moore, Teresa; Third Party Defendant Moore, Larry; Third Party Defendant B L Moore Construction Inc
Third Party Defendants, Teresa Moore, Larry Moore, and B.L. Moore Construction Inc. and Counterclaimant Moore Family Trust's Motion to Dismiss
- 05/08/2019  Reply in Support
Filed By: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal
Third-Party Defendants Spin Games, LLC, Kent Young, and Kunal Mishra s Reply in Support of Motion to Dismiss Third-Party Complaint; and Reply in Support of Motion for More Definite Statement
- 05/13/2019  **Motion to Dismiss** (9:00 AM) (Judicial Officer: Denton, Mark R.)
Third Party Defendants Spin Games LLC Kent Young and Kunal Mishra's Motion to Dismiss Third Party Complaint and Motion for More Definite Statement
Denied Without Prejudice;
Denied Without Prejudice

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

05/15/2019	 Notice of Hearing Filed By: Counter Defendant Munger, Mark; Third Party Defendant Munger and Associates Inc; Third Party Defendant Valcros LLC <i>Notice of Hearing/Request for Hearing on Third Party Defendants, Counterclaimants, Mark Munger, Valcros, LLC Munger & Associates, Inc. Motion to Dismiss Entered on May 7, 2019</i>
05/15/2019	 Notice of Hearing Filed By: Counter Defendant Moore Family Trust; Third Party Defendant Moore, Teresa; Third Party Defendant Moore, Larry; Third Party Defendant B L Moore Construction Inc <i>Notice of Hearing/Request for Hearing on Third Party Defendants, Terea Moore, Larry Morre, and B.L. Moore Construction, Inc. and Counterclaimant Moore Family Trust's Motion to Dismiss Entered on May 7, 2019</i>
05/15/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/15/2019	 Motion to Dismiss Filed By: Third Party Defendant Marcus, Brian <i>Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (ANTI-SLAPP)</i>
05/16/2019	 Ex Parte Motion for Enlargement of Time Filed By: Fourth Party Defendant Mahon, David <i>Ex Parte Motion to Enlarge Time to Serve Third Party Defendants</i>
05/16/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/17/2019	 Notice of Hearing Filed By: Counter Defendant Moore Family Trust; Third Party Defendant Moore, Teresa; Third Party Defendant Moore, Larry; Third Party Defendant B L Moore Construction Inc <i>Notice of Hearing/Request for Hearing on Third Party Defendants, Teresa Moore, Larry Moore, and B.L. Moore Construction Inc. and Counterclaimant Moore Family Trust's Motion to Dismiss Entered on May 7, 2019</i>
05/17/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/17/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/17/2019	 Notice of Hearing Filed By: Third Party Defendant Marcus, Brian <i>Notice of Hearing/Request for Hearing on Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp) Entered on May 15, 2019</i>
05/30/2019	 Motion to Dismiss (11:00 AM) (Judicial Officer: Denton, Mark R.) 05/30/2019, 06/27/2019 <i>Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)</i> Matter Continued; Denied Without Prejudice;

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

	Matter Continued; Denied Without Prejudice; <i>Matter Continued</i>
05/30/2019	 Stipulation and Order Filed by: Fourth Party Defendant Mahon, David <i>Stipulation and Order to Continue Certain Hearings and Extend Time to Respond to Certain Motions</i>
05/30/2019	 Notice of Entry of Stipulation and Order Filed By: Fourth Party Defendant Mahon, David <i>Notice of Entry of Stipulation and Order to Continue Certain Hearings and Extend Time to Respond to Certain Motions</i>
05/31/2019	 Motion for Partial Summary Judgment Filed By: Fourth Party Defendant Mahon, David <i>Motion for Partial Judgement On the Pleadings or, In the Alternatively, Partial Summary Judgement on All Plaintiffs' Claims To the Extent Any of the Plaintiffs' Claims Seek Ownership of Intellectual Property</i>
06/03/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
06/13/2019	 Stipulation and Order Filed by: Fourth Party Defendant Mahon, David <i>Stipulation and Order to Continue Certain Hearings and Extend Time to Respond to Certain Motions</i>
06/13/2019	 Notice of Entry of Stipulation and Order Filed By: Fourth Party Defendant Mahon, David <i>Notice of Entry of Stipulation and Order to Continue Certain Hearings and Extend Time to Respond to Certain Motions</i>
06/14/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service [Davinci Holdings]</i>
06/14/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service [MultiSlot]</i>
06/14/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service [ILG Software]</i>
06/14/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service [Dirk Simmons]</i>
06/14/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David <i>Affidavit of Service [Playtech Systems]</i>
06/14/2019	 Affidavit of Service Filed By: Fourth Party Defendant Mahon, David

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

Affidavit of Service [Davinci Trading]

06/14/2019



Affidavit of Service

Filed By: Fourth Party Defendant Mahon, David

Affidavit of Service [Islandluck]

06/14/2019



Affidavit of Service

Filed By: Fourth Party Defendant Mahon, David

Affidavit of Service [Sebastian Bastian]

06/14/2019



Opposition

Filed By: Plaintiff Full Color Games Inc

Full Color Games, Inc.'s Opposition to Third-Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)

06/17/2019



Motion (9:00 AM) (Judicial Officer: Denton, Mark R.)

Events: 05/16/2019 Ex Parte Motion for Enlargement of Time

Ex Parte Motion to Enlarge Time to Serve Third Party Defendants

Granted;

Granted

06/20/2019



Stipulation and Order

Filed by: Fourth Party Defendant Mahon, David

Stipulation and Order to Continue Certain Hearings and Extend Time to Respond to Certain Motions

06/20/2019



Order Granting Motion

Filed By: Plaintiff Full Color Games Inc

Order Granting Ex Parte Motion to Enlarge Time to Serve Third Party Defendants

06/20/2019



Stipulation and Order

Filed by: Fourth Party Defendant Mahon, David

Stipulation and Order to Continue Certain Hearings and Extend Time to Respond to Certain Motions

06/20/2019



Notice of Entry of Stipulation and Order

Filed By: Fourth Party Defendant Mahon, David

Notice of Entry of Amended Stipulation and Order to Continue Certain Hearings and Extend Time to Respond to Certain Motions

06/20/2019



Notice of Entry of Order

Filed By: Fourth Party Defendant Mahon, David

Notice of Entry of Order Granting Ex Parte Motion to Enlarge Time to Serve Third Party Defendants

06/21/2019



Reply

Filed by: Third Party Defendant Marcus, Brian

Third Party Defendant Brian Marcus' Reply in Support of Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)

06/24/2019



Errata

Filed By: Third Party Defendant Marcus, Brian

Errata to Third Party Defendant Brian Marcus' Reply in Support of Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp)

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

06/25/2019	 Opposition Filed By: Plaintiff Full Color Games Inc <i>Full Color Games, Inc.'s Opposition to Third-Party Defendants Teresa Moore, Larry Moore, and B.L. Moore Construction, Inc., and Counter-Claimant [Defendant] Motion to Dismiss</i>
06/25/2019	 Opposition Filed By: Plaintiff Full Color Games Inc <i>Full Color Games, Inc.'s Opposition to Third-Party Defendants, Counterclaimants [Defendants] Mark Munger, Valcros, LLC, Munger & Associates, Inc. Motion to Dismiss</i>
06/25/2019	 Opposition to Motion Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Millennium Trust Company, LLC; Third Party Defendant Moore, Teresa; Third Party Defendant Moore, Larry; Third Party Defendant B L Moore Construction Inc <i>Plaintiff's Opposition to Defendant's Motion for Partial Judgment on the Pleadings or, Alternatively, Partial Summary Judgment on all Plaintiff's Claims on the Extent any of the Plaintiffs' Claims Seek Ownership of Intellectual Property</i>
06/26/2019	 Order Filed By: Counter Claimant Full Color Games Group Inc <i>Order on Third-Party Defendants' Spin Games, LLC, Kent Young, and Kunal Mishra's Motion to Dismiss or Motion for More Definite Statement</i>
06/26/2019	 Notice of Entry of Order Filed By: Counter Claimant Full Color Games Group Inc <i>Notice of Entry of Order on Third-Party Defendants' Spin Games, LLC, Kent Young, and Kunal Mishra's Motion to Dismiss or Motion for More Definite Statement</i>
07/03/2019	 Reply in Support Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Millennium Trust Company, LLC; Third Party Defendant Moore, Teresa; Third Party Defendant B L Moore Construction Inc <i>Third Party Defendants, Teresa Moore, Larry Moore, and B.L. Moore Construction, Inc. and Counterclaimant Moore Family Trust's Reply in Support of Motion to Dismiss</i>
07/03/2019	 Reply in Support Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Millennium Trust Company, LLC; Third Party Defendant Moore, Teresa; Third Party Defendant Moore, Larry; Third Party Defendant B L Moore Construction Inc <i>Third Party Defendants, Counterclaimants, Mark Munger, Valcros, LLC, Munger & Associates, Inc.'s Reply in Support of Motion to Dismiss</i>
07/05/2019	 Reply Filed by: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Counter Claimant Full Color Games Group Inc; Counter Claimant Jackpot Productions LLC <i>Reply in Support of Motion for Partial Judgment on the Pleadings or, Alternatively, Partial Summary Judgment on All Plaintiffs' Claims to the Extent All Plaintiffs' Claims to the Extent Any of Plaintiffs' Claims Seek Ownership of Intellectual Property</i>
07/08/2019	Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Third Party Defendants, Counterclaimants, Mark Munger, Valcros, LLC Munger & Associates, Inc. Motion to Dismiss</i> Granted in Part;

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

	<i>Granted in Part</i>
07/08/2019	Motion to Dismiss (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Notice of Hearing/Request for Hearing on Third Party Defendants, Terea Moore, Larry Morre, and B.L. Moore Construction, Inc. and Counterclaimant Moore Family Trust's Motion to Dismiss Entered on May 7, 2019</i> <i>Granted in Part;</i> <i>Granted in Part</i>
07/08/2019	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Matter Heard;</i> <i>Matter Heard</i>
07/08/2019	 Supplement to Opposition Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Millennium Trust Company, LLC; Third Party Defendant Moore, Teresa; Third Party Defendant B L Moore Construction Inc <i>Plaintiffs' Supplemental Opposition to Defendants' Motion for Partial Summary Judgment on all Derivative Claims Based on Full Color Games, Inc.'s Alleged Ownership Interest in Full Color Games, Ltd.</i>
07/08/2019	 Supplement to Opposition Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Millennium Trust Company, LLC; Third Party Defendant Moore, Teresa; Third Party Defendant Moore, Larry; Third Party Defendant B L Moore Construction Inc <i>Plaintiffs' Supplemental Opposition to Defendants' Motion for Partial Summary Judgment Against Mark Munger on all Derivative Claims</i>
07/10/2019	 Minute Order (7:00 AM) (Judicial Officer: Denton, Mark R.) <i>Re: 7/8/19 Motions to Dismiss</i> <i>Minute Order - No Hearing Held;</i> <i>Minute Order - No Hearing Held</i>
07/10/2019	 Order Filed By: Plaintiff Full Color Games Inc <i>Order on Third-Party Defendants' Special Motion to Dismiss Action Pursuant to Nev. Rev. Stat. Ann. 41.650, et seq.</i>
07/10/2019	 Notice of Entry of Order Filed By: Plaintiff Full Color Games Inc <i>Notice of Entry of Order on Third-Party Defendants' Special Motion to Dismiss Action Pursuant to Nev. Rev. Stat. Ann. 41.650, et seq.</i>
07/11/2019	 Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Motion for Partial Judgment On the Pleadings or, In the Alternatively, Partial Summary Judgment on All Plaintiffs' Claims To the Extent Any of the Plaintiffs' Claims Seek Ownership of Intellectual Property</i> <i>Denied;</i> <i>Denied</i>
07/12/2019	 Notice of Intent to Take Default Party: Plaintiff Full Color Games Inc <i>Notice of Intent to Take Default</i>
07/17/2019	








DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

	 Reply <i>Supplemental Reply in Support of Motion for Partial Summary Judgment Against Mark Munger on All Derivative Claims</i>
07/17/2019	 Reply Filed by: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Counter Claimant Full Color Games NA Inc; Counter Claimant Full Color Games Group Inc; Counter Claimant Jackpot Productions LLC; Plaintiff Full Color Games Inc <i>Supplemental Reply in Support of Motion for Partial Summary Judgment on any Derivative Claims Based on Full Color Games, Inc.'s Alleged Ownership Interest in Full Color Games, Ltd.</i>
07/17/2019	 Decision <i>Decision</i>
07/17/2019	 Answer and Counterclaim Filed By: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal <i>Third-Party Defendants Spin Games, LLC, Kent Young, and Kunal Mishra's Answer to Third-Party Complaint; and Counterclaim and Fourth-Party Complaint</i>
07/22/2019	Further Proceedings (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Further Proceedings: Motion for Partial Summary Judgment Against Mark Munger on All Derivative Claims</i> Under Advisement; <i>Under Advisement</i>
07/22/2019	Further Proceedings (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Further Proceedings: Motion for Partial Summary Judgment on Any Derivative Claims Based on Full Color Games, Inc.'s Alleged Ownership Interest in Full Color Games, Ltd.</i> Under Advisement; <i>Under Advisement</i>
07/22/2019	 All Pending Motions (9:00 AM) (Judicial Officer: Denton, Mark R.) Matter Heard; <i>Matter Heard</i>
07/23/2019	 Demand for Prior Discovery Filed By: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal <i>Third-Party Defendants Spin Games, LLC, Kent Young, and Kunal Mishra's Demand for Prior Discovery</i>
07/25/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Plaintiff Spin Games, LLC <i>Summons-Civil</i>
07/25/2019	 Summons Electronically Issued - Service Pending Party: Fourth Party Plaintiff Spin Games, LLC <i>Summons-Civil</i>
07/29/2019	 Order Filed By: Plaintiff Full Color Games Inc <i>Order on Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (ANTI-SLAPP)</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

07/29/2019	 Notice of Entry of Order Filed By: Counter Claimant Full Color Games Group Inc <i>Notice of Entry of Order on Third-Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Party Complaint Pursuant to NRS 41.660 (ANTI-SLAPP)</i>
08/01/2019	 Request Filed by: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal <i>Spin Games Parties' Request for Supplemental Rule 16 Conference</i>
08/06/2019	 Supplement to Opposition Filed By: Counter Defendant Munger, Mark; Counter Defendant David's Hard Work Trust Ltd. 3/26/2012; Counter Defendant Moore Family Trust; Counter Defendant Castaldo, Jeffrey; Counter Defendant Millennium Trust Company, LLC; Third Party Defendant Moore, Teresa; Third Party Defendant Moore, Larry; Third Party Defendant B L Moore Construction Inc <i>Plaintiffs' Second Supplemental Opposition to Defendants' Motion for Partial Summary Judgment Against Mark Munger on all Derivative Claims</i>
08/08/2019	 Notice of Appeal Filed By: Third Party Defendant Newman Law LLC; Third Party Defendant Cooper Blackstone LLC; Third Party Defendant Newman, Richard <i>Notice of Appeal</i>
08/08/2019	 Case Appeal Statement Filed By: Third Party Defendant Newman Law LLC; Third Party Defendant Cooper Blackstone LLC; Third Party Defendant Newman, Richard <i>Case Appeal Statement</i>
08/08/2019	 Case Appeal Statement Filed By: Third Party Defendant Newman Law LLC; Third Party Defendant Cooper Blackstone LLC; Third Party Defendant Newman, Richard <i>Case Appeal Statement</i>
08/09/2019	 Supplement Filed by: Fourth Party Defendant Mahon, David; Counter Claimant Howard, Glen; Counter Claimant Intellectual Property Holdings LLC; Defendant Intellectual Property Holdings Ltd; Defendant Full Color Games LLC; Counter Claimant Full Color Games NA Inc; Counter Claimant Full Color Games Group Inc; Counter Claimant Jackpot Productions LLC; Plaintiff Full Color Games Inc <i>Second Supplemental Reply in Support of Motion for Partial Summary Judgment Against Mark Munger on All Derivative Claims</i>
08/12/2019	 Order Filed By: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal <i>Order Granting the Spin Games Parties' Request for Supplemental Rule 16 Conference</i>
08/12/2019	 Notice of Entry of Order Filed By: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal <i>Notice of Entry of Order Granting the Spin Games Parties' Request for Supplemental Rule 16 Conference</i>
08/15/2019	 Stipulation and Order Filed by: Fourth Party Defendant Mahon, David <i>Stipulation and Order to Extend Discovery Deadlines and Continue Trial</i>

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

08/15/2019	 Notice of Entry of Stipulation and Order Filed By: Counter Claimant Full Color Games Group Inc <i>Notice of Entry of Stipulation and Order to Extend Discovery Deadlines and Continue Trial</i>
08/16/2019	 Recorders Transcript of Hearing <i>Recorders Transcript of Hearing Re: Motions, July 22, 2019</i>
08/26/2019	 Mandatory Rule 16 Conference (1:15 PM) (Judicial Officer: Denton, Mark R.) 08/26/2019, 10/28/2019 Matter Continued; <i>Matter Continued</i>
08/26/2019	 Stipulation and Order Filed by: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal <i>Stipulation and Order to Continue Supplemental Rule 16 Conference</i>
08/26/2019	 Notice of Entry of Stipulation and Order Filed By: Third Party Defendant Spin Games LLC; Third Party Plaintiff Young, Kent; Third Party Plaintiff Mishra, Kunal <i>Notice of Entry of Stipulation and Order to Continue Supplemental Rule 16 Conference</i>
08/26/2019	 Notice of Appeal Filed By: Third Party Defendant Marcus, Brian <i>Notice of Appeal</i>
08/26/2019	 Case Appeal Statement Filed By: Third Party Defendant Marcus, Brian <i>Case Appeal Statement</i>
01/13/2020	CANCELED Pre Trial Conference (2:10 PM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Stipulation and Order</i>
01/27/2020	CANCELED Calendar Call (2:00 PM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Stipulation and Order</i>
02/04/2020	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Vacated - per Stipulation and Order</i>
05/11/2020	Pre Trial Conference (2:00 PM) (Judicial Officer: Denton, Mark R.)
05/26/2020	Calendar Call (2:00 PM) (Judicial Officer: Denton, Mark R.)
06/02/2020	Jury Trial (9:00 AM) (Judicial Officer: Denton, Mark R.)

DATE	FINANCIAL INFORMATION	
	Fourth Party Defendant Mahon, David	
	Total Charges	2,863.00
	Total Payments and Credits	2,863.00
	Balance Due as of 8/28/2019	0.00
	Plaintiff Full Color Games Inc	
	Total Charges	1,618.00
	Total Payments and Credits	1,618.00
	Balance Due as of 8/28/2019	0.00

DISTRICT COURT
CASE SUMMARY
CASE NO. A-17-759862-B

Counter Defendant Millennium Trust Company, LLC	
Total Charges	30.00
Total Payments and Credits	30.00
Balance Due as of 8/28/2019	0.00
Counter Defendant Munger, Mark	
Total Charges	1,976.00
Total Payments and Credits	1,976.00
Balance Due as of 8/28/2019	0.00
Third Party Defendant Marcus, Brian	
Total Charges	24.00
Total Payments and Credits	24.00
Balance Due as of 8/28/2019	0.00
Third Party Defendant Moore, Teresa	
Total Charges	1,543.00
Total Payments and Credits	0.00
Balance Due as of 8/28/2019	1,543.00
Third Party Defendant Newman, Richard	
Total Charges	24.00
Total Payments and Credits	24.00
Balance Due as of 8/28/2019	0.00
Third Party Defendant Spin Games LLC	
Total Charges	1,678.00
Total Payments and Credits	1,513.00
Balance Due as of 8/28/2019	165.00
Counter Defendant Munger, Mark	
Security Cost Bond Balance as of 8/28/2019	500.00
Third Party Defendant Newman, Richard	
Appeal Bond Balance as of 8/28/2019	500.00

DISTRICT COURT CIVIL COVER SHEET

Clark

County, Nevada

A-17-759862-B

Case No.

(Assigned by Clerk's Office)

Department 13

I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone): MARK MUNGER, DAVID'S HARD WORK TRUST LTD 3/26/2012, MOORE FAMILY TRUST	Defendant(s) (name/address/phone): DAVID MAHON, GLEN HOWARD, INTELLECTUAL PROPERTY HOLDINGS, LLC, INTELLECTUAL PROPERTY HOLDINGS, LTD., FULL COLOR GAMES, LL FULL COLOR GAMES, LTD., FULL COLOR GAMES, N.A
Attorney (name/address/phone): Joseph A. Gutierrez, Esq. and Stephen G. Clough, Esq. Maier Gutierrez & Associates 8816 Spanish Ridge Avenue, Las Vegas, Nevada 89148 (702) 697-7900	Attorney (name/address/phone):

II. Nature of Controversy *(please select the one most applicable filing type below)*

Civil Case Filing Types

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input checked="" type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate <i>(select case type and estate value)</i> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

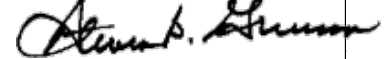
Business Court filings should be filed using the Business Court civil coversheet

August 11, 2017

Date

Signature of initiating party or representative

See other side for family-related case filings.



ORDR

Mark A. Hutchison (4639)
Todd W. Prall (9154)
HUTCHISON & STEFFEN, PLLC
Peccole Professional Park
10080 West Alta Drive, Suite 200
Las Vegas, NV 89145
Tel: (702) 385-2500
Fax: (702) 385-2086
mhutchison@hutchlegal.com
tpmall@hutchlegal.com

*Attorneys for Defendant & Counter-claimant
Full Color Games Inc.*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In re: FULL COLOR GAMES, INC.
a
MARK MUNGER, an individual; DAVID'S
HARD WORK TRUST LTD. 3/26/2012, a
California Trust; MOORE FAMILY TRUST, a
California Trust; MILLENIUM TRUST
COMPANY, LLC CUSTODIAN FBO GARY
SOLSO, IRA, a California Trust; JEFFREY
CASTALDO; an individual; MARA H.
BRAZER, as Trustee for the MARA H.
BRAZER TRUST UTA 2/12/2004, a California
Trust; individually and as shareholders of FULL
COLOR GAMES, INC.; DOES 1 through 10;
and ROE CORPORATIONS 1 through 10,
inclusive,

Plaintiffs,

vs.

DAVID MAHON, an individual; GLEN
HOWARD, an individual; INTELLECTUAL
PROPERTIES HOLDING, LLC, a Nevada
limited liability company; INTELLECTUAL
PROPERTY HOLDINGS, LTD., an Isle of Man
corporation; FULL COLOR GAMES,
LLC, a Nevada limited liability company;
FULL COLOR GAMES, LTD., an Isle of Man
corporation; FULL COLOR GAMES, N.A.,
INC., a Nevada corporation; FULL COLOR
GAMES GROUP, INC., a Nevada corporation;
JACKPOT PRODUCTION, LLC, a Nevada
limited liability company; Nominal Defendant
FULL COLOR GAMES, INC., a Nevada
corporation; DOES I through X; and ROE
CORPORATIONS I through X,

Defendants.

Case No. A-17-759862-B
Dept. No. 13

**ORDER ON THIRD PARTY
DEFENDANT BRIAN MARCUS'
SPECIAL MOTION TO DISMISS
THIRD-PARTY COMPLAINT
PURSUANT TO NRS 41.660 (ANTI-
SLAPP)**

RECEIVED

JUL 26 2019

DISTRICT COURT DEPT#13

1	DAVID MAHON, an individual; GLEN
2	HOWARD, an individual; INTELLECTUAL
3	PROPERTIES HOLDINGS, LLC, a Nevada
4	limited liability company; FULL COLOR
5	GAMES, N.A., INC., a Nevada corporation;
6	FULL COLOR GAMES GROUP, INC., a
7	Nevada corporation; JACKPOT
8	PRODUCTIONS, LLC, a Nevada limited
9	liability company, FULL COLOR GAMES,
10	INC., a Nevada corporation,
11	Counter-claimants,
12	vs.
13	MARK MUNGER, an individual; DOES I
14	through V; and ROE CORPORATIONS I
15	through V,
16	Counter-defendants.
17	FULL COLOR GAMES, INC., a Nevada
18	corporation,
19	Counter-claimant,
20	v.
21	MARK MUNGER, an individual; DAVID'S
22	HARD WORK TRUST LTD. 3/26/2012, a
23	California Trust; MOORE FAMILY TRUST, a
24	California Trust; MILLENNIUM TRUST
25	COMPANY, LLC, CUSTODIAN FBO GARY
26	SOLSO, IRA, a California Trust; MARA H.
27	BRAZER, as Trustee for the MARA H.
28	BRAZER TRUST UTA 2/12/2004, a California
29	Trust; JEFFREY CASTALDO; an individual;
30	B.L. Moore Construction, Inc., a California
31	corporation;
32	Counter-defendants.
33	FULL COLOR GAMES, INC., a Nevada
34	corporation,
35	Third-Party Claimant,
36	v.
37	SEBASTIAN J. BASTIAN, an individual; DIRK
38	SIMMONS, an individual; MARTIN LINHAM,
39	an individual; PLAYTECH SYSTEMS LTD, a
40	Bahamian limited company;
41	ISLANDLUCK.COM, a Bahamian subsidiary of

1 PLAYTECH; DAVINCI TRADING GROUP, a
2 Cayman Islands limited liability company;
3 DAVINCI HOLDINGS LTD, an Isle of Man
4 limited liability company; ILG SOFTWARE
5 LTD, an Isle of Man limited liability company;
6 VALCROS, LLC, a Nevada limited liability
7 company; G. BRADFORD SOLSO, an
8 individual; DAVID ECKLES, an individual;
9 MARA H. BRAZER, an individual; TERESA
10 MOORE, an individual; LARRY MOORE, an
11 individual; BRIAN MARCUS, and individual;
12 JOHN BROCK III, an individual;; JOHN
13 BROCK IV an individual; MUNGER &
14 ASSOCIATES, INC., a Nevada Corporation;
15 MULTISLOT, LTD, an Isle of Man Company;
16 ERIC J. JUNGELS, an individual; JEFF
17 HORAN, an individual; SPIN GAMES, LLC, a
18 Nevada limited liability company; KENT
19 YOUNG, an individual; KUNAL MISHRA, an
20 individual; RICHARD NEWMAN, an
21 individual; NEWMAN LAW, LLC, a Nevada
22 limited liability company; Cooper Blackstone,
23 LLC, a Nevada limited liability company; DOES
24 I through X; and ROE CORPORATIONS I
25 through X.

26 Third-Party Defendants

27 Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint

28 Pursuant to NRS 41.660 (Anti-SLAPP) came on for hearing on June 27, 2019. Danielle J.

29 Barraza, Esq. appeared on behalf of Third-Party Defendant Brian Marcus. Todd W. Prall, Esq.
30 appeared on behalf of Third-Party Plaintiff Full Color Games, Inc.

31 The Court, having reviewed the papers on file herein and having heard arguments of
32 counsel enters the following order:

33 ////

34 ////

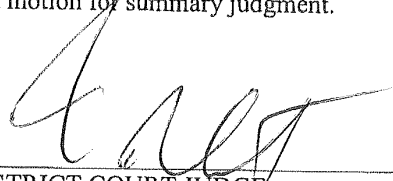

35 ////

36 ////

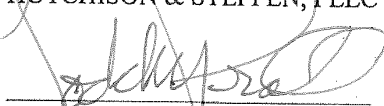
37 ////

1 IT IS HEREBY ORDERED that Third Party Defendant Brian Marcus' Special Motion to
2 Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-SLAPP) is denied in its entirety
3 without prejudice to a Rule 12(b)(5) motion or a motion for summary judgment.

4 DATED this 26th day of July, 2019.

5
6
7 
DISTRICT COURT JUDGE 

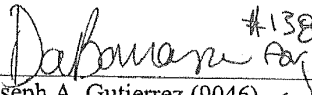
8 Submitted by:

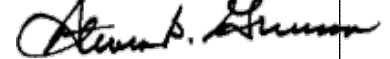
9 HUTCHISON & STEFFEN, PLLC
10 

11 Mark A. Hutchison (4639)
12 Todd W. Prall (9154)
13 Peccole Professional Park
14 10080 West Alta Drive, Suite 200
15 Las Vegas, NV 89145
16 Attorneys for Defendant & Counter-claimant
17 Full Color Games Inc.

18 Reviewed by:

19 MAIER GUTIERREZ & ASSOCIATES

20  #13822
21 Joseph A. Gutierrez (9046)
22 Stephen G. Clough (10549)
23 8816 Spanish Ridge Avenue
24 Las Vegas, NV 89148
25 Attorney for Third-Party Defendant Brian Marcus
26
27
28



1 **NEOJ**

2 Mark A. Hutchison (4639)
3 Todd W. Prall (9154)
4 HUTCHISON & STEFFEN, PLLC
5 Peccole Professional Park
6 10080 West Alta Drive, Suite 200
7 Las Vegas, NV 89145
8 Tel: (702) 385-2500
9 Fax: (702) 385-2086
10 mhutchison@hutchlegal.com
11 tprall@hutchlegal.com

12 *Attorneys for Defendant & Counter-claimant*
13 *Full Color Games Inc.*

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 In re: FULL COLOR GAMES, INC.

17 MARK MUNGER, an individual; DAVID'S
18 HARD WORK TRUST LTD. 3/26/2012, a
19 California Trust; MOORE FAMILY TRUST, a
20 California Trust; MILLENIUM TRUST
21 COMPANY, LLC CUSTODIAN FBO GARY
22 SOLSO, IRA, a California Trust; JEFFREY
23 CASTALDO; an individual; MARA H.
24 BRAZER, as Trustee for the MARA H.
25 BRAZER TRUST UTA 2/12/2004, a California
26 Trust; individually and as shareholders of FULL
27 COLOR GAMES, INC.; DOES 1 through 10;
28 and ROE CORPORATIONS 1 through 10,
inclusive,

Plaintiffs,

vs.

DAVID MAHON, an individual; GLEN
HOWARD, an individual; INTELLECTUAL
PROPERTIES HOLDING, LLC, a Nevada
limited liability company; INTELLECTUAL
PROPERTY HOLDINGS, LTD., an Isle of Man
corporation; FULL COLOR GAMES,
LLC, a Nevada limited liability company;
FULL COLOR GAMES, LTD., an Isle of Man
corporation; FULL COLOR GAMES, N.A.,
INC., a Nevada corporation; FULL COLOR
GAMES GROUP, INC., a Nevada corporation;
JACKPOT PRODUCTION, LLC, a Nevada
limited liability company; Nominal Defendant
FULL COLOR GAMES, INC., a Nevada
corporation; DOES I through X; and ROE

Case No. A-17-759862-B
Dept. No. 13

**NOTICE OF ENTRY OF ORDER ON
THIRD PARTY DEFENDANT
BRIAN MARCUS' SPECIAL
MOTION TO DISMISS THIRD-
PARTY COMPLAINT PURSUANT
TO NRS 41.660 (ANTI-SLAPP)**

1 CORPORATIONS I through X,
2 Defendants.
3 AND ALL RELATED MATTERS

4
5 TO: ALL INTERESTED PARTIES

6 NOTICE IS HEREBY GIVEN that an Order on Third Party Defendant Brian Marcus'
7 Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp) was
8 entered in the above-entitled action on July 29, 2019, a copy of which is attached hereto.
9

10 DATED this 29th day of July, 2019.

11 HUTCHISON & STEFFEN, PLLC

12
13 /s/ Todd W. Prall

14 Mark A. Hutchison (4639)

15 Todd W. Prall (9154)

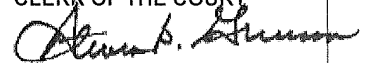
16 *Attorneys for Defendants David Mahon; Glen*
17 *Howard, Intellectual Properties Holding, LLC;*
18 *Full Color Games, LLC; Full Color Games, N.A.,*
19 *Inc.; Full Color Games Group, Inc.; Jackpot*
20 *Productions, LLC; and Full Color Games, Inc.*
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Hutchison & Steffen, PLLC and that on this 29th day of July, 2019, I caused the document entitled **NOTICE OF ENTRY OF ORDER ON THIRD PARTY DEFENDANT BRIAN MARCUS' SPECIAL MOTION TO DISMISS THIRD-PARTY COMPLAINT PURSUANT TO NRS 41.660 (ANTI-SLAPP)** to be served on the following by Electronic Service to:

ALL PARTIES ON THE E-SERVICE LIST

/s/ Madelyn B. Carnate-Peralta
An employee of Hutchison & Steffen, PLLC



ORDR

Mark A. Hutchison (4639)
Todd W. Prall (9154)
HUTCHISON & STEFFEN, PLLC
Peccole Professional Park
10080 West Alta Drive, Suite 200
Las Vegas, NV 89145
Tel: (702) 385-2500
Fax: (702) 385-2086
mhutchison@hutchlegal.com
tpmall@hutchlegal.com

*Attorneys for Defendant & Counter-claimant
Full Color Games Inc.*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In re: FULL COLOR GAMES, INC.

a

MARK MUNGER, an individual; DAVID'S
HARD WORK TRUST LTD. 3/26/2012, a
California Trust; MOORE FAMILY TRUST, a
California Trust; MILLENIUM TRUST
COMPANY, LLC CUSTODIAN FBO GARY
SOLSO, IRA, a California Trust; JEFFREY
CASTALDO; an individual; MARA H.
BRAZER, as Trustee for the MARA H.
BRAZER TRUST UTA 2/12/2004, a California
Trust; individually and as shareholders of FULL
COLOR GAMES, INC.; DOES 1 through 10;
and ROE CORPORATIONS 1 through 10,
inclusive,

Plaintiffs,

vs.

DAVID MAHON, an individual; GLEN
HOWARD, an individual; INTELLECTUAL
PROPERTIES HOLDING, LLC, a Nevada
limited liability company; INTELLECTUAL
PROPERTY HOLDINGS, LTD., an Isle of Man
corporation; FULL COLOR GAMES,
LLC, a Nevada limited liability company;
FULL COLOR GAMES, LTD., an Isle of Man
corporation; FULL COLOR GAMES, N.A.,
INC., a Nevada corporation; FULL COLOR
GAMES GROUP, INC., a Nevada corporation;
JACKPOT PRODUCTION, LLC, a Nevada
limited liability company; Nominal Defendant
FULL COLOR GAMES, INC., a Nevada
corporation; DOES I through X; and ROE
CORPORATIONS I through X,

Defendants.

Case No. A-17-759862-B
Dept. No. 13

**ORDER ON THIRD PARTY
DEFENDANT BRIAN MARCUS'
SPECIAL MOTION TO DISMISS
THIRD-PARTY COMPLAINT
PURSUANT TO NRS 41.660 (ANTI-
SLAPP)**

RECEIVED

JUL 26 2019

DISTRICT COURT DEPT#13

1 DAVID MAHON, an individual; GLEN
2 HOWARD, an individual; INTELLECTUAL
3 PROPERTIES HOLDINGS, LLC, a Nevada
4 limited liability company; FULL COLOR
5 GAMES, N.A., INC., a Nevada corporation;
6 FULL COLOR GAMES GROUP, INC., a
Nevada corporation; JACKPOT
PRODUCTIONS, LLC, a Nevada limited
liability company, FULL COLOR GAMES,
INC., a Nevada corporation,

7 Counter-claimants,

8 vs.

9 MARK MUNGER, an individual; DOES I
10 through V; and ROE CORPORATIONS I
through V,

11 Counter-defendants.

12 FULL COLOR GAMES, INC., a Nevada
13 corporation,

14 Counter-claimant,

15 v.

16 MARK MUNGER, an individual; DAVID'S
17 HARD WORK TRUST LTD. 3/26/2012, a
California Trust; MOORE FAMILY TRUST, a
California Trust; MILLENNIUM TRUST
18 COMPANY, LLC, CUSTODIAN FBO GARY
19 SOLSO, IRA, a California Trust; MARA H.
BRAZER, as Trustee for the MARA H.
BRAZER TRUST UTA 2/12/2004, a California
20 Trust; JEFFREY CASTALDO; an individual;
21 B.L. Moore Construction, Inc., a California
corporation;

22 Counter-defendants.

23 FULL COLOR GAMES, INC., a Nevada
24 corporation,

25 Third-Party Claimant,

26 v.

27 SEBASTIAN J. BASTIAN, an individual; DIRK
28 SIMMONS, an individual; MARTIN LINHAM,
an individual; PLAYTECH SYSTEMS LTD, a
Bahamian limited company;
ISLANDLUCK.COM, a Bahamian subsidiary of

1 PLAYTECH; DAVINCI TRADING GROUP, a
2 Cayman Islands limited liability company;
3 DAVINCI HOLDINGS LTD, an Isle of Man
4 limited liability company; ILG SOFTWARE
5 LTD, an Isle of Man limited liability company;
6 VALCROS, LLC, a Nevada limited liability
7 company; G. BRADFORD SOLSO, an
8 individual; DAVID ECKLES, an individual;
9 MARA H. BRAZER, an individual; TERESA
10 MOORE, an individual; LARRY MOORE, an
11 individual; BRIAN MARCUS, and individual;
12 JOHN BROCK III, an individual;; JOHN
13 BROCK IV an individual; MUNGER &
14 ASSOCIATES, INC., a Nevada Corporation;
15 MULTISLOT, LTD, an Isle of Man Company;
16 ERIC J. JUNGELS, an individual; JEFF
17 HORAN, an individual; SPIN GAMES, LLC, a
18 Nevada limited liability company; KENT
19 YOUNG, an individual; KUNAL MISHRA, an
20 individual; RICHARD NEWMAN, an
21 individual; NEWMAN LAW, LLC, a Nevada
22 limited liability company; Cooper Blackstone,
23 LLC, a Nevada limited liability company; DOES
24 I through X; and ROE CORPORATIONS I
25 through X.

Third-Party Defendants

Third Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint

Pursuant to NRS 41.660 (Anti-SLAPP) came on for hearing on June 27, 2019. Danielle J.

Barraza, Esq. appeared on behalf of Third-Party Defendant Brian Marcus. Todd W. Prall, Esq.

appeared on behalf of Third-Party Plaintiff Full Color Games, Inc.

The Court, having reviewed the papers on file herein and having heard arguments of
counsel enters the following order:

////

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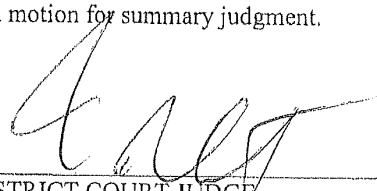

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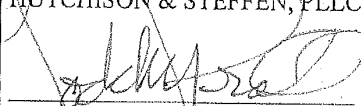
////

1 IT IS HEREBY ORDERED that Third Party Defendant Brian Marcus' Special Motion to
2 Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-SLAPP) is denied in its entirety
3 without prejudice to a Rule 12(b)(5) motion or a motion for summary judgment.

4 DATED this 26th day of July, 2019.

5
6
7 
DISTRICT COURT JUDGE 

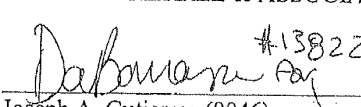
8 Submitted by:

9 HUTCHISON & STEFFEN, PLLC
10 

11 Mark A. Hutchison (4639)
12 Todd W. Prall (9154)
13 Peccole Professional Park
14 10080 West Alta Drive, Suite 200
15 Las Vegas, NV 89145
16 Attorneys for Defendant & Counter-claimant
17 Full Color Games Inc.

18 Reviewed by:

19 MAIER GUTIERREZ & ASSOCIATES

20  #13822
21 Joseph A. Gutierrez (9046)
22 Stephen G. Clough (10549)
23 8816 Spanish Ridge Avenue
24 Las Vegas, NV 89148
25 Attorney for Third-Party Defendant Brian Marcus
26
27
28

December 14, 2017

AA1026

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

December 20, 2017

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

December 20, 2017 2:53 PM Decision

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- No parties present. Minute Order only - no hearing held.

After review and consideration of the pleadings on file herein, and the arguments of counsel at the time of the December 14, 2017 hearing on Defts David Mahon and Glen Howard's Motion for Order Requesting Pltf to Furnish Security Pursuant to NRS 41.520, and on Defts' Motion for Summary Judgment on All Derivative Claims Set Forth in the Amended Verified Shareholder Derivative Litigation, and on Pltfs' Counter-Motion for Leave to File an Amended Complaint, COURT ORDERS the summary judgment Motion DENIED WITHOUT PREJUDICE to renewal after there has been an opportunity for some discovery per NRCP 56(f).

COURT FURTHER ORDERS Pltfs' subject Counter-motion seeking leave to amend their Complaint GRANTED.

COURT FURTHER ORDERS the security Motion DENIED WITHOUT PREJUDICE to renewal after further development of the case.

Please see the Court's Decision filed December 20, 2017 for full context.

Counsel for Pltf is directed to submit a proposed order(s) consistent with the foregoing and with briefing/argument supportive of the same.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

February 15, 2018

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

February 15, 2018 9:00 AM Objection

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Marwanda Knight

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Clough, Stephen G. Attorney
 Prall, Todd Attorney

JOURNAL ENTRIES

- Following arguments and representations made by counsel, COURT ORDERED, objection SUSTAINED IN PART in that it seeks to require costs to be deposited by all of the Pltfs except Mark Munger; Mark Munger will be required to post the cost relative to David Mahon.

Mr. Clough to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

May 10, 2018

A-17-759862-B Mark Munger, Plaintiff(s)
 vs.
 David Mahon, Defendant(s)

May 10, 2018 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Alice Jacobson

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Gutierrez, Joseph A. Attorney
 Howard, Glen Defendant
 Prall, Todd Attorney

JOURNAL ENTRIES

- Defendants' Motion to Dismiss or, Alternatively, Partial Summary Judgment on the Fourth, Fifth, Sixth, Seventh, and Thirteenth Claims for Relief, and the Eighth and Ninth Claims for Relief to the Extent Those Claims Are Based on the Fraud Allegations in the Second Amended Complaint

Court noted that it was treating the motion as a Motion to Dismiss and not as a Motion for Summary Judgment. Arguments by counsel regarding the licensing agreement. COURT ORDERED, matter UNDER ADVISEMENT and will issue a written order from Chambers.

Motion to Appoint Special Master

Mr. Kistler stated the business was not ongoing, therefore, a Special Master was not needed. Furthermore, he did not object to an accounting if necessary. COURT ORDERED, motion DENIED WITHOUT PREJUDICE. Court noted it was inclined to appoint a special master for a limited purpose for discovery, however, it did not feel the case was at that posture.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

July 17, 2018

A-17-759862-B Mark Munger, Plaintiff(s)
 vs.
 David Mahon, Defendant(s)

July 17, 2018 10:00 AM Minute Order

HEARD BY: Denton, Mark R. **COURTROOM:** Chambers

COURT CLERK: Kory Schlitz

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Cause appearing, and pursuant to EDCR 2.23(c), the Court DENIES Defendants Motion for Reconsideration of Court s Order Denying Defendants Motion to Dismiss the Third, Thirteenth, and Fourteenth Claims for Relief in the Second Amended Complaint without oral argument and ORDERS such Motion REMOVED from its Civil Motion calendar of July 19, 2018. Counsel for Plaintiffs to submit a proposed order. IT IS SO ORDERED.

CLERK'S NOTE: A copy of this Minute Order has been electronically served by Courtroom Clerk, Kory Schlitz, to all registered parties for Odyssey File & Serve. (7-17-18)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

July 23, 2018

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

**July 23, 2018 3:00 PM Mandatory Rule 16
Conference**

HEARD BY: Denton, Mark R.

COURTROOM: No Location

COURT CLERK: Madalyn Kearney

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No appearance. Counsel contacted Chambers requesting to reschedule the Rule 16 Conference.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****August 13, 2018**

A-17-759862-B Mark Munger, Plaintiff(s)
 vs.
 David Mahon, Defendant(s)

**August 13, 2018 2:30 PM Mandatory Rule 16
 Conference**

HEARD BY: Denton, Mark R.**COURTROOM:** No Location**COURT CLERK:** Madalyn Kearney**RECORDER:****REPORTER:****PARTIES**

PRESENT: Gutierrez, Joseph A. Attorney
 Prall, Todd Attorney

JOURNAL ENTRIES

- Counsel met with Court in Chambers for the purpose of the Mandatory Rule 16 Conference. Court advised that the Department would handle discovery matters and all discovery motions should be directed to this Court's attention. Court noted counsel could consider today's conference to be their Rule 16.1 Conference. The Court also queried counsel as to the case being ripe for a Settlement Conference. Mr. Gutierrez stated his client may be interested and Mr. Prall stated he believes so, it all depends on what Plaintiff is seeking. Court directed counsel to speak amongst themselves and contact the Department's Judicial Executive Assistant if at some point there is a consensus for a Settlement Conference. Thereafter, Court stated that it still requires a Joint Case Conference Report and directed it to be submitted by the close of business on August 31, 2018; the JCCR is to comply with NRCP 16.1(c)(1,3, & 4). COURT ORDERED, status check SET for September 6, 2018 at 9:00 am to determine if the Joint Case Conference Report (JCCR) has been filed. If filed, attendance is not required. However, if the JCCR has not been filed counsel must appear to explain why it has not been filed and the amount of time needed for compliance. Upon Court's inquiry as to how much time counsel would require for discovery; both counsel confirmed they would require 15 months until the close of discovery. Court advised that it will issue a combined Scheduling/ Trial Order that reflects that discovery period. Upon Court's inquiry as to case management or a need for a protective order,

PRINT DATE: 08/28/2019

Page 8 of 33

Minutes Date: December 14, 2017

AA1033

Mr. Prall advised he would be fine with a protective order and Mr. Gutierrez advised he does not oppose one. Court directed counsel to file a stipulation if one is reached.

9/6/18 9:00 AM STATUS CHECK: JCCR

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

September 06, 2018

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

September 06, 2018 9:00 AM Status Check

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- No appearance. Court noted a JCCR was filed yesterday.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

December 13, 2018

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

December 13, 2018 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Clough, Stephen G.	Attorney
	Howard, Glen	Defendant
		Counter Claimant
	Mahon, David	Defendant
		Counter Claimant
	Prall, Todd	Attorney

JOURNAL ENTRIES

- MOTION TO DISMISS FULL COLOR GAMES LTD. AND INTELLECTUAL PROPERTIES HOLDING, LTD FOR FAILURE TO SERVE PURSUANT TO NRCP 4... PLAINTIFFS OPPOSITION TO DEFENDANTS MOTION TO DISMISS FULL COLOR GAMES LED AND INTELLECTUAL PROPERTIES HOLDINGS LTD FOR FAILURE TO SERVE PURSUANT TO NRCP 4 AND COUNTERMOTION TO EXTEND TIME TO SERVE

Arguments by Mr. Clough and Mr. Prall regarding the ability to effectuate service in the Isle of Man. Argument by Mr. Prall regarding the Countermotion. COURT ORDERED, Motion to Dismiss Full Color Games Ltd. and Intellectual Properties Holding, Ltd. for Failure to Serve Pursuant to NRCP 4 DENIED WITHOUT PREJUDICE to a motion to sever. Court advised in the meantime it expects efforts from Plaintiff to get these Defendants served. COURT FURTHER ORDERED, time to serve EXTENDED 90 days. Plaintiff's counsel to prepare the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

January 07, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

January 07, 2019 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Gutierrez, Joseph A. Attorney
Prall, Todd Attorney

JOURNAL ENTRIES

- MOTION TO AMEND THE DISCOVERY SCHEDULING ORDER TO CONDUCT DISCOVERY IN PHASES AND FOR A PROTECTIVE ORDER PURSUANT TO NRCP 26(C)... PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO AMEND THE DISCOVERY SCHEDULING ORDER TO CONDUCT DISCOVERY IN PHASES AND FOR A PROTECTIVE ORDER PURSUANT TO NRCP 26(C) AND COUNTERMOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT AND COUNTERMOTION TO COMPEL DISCOVERY

Following arguments by Mr. Prall and Mr. Gutierrez regarding the Motion and Counter motions, COURT ORDERED, Motion to Amend the Discovery Scheduling Order to Conduct Discovery in Phases and for a Protective Order Pursuant to NRCP 26(c) DENIED IN PART relative to amending the discovery scheduling order to conduct discovery in phases and GRANTED IN PART relative to a protective order. COURT FURTHER ORDERED, Countermotion to Compel Discovery WITHDRAWN at this time, possibly to be renewed, and Countermotion for Leave to File Third Amended Complaint DENIED provided that separate verifications of the Second Amended Complaint can be filed by the subject shareholders. Court advised Mr. Gutierrez has 14 days to submit the verifications. Mr. Gutierrez to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

February 25, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

February 25, 2019 9:00 AM Motion to Dismiss

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- No appearance. Court noted a Notice of Withdrawal of Motion was filed on February 14, 2019.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

February 28, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

**February 28, 2019 9:00 AM Motion for Protective
Order**

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Gutierrez, Joseph A. Attorney
Prall, Todd Attorney

JOURNAL ENTRIES

- Following arguments by Mr. Prall and Mr. Gutierrez, COURT ORDERED, Ex Parte Motion for a Protective Order to Quash or Modify Subpoenas to Bank of America, N.A. and Wells Fargo, N.A. on an Order Shortening Time UNDER ADVISEMENT. Court noted it will review the matter further and issue its ruling.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****March 18, 2019**

A-17-759862-B Mark Munger, Plaintiff(s)
 vs.
 David Mahon, Defendant(s)

**March 18, 2019 9:00 AM Motion for Partial
 Summary Judgment**

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Madalyn Kearney**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES**

PRESENT:	Gutierrez, Joseph A. Howard, Glen Hutchison, Mark A Mahon, David Prall, Todd	Attorney Defendant Counter Claimant Attorney Defendant Counter Claimant Attorney
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JOURNAL ENTRIES

- Following arguments by Mr. Hutchison and Mr. Gutierrez, Court noted it will not grant or deny the Motion at this time. COURT ORDERED, matter SET for Further Proceedings regarding the Motion for Partial Summary Judgment Against Mark Mahon on All Derivative Claims on June 17, 2019 pursuant to the 56(f) request made by Plaintiff which the Court finds to have a basis. COURT FURTHER ORDERED, the following briefing schedule SET:

Supplemental Opposition DUE close of business on June 7, 2019

Supplemental Reply DUE close of business on June 13, 2019

Court noted it will give the Plaintiff an opportunity to conduct 56(f) discovery the Plaintiff maintains

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Minutes Date: December 14, 2017

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is necessary. Mr. Hutchison provided the Court with the referenced letter from the SEC to be marked as a Court's exhibit (see worksheet).

6/17/19 9:00 AM FURTHER PROCEEDINGS: MOTION FOR PARTIAL SUMMARY JUDGMENT
AGAINST MARK MUNGER ON ALL DERIVATIVE CLAIMS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****April 04, 2019**

A-17-759862-B Mark Munger, Plaintiff(s)
 vs.
 David Mahon, Defendant(s)

April 04, 2019 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R.**COURTROOM:** RJC Courtroom 03D**COURT CLERK:** Madalyn Kearney**RECORDER:** Jennifer Gerold**REPORTER:****PARTIES**

PRESENT:	Gutierrez, Joseph A. Howard, Glen Mahon, David Prall, Todd	Attorney Defendant Counter Claimant Defendant Counter Claimant Attorney
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JOURNAL ENTRIES

- PLAINTIFFS' MOTION TO COMPEL FULL COLOR GAMES, INC.'S COMPLIANCE WITH 16.1 PRODUCTION OF DOCUMENTS ON AN EX PARTE ORDER SHORTENING TIME AND SANCTIONS...DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL FULL COLOR GAMES, INC.'S COMPLIANCE WITH 16.1 PRODUCTION OF DOCUMENTS ON AN EX PARTE ORDER SHORTENING TIME AND SANCTIONS AND COUNTER MOTION FOR SECURITY PURSUANT TO NRS 41. 521

Arguments by Mr. Gutierrez and Mr. Prall regarding Plaintiffs' Motion to Compel. Mr. Prall argued in support of the Counter Motion and requested a \$500,000.00 bond be posted. Argument by Mr. Gutierrez in opposition to the Counter Motion. COURT ORDERED, Plaintiffs' Motion to Compel Full Color Games, Inc.'s Compliance with 16.1 Production of Documents on an Ex Parte Order Shortening Time and Sanctions GRANTED IN PART as to the Motion to Compel aspect and DENIED IN PART relative to attorney's fees for bringing the Motion. COURT FURTHER ORDERED, Counter Motion

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Minutes Date: December 14, 2017

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for Security Pursuant to NRS 41.521 DENIED. Mr. Gutierrez to submit the proposed order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

April 25, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

April 25, 2019 9:00 AM Motion to Dismiss

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Newman, Richard H Attorney
Prall, Todd Attorney

JOURNAL ENTRIES

- Danielle Barraza, Esq. present for Plaintiffs.

Following arguments by Mr. Newman and Mr. Prall, COURT ORDERED, Third-Party Defendants' Special Motion to Dismiss Action Pursuant to Nev.Rev.State.Ann. Section 41.650, et seq. DENIED WITHOUT PREJUDICE to a 12(b)(5) motion or a motion for summary judgment. Mr. Prall to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

April 29, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

April 29, 2019 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Gutierrez, Joseph A.	Attorney
	Howard, Glen	Defendant
		Counter Claimant
	Hutchison, Mark A	Attorney
	Mahon, David	Defendant
		Counter Claimant
	Prall, Todd	Attorney

JOURNAL ENTRIES

- MOTION FOR PARTIAL SUMMARY JUDGMENT ON ANY DERIVATIVE CLAIMS BASED ON FULL COLOR GAMES, INC.'S ALLEGED OWNERSHIP INTEREST IN FULL COLOR GAMES, LTD...RENEWED MOTION TO DISMISS FULL COLOR GAMES, LTD., AND INTELLECTUAL PROPERTIES HOLDING, LTD. FOR FAILURE TO SERVE PURSUANT TO NRCP 4

Arguments by Mr. Hutchison and Mr. Gutierrez regarding the Motion for Partial Summary Judgment. COURT FINDS the Motion to be premature and it will not grant or deny the Motion at this time. COURT ORDERED, Motion for Partial Summary Judgment on any Derivative Claims Based on Full Color Games, Inc.'s Alleged Ownership Interest in Full Color Games, Ltd. CONTINUED for further proceedings and the following briefing schedule SET:

Plaintiff's Supplemental Opposition DUE by close of business on 7/10/19

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December 14, 2017

AA1045

Defendant's Supplemental Reply DUE by close of business 7/22/19

Court advised the continuance will allow for some additional discovery to take place and the Court will be able to determine at that time if there are genuine issues of material fact. Arguments by Mr. Hutchison and Mr. Gutierrez regarding the Motion to Dismiss. COURT ORDERED, Renewed Motion to Dismiss Full Color Games, Ltd., and Intellectual Properties Holding, Ltd. for Failure to Serve Pursuant to NRCP 4 GRANTED; however, it will not certify it under 54(b). The order will dismiss the case for non-service as to these Defendants and it could be subject to revision down the road. Mr. Hutchison to prepare the order.

7/22/19 9:00 AM FURTHER PROCEEDINGS: MOTION FOR PARTIAL SUMMARY JUDGMENT ON ANY DERIVATIVE CLAIMS BASED ON FULL COLOR GAMES, INC.'S ALLEGED OWNERSHIP INTEREST IN FULL COLOR GAMES, LTD

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

May 13, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

May 13, 2019 9:00 AM Motion to Dismiss

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Hutchison, Mark A	Attorney
	Kay, Rory T.	Attorney
	Mahon, David	Defendant
		Counter Claimant
	Prall, Todd	Attorney

JOURNAL ENTRIES

- Danielle Barraza, Esq. present for Plaintiffs.

Arguments by Mr. Kay and Mr. Hutchison regarding the Motion. Having reviewed the pleading, COURT FINDS it passes muster under 12(b)(5) and accordingly, COURT ORDERED, Third Party Defendants Spin Games LLC Kent Young and Kunal Mishra's Motion to Dismiss Third Party Complaint and Motion for More Definite Statement DENIED WITHOUT PREJUDICE to any motion practice under Rule 56. Mr. Hutchison to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

May 30, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

May 30, 2019 11:00 AM Motion to Dismiss

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- No appearance. Court noted it has processed a stipulation that continues today's hearing to June 17, 2019.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

June 17, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

June 17, 2019 9:00 AM Motion

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT: Prall, Todd Attorney

JOURNAL ENTRIES

- Court noted it received no written opposition. Cause appearing, COURT ORDERED, Ex Parte Motion to Enlarge Time to Serve Third Party Defendants GRANTED. Mr. Prall to submit the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

June 27, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
 vs.
 David Mahon, Defendant(s)

June 27, 2019 9:00 AM Motion to Dismiss

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Mahon, David	Defendant
		Counter Claimant
	Marcus, Brian	Third Party Defendant
	Prall, Todd	Attorney

JOURNAL ENTRIES

- Danielle Barraza, Esq. present for Third-Party Defendant Brian Marcus.

Following arguments by Ms. Barraza and Mr. Prall, COURT ORDERED, Third-Party Defendant Brian Marcus' Special Motion to Dismiss Third-Party Complaint Pursuant to NRS 41.660 (Anti-Slapp) DENIED WITHOUT PREJUDICE to a 12(b)(5) motion and/ or a motion for summary judgment. Mr. Prall to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters**COURT MINUTES****July 08, 2019**

A-17-759862-B Mark Munger, Plaintiff(s)
 vs.
 David Mahon, Defendant(s)

July 08, 2019 9:00 AM All Pending Motions

HEARD BY: Denton, Mark R. **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Clough, Stephen G.	Attorney
	Howard, Glen	Defendant
		Counter Claimant
	Mahon, David	Defendant
		Counter Claimant
	Munger, Mark	Plaintiff
		Counter Defendant
	Prall, Todd	Attorney

JOURNAL ENTRIES

- THIRD PARTY DEFENDANTS, COUNTERCLAIMANTS, MARK MUNGER, VALCROS, LLC, MUNGER & ASSOCIATES, INC. MOTION TO DISMISS... THIRD PARTY DEFENDANTS TERESA MOORE, LARRY MOORE, AND BL MOORE CONSTRUCTION, INC. AND COUNTERCLAIMANT MOORE FAMILY TRUST'S MOTION TO DISMISS ENTERED ON MAY 7, 2019

Court noted there is a concession that the twelfth claim for relief should be dismissed. Mr. Prall concurred. COURT ORDERED, Third Party Defendants, Counterclaimants, Mark Munger, Valcros, LLC, Munger & Associates, Inc. Motion to Dismiss GRANTED as to the twelfth claim. Following arguments by Mr. Clough and Mr. Prall, COURT FURTHER ORDERED, Third Party Defendants, Counterclaimants, Mark Munger, Valcros, LLC, Munger & Associates, Inc. Motion to Dismiss and Third Party Defendants Teresa Moore, Larry Moore, and BL Moore Construction, Inc. and

Counterclaimant Moore Family Trust's Motion to Dismiss Entered on May 7, 2019 UNDER
ADVISEMENT.

July 10, 2019

AA1053

any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Madalyn Kearney, to all registered parties for Odyssey File & Serve. /mk 7/10/19

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

July 11, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

**July 11, 2019 9:00 AM Motion for Partial
Summary Judgment**

HEARD BY: Denton, Mark R.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

PARTIES

PRESENT:	Clough, Stephen G.	Attorney
	Howard, Glen	Defendant
		Counter Claimant
	Mahon, David	Defendant
		Counter Claimant
	Munger, Mark	Plaintiff
		Counter Defendant
	Prall, Todd	Attorney

JOURNAL ENTRIES

- Following arguments by Mr. Prall and Mr. Clough, COURT ORDERED, Motion for Partial Summary Judgment on the Pleadings or, in the Alternative, Partial Summary Judgment on all Plaintiff's Claims to the Extent any of the Plaintiff's Claims Seek Ownership of Intellectual Property UNDER ADVISEMENT.

July 22, 2019

AA1056

Mr. Clough, COURT ORDERED, Motion for Partial Summary Judgment on any Derivative Claims Based on Full Color Games, Inc.'s Alleged Ownership Interest in Full Color Games, Ltd. UNDER ADVISEMENT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

August 26, 2019

A-17-759862-B Mark Munger, Plaintiff(s)
vs.
David Mahon, Defendant(s)

**August 26, 2019 1:15 PM Mandatory Rule 16
Conference**

HEARD BY: Denton, Mark R.

COURTROOM: No Location

COURT CLERK: Madalyn Kearney

RECORDER: Jennifer Gerold

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No appearance. Court noted the matter will be continued pursuant to the processed stipulation.

CONTINUED TO: 10/28/19 9:00 AM

EXHIBIT(S) LIST

Case No.: A759862

Hearing Date: 3/18/19

Dept. No.: XIII

Judge: Mark Denton

Plaintiff: Mark Munger

Court Clerk: Madalyn Kearney

Recorder: Jennifer Gerold

Counsel for Plaintiff: Joseph Gutierrez

vs.

Defendant: David Mahon

Counsel for Defendant: Mark Hutchison +
Todd Prall

HEARING BEFORE THE COURT

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	SEC letter dated 3/6/19	3/18/19	—	3/18/19 <i>BS</i>

Printed March 18, 2019

AA1059



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

JOSEPH A. GUTIERREZ, ESQ.
8816 SPANISH RIDGE AVE.
LAS VEGAS, NV 89148

DATE: August 28, 2019
CASE: A-17-759862-B

RE CASE: MARK MUNGER; DAVID'S HARD WORK TRUST LTD. 3/26/2012; MOORE FAMILY TRUST; G. BRADFORD SOLSO; DAVID ECKLES; JEFFREY CASTALDO; MARA H. BRAZER; MARA H. BRAZER TRUST UTA 2/12/2004; FULL COLOR GAMES, INC. vs. DAVID MAHON; GLEN HOWARD; INTELLECTUAL PROPERTY HOLDINGS, LLC; INTELLECTUAL PROPERTY HOLDINGS, LTD; FULL COLOR GAMES, LLC; FULL COLOR GAMES, LTD; FULL COLOR GAMES, N.A., INC.; FULL COLOR GAMES GROUP, INC.; JACKPOT PRODUCTIONS, LLC

NOTICE OF APPEAL FILED: August 26, 2019

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER ON THIRD PARTY DEFENDANT BRIAN MARCUS' SPECIAL MOTION TO DISMISS THIRD-PARTY COMPLAINT PURSUANT TO NRS 41.660 (ANTI-SLAPP); NOTICE OF ENTRY OF ORDER ON THIRD PARTY DEFENDANT BRIAN MARUS' SPECIAL MOTION TO DISMISS THIRD PARTY COMPLAINT PURSUANT TO NRS 41.660(ANTI-SLAPP); DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

MARK MUNGER; DAVID'S HARD WORK TRUST LTD. 3/26/2012; MOORE FAMILY TRUST; G. BRADFORD SOLSO; DAVID ECKLES; JEFFREY CASTALDO; MARA H. BRAZER; MARA H. BRAZER TRUST UTA 2/12/2004; FULL COLOR GAMES, INC.,

Plaintiff(s),

vs.

DAVID MAHON; GLEN HOWARD; INTELLECTUAL PROPERTY HOLDINGS, LLC; INTELLECTUAL PROPERTY HOLDINGS, LTD; FULL COLOR GAMES, LLC; FULL COLOR GAMES, LTD; FULL COLOR GAMES, N.A., INC.; FULL COLOR GAMES GROUP, INC.; JACKPOT PRODUCTIONS, LLC,

Defendant(s),

Case No: A-17-759862-B

Dept No: XIII

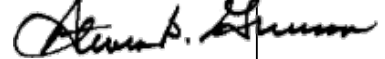
now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 28 day of August 2019.

Steven D. Grierson, Clerk of the Court

A handwritten signature in black ink, appearing to read 'A. Hampton', is written over a faint, circular court seal. The seal contains the text 'CLERK OF THE DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT OF CLARK COUNTY, NEVADA'.

Amanda Hampton, Deputy Clerk
A-17-759862-B



1 RTRAN

2
3
4
5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7 MARK MUNGER,
8 Plaintiffs,

CASE NO: A-17-759862-B

DEPT. XIII

9 vs.

10 DAVID MAHON,
11 Defendants.

12
13 BEFORE THE HONORABLE MARK R. DENTON, DISTRICT COURT JUDGE
14 THURSDAY, JUNE 27, 2019

15 **RECORDER'S TRANSCRIPT OF HEARING RE:**
16 **THIRD-PARTY DEFENDANT BRIAN MARCUS' SPECIAL MOTION TO**
17 **DISMISS THIRD-PARTY COMPLAINT PURSUANT TO NRS 41.660**
(ANTI-SLAPP)

18 APPEARANCES:

19
20 For the Plaintiffs: TODD W. PRALL, ESQ

21
22 For the Defendants: DANIELLE J. BARRAZA, ESQ.

23
24
25 RECORDED BY: JENNIFER GEROLD, COURT RECORDER

1 **Las Vegas, Nevada; Thursday, June 27, 2019**

2 [Proceeding commenced at 9:18 a.m.]

3
4 THE COURT: All right. On page 3, Mark Munger versus
5 David Mahon.

6 [Matter trailed]

7 [Matter recalled at 9:20 a.m.]

8 THE COURT: All right. Now back to Munger versus Mahon.
9 Appearances, please.

10 MS. BARRAZA: Good morning, Your Honor, Danielle Barraza
11 on behalf of Brian Marcus and with me here is Mr. Marcus.

12 THE COURT: Good morning.

13 MR. PRALL: Good morning, Your Honor, Todd Prall on behalf
14 of the Third-Party Plaintiff, I guess, Full Color Games, Inc., and with me is
15 Mr. David Mahon.

16 THE COURT: All right. Third-Party Defendant Brian Marcus'
17 special motion to dismiss third-party complaint pursuant to NRS 41.660
18 Anti-SLAPP. All right.

19 MS. BARRAZA: I'll be brief, Your Honor, it's pretty well-
20 outlined.

21 THE COURT: It's entirely based upon the Anti-SLAPP
22 statute, right?

23 MS. BARRAZA: It is, yes.

24 THE COURT: As I read the motion, it's not based upon
25 12(b)(5). It's entirely based upon Anti-SLAPP statute.

1 MS. BARRAZA: It is and I'll get into that. Very briefly, a quick
2 background, Mr. Marcus is a California attorney who has been practicing
3 for over 30 years; well respected, no disciplinary action. The only reason
4 he is in any way involved in this litigation is because he was a
5 shareholder for Full Color Games and he provided a declaration in 2017
6 for the underlying shareholder derivative action which was used on a
7 motion for summary judgment back then. And the claim was out of
8 retaliation Full Color Games through Mr. Mahon has filed the claims
9 against Mr. Marcus.

10 And if the Court were to look at the amended complaint, which
11 I recall the Court mentioning a few weeks ago that it was the longest
12 complaint --

13 THE COURT: It's like 215 pages, right?

14 MS. BARRAZA: Exactly, longest complaint it'd ever seen.

15 THE COURT: That's that -- okay. It's third-party complaint.

16 MS. BARRAZA: Yes. The one from February 4th.

17 THE COURT: Okay.

18 MS. BARRAZA: That being said, the actual allegations
19 against Mr. Marcus only amount to six paragraphs on pages 132 through
20 133, paragraphs 422 through 427 --

21 THE COURT: Hold on, let me access that item here, just a
22 second. That was filed what day, that pleading?

23 MS. BARRAZA: February 4th.

24 THE COURT: February 4th, okay. Let me go back to it here.
25 It's the Defendant Full Color Games, Inc.'s amended answer,

1 counterclaims, and third-party complaint, right?

2 MS. BARRAZA: Correct.

3 THE COURT: All right. Now, we -- I want to go down to the --
4 what page are you on in referencing those allegations?

5 MS. BARRAZA: It starts on 132 and it goes to 133.

6 THE COURT: Okay.

7 MS. BARRAZA: Starting at paragraph 422.

8 THE COURT: Now, those are -- that's not a purported claim
9 for relief, that's just allegations of -- allegations of fact. Below that, further
10 on down the road, there are claims for relief pleaded.

11 MS. BARRAZA: Correct. There's claims for relief, but none of
12 them are specifically detailing what Mr. Marcus allegedly did.

13 THE COURT: Right.

14 MS. BARRAZA: And the racketeering claim for relief.

15 THE COURT: But this is not a motion to dismiss for failure to
16 state a claim.

17 MS. BARRAZA: Understood. But the point is that the only
18 claims against Mr. Marcus that are alleged are regarding a 2017
19 declaration which is how we get into the Anti-SLAPP portion of the
20 motion. As far as it was a declaration that was made in pursuit of -- it
21 was a good-faith communication that was made for a matter that was
22 considered by a judicial body. And so, there are no actual allegations in
23 that whole entire complaint regarding Mr. Marcus, specifically, that had
24 anything to do with anything aside from that declaration that he made.

25 And if you look even at the specific allegations at the specific

1 causes of action for racketeering, there's nothing in there specifically
2 about how Mr. Marcus specifically engaged in racketeering. The only
3 mention of it is on page -- paragraph 424 where it says that his sworn
4 declaration provided the supporting role for the racketeering activities.
5 So that's what this is all about. The sworn declaration provided the role
6 for the alleged racketeering. There's nothing else in that complaint about
7 what he specifically did to amount to racketeering.

8 THE COURT: Well, the claim, as I understand it, the only
9 claim for relief purportedly pleaded against Mr. Marcus is the eighth claim
10 for relief, right?

11 MR. PRALL: No.

12 MS. BARRAZA: There's actually four.

13 THE COURT: Oh, are there four?

14 MS. BARRAZA: There's intentional recruitment of
15 racketeering --

16 THE COURT: Which claim is that? Because as I recall,
17 looking at the claims they have in parentheses, the persons against
18 whom the claims are being made; the first claim for relief is -- okay. I'm
19 looking, for example, at the third claim for relief on page 153,
20 parentheses Bank of Bahamas money laundering end parens. Okay. As
21 to Defendants Bastian, Simmons, Linham, Munger, M&A, Valcros,
22 Playtech, Islandluck, DHL DTG, Multislot, Horan, and Jungels. In other
23 words, that's just an example of how the claims are set out.

24 Under the rubric for each claim, there's a parentheses with
25 names of the parties against whom the claim is being asserted and as I

1 recall going through this, I saw his name in the eighth claim from relief.
2 I'm not sure if it was in any others. Maybe I missed it.

3 MS. BARRAZA: Correct. The fifth claim, it mentions it's
4 against all counter-defendants and third-party defendants.

5 THE COURT: Okay.

6 MS. BARRAZA: And then there are two others. I know the
7 abuse of process claim and the inducing the lawsuit claim. And I can find
8 exactly which --

9 THE COURT: Well, the fifth claim for relief in paren it says,
10 Munger, Basitan, Brock Sr., Brock Jr., Eckles, and Solso.

11 MS. BARRAZA: Oh, great.

12 THE COURT: Then, oh, I'm sorry, and then it says, below
13 violation of federal racketeering statute rubric it says, all counter-
14 defendants and third-party defendants. Okay. I didn't go down far
15 enough, apparently, on some of those. I just looked at the ones that
16 were next to the stated -- the rubric claim for relief, whatever it was.
17 Okay. Go ahead.

18 MS. BARRAZA: All right. And the allegations against Mr.
19 Marcus specifically allege that his declaration was perjurious and as we
20 point out in the Anti-SLAPP motion, we provided an affidavit from Mr.
21 Marcus which reiterates that all of his allegations -- all of his statements
22 in that 2017 declaration are true. And that has not been refuted in the
23 opposition.

24 So what they've done in the opposition is they tried to take this
25 outside of the Anti-SLAPP scope and they're saying, actually, that

1 declaration, you know, has nothing to do with, you know, the allegations
2 against Mr. Marcus; it's these other things. And so I want to get into that
3 briefly.

4 These other things which are alleged in the opposition for the
5 very first time because they're nowhere in the actual complaint are a -- an
6 alleged theory that Mr. Marcus is ghostwriting certain documents in a
7 patent case for Mr. Munger and an alleged theory that Mr. Marcus
8 received confidential information which there is no actual allegation about
9 what he did with that confidential information even if he received it.

10 And so the point is that A, this really is all about the
11 declaration and that's proved by the emails between the parties where
12 Full Color Games is admitting that because of your declaration, we're
13 suing you. And B, even if you -- the Court wants to look at these brand
14 new allegations asserted for the very first time in the opposition, it does
15 not amount to a racketeering claim. There is no pattern. There is no
16 actual enterprise that constitutes a racketeering claim with these brand
17 new allegations.

18 And so that's what we're getting at, Your Honor. If the Court
19 actually looks at the claims, the only specific allegations regard to a
20 declaration and the attempts to get it outside of the scope of the
21 declaration are not sufficient because they do not meet the heightened
22 pleading standard for racketeering.

23 THE COURT: But, again, we're not looking at 12(b)(5) in this
24 motion.

25 MS. BARRAZA: Correct, Your Honor.

1 THE COURT: Okay. Thank you.

2 MR. PRALL: I'll be brief, Your Honor. I think you've hit it on
3 the head a little bit already. We have made it clear that we're not seeking
4 liability against Marcus for a specific submission of a declaration to this
5 Court. That's not what we're seeking liability for in this case. We did
6 allege it, as background to that. But the things that we believe have been
7 good-faith alleged against Marcus is that he was in support of all the
8 actions that Munger has been alleged to have completed before he even
9 submitted that declaration. And that's our allegation.

10 We don't have all the facts and discovery we need for -- to
11 know exactly how involved Marcus was, but we have some that we
12 believe he was involved with what Munger was doing. And Munger's
13 allegations against Munger are in the fifth, the eighth claim, the eleventh
14 claim, and we do have abuse of process claim and also -- also Mr.
15 Marcus has to be a party to the twenty-first claim which is a declaratory
16 relief claim seeking a declaration from the Court that Mr. Marcus, like the
17 other C-note holders aren't actually shareholders. And that's -- so he's a
18 party there no matter what.

19 THE COURT: Mr. Marcus is named as a Third-Party
20 Defendant, right?

21 MR. PRALL: Right, but he is claiming to be a shareholder in
22 the company.

23 THE COURT: No, I understand, but we're not dealing with
24 Rule 14, are we, with respect to third-party defendants? I mean, is this --
25 is the premise of the claim one for indemnity or contribution or is it -- is he

1 being named as a third-party defendant because he's not a party in --

2 MR. PRALL: All of the claims are indemnity related. Except I
3 will say with the declaratory relief claim, we're seeking a declaration for
4 all of the Plaintiffs who are claiming to be shareholders that they are not
5 actually shareholders, the C-note holders. And he's a shareholder like
6 the rest of them so we thought he needed to be included in that dec relief
7 claim because he's still asserting he's a shareholder as well. I suppose if
8 you want to be technical --

9 THE COURT: He's in effect an additional defendant on the
10 counter-claim, right? He's not -- I mean, I don't see Rule 14 being
11 implicated here. I don't know.

12 MR. PRALL: I think that's correct that we can view him as an
13 additional defendant on the counterclaim. You could view it that way,
14 yes.

15 THE COURT: Characterized as a third-party defendant.
16 Okay. That's what I was trying to do.

17 MR. PRALL: We have both counterclaimants, but he was not
18 a Plaintiff initially. But he is a shareholder of the company like the other
19 claimant -- or he's claiming, I should say, to be a shareholder like the
20 other Plaintiffs. But the point is, Your Honor, really, is you said it already,
21 this isn't a motion to dismiss, this is a special motion to dismiss. We are
22 not seeking any liability for the specific declaration he submitted to the
23 Court. That's not really the issue.

24 Now, that's the thing that honestly got us to realize we had
25 other -- my client had other information that he believed he was involved

1 with Munger. And that's the thing that kind of made him go, well, maybe
2 he really is involved and we -- and we have alleged, in good faith, that
3 he's been involved in this conspiracy from the beginning in all those
4 claims and -- and honestly, we would -- we don't have all the facts
5 against him like we have against some of the other counter-defendants
6 and third-party defendants. But we believe he's involved.

7 And we think we should be able to pursue those claims all the
8 way to the end. The point is we -- our allegations are based on things
9 that we believe he did before he even submitted this declaration. And the
10 last point on the -- our understanding of his potential involvement with Mr.
11 Munger in -- you already know the facts. These are already motions that
12 are actually pending before you; on Mr. Munger's efforts to oppose the
13 trademark registration.

14 And we believe that he may be involved in that because he's
15 got some attorney ghostwriting for him. It's either Mr. Newman or Mr.
16 Marcus and we think that, again, that shows that he's supporting -- he is
17 supporting all of the racketeering allegations we made against Munger
18 and the other Defendants. He is involved with them. He's conspiring
19 with them and that's why we believe he should be maintained as a
20 Plaintiff not because of the specific declaration he submitted to this Court.

21 And if -- unless you have -- and pending -- let's see here --
22 and, again, the pleading standard isn't heightened in any way unless it's
23 a specific fraud claim. RICO claims don't create a heightened standard --

24 THE COURT: All right.

25 MR. PRALL: -- by themselves unless it's fraud. And we have

1 -- that's not really the point we're getting at here.

2 THE COURT: All right. Thank you. Last word.

3 MS. BARRAZA: Just very briefly. Again, the only actual
4 allegations in that entire 215 page complaint are about a declaration.
5 And now we're hearing that it's not a declaration and we're hearing that
6 because they cannot refute the Anti-SLAPP motion and they have zero
7 evidence to actually get out of it.

8 THE COURT: Well, as I read the -- as I read the pleading, it's
9 not entirely based upon the declaration. The declaration is alleged to
10 have -- to exist, but I don't read the pleading as being necessarily based
11 entirely upon the declaration.

12 MS. BARRAZA: There's --

13 THE COURT: Maybe it's a reference to evidence or
14 something like that, I don't know. But the fact is, the allegations don't --
15 aren't based entirely upon that declaration.

16 MS. BARRAZA: There's no other allegation against Mr.
17 Marcus specifically.

18 THE COURT: There could -- allegations against him
19 collectively with other third-party defendants.

20 MS. BARRAZA: Against him vaguely broadly which don't
21 amount to an actual racketeering allegation --

22 THE COURT: Okay.

23 MS. BARRAZA: -- is what we are saying.

24 THE COURT: All right.

25 MS. BARRAZA: And --

1 THE COURT: I'll do what I did on the last Anti-SLAPP motion
2 that I had. I'll deny the motion without prejudice to a 12(b)(5) motion
3 and/or a motion for summary judgment, okay. I think you make some
4 good points relative to the allegations that are made and whether they
5 can stand, but from the standpoint of an Anti-SLAPP motion, I just don't
6 find that it has merit. Okay.

7 MS. BARRAZA: Thank you, Your Honor.

8 THE COURT: So accordingly, the motion is denied without
9 prejudice, okay.

10 MS. BARRAZA: Thank you.

11 THE COURT: Thank you. I need a proposed order from
12 Third-Party Plaintiff -- from Defendants, Third-Party Plaintiffs. Okay. Mr.
13 Prall, did you get that, the order?

14 MR. PRALL: Thank you, Your Honor.

15 THE COURT: Order submit it to counsel, okay?

16 MR. PRALL: Yeah, we'll submit it to them.

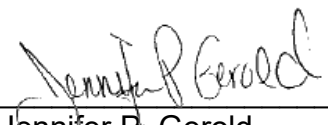
17 THE COURT: Okay. Thank you.

18 MR. MUNGER: Thank you, Your Honor.

19 [Proceeding concluded at 9:34 a.m.]

20 * * * * *

21 ATTEST: I do hereby certify that I have truly and correctly transcribed the
22 audio/video proceedings in the above-entitled case to the best of my ability.

23 
24 Jennifer P. Gerold
25 Court Recorder/Transcriber