

NOAS  
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*Attorneys for Plaintiff Joe N. Brown*

Electronically Filed  
Feb 13 2020 10:35 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

JOE N. BROWN, an individual,  Plaintiff,  vs.  GNL, CORP., a Nevada corporation and THYSSENKRUPP ELEVATOR CORP., a foreign corporation,  Defendants.	Case No.: A-16-739887-C Dept. No.: XXXI  <b>PLAINTIFF'S NOTICE OF APPEAL</b>
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NOTICE IS HEREBY GIVEN that Plaintiff JOE N. BROWN, by and through his attorney of record Mohamed A. Iqbal, Jr., Esq., of the law firm of IQBAL LAW PLLC, hereby appeals to the Supreme Court of Nevada from the Judgment entered on January 9, 2020, a copy of which is attached hereto as **Exhibit 1**.

Dated February 8, 2020.

Respectfully Submitted,

IQBAL LAW PLLC

By: /s/ Mohamed A. Iqbal, Jr.  
Mohamed A. Iqbal, Jr. (NSB #10623)  
*Attorneys for Plaintiff Joe N. Brown*

**CERTIFICATE OF SERVICE**

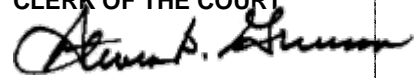
I certify that I served the foregoing **PLAINTIFF'S NOTICE OF APPEAL** on all counsel of record in this matter using the Court's e-file/e-service system on February 8, 2020.

By: /s/ Marie-Claire Alsanjakli  
An employee of IQBAL LAW PLLC

**PLAINTIFF'S NOTICE OF APPEAL**  
1 of 1

# EXHIBIT 1

# EXHIBIT 1



1 **NEOJ**

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2 Nevada Bar No. 8877

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WEINBERG, WHEELER, HUDGINS,

8 GUNN & DIAL, LLC

6385 S. Rainbow Blvd., Suite 400

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Telephone: (702) 938-3838

10 Facsimile: (702) 938-3864

11 *Attorneys for Defendant/Third-Party Plaintiff,*  
12 *GNL, CORP.*

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 JOE N. BROWN, an individual,

16 Plaintiff,

17 v.

18 LANDRY'S, INC., a foreign corporation;  
19 GOLDEN NUGGET, INC. a Nevada  
20 corporation, d/b/a GOLDEN NUGGET  
LAUGHLIN; GNL, CORP., a Nevada  
corporation; THYSENKRUPP ELEVATOR  
CORP., a foreign corporation,

21 Defendants.

Case No.: A-16-739887-C

Dept. No.: XXXI

**NOTICE OF ENTRY OF JUDGMENT**

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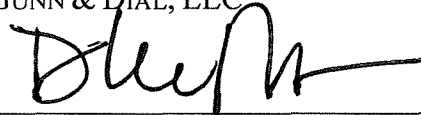




1 PLEASE TAKE NOTICE that Judgement On Jury Verdict was entered on January 8,  
2 2020, in this matter. A copy is attached hereto.

3 Dated this 9 day of January, 2020.

6 WEINBERG, WHEELER, HUDGINS,  
GUNN & DIAL, LLC

7 

8 D. Lee Roberts, Jr., Esq.  
9 Howard J. Russell, Esq.  
10 Kristian T. Kaskla, Esq.  
11 Phillip N. Smith, Jr., Esq.  
12 6385 South Rainbow Blvd., Suite 400  
13 Las Vegas, Nevada 89118

14 *Attorneys for Defendant/Third-Party Plaintiff,*  
15 *GNL, CORP.*



**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of January, 2020, a true and correct copy of the foregoing **NOTICE OF ENTRY OF JUDGMENT** was electronically filed and served on counsel through the Eighth Judicial District Court's electronic service system pursuant to Administrative Order 14-2 and NEFCR 9, via the electronic mail addresses noted below, unless service by another method is stated or noted:

Mohamed A. Iqbal, Jr., Esq.  
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MITCHELL  
700 S. Third Street  
Las Vegas, NV 89101

*Attorneys for Defendant/Third-Party Defendant  
ThyssenKrupp Elevator Corporation*

Kelly L. Ruce  
An employee of WEINBERG, WHEELER,  
HUDGINS GUNN & DIAL, LLC

ORIGINAL

Electronically Filed  
1/8/2020 5:05 PM  
Steven D. Grierson  
CLERK OF THE COURT

*Steven D. Grierson*

DISTRICT COURT

CLARK COUNTY, NEVADA

JOE N. BROWN, an individual,  
Plaintiff,

Case No.: A-16-739887-C  
Dept. No.: XXXI

v.

GNL, CORP., a Nevada corporation, and  
THYSSENKRUPP ELEVATOR CORP., a  
foreign corporation,  
Defendants.

JUDGMENT ON JURY VERDICT

This action came on regularly for trial with the calling of the first witness on December 6, 2019, in Dept. XXXI of the Eighth Judicial District Court, Honorable Joanna S. Kishner, District Judge, presiding. The issues having been duly tried, and the jury having duly rendered a General Verdict in favor of Defendants on December 18, 2019, which General Verdict was filed by the Clerk on December 18, 2019, it is hereby ORDERED, ADJUDGED and DECREED, in accordance with the jury's General Verdict, that Plaintiff shall take nothing and that Judgment is hereby entered in favor of all Defendants, with Defendants to recover their costs.

The Court reserves amendment of this Judgment based on any proper requests or motions for costs or fees which may be timely submitted by Defendants.

SO ORDERED this 2<sup>nd</sup> day of Jan 2020.

*[Signature]*  
JOANNA S. KISHNER  
Hon. Joanna S. Kishner  
District Court Judge

///

///



Submitted by:

 #13527  
pk

D. Lee Roberts, Jr., Esq.

Nevada Bar No. 8877

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WEINBERG, WHEELER, HUDGINS,

GUNN & DIAL, LLC

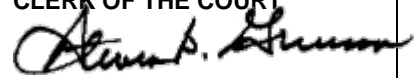
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*Attorneys for Defendant GNL, CORP.*

WEINBERG WHEELER  
HUDGINS GUNN & DIAL





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*Attorneys for Plaintiff Joe N. Brown*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

JOE N. BROWN, an individual,  Plaintiff,  vs.  GNL, CORP., a Nevada corporation and THYSSENKRUPP ELEVATOR CORP., a foreign corporation,  Defendants.	Case No.: A-16-739887-C Dept. No.: XXXI  <b>PLAINTIFF'S CASE APPEAL STATEMENT</b>
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**1. Name of appellant filing this case appeal statement:**

Plaintiff Joe N. Brown

**2. Identify the judge issuing the decision, judgment, or order appealed from:**

The Honorable Joanna S. Kishner

**3. Identify each appellant and the name and address of counsel for each appellant:**

Appellant: Plaintiff Joe N. Brown  
Counsel: Mohamed A. Iqbal, Jr., Esq.  
IQBAL LAW PLLC  
101 Convention Center Dr., Suite 1175  
Las Vegas, Nevada 89109  
Tel: 702-750-2950

**4. Identify each respondent and the name and address of appellate counsel:**

Respondent: Defendant GNL, Corp.  
Counsel: D. Lee Roberts, Esq.  
Howard J. Russell, Esq.  
Kristian T. Kaskla, Esq.  
Philip N. Smith, Jr., Esq.  
WEINBERG WHEELER HUDGINS GUNN & DIAL  
6384 South Rainbow Blvd., Suite 400  
Las Vegas, Nevada 89118  
Tel: 702-938-3809

PLAINTIFF'S CASE APPEAL STATEMENT

1 of 4





Respondent: Defendant, Thyssenkrupp Elevator Corp.  
Counsel: Rebecca L. Mastrangelo, Esq.  
Charles A. Milchalek, Esq.  
ROGERS, MASTRANGELO, CARVALHO & MITCHELL  
700 South Third St.  
Las Vegas, Nevada 89101  
Tel: 702-383-3400

**5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42:**

All counsel listed above are licensed to practice in Nevada.

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

Appellant was represented by retained counsel in the District Court (listed above).

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

Appellant is represented by retained counsel on this appeal (listed above).

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

Not yet; Appellant intends to respectfully and imminently move for such relief.

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

The original complaint was filed on July 12, 2016 and assigned to the Honorable Joanna S. Kishner, Department XXXI.

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

Appellant, a retired bricklayer and Vietnam War veteran, resides in Clark County with his wife (and initial co-plaintiff) Nettie J. Brown.<sup>1</sup> On May 12, 2015, Appellant and his family visited the Golden Nugget Casino in Laughlin, Nevada (the “Nugget”) to eat dinner at the Bubba Gump restaurant on the lower floor of the Nugget. Appellant, who was using a cane, took the

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<sup>1</sup> During trial, on December 5, 2019, upon the parties’ stipulation on the record, Mrs. Brown was dismissed as a plaintiff in the instant case.

“down” escalator (the “Escalator”) upon being instructed to do so by the Nugget’s valet. Unbeknownst to Appellant, the Escalator had a history of mechanical issues and was in a faulty and dangerous condition. The Escalator’s wobbly step(s)/dangerous condition caused Appellant to lose his balance and fall forward—and to fracture his neck. The Escalator is owned and/or operated by Respondent GNL, Corp. (“GNL”) and serviced/maintained by Respondent ThyssenKrupp Elevator Corporation (“TKE”).<sup>2</sup> Appellant ultimately filed a complaint sounding in negligence. Appellant moved during discovery to amend his then-current complaint to add TKE as a defendant and to seek punitive damages against GNL and TKE, both of which the District Court granted.

Following the filing of contested pretrial motions, including summary judgment and motions *in limine*,<sup>3</sup> the case proceeded to a multi-week jury trial at the conclusion of which the jury rendered a verdict in favor of Respondents and against Appellant on his sole claim for negligence. On January 9, 2020, the notice of entry of judgment was filed. Appellant respectfully moves to appeal the final judgment and certain pre-trial and trial rulings of the District Court.

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

A) TKE’s October 18, 2018 Petition for Writ of Mandamus

i. Supreme Court Docket Number: 77211

ii. Caption:

THYSSENKRUPP ELEVATOR CORPORATION, Petitioner, vs. THE EIGHTH  
JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE

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<sup>2</sup> TKE was originally a third-party defendant, having been brought into this action by GNL in approximately February of 2017.

<sup>3</sup> On August 27, 2019, Her Honor Judge Kishner heard and granted GNL’s motion for summary judgment with respect to punitive damages. Her Honor also granted certain of Respondents’ several motions *in limine*, including but not limited to TKE’s motion *in limine* #8, which sought to exclude the testimony of Appellant’s escalator expert Sheila Swett, following a *voir dire* on October 7, 2019.

COUNTY OF CLARK; AND THE HONORABLE JOANNA KISHNER, DISTRICT JUDGE, Respondents, and JOE N. BROWN, an individual, and his wife, NETTIE J. BROWN, an individual, Real Parties in Interest.

B) Appellant's October 29, 2019 appeal to the Supreme Court

i. Supreme Court Docket Number: 79944

ii. Caption:

JOE N. BROWN, an individual and his Wife, NETTIE J. BROWN, an individual, Plaintiffs, vs. GNL, CORP., a Nevada corporation; THYSSENKRUPP ELEVATOR CORP., a foreign corporation; DOE INDIVIDUALS 1-100, ROE BUSINESS ENTITIES 1-100, Defendants.

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

This appeal does not involve child custody or visitation.

**13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:**

This appeal does involve the possibility of settlement, and Appellant is willing to engage in good faith settlement discussions.

Dated February 9, 2020.

Respectfully Submitted,

IQBAL LAW PLLC

By: /s/ Mohamed A. Iqbal, Jr.

Mohamed A. Iqbal, Jr. (NSB #10623)  
101 Convention Center Dr., Suite 1175  
Las Vegas, Nevada 89109  
1-(702) 750-2950 (Tel)

**CERTIFICATE OF SERVICE**

I certify that I served the foregoing **PLAINTIFF'S CASE APPEAL STATEMENT** on all counsel of record in this matter using the Court's e-file/e-service system on February 9, 2020.

By: /s/ Marie-Claire Alsanjakli

An employee of IQBAL LAW PLLC

**CASE SUMMARY****CASE NO. A-16-739887-C**

**Joe Brown, Plaintiff(s)**  
**vs.**  
**GNL Corp, Defendant(s)**

§  
§  
§  
§  
§  
§

Location: **Department 31**  
 Judicial Officer: **Kishner, Joanna S.**  
 Filed on: **07/12/2016**  
 Cross-Reference Case Number: **A739887**  
 Supreme Court No.: **79944**

**CASE INFORMATION**

**Statistical Closures**  
 12/31/2019 Verdict Reached

Case Type: **Negligence - Premises Liability**

Case Status: **12/31/2019 Closed**

**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-16-739887-C  
 Court Department 31  
 Date Assigned 07/12/2016  
 Judicial Officer Kishner, Joanna S.

**PARTY INFORMATION**

<b>Plaintiff</b>	<b>Brown, Joe N.</b>	<i>Lead Attorneys</i> <b>Iqbal, Mohamed A.</b> <i>Retained</i> 702-750-2950(W)
	<b>Brown, Nettie J</b> Removed: 12/05/2019 Dismissed	
<b>Defendant</b>	<b>GNL Corp</b>	<b>Roberts, D Lee, Jr.</b> <i>Retained</i> 702-938-3838(W)
	<b>Golden Nugget Inc</b> Removed: 03/11/2019 Dismissed	<b>Grant, Annalisa N</b> <i>Retained</i> 702-940-3529(W)
	<b>Landry's Inc.</b> Removed: 03/11/2019 Dismissed	<b>Grant, Annalisa N</b> <i>Retained</i> 702-940-3529(W)
	<b>Thyssenkrupp Elevator Corporation</b>	<b>Mastrangelo, Rebecca L.</b> <i>Retained</i> 702-383-3400(W)
<b>Third Party Defendant</b>	<b>Thyssenkrupp Elevator Corporation</b> Removed: 11/22/2019 Dismissed	<b>Mastrangelo, Rebecca L.</b> <i>Retained</i> 702-383-3400(W)
<b>Third Party Plaintiff</b>	<b>GNL Corp</b> Removed: 11/22/2019 Dismissed	<b>Roberts, D Lee, Jr.</b> <i>Retained</i> 702-938-3838(W)

**DATE****EVENTS & ORDERS OF THE COURT****INDEX**

07/12/2016

**EVENTS**

Complaint

# CASE SUMMARY

CASE NO. A-16-739887-C

	Filed By: Plaintiff Brown, Joe N. <i>Complaint</i>
07/15/2016	 Affidavit of Service Filed By: Plaintiff Brown, Joe N. <i>Affidavit of Service</i>
07/15/2016	 Affidavit of Service Filed By: Plaintiff Brown, Joe N. <i>Affidavit of Service</i>
09/01/2016	 Amended Complaint Filed By: Plaintiff Brown, Joe N. <i>First Amended Complaint</i>
09/21/2016	 Initial Appearance Fee Disclosure Filed By: Defendant GNL Corp <i>GNL, Corp.'s Initial Appearance Fee Disclosure</i>
09/21/2016	 Answer Filed By: Defendant GNL Corp <i>GNL, Corp.'s Answer to Plaintiff's First Amended Complaint</i>
09/21/2016	 Demand for Jury Trial Filed By: Defendant GNL Corp <i>GNL, Corp.'s Demand for Jury Trial</i>
09/26/2016	 Amended Answer Filed By: Defendant GNL Corp <i>GNL, Corp.'s First Amended Answer to Plaintiff's Amended Complaint</i>
11/03/2016	 Commissioners Decision on Request for Exemption - Granted <i>Commissioner's Decision on Request for Exemption - Granted</i>
11/10/2016	 Early Case Conference Report Filed By: Plaintiff Brown, Joe N. <i>Early Case Conference Report</i>
01/19/2017	 Scheduling Order <i>Scheduling Order</i>
01/23/2017	 Third Party Complaint TPP: Defendant GNL Corp <i>Defendant/Third-Party Plaintiff GNL, Corp.'s Third-Party Complaint</i>
02/01/2017	 Summons Filed by: Defendant GNL Corp <i>Third-Party Defendant Summons (ThyssenKrupp Elevator Corporation)</i>
02/17/2017	 Notice of Intent to Take Default Party: Plaintiff Brown, Joe N. <i>Notice of Intent to Take Default of Landry's, Inc.</i>
02/17/2017	

# CASE SUMMARY

CASE NO. A-16-739887-C

	 Notice of Intent to Take Default Party: Plaintiff Brown, Joe N. <i>Notice of Intent to Take Default of Golden Nugget, Inc., d/b/a Golden Nugget Laughlin</i>
02/17/2017	 Answer to Third Party Complaint Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Answer to Third-Party Complaint</i>
02/17/2017	 Initial Appearance Fee Disclosure Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Initial Appearance Fee Disclosure</i>
02/17/2017	 Demand for Jury Trial Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Demand for Jury Trial</i>
02/17/2017	 Demand for Prior Discovery Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Third-Party Defendant's Demand for Prior Pleadings and Discovery</i>
02/22/2017	 Initial Appearance Fee Disclosure Filed By: Defendant Golden Nugget Inc <i>Golden Nugget, Inc. and Landry's, Inc.'s Initial Appearance fee Disclosure</i>
02/22/2017	 Motion Filed By: Defendant Golden Nugget Inc <i>Defendants' Motion to Dismiss</i>
03/02/2017	 Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call <i>Order Setting Civil Jury Trial, Pre-trial Conference, Calendar Call, and Status Check</i>
03/08/2017	 Stipulated Protective Order Filed By: Defendant GNL Corp <i>Stipulated Protective Order</i>
03/09/2017	 Notice of Entry Filed By: Defendant Golden Nugget Inc <i>Notice of Entry of the Stipulated Protective Order</i>
03/13/2017	 Opposition to Motion to Dismiss Filed By: Plaintiff Brown, Joe N. <i>Plaintiffs' Opposition to Defendants' Motion to Dismiss; Declaration of Mohamed A. Iqbal Jr. in Support Thereof</i>
03/20/2017	 Reply in Support Filed By: Defendant Golden Nugget Inc <i>Defendant's Reply in Support of Motion to Dismiss</i>
04/03/2017	 Demand for Jury Trial Filed By: Defendant Landry's Inc. <i>Defendants Landry's, Inc. and Golden Nugget, Inc.'s Demand for Jury Trial</i>
04/03/2017	 Answer to Amended Complaint Filed By: Defendant Landry's Inc.

# CASE SUMMARY

CASE NO. A-16-739887-C

*Defendants Landry's, Inc. and Golden Nugget, Inc.'s Answer to Plaintiffs' Amended Complaint*

04/11/2017	 Notice of Change of Address Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Notice of Change of Address</i>
04/24/2017	 Order Denying Motion Filed By: Plaintiff Brown, Joe N. <i>Order Denying Defendants' Motion to Dismiss Plaintiffs' Complaint</i>
04/25/2017	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N. <i>Notice of Entry of Order Denying Defendants' Motion to Dismiss Plaintiffs' Complaint</i>
05/23/2017	 Motion for Summary Judgment Filed By: Defendant Golden Nugget Inc <i>Defendant's Motion for Summary Judgment</i>
06/07/2017	 Opposition to Motion For Summary Judgment Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Defendants' Motion for Summary Judgment and, in the Alternative, Request for Discovery Under NRCP 56(f)</i>
06/20/2017	 Reply in Support <i>Defendants' Reply in Support of Motion for Summary Judgment</i>
06/30/2017	 Disclosure Statement <i>Defendant Golden Nugget, Inc.'s NRCP 7.1 Disclosure Statement</i>
06/30/2017	 Disclosure Statement <i>Defendant GNL Inc.'s NRCP 7.1 Disclosure Statement</i>
06/30/2017	 Disclosure Statement <i>Defendant Landry's, Inc.'s NRCP 7.1 Disclosure Statement</i>
07/28/2017	 Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Order Denying Defendant's Motion for Summary Judgment and Granting Plaintiffs' Countermotion for Discovery Under NRCP 56(f)</i>
07/31/2017	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Notice of Entry of Order Denying Defendants' Motion for Summary Judgment and Granting Plaintiffs' Countermotion for Discovery Under NRCP 56(f)</i>
08/01/2017	 Motion Filed By: Defendant Landry's Inc.; Defendant Golden Nugget Inc <i>Defendants Golden Nugget, Inc. and Landry's, Inc.'s Motion for Reconsideration</i>
08/08/2017	 Stipulation and Order <i>Stipulation and Order to Extend Discovery Deadlines and Continue Trial</i>
08/09/2017	 Notice of Entry <i>Notice of Entry of the Stipulation and Order to Extend Discovery Deadlines and Continue</i>

# CASE SUMMARY

CASE NO. A-16-739887-C

*Trial (First Request)*

08/18/2017



Opposition to Motion

Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  
*Plaintiffs' Opposition to Defendants Golden Nugget, Inc. and Landrys, Inc.'s (sic) Motion for Reconsideration*

08/22/2017



Motion to Compel

Filed By: Defendant GNL Corp  
*Defendant GNL, Corp.'s Motion to Compel HIPPA Release Executed by Plaintiff Joe Brown*

08/23/2017



Motion to Compel

Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  
*Motion To Compel Discovery From Defendants Landry s, Inc. And Golden Nugget, Inc. And Request For Sanctions*

08/24/2017



Reply in Support

Filed By: Defendant Landry's Inc.; Defendant Golden Nugget Inc  
*Defendants' Reply in Support of Motion for Reconsideration*

08/24/2017



Errata

Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  
*Notice of Errata to Plaintiff's Motion To Compel Discovery From Defendants Landry's Inc. and Golden Nugget, Inc*

08/30/2017



Supplement

Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  
*PLAINTIFFS SUPPLEMENTAL OPPOSITION TO DEFENDANTS REPLY IN SUPPORT OF MOTION FOR RECONSIDERATION (ADDRESSING DEFENDANTS NEW ERRONEOUS CLAIMS OF FACT AND NEW REQUEST FOR RELIEF)*

09/11/2017



Opposition

Filed By: Defendant Golden Nugget Inc  
*Defendants' Opposition to Plaintiffs' Motion to Compel Discovery From Defendants Landry's, Inc. and Golden Nugget, Inc. and Request for Sanctions*

09/14/2017



Notice of Order

*Notice of Order Setting Hearing*

10/06/2017



Reply in Support

Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  
*Reply in Support of Plaintiffs Motion to Compel Discovery from Defendants Landry's Inc and Golden Nugget Inc and Request for Sanctions*

10/11/2017



Amended Order

*Amended Order Setting Civil Jury Trial, Pre-Trial Conference, Calendar Call, and Status Check*

10/31/2017



Order

Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  
*Order Re Motion For Reconsideration*

10/31/2017



Notice of Entry of Order

Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  
*Notice Of Entry Of Order*



# CASE SUMMARY

CASE NO. A-16-739887-C

11/15/2017	 Motion to Extend Discovery Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiff Motion To Extend Discovery Deadlines Pursuant to EDCR 2.35 And Continuance Of Trial Date</i>
11/16/2017	 Errata Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Errata to Plaintiffs' Motion to Extend Discovery Deadlines Pursuant to EDCR 2.34 and Continuance of Trial Date</i>
12/04/2017	 Stipulation and Order Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Stipulation And Order To Extend Discovery Deadlines And Continue Trial</i>
12/04/2017	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Notice of Entry of Order</i>
12/12/2017	 Amended <i>Amended Order Setting Civil Jury Trial, Pre-Trial Conference, Calendar Call, and Status Check</i>
02/07/2018	 Notice to Appear for Discovery Conference <i>Notice to Appear for Discovery Conference</i>
03/15/2018	 Stipulation and Order Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Stipulation And Order To Extend Discovery Deadlines And Continue Trial (Third Request)</i>
03/26/2018	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Notice Of Entry Of Order</i>
04/09/2018	 Amended Order Setting Jury Trial <i>Amended Order Setting Civil Jury Trial, Pre Trial Conference, Calendar Call and Status Check</i>
05/23/2018	 Discovery Commissioners Report and Recommendations Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Discovery Commissioners's Report And Recommendations And Order</i>
05/23/2018	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Notice Of Entry Of Order</i>
05/23/2018	 Notice Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Notice of Counsel's Absence from Jurisdiction</i>
06/04/2018	 Notice Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Notice Of Plaintiffs' Counsel's Absence From Jurisdiction</i>

# CASE SUMMARY

CASE NO. A-16-739887-C

07/04/2018	 Motion Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Motion For Leave to File Second Amended Complaint</i>
07/05/2018	 Declaration Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Declaration Of Mohamed Iqbal In Support Of Plaintiffs' Motion For Leave To File Second Amended Complaint</i>
07/20/2018	 Opposition to Motion Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Third-Party Defendant Thyssenkrupp Elevator Corporation's Opposition to Plaintiffs' Motion for Leave to File Second Amended Complaint</i>
07/23/2018	 Opposition Filed By: Defendant Landry's Inc.; Defendant Golden Nugget Inc; Defendant GNL Corp <i>Defendants', GNL, Corp., Landry's, Inc. &amp; Golden Nugget, Inc., Opposition to Plaintiffs' Motion for Leave to File Second Amended Complaint</i>
08/02/2018	 Reply in Support Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Reply In Support Of Motion For Leave To File Second Amended Complaint</i>
08/10/2018	 Recorders Transcript of Hearing <i>Transcript - Plaintiffs' Motion for Leave to File Second Amended Complaint 8/7/18</i>
08/13/2018	 Notice <i>Notice of Counsel's Absence from Jurisdiction</i>
09/12/2018	 Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Order Granting Motion For Leave To File Second Amended Complaint</i>
09/12/2018	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Notice Of Entry Of Order</i>
09/18/2018	 Amended Complaint Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Second Amended Complaint (Amount In Controversy Exceeds \$50,000 Arbitration Exemption Requested)</i>
10/11/2018	 Answer to Amended Complaint Filed By: Defendant Thyssenkrupp Elevator Corporation <i>ThyssenKrupp Elevator Corporation's Answer to Second Amended Complaint</i>
11/01/2018	 Motion for Summary Judgment <i>Defendants' Landry's and Golden Nugget, Inc.'s Motion for Summary Judgment</i>
11/01/2018	 Motion for Summary Judgment <i>Defendants' GNL, Landry's and Golden Nugget, Inc.'s Motion for Summary Judgment on Liability and Punitive Damages</i>
11/01/2018	 Motion to Dismiss

# CASE SUMMARY

CASE NO. A-16-739887-C

*Landry's Inc.'s Motion to Dismiss for Lack of General or Personal Jurisdiction*

11/08/2018



Errata

*Errata to Defendants' Motion for Summary Judgment on Liability and Punitive Damages*

11/13/2018



Motion in Limine

Filed By: Defendant GNL Corp

*Defendants, GNL, Corp., Landry's, Inc. & Golden Nugget, Inc.'s Motion in Limine #1 to Exclude Srinivas Nalamachu, MD for Unauthorized Practice of Medicine in Nevada*

11/13/2018



Motion in Limine

Filed By: Defendant GNL Corp

*Defendants, GNL, Corp., Landry's, Inc. & Golden Nugget, Inc.'s Motion in Limine #2 Regarding Other Incidents or Repairs and #3 Regarding Discovery Matters*

11/13/2018



Motion in Limine

Filed By: Defendant Thyssenkrupp Elevator Corporation

*Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #1 re: Computation of Damages*

11/13/2018



Motion in Limine

Filed By: Defendant Thyssenkrupp Elevator Corporation

*Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #2 re: Treating Physicians*

11/13/2018



Motion in Limine

Filed By: Defendant Thyssenkrupp Elevator Corporation

*Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #3 re: Responsibility Avoidance and Reptile Theory Arguments*

11/13/2018



Motion in Limine

Filed By: Defendant Thyssenkrupp Elevator Corporation

*Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #4 re: Improper Voir Dire*

11/13/2018



Motion in Limine

Filed By: Defendant Thyssenkrupp Elevator Corporation

*Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #5 re: Limit Experts to Opinions and Matters Set forth In Their Reports*

11/13/2018



Motion in Limine

Filed By: Defendant Thyssenkrupp Elevator Corporation

*Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #6 re: Exclusion of Evidence of Subsequent Incidents*

11/13/2018



Motion in Limine

Filed By: Defendant Thyssenkrupp Elevator Corporation

*Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #7 re: Claim that Thyssenkrupp "Hid" or Failed to Produce Evidence*

11/13/2018



Motion in Limine

Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J

*Plaintiffs' Motion In Limine To Exclude Expert Witness Davis L. Turner For Failure To Disclose Inspection, Related Information, And Documents*

11/14/2018













# CASE SUMMARY

CASE NO. A-16-739887-C

	 Declaration Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Declaration of Mohamed A Iqbal, Jr., Esq in Support of Plaintiff's Motion in Limine to Exclude Expert Witness Davis L. Turner for Failure to Disclose Inspection, Related Information, and Documents</i>
11/14/2018	 Motion in Limine Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #8 re: Exclude the Testimony of Sheila Nabors Swett</i>
11/15/2018	 Motion Filed By: Defendant GNL Corp <i>Motion to File Documents Under Seal per SRCR 3 or, Alternatively, Submit In Camera</i>
11/16/2018	 Joinder to Motion For Partial Summary Judgment Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder In, and Additional Points and Authorities in Support of, Defendant GNL Corp.'s Motion for Summary Judgment on Punitive Damages</i>
11/19/2018	 Errata Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Errata to Motion in Limine #7 Re: Claim that Thyssenkrupp "Hid" or Failed to Produce Evidence</i>
11/19/2018	 Opposition to Motion For Summary Judgment Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <b>PLAINTIFFS OPPOSITION TO MOTION FOR SUMMARY JUDGMENT ON LIABILITY AND PUNITIVE DAMAGES</b>
11/19/2018	 Opposition to Motion For Summary Judgment Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Defendants' Landry's and Golden Nugget, Inc.'s Motion for Summary Judgment</i>
11/19/2018	 Opposition to Motion to Dismiss Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Motion to Dismiss</i>
11/19/2018	 Joinder to Motion in Limine Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder to Defendants' GNL, Corp., Landry's, Inc. &amp; Golden Nugget, Inc.'s Motion in Limine #2 Regarding Other Incidents or Repairs and #3 Regarding Discovery Matters</i>
11/19/2018	 Joinder to Motion in Limine Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder to Defendants' GNL, Corp., Landry's, Inc. &amp; Golden Nugget, Inc.'s Motion in Limine #1 to Exclude Srinivas Nalamachu, M.D. for Unauthorized Practice of Medicine in Nevada</i>
11/20/2018	 Errata Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Errata To Plaintiffs (1) Opposition To Motion To Dismiss And (2) Opposition To Defendant Landry s And Golden Nugget, Inc. s Motion For Summary Judgment</i>

# CASE SUMMARY

CASE NO. A-16-739887-C

11/27/2018	 Reply Filed by: Defendant Landry's Inc. <i>Reply in Support of Landry's, Inc.'s Motion to Dismiss for Lack of General or Personal Jurisdiction</i>
11/28/2018	 Reply in Support Filed By: Defendant Landry's Inc. <i>Reply in Support of Defendants', Landry's and Golden Nugget, Inc.'s Motion for Summary Judgment</i>
11/28/2018	 Reply in Support Filed By: Defendant Landry's Inc.; Defendant Golden Nugget Inc; Defendant GNL Corp <i>Reply in Support of Defendants Motion for Summary Judgment on Liability and Punitive Damages</i>
11/30/2018	 Response Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs Response to Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Joinder In, and Additional Brief In Support of, Defendant GNL, Corp. S Motion For Summary Judgment on Punitive Damages</i>
12/03/2018	 Opposition to Motion in Limine <i>Opposition to Plaintiffs' Motion in Limine to Exclude Expert Witness, David L. Turner</i>
12/03/2018	 Opposition to Motion in Limine Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Opposition to Plaintiffs' Motion in Limine to Exclude Expert Davis L. Turner</i>
12/10/2018	 Motion Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Emergency Motion For Reopening Discovery, Court Intervention, And Sanctions On Order Shortening Time</i>
12/10/2018	 Motion Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Emergency Motion For Reopening Discovery, Court Intervention, And Sanctions On Order Shortening Time</i>
12/13/2018	 Order <i>Order Permitting Filing of Certain Documents under Seal Pursuant to SRCR 3</i>
12/18/2018	 Notice of Entry of Order <i>Notice of Entry of Order Permitting Filing of Certain Documents Under Seal Pursuant to SRCR 3</i>
12/20/2018	 Opposition to Motion Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant Thyssenkrupp Elevator Corporation's Opposition to Plaintiffs' Emergency Motion for Reopening of Discovery, Court Intervention, and Sanctions on Order Shortening Time</i>
12/20/2018	 Filed Under Seal <i>Defendants' Landry's and Golden Nugget, Inc.'s Errata to Motion for Summary Judgment to be Filed Under Seal Pursuant to Court Order</i>

# CASE SUMMARY

CASE NO. A-16-739887-C

12/20/2018	 Joinder to Opposition to Motion Filed by: Defendant Landry's Inc.; Defendant Golden Nugget Inc; Defendant GNL Corp <i>Joinder to ThyssenKrupp's Opposition to Plaintiffs' Motion to Re-Open Discovery and For Sanctions</i>
12/21/2018	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Joinder In, and Additional Points and Authorities in Support of, Defendant GNL, Corp.'s Motion for Summary Judgment on Puntive Damages</i>
12/28/2018	 Reply Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Reply In Support Of Emergency Motion For Reopening Discovery, Court Intervention, And Sanctions On Order Shortening Time</i>
01/29/2019	 Amended Order Setting Jury Trial <i>Amended Order Setting Jury Trial, Pre-Trial Conference, Calendar Call, and Status Check</i>
02/11/2019	 Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Order Granting Emergency Motion for Reopening Discovery, Court Intervention, and Sanctions on Order Shortening Time</i>
02/11/2019	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Notice of Entry of Order Granting Emergency Motion for Reopening Discovery, Court Intervention, and Sanctions on Order Shortening Time</i>
02/12/2019	 Stipulation and Order Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Stipulation and Order Regarding Hearing Dates for Pending Motions and Motions in Limine</i>
02/12/2019	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Notice of Entry of Stipulation and Order Regarding Hearing Dates for Pending Motions and Motions in Limine</i>
02/15/2019	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Limited Opposition to Defendant/Third Part Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #1 RE: Computation of Damages</i>
02/15/2019	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #7 Re: claim that Thyssenkrupp "Hid" of Failed to Prodcce Evidence</i>
02/15/2019	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Defendant/Third Party Defendant Thussenkrupp Elevator Corporation's Motion in Limine #8 Re: Exclude [sic] The Testimony of Shelia Nabors Swett</i>
02/15/2019	

# CASE SUMMARY

CASE NO. A-16-739887-C

	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #3 Re: Responsibility Avoidance and Reptile Theory [sic] Arguments</i>
02/15/2019	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #6 Re: Exclusion of Evidence of Subsequent Incidents</i>
02/15/2019	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Defendants' GNL Corp., Landry's, Inc. &amp; Golden Nugget, Inc.'s Motion in Limine #3 Regarding Discovery Matters</i>
02/15/2019	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to GNI Corp., Landry's Inc. &amp; Golden Nugget, Inc.'s Motion in Limine #1 to Exclude Srinivas Nalamachu, M.D. for Unauthorized Practice of Medicine in Nevada</i>
02/15/2019	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to GNL, Corp., Landry's Inc. &amp; Golden Nugget, Inc.'s Motion in Limine #2 Regarding Other Incidents or Repairs</i>
02/15/2019	 Notice Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs Notice of Limited Non-Opposition to Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation Motion in Limine #2 Re: Treating Physicians; and Motion in Limine #5 Re: Limit Experts to Opinions and Matters Set Forth in Their Reports</i>
02/15/2019	 Opposition to Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs' Opposition to Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #4 RE: Improper Voir Dire</i>
02/25/2019	 Motion in Limine Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>Plaintiffs Motion In Limine #2 Regarding Certain Opinion Testimony Of Davis I. Turner</i>
02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Motion in Limine #1 re: Computation of Damages</i>
02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Motion in Limine #2 re: Treating Physicians</i>
02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Motion in Limine #3 re: Responsibility Avoidance and Reptile Theory Arguments</i>



# CASE SUMMARY

CASE NO. A-16-739887-C

02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Motion in Limine #4 re: Improper Voir Dire</i>
02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Motion in Limine #5 re: Limit Experts to Opinions and Matters Set Forth in Their Reports</i>
02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Motion in Limine #6 re: Exclusion of Evidence of Subsequent Incidents</i>
02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Motion in Limine #7 re: Claim That Thyssenkrupp "Hid" or Failed to Produced Evidence</i>
02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Motion in Limine #8 re: Exclude Testimony of Sheila Nabors Swett</i>
02/28/2019	 Reply in Support Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant Thyssenkrupp Elevator Corporation's Reply in Support of Its Joinder to Defendants' GNL, Corp., Landry's, Inc. &amp; Golden Nugget, Inc.'s Motion in Limine #2 Regarding Other Incidents or Repairs</i>
02/28/2019	 Reply in Support Filed By: Defendant GNL Corp <i>Reply in Support of Defendant GNL, Corp's Motions in Limine #1-3</i>
03/08/2019	 Opposition Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third Party Defendant thyssenkrupp Elevator Corporation's Opposition to Plaintiffs' Motion in Limine to Exclude Expert Davis I. Turner's Opinions on Alcohol Use</i>
03/11/2019	 Joinder Filed By: Defendant GNL Corp <i>Joinder to Thyssenkrupp's Opposition to Plaintiffs' Motion in Limine to Exclude Expert Davis L.Turner's Opinions on Alcohol Use</i>
03/11/2019	 Order Filed By: Defendant GNL Corp <i>Order Granting Summary Judgment as to Landry's, Inc. and Golden Nugget, Inc.</i>
03/11/2019	 Notice of Entry of Order Filed By: Defendant GNL Corp <i>Notice of Entry of Order Granting Summary Judgment as to Landry's, Inc. and Golden Nugget, Inc.</i>
03/13/2019	 Stipulation and Order



**CASE SUMMARY**

**CASE NO. A-16-739887-C**

	Filed by: Defendant Thyssenkrupp Elevator Corporation <i>Stipulation and Order to Continue Pretrial Conference</i>
03/19/2019	 Notice of Entry of Order Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Notice of Entry of Order</i>
03/20/2019	 Reply Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>REPLY IN SUPPORT OF PLAINTIFFS MOTION IN LIMINE #2 REGARDING CERTAIN OPINION TESTIMONY OF DAVIS L. TURNER</i>
03/22/2019	 Pre-Trial Disclosure Party: Defendant Thyssenkrupp Elevator Corporation <i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's NRCP 16.1(a)(3) Pretrial Disclosures</i>
03/22/2019	 Pre-Trial Disclosure <i>Defendant s/Third-Party Plaintiffs s Pre-Trial Disclosures Pursuant to NRCP.1(a)(3)</i>
03/22/2019	 Pre-Trial Disclosure Party: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>PLAINTIFFS PRE-TRIAL DISCLOSURES PURSUANT TO NRCP 16.1(a)(3)</i>
04/05/2019	 Pre-Trial Disclosure <i>Defendant GNL, Corp. s Objections To Plaintiffs Pre-Trial Disclosures Pursuant To NRCP 16.1(a)(3)</i>
04/16/2019	 Request Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>PLAINTIFFS REQUEST FOR A SHORT EXTENSION OF TIME TO SUBMIT STIPULATION AND ORDER REGARDING DISCOVERY MATTERS AND TRIAL SETTING</i>
04/19/2019	 Order <i>Order on Defendant GNL, Corp's Motion for Summary Judgment on Liability and Punitive Damages</i>
04/19/2019	 Notice of Entry of Order <i>Notice of Entry of Order</i>
04/22/2019	 Stipulation and Order Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>STIPULATION AND ORDER REGARDING DISCOVERY MATTERS AND TRIAL STACK</i>
04/22/2019	 Notice of Entry of Order Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>NOTICE OF ENTRY OF STIPULATION AND ORDER REGARDING DISCOVERY MATTERS AND TRIAL STACK</i>
04/23/2019	 Order Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Order</i>
04/26/2019	 Notice of Motion

# CASE SUMMARY

CASE NO. A-16-739887-C

	<p>Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Notice of Motion of Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motions in Limine 1-8</i></p>
04/26/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
04/26/2019	 Notice of Entry of Order <p>Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Notice of Entry of Order</i></p>
05/02/2019	 Amended Order Setting Jury Trial <i>Amended Order Setting Civil Jury Trial, Pre-Trial/Trial Setting Conference, and Calendar Call/Final Pre-Trial Conference</i>
05/07/2019	 Notice <i>Re-Notice of Motion of Defendants' GNL, Corp.'s Motion in Limine #1 to Exclude Srinivas Nalamachu, MD for Unauthorized Practice of Medicine in Nevada; Motion in Limine #2 regarding Other Incidents or Repairs; and #3 Regarding Discovery Matters</i>
05/14/2019	 Stipulation and Order <p>Filed by: Defendant Thyssenkrupp Elevator Corporation  <i>Stipulation and Order to Continue Defendant Thyssenkrupp Elevator Corporation's Motions in Limine</i></p>
05/15/2019	 Notice of Entry <p>Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Notice of Entry of Stipulation and Order to Continue Defendant Thyssenkrupp Elevator Corporation's Motions in Limine</i></p>
05/16/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
06/25/2019	 Order <p>Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Order Regarding Thyssenkrupp Elevator Corporation's Motions in Limine 1-6</i></p>
06/27/2019	 Notice of Entry of Order <p>Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Notice of Entry of Order</i></p>
06/27/2019	 Motion to Extend Discovery <p>Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  <i>Motion To Extend Deadline For Court-Ordered Discovery On Order Shortening Time</i></p>
07/01/2019	 Objection <p>Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Objection to Subpoena for Deposition</i></p>
07/03/2019	 Opposition <p>Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Defendant Thyssenkrupp Elevator Corporation's Opposition to Plaintiffs' Motion to Extend Deadline for Court-Ordered Discovery on an Order Shortening Time</i></p>
07/05/2019	 Joinder

# CASE SUMMARY

CASE NO. A-16-739887-C

	<p>Filed By: Defendant GNL Corp  <i>Joinder to thyssenkrupp s Opposition to Plaintiffs Motion to Extend Deadline for Court-Ordered Discovery</i></p>
07/08/2019	<p> Reply            Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  <b>REPLY IN SUPPORT OF MOTION TO EXTEND DEADLINE FOR COURT-ORDERED DISCOVERY ON ORDER SHORTENING TIME</b></p>
07/19/2019	<p> Notice of Motion            Filed By: Defendant GNL Corp  <i>Re-Notice of Motion of Defendant, GNL, Corp. s Motion for Summary Judgment on Liability &amp; Punitive Damages</i></p>
07/26/2019	<p> Joinder to Motion For Summary Judgment            Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder in GNL's Motion for Summary Judgment on Punitive Damages</i></p>
08/02/2019	<p> Order            Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Order Regarding Thyssenkrupp Elevator Corporation's Motions In Limine 7-8</i></p>
08/02/2019	<p> Order            Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Order Regarding Plaintiffs' Motion to Extend Deadline for Court-Ordered Discovery</i></p>
08/06/2019	<p> Opposition to Motion For Summary Judgment            Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  <i>Plaintiff's Omnibus Opposition to GNL, Corp.'s Motion for Summary Judgment on Punitive Damages and to Thyssenkrupp Elevator Corp.'s Joinder</i></p>
08/07/2019	<p> Exhibits            Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  <b>EXHIBITS TO: PLAINTIFFS OMNIBUS OPPOSITION TO GNL, CORP. S MOTION FOR SUMMARY JUDGMENT ON PUNITIVE DAMAGES AND TO THYSENKRUPP ELEVATOR CORP. S JOINDER</b></p>
08/07/2019	<p> Notice of Entry of Order            Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Notice of Entry of Order</i></p>
08/07/2019	<p> Notice of Entry of Order            Filed By: Defendant Thyssenkrupp Elevator Corporation  <i>Notice of Entry of Order</i></p>
09/13/2019	<p> Pre-Trial Disclosure            Party: Defendant GNL Corp  <i>Defendant/Third-Party Plaintiff, GNL, Corp.'s Amended Pre-Trial Disclosures Pursuant to NRCP 16.1(a)(3)</i></p>
09/19/2019	<p> Pre-Trial Disclosure            Party: Defendant GNL Corp  <i>Defendant/Third-Party Plaintiff, GNL, Corp's Second Amended Pre-Trial Disclosures Pursuant to NRCP 16.1(a)(3)</i></p>

**CASE SUMMARY**

**CASE NO. A-16-739887-C**

09/20/2019	 Notice of Appearance Party: Defendant GNL Corp <i>Notice of Appearance</i>
09/20/2019	 Notice of Appearance Party: Defendant GNL Corp <i>Amended Notice of Appearance</i>
09/23/2019	 Order Granting Summary Judgment Filed By: Defendant GNL Corp <i>Order Granting Summary Judgment on Punitive Damages</i>
09/25/2019	 Memorandum <i>Memo</i>
09/27/2019	 Notice of Entry of Order Filed By: Defendant GNL Corp <i>Notice of Entry of Order Granting Summary Judgment on Punitive Damages</i>
09/30/2019	 Pre-trial Memorandum <i>DEFENDANT/THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S PRETRIAL MEMORANDUM</i>
10/01/2019	 Audiovisual Transmission Equipment Appearance Request Party: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>AUDIOVISUAL TRANSMISSION EQUIPMENT APPEARANCE REQUEST &amp; AUDIOVISUAL TRANSMISSION EQUIPMENT APPEARANCE CONSENT</i>
10/07/2019	 Objection Filed By: Defendant GNL Corp <i>Defendant/Third-Party Plaintiff, GNL, Corp. Objections to Deposition Excerpts of Don Hartmann, January 24, 2018</i>
10/07/2019	 Objection Filed By: Defendant GNL Corp <i>Defendant/Third-Party Plaintiff, GNL, Corp. Objections to Deposition Excerpts of Don Hartmann, May 17, 2019</i>
10/07/2019	 Pre-trial Memorandum Filed by: Defendant GNL Corp <i>Individual Pre-Trial Memo of GNL, Corp.</i>
10/07/2019	 Pre-trial Memorandum Filed by: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>PLAINTIFFS' PRE-TRIAL MEMORANDUM</i>
10/14/2019	 Order Filed By: Defendant GNL Corp <i>Order Regarding GNL, Corp's Motions in Limine #1-3</i>
10/16/2019	 Notice of Entry of Order Filed By: Defendant GNL Corp <i>Notice of Entry of Order Regarding GNL, Corp.'s Motions in Limine #1-3</i>

# CASE SUMMARY

CASE NO. A-16-739887-C

10/18/2019	 Amended Order Setting Jury Trial <i>Amended Order Setting Civil Jury Trial and Calendar Call/Final Pre-Trial Conference</i>
10/23/2019	 Order Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Order Regarding Thyssenkrupp Elevator Corporation's Motion in Limine #8</i>
10/24/2019	 Notice of Entry of Order Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Notice of Entry of Order</i>
10/28/2019	 Notice of Appeal Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>NOTICE OF APPEAL</i>
10/28/2019	 Case Appeal Statement Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>CASE APPEAL STATEMENT</i>
11/14/2019	 Objection Filed By: Defendant GNL Corp <i>Defendant/Third-Party Plaintiff, GNL, Corp. Revised Objections to Deposition Excerpts of Don Hartmann, January 24, 2018</i>
11/15/2019	 Objection Filed By: Defendant GNL Corp <i>Defendant/Third-Party Plaintiff, GNL, Corp. Objection to Plaintiffs' Amended Deposition Excerpts: Don Hartmann, January 24, 2018</i>
11/22/2019	 Substitution of Attorney Filed by: Defendant GNL Corp <i>Substitution of Attorney</i>
11/22/2019	 Stipulation and Order for Dismissal Without Prejudice Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Stipulation and Order for Dismissal of Third Party Complaint Without Prejudice</i>
11/25/2019	 Subpoena Electronically Issued <i>Subpoena for Trial</i>
11/26/2019	 Audiovisual Transmission Equipment Appearance Request Party: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J <i>AUDIOVISUAL TRANSMISSION EQUIPMENT APPEARANCE REQUEST &amp; AUDIOVISUAL TRANSMISSION EQUIPMENT APPEARANCE CONSENT</i>
11/27/2019	 Notice of Entry of Order Filed By: Defendant Thyssenkrupp Elevator Corporation <i>Notice of Entry of Order</i>
12/03/2019	 Trial Subpoena Filed by: Defendant Thyssenkrupp Elevator Corporation <i>Trial Subpoena of William Schaefer</i>
12/03/2019	 Trial Subpoena

## CASE SUMMARY

CASE NO. A-16-739887-C

Filed by: Defendant Thyssenkrupp Elevator Corporation  
*Trial Subpoena of Mary Brown*

12/03/2019



Trial Subpoena

Filed by: Defendant Thyssenkrupp Elevator Corporation  
*Trial Subpoena for Shalonda Mollette*

12/03/2019



Notice of Appearance

Party: Defendant Thyssenkrupp Elevator Corporation  
*Notice of Appearance*

12/04/2019



Substitution of Attorney

Filed by: Defendant GNL Corp  
*Substitution of Attorney*

12/04/2019



Notice of Appearance

Party: Defendant GNL Corp  
*Notice of Appearance*

12/04/2019



Jury List

12/05/2019



Brief

Filed By: Plaintiff Brown, Joe N.; Plaintiff Brown, Nettie J  
*PLAINTIFF S EDCR 7.27 CIVIL TRIAL MEMORANDUM #1, OF PLAINTIFF S EVIDENTIARY REQUESTS REGARDING: (1) OPENING STATEMENT; AND (2) DEMONSTRATIVE EXHIBITS*

12/05/2019



Amended Jury List

12/06/2019



Amended Jury List

*Second Amended Jury List*

12/16/2019



Brief

Filed By: Plaintiff Brown, Joe N.  
*PLAINTIFF S EDCR 7.27 CIVIL TRIAL MEMORANDUM #2, REGARDING: SELECT MEDICAL BILLS FROM PLAINTIFF S TRIAL EXHIBIT NO. 30*

12/16/2019



Brief

Filed By: Plaintiff Brown, Joe N.  
*PLAINTIFF S EDCR 7.27 CIVIL TRIAL MEMORANDUM #3, REGARDING: DEPOSITION EXCERPTS TO BE READ INTO THE RECORD*

12/16/2019



Brief

Filed By: Plaintiff Brown, Joe N.  
*PLAINTIFF S EDCR 7.27 CIVIL TRIAL MEMORANDUM #3, REGARDING: DEPOSITION EXCERPTS TO BE READ INTO THE RECORD*

12/16/2019



Brief

Filed By: Plaintiff Brown, Joe N.  
*PLAINTIFF S EDCR 7.27 CIVIL TRIAL MEMORANDUM #3, REGARDING: DEPOSITION EXCERPTS TO BE READ INTO THE RECORD (With Depo Excerpts)*

12/16/2019



Trial Brief

Filed By: Defendant Thyssenkrupp Elevator Corporation

# CASE SUMMARY

CASE NO. A-16-739887-C

*Defendant Thyssenkrupp Elevator Corporation's Civil Trial Memoranda in Accordance with EDCR 7.27*

12/16/2019



Brief

Filed By: Defendant GNL Corp  
*Defendant GNL, CORP'S EDCR 7.27 Trial Brief in Support of Anticipated Oral Motion for Judgment as a Matter of Law at Close of Plaintiff's Case in Chief*

12/17/2019



Brief

Filed By: Defendant GNL Corp  
*Defendant GNL, Corp's EDCR 7.27 Trial Brief on Whether Plaintiff Can Lay Foundation to Admit Medical Bills he Received from Providers*

12/18/2019



Brief

Filed By: Plaintiff Brown, Joe N.  
*PLAINTIFF S EDCR 7.27 CIVIL TRIAL MEMORANDUM #4, REGARDING: READING OF CHRISTOPHER DUTCHER DEPOSITION EXCERPTS ON DECEMBER 16*

12/18/2019



Amended Jury List

*Third Amended Jury List*

12/18/2019



Verdict Submitted to the Jury But Returned Unsigned

*Verdict(s) Submitted to Jury But Returned Unsigned*

12/18/2019



Jury Verdict

*Jury Verdict*

12/18/2019



Jury Instructions

*Jury Instructions*

12/31/2019



Order to Statistically Close Case

*Order statistically closing case*

01/08/2020



Judgment on Jury Verdict

Filed By: Defendant GNL Corp  
*Judgment on Jury Verdict*

01/09/2020



Notice of Entry of Judgment

Filed By: Defendant GNL Corp  
*Notice of Entry of Judgment*

01/14/2020



Memorandum of Costs and Disbursements

Filed By: Defendant GNL Corp  
*Defendant GNL Corp's Verified Memorandum of Costs*

01/15/2020



Memorandum of Costs and Disbursements

Filed By: Defendant Thyssenkrupp Elevator Corporation  
*Memorandum of Costs and Disbursements*

01/15/2020



Memorandum of Costs and Disbursements

Filed By: Defendant Thyssenkrupp Elevator Corporation  
*Memorandum of Costs and Disbursements*

01/28/2020




Motion for Attorney Fees and Costs

# CASE SUMMARY


CASE NO. A-16-739887-C

Filed By: Defendant Thyssenkrupp Elevator Corporation  
*Defendant Thyssenkrupp Elevator Corporation's Motion for Attorney's Fees and Costs*


01/29/2020

 Clerk's Notice of Hearing  
*Notice of Hearing*


01/30/2020

 Notice of Change of Hearing  
*Notice of Change of Hearing*


01/30/2020

 Motion for Attorney Fees and Costs  
 Filed By: Defendant GNL Corp  
*Motion for Attorneys' Fees & Costs*


01/31/2020

 Clerk's Notice of Hearing  
*Notice of Hearing*

02/08/2020

 Notice of Appeal  
 Filed By: Plaintiff Brown, Joe N.  
*Plaintiff's Notice of Appeal*

02/09/2020

 Case Appeal Statement  
 Filed By: Plaintiff Brown, Joe N.  
*Plaintiff's Case Appeal Statement*

## **DISPOSITIONS**

03/11/2019

**Summary Judgment** (Judicial Officer: Kishner, Joanna S.)  
 Debtors: Joe N. Brown (Plaintiff), Nettie J Brown (Plaintiff)  
 Creditors: Landry's Inc. (Defendant), Golden Nugget Inc (Defendant)  
 Judgment: 03/11/2019, Docketed: 03/11/2019

03/11/2019

**Order of Dismissal** (Judicial Officer: Kishner, Joanna S.)  
 Debtors: Joe N. Brown (Plaintiff), Nettie J Brown (Plaintiff)  
 Creditors: Landry's Inc. (Defendant), Golden Nugget Inc (Defendant)  
 Judgment: 03/11/2019, Docketed: 03/11/2019

09/23/2019

**Summary Judgment** (Judicial Officer: Kishner, Joanna S.)  
 Debtors: Joe N. Brown (Plaintiff), Nettie J Brown (Plaintiff)  
 Creditors: GNL Corp (Defendant), Thyssenkrupp Elevator Corporation (Defendant)  
 Judgment: 09/23/2019, Docketed: 09/24/2019

09/23/2019

**Order of Dismissal** (Judicial Officer: Kishner, Joanna S.)  
 Debtors: Joe N. Brown (Plaintiff), Nettie J Brown (Plaintiff)  
 Creditors: GNL Corp (Defendant), Thyssenkrupp Elevator Corporation (Defendant)  
 Judgment: 09/23/2019, Docketed: 09/30/2019  
 Comment: Certain Claims

11/22/2019

**Order of Dismissal Without Prejudice** (Judicial Officer: Kishner, Joanna S.)  
 Debtors: GNL Corp (Third Party Plaintiff)  
 Creditors: Thyssenkrupp Elevator Corporation (Third Party Defendant)  
 Judgment: 11/22/2019, Docketed: 11/25/2019

12/18/2019

**Verdict** (Judicial Officer: Kishner, Joanna S.)  
 Debtors: Joe N. Brown (Plaintiff)  
 Creditors: GNL Corp (Defendant), Thyssenkrupp Elevator Corporation (Defendant)  
 Judgment: 12/18/2019, Docketed: 12/24/2019

01/08/2020

**Judgment Upon the Verdict** (Judicial Officer: Kishner, Joanna S.)



# CASE SUMMARY




CASE NO. A-16-739887-C

Debtors: Joe N. Brown (Plaintiff)

Creditors: GNL Corp (Defendant), Thyssenkrupp Elevator Corporation (Defendant)

Judgment: 01/08/2020, Docketed: 01/09/2020

## HEARINGS

- 03/28/2017  **Motion to Dismiss** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Defendants Golden Nugget, Inc. and Landry's, Inc. Motion to Dismiss*  
 Denied Without Prejudice;  
 Journal Entry Details:  
*Matter argued and submitted. Court stated its findings, and ORDERED, Defendants Golden Nugget, Inc. and Landry's, Inc.'s Motion to Dismiss is DENIED WITHOUT PREJUDICE. Counsel for Plaintiff to prepare the Order, circulating to all counsel for approval as to form and content in accordance with EDCR 7.21.;*
- 06/27/2017 **Motion for Summary Judgment** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Defendants' Motion for Summary Judgment*  
 Denied;
- 06/27/2017 **Opposition and Countermotion** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
*Plaintiffs' Opposition to Defendants' Motion for Summary Judgment and, in the Alternative, Request for Discovery Under NRCP 56(f)*  
 Motion Granted;
- 06/27/2017  **All Pending Motions** (9:30 AM) (Judicial Officer: Kishner, Joanna S.)  
 Matter Heard;  
 Journal Entry Details:  
*DEFENDANT'S MOTION FOR SUMMARY JUDGMENT...PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND, IN THE ALTERNATIVE, REQUEST FOR DISCOVERY UNDER NRCP 56(F) Arguments by Ms. Grant and Mr. Iqbal. COURT stated its FINDINGS and ORDERED, Deft's Motion for Summary Judgment DENIED, Pltf's Countermotion for Rule 56(f) Relief GRANTED. Counsel for Pltf to prepare the Order, provide it to counsel and submit to the Court in accordance with EDCR 7.21. CLERK'S NOTE: This minute order was corrected to reflect MSJ was denied and Countermotion was granted./pi CLERK'S NOTE: Minutes corrected. anm/7/14/17;*
- 09/01/2017 **Motion For Reconsideration** (3:00 AM) (Judicial Officer: Kishner, Joanna S.)  
**09/01/2017, 10/10/2017**  
*Defendants Golden Nugget, Inc. and Landry's, Inc.'s Motion for Reconsideration*  
 Hearing Set;  
 Pursuant to faxed letter from counsel  
 Motion Denied;  
 Hearing Set;  
 Pursuant to faxed letter from counsel  
 Motion Denied;
- 09/22/2017 **CANCELED Motion to Compel** (9:00 AM) (Judicial Officer: Bulla, Bonnie)  
*Vacated*  
*Defendant GNL, Corp.'s Motion to Compel HIPPA Release Executed by Plaintiff Joe Brown*
- 10/10/2017 **Motion For Reconsideration** (10:00 AM) (Judicial Officer: Kishner, Joanna S.)  
*Defendants' Motion for Reconsideration*  
 Pursuant to faxed letter from counsel  
 Motion Denied;
- 10/10/2017  **All Pending Motions** (10:00 AM) (Judicial Officer: Kishner, Joanna S.)  
 Matter Heard;  
 Journal Entry Details:  
*DEFTS' GOLDEN NUGGET, INC. AND LANDRY'S, INC'S MOTION FOR RECONSIDERATION...DEFTS' MOTION FOR RECONSIDERATION Mr. Grant argued in support of motion to reconsider. Opposition by Mr. Iqbal. Further argument by Mr. Grant.*

# CASE SUMMARY

CASE NO. A-16-739887-C

Court FINDS this does not meet the standard for reconsideration and ORDERED, motions DENIED. Further, as to request for stay, COURT ORDERED, request DENIED.;

10/13/2017



**Motion to Compel** (9:00 AM) (Judicial Officer: Bulla, Bonnie)

*Motion To Compel Discovery From Defendants Landry s, Inc. And Golden Nugget, Inc. And Request For Sanctions*

see fax dated 9/18/17

Granted in Part; Motion To Compel Discovery From Defendants Landry s, Inc. And Golden Nugget, Inc. And Request For Sanctions

Journal Entry Details:

*Arguments by counsel. Defts felt there wasn't a meaningful 2.34 conference. Colloquy re: Defts providing documentation supporting ownership of Laughlin Casino on the date of accident. COMMISSIONER RECOMMENDED, motion is GRANTED IN PART; answer and verify Interrogatories, and provide supporting documents on the date of accident; if Golden Nugget Laughlin takes responsibility, then tender defenses. Arguments by counsel. At the time of 2.34 conference, Ms. McLeod was not with the Law Firm, and Ms. Grant is in Trial. COMMISSIONER RECOMMENDED, Interrogatory 2 on Landry's is MODIFIED - on the date of accident, whether or not they had an ownership interest in Golden Nugget Laughlin; as to Landry's - Interrogatories 3, 4 are PROTECTED; Request to Produce 1 - look at SEC or gaming document at the time of accident; Interrogatory 5 is PROTECTED; provide supplemental responses no later than 11-13-17; no fees or costs. Colloquy re: preparing a Stipulation and Order to Dismiss. COMMISSIONER RECOMMENDED, Interrogatory 1 on GNI is MODIFIED - on the date of accident, whether or not they had an ownership interest in Golden Nugget Laughlin; as to GNI - Interrogatory 2 is PROTECTED; Request to Produce 1 - MODIFIED and show no ownership interest in Golden Nugget Laughlin; Request to Produce 2 is PROTECTED; provide supplemental responses no later than 11-13-17; no fees or costs. COMMISSIONER RECOMMENDED, verify all Interrogatories. Mr. Iqbal to prepare the Report and Recommendations, and counsel to approve as to form and content. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a contribution.;*

12/14/2017



**Status Check: Compliance** (3:00 AM) (Judicial Officer: Bulla, Bonnie)

**12/14/2017, 02/01/2018**

10-13-17 DCRR

Matter Continued;

Set Notice To Appear;

Matter Continued;

Set Notice To Appear;

Journal Entry Details:

*The 10-13-17 Report and Recommendation remains outstanding. Mr. Iqbal was given the responsibility to submit the Report and Recommendation from the 10-13-17 hearing. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a sanction. COMMISSIONER RECOMMENDED, matter CONTINUED to an in chambers status check. CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Mohamed Iqbal;*

12/20/2017

**CANCELED Motion to Extend Discovery** (9:00 AM) (Judicial Officer: Bulla, Bonnie)

*Vacated*

*Plaintiffs Motion to Extend Discovery Deadlines Pursuant to EDCR 2.35 and Continuance of Trial Date*

01/09/2018

**CANCELED Status Check** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

*Vacated - per Stipulation and Order*

02/15/2018

**CANCELED Pre Trial Conference** (10:15 AM) (Judicial Officer: Kishner, Joanna S.)

*Vacated - per Stipulation and Order*

03/13/2018

**CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

*Vacated - per Stipulation and Order*




03/19/2018

**CANCELED Jury Trial** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

*Vacated - per Stipulation and Order*

**CASE SUMMARY**

**CASE NO. A-16-739887-C**

03/20/2018	<b>CANCELED Status Check: Trial Setting</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Stipulation and Order</i>
04/17/2018	 <b>Discovery Conference</b> (10:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Discovery Conference</i> Matter Heard; Journal Entry Details: <i>Commissioner received the Report and Recommendation this morning and everything was fine. Mr. Iqbal apologized for the mistake. No sanctions today. MATTER RECALLED: Attorneys Alexandra McLeod and Sarah Hartig present. Outcome provided to counsel.;</i>
05/31/2018	<b>CANCELED Pre Trial Conference</b> (10:15 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Stipulation and Order</i>
06/19/2018	<b>CANCELED Status Check</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Stipulation and Order</i>
06/26/2018	<b>CANCELED Calendar Call</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Stipulation and Order</i>
07/02/2018	<b>CANCELED Jury Trial</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Stipulation and Order</i>
08/07/2018	 <b>Motion for Leave</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Plaintiffs' Motion For Leave to File Second Amended Complaint</i> Motion Granted; Journal Entry Details: <i>Following arguments by Mr. Iqbal, Ms. Mastrangelo and Mr. McLeod, COURT ORDERED, Plaintiffs' Motion for Leave to File Second Amended Complaint GRANTED; Plaintiffs will have ten (10) days from Notice of Entry of Order to file its Second Amended Complaint. Mr. Iqbal to prepare the Order pursuant to EDCR 7.21.;</i>
08/09/2018	<b>CANCELED Pre Trial Conference</b> (10:15 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Stipulation and Order</i>
09/04/2018	<b>CANCELED Calendar Call</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Stipulation and Order</i>
09/10/2018	<b>CANCELED Jury Trial</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Stipulation and Order</i>
10/16/2018	 <b>Status Check</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) Matter Heard; Journal Entry Details: <i>Mr. Iqbal stated they were ready to move forward with trial. Upon the Court's inquiry if the parties wished to go to a settlement conference, both Mr. Payne and Ms. McLeod declined. Mr. Iqbal indicated the last deposition is scheduled for Friday and the parties will work on resolving or be ready for trial. Ms. McLeon anticipates future motion practice. Court stated Trial Dates STAND.;</i>
12/04/2018	<b>Motion to Dismiss</b> (9:30 AM) (Judicial Officer: Kishner, Joanna S.) <b>12/04/2018, 02/12/2019</b> <i>Landry's, Inc.'s Motion to Dismiss for Lack of General or Personal Jurisdiction</i> Matter Continued; Denied Without Prejudice; Matter Continued; Denied Without Prejudice;
12/04/2018	<b>Motion for Summary Judgment</b> (9:30 AM) (Judicial Officer: Kishner, Joanna S.)

# CASE SUMMARY

CASE NO. A-16-739887-C

	<p><b>12/04/2018, 02/12/2019</b>  <i>Defendants' Landry's and Golden Nugget, Inc.'s, Motion for Summary Judgment</i>  Matter Continued;  Motion Granted;  Matter Continued;  Motion Granted;</p>
12/04/2018	<p><b>Motion for Summary Judgment (9:30 AM)</b> (Judicial Officer: Kishner, Joanna S.)  <b>12/04/2018, 03/28/2019</b>  <i>Defendants' GNL, Corp., Landry's, Inc. and Golden Nugget, Inc.'s Motion for Summary Judgment on Liability and Punitive Damages</i>  Matter Continued;  Granted in Part;  Matter Continued;  Granted in Part;</p>
12/04/2018	<p><b>Motion to Seal/Redact Records (9:30 AM)</b> (Judicial Officer: Kishner, Joanna S.)  <i>Motion to File Documents Under Seal per SRCR 3 or, Alternatively, Submit In Camera</i>  Granted;</p>
12/04/2018	<p><b>Joinder (9:30 AM)</b> (Judicial Officer: Kishner, Joanna S.)  <b>12/04/2018, 03/28/2019</b>  <i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder In, and Additional Points and Authorities in Support of, Defendant GNL Corp.'s Motion for Summary Judgment on Punitive Damages</i>  Matter Continued;  Granted in Part;  Matter Continued;  Granted in Part;</p>
12/04/2018	<p> <b>All Pending Motions (9:30 AM)</b> (Judicial Officer: Kishner, Joanna S.)  Matter Heard;  Journal Entry Details:  <i>The Court noted it received yesterday Plaintiff's Emergency Motion for Reopening Discovery on Order Shortening Time and stated if there was a joint agreement by the parties, it could hear the matter today. Counsel indicated they were not ready to address the motion today. MOTION TO FILE DOCUMENTS UNDER SEAL PER SRCR 3 OR, ALTERNATIVELY, SUBMIT IN CAMERA Ms. McLeod stated there were three exhibits produced in discovery under a protective order and a Motion to File Document Under Seal was filed and set for hearing on December 18, 2018. Colloquy regarding advancing the motion to today. At the request of counsel and by stipulation of the parties, COURT ORDERED, Motion to File Documents Under Seal ADVANCED and GRANTED. LANDRY'S INC.'S MOTION TO DISMISS FOR LACK OF GENERAL OR PERSONAL JURISDICTION...DEFENDANTS' LANDRY'S AND GOLDEN NUGGET, INC.'S MOTION FOR SUMMARY JUDGMENT...DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON LIABILITY AND PUNITIVE DAMAGES...DEFENDANT/THIRD-PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S JOINDER IN, AND ADDITIONAL POINTS AND AUTHORITIES IN SUPPORT OF, DEFENDANT GNL CORP.'S MOTION FOR SUMMARY JUDGMENT ON PUNITIVE DAMAGES Colloquy regarding scheduling. Mr. Iqbal indicated the pending Motion on Order Shortening Time could change the landscape of the pending matters. Ms. Mastrangelo's preference was to continue the trial to another stack in light of Plaintiff's Emergency Motion and the pending Writ. At the request of all counsel, COURT ORDERED, Trial Dates VACATED and RESET; no new dates are being opened up. COURT FURTHER ORDERED, all pending motions set for December 4, 2018 and December 18, 2018 CONTINUED and DIRECTED counsel to provide a letter to the Court with their agreed upon dates for hearing the Dispositive Motions, Motions in Limine, and Plaintiff's Emergency Motion and SET a Status Check on its Chambers Calendar. 12/7/18 (CHAMBERS) STATUS CHECK: LETTER FROM COUNSEL RESETTING 12/4/18 DISPOSITIVE MOTIONS, 12/18/18 MOTIONS IN LIMINE AND SETTING OST BRIEFING SCHEDULE AND HEARING 3/21/19 10:15 AM PRE TRIAL CONFERENCE 4/16/19 9:00 AM CALENDAR CALL 4/22/19 9:00 AM JURY TRIAL;</i></p>
12/06/2018	<p><b>CANCELED Pre Trial Conference (10:15 AM)</b> (Judicial Officer: Kishner, Joanna S.)</p>

# CASE SUMMARY

CASE NO. A-16-739887-C

*Vacated - per Judge*

12/07/2018



**Status Check (3:00 AM)** (Judicial Officer: Kishner, Joanna S.)

*Status Check: Letter from Counsel Resetting 12/4/18 Dispositive Motions, 12/18/18 Motions in Limine and setting OST briefing schedule and hearing*

*Hearing Set; Status Check: Letter from Counsel Resetting 12/4/18 Dispositive Motions, 12/18/18 Motions in Limine and setting OST briefing schedule and hearing*

*Journal Entry Details:*

*This matter came on for hearing on December 4, 2018 regarding Motions to Dismiss and Motions for Summary Judgment. At the December 4, 2018 hearing, the parties requested to reschedule the hearings on the pending Motions that were set for December 4, 2018 and to reset Motions in Limine that were to be heard on December 18, 2018. In light of the parties, request, the parties were to send Department XXXI a fax prior to December 7th with their agreed upon proposed hearing dates for the December 4, 2018 Motions, December 18, 2018 Motions in Limine, and Plaintiffs' Emergency Motion for Reopening Discovery, Court Intervention, and Sanctions on Order Shortening Time. Accordingly, the matter was placed on Department XXXI's Chambers Calendar for December 7, 2018 so that the pending hearings could be reset. As of 2:00 p.m. on December 7th, the Court had not received any notification from the parties regarding rescheduled hearing dates. As a result, and in light of the April 4, 2018 trial date, the Court is setting the Motions to be heard on dates consistent with the scheduled trial stack. Accordingly, the Dispositive Motions that were set for December 4, 2018 and the pending December 18, 2018 Motions in Limine will now all be heard on February 12, 2019 at 10:00 a.m. Plaintiff's Emergency Motion for Reopening Discovery, Court Intervention, and Sanctions on Order Shortening Time will be heard on January 10, 2019 at 9:00 a.m. If these dates are not convenient to the parties they will need to provide the Court with a Stipulation and proposed Order consistent with the EDCR to reschedule the hearings.*

*CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Tena M. Jolley, to all registered parties for Odyssey File & Serve. (tmj:12/7/18);*

12/18/2018

**CANCELED Calendar Call (9:00 AM)** (Judicial Officer: Kishner, Joanna S.)

*Vacated - per Judge*

01/07/2019

**CANCELED Jury Trial (9:00 AM)** (Judicial Officer: Kishner, Joanna S.)

*Vacated - per Judge*

01/08/2019



**Motion (9:00 AM)** (Judicial Officer: Kishner, Joanna S.)

*Plaintiffs' Emergency Motion For Reopening Discovery, Court Intervention, And Sanctions On Order Shortening Time*

*Motion Granted;*

*Journal Entry Details:*

*After the Court's consideration of the papers submitted by counsel in connection with this matter, and, having heard the oral arguments presented by Mr. Iqbal, Ms. McLeod and Ms. Mastrangelo, the COURT ORDERED, Plaintiffs' Emergency Motion for Reopening Discovery, Court Intervention, and Sanctions GRANTED; limited discovery is reopened, a new trial date will be set, and based on the lack of due diligence, SANCTIONS Defendant Tyssenkrupp Elevator Corporation for plaintiff counsel's attorney's fees for today's hearing, including the preparation of the motion and reply, as well as the costs of deposition transcript for deposing or redeposing the witnesses as to the Exhibit G emails and the individuals identified therein. Mr Iqbal to prepare the Order, circulating to opposing counsel and provide it back to the Court in accordance with EDCR 7.21. COURT FURTHER ORDERED matter SET for Status Check and DIRECTED counsel to confer and send the Court a letter requesting a telephonic conference be set within the next two weeks for setting limited discovery deadlines and scheduling a new trial date. 1/25/19 (CHAMBERS) STATUS CHECK: LETTER FROM COUNSEL TO SET TELEPHONIC CONFERENCE FOR SETTING LIMITED DISCOVERY DEADLINES AND RESET TRIAL DATES;*

01/25/2019



**Status Check (3:00 AM)** (Judicial Officer: Kishner, Joanna S.)

**01/25/2019, 02/07/2019**

*Status Check: Letter from Counsel to Set Telephonic Conference for Setting Limited Discovery Deadlines and Resetting Trial Dates*

*Hearing Set; NO Letter from Counsel regarding 1/8/19 Granting of Plaintiff's Emergency Motion For Reopening Discovery/Reset Trial Dates WAS RECEIVED / SET for in person Status Check 2/7/19*



# CASE SUMMARY

CASE NO. A-16-739887-C

Matter Heard;

Journal Entry Details:

*The Court noted that the Order submitted on the January 8, 2019, motion hearing was rejected on January 25, 2019, as it did not appear to have been circulated for opposing counsel's review; that the Court never received counsel's letter regarding the agreed upon limited discovery deadline and trial resetting; and therefore an Amended Order Setting Jury Trial was issued for the April 22, 2019, trial setting. Both Ms. Mastrangelo and Ms. Hartig indicated they reviewed the order and advised Mr. Iqbal of their requested changes. Mr. Iqbal stated he was not aware it was rejected and will see that it is corrected and resubmitted. The Court further noted that there were several unopposed Motions in Limine set for hearing on February 12, 2019, which the Court was ready to grant and unless there was a waiver, they will be granted. Mr. Iqbal stated his oppositions to Motions in Limine were not filed as it was his understanding that they would be reset but since the Motion to Dismiss and Motions for Summary Judgment had been fully briefed, they would proceed on February 12, 2019. Ms. Hartig requested that the Motion to Dismiss proceed on February 12th, but that the Motions for Summary Judgment be renoticed. Ms. Mastrangelo stated if the April 22nd trial setting was not being continued, that she would like to proceed with the Motions in Limine on February 12, 2019. Mr. Iqbal requested that the trial be reset for late Summer / August to allow the parties to finish the limited discovery. Ms. Hartig stated they would need 60-90 days for the additional discovery with out of state depositions to be completed. Ms. Mastrangelo stated she could live with the April 22nd trial setting, but that she would have a calendar conflict with a summer trial. The Court stated it would need proper motion practice if there was no agreement between all counsel. Counsel were unable to reach an agreement and the matter was adjourned.;*

Hearing Set; NO Letter from Counsel regarding 1/8/19 Granting of Plaintiff's Emergency Motion For Reopening Discovery/Reset Trial Dates WAS RECEIVED / SET for in person Status Check 2/7/19

Matter Heard;

02/12/2019



**All Pending Motions (10:00 AM)** (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

*Colloquy regarding matters being heard today. Stipulation and Order Regarding Hearing Dates for Pending Motions and Motions in Limine RECEIVED and SIGNED IN OPEN COURT. LANDRY'S, INC.'S MOTION TO DISMISS FOR LACK OF GENERAL OR PERSONAL JURISDICTION Following arguments by counsel, COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. Mr. Iqbal to prepare the Order, circulating to opposing counsel and provide it back to the Court in accordance with EDCR 7.21. DEFENDANTS' LANDRY'S AND GOLDEN NUGGET, INC.'S MOTION FOR SUMMARY JUDGMENT Following arguments by counsel, COURT FINDS no material issues of fact in dispute and ORDERED, Motion for Summary Judgment GRANTED. Ms. McLeod to prepare the Order, circulating to opposing counsel and provide it back to the Court in accordance with EDCR 7.21.;*

03/28/2019

**Motion in Limine (10:00 AM)** (Judicial Officer: Kishner, Joanna S.)

**03/28/2019, 12/04/2019**

*Defendants, GNL, Corp., Landry's, Inc. & Golden Nugget, Inc.'s Motion in Limine #1 to Exclude Srinivas Nalamachu, MD for Unauthorized Practice of Medicine in Nevada*

Matter Continued;

Vacated - Heard on 6/4/19

Granted;

Matter Continued;

Vacated - Heard on 6/4/19

Granted;

03/28/2019

**Motion in Limine (10:00 AM)** (Judicial Officer: Kishner, Joanna S.)

*Defendants, GNL, Corp., Landry's, Inc. & Golden Nugget, Inc.'s Motion in Limine #2 Regarding Other Incidents or Repairs and #3 Regarding Discovery Matters*

Matter Continued;

Vacated - Heard on 6/4/19

03/28/2019

**Motion in Limine (10:00 AM)** (Judicial Officer: Kishner, Joanna S.)

*Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #1*



**CASE SUMMARY**

**CASE NO. A-16-739887-C**

	<p><i>re: Computation of Damages</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #2 re: Treating Physicians</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #3 re: Responsibility Avoidance and Reptile Theory Arguments</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #4 re: Improper Voir Dire</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #5 re: Limit Experts to Opinions and Matters Set forth In Their Reports</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #6 re: Exclusion of Evidence of Subsequent Incidents</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #7 re: Claim that Thyssenkrupp "Hid" or Failed to Produce Evidence</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><b>03/28/2019, 04/03/2019</b></p> <p><i>Plaintiffs' Motion in Limine to Exclude Expert Witness Davis L Turner for Failure to Disclose Inspection Related Information and Documents</i></p> <p>Matter Continued;</p> <p>Motion Denied;</p> <p>Matter Continued;</p> <p>Motion Denied;</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Motion in Limine #8 re: Exclude the Testimony of Sheila Nabors Swett</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Joinder to Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder to Defendants' GNL, Corp., Landry's, Inc. &amp; Golden Nugget, Inc.'s Motion in Limine #2 Regarding Other Incidents or Repairs and #3 Regarding Discovery Matters</i></p> <p>Matter Continued;</p>

# CASE SUMMARY

CASE NO. A-16-739887-C

	Vacated - Heard on 6/4/19
03/28/2019	<p><b>Joinder to Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder to Defendants' GNL Corp., Landry's, Inc. &amp; Golden Nugget, Inc.'s Motion in Limine #1 to Exclude Srinivas Nalamachu, M.D. for Unauthorized Practice of Medicine in Nevada</i></p> <p>Matter Continued;</p> <p>Vacated - Heard on 6/4/19</p>
03/28/2019	<p><b>Pre Trial Conference</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p>Matter Heard;</p>
03/28/2019	<p><b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p><b>03/28/2019, 04/03/2019</b></p> <p><i>Plaintiffs' Motion In Limine #2 Regarding Certain Opinion Testimony Of Davis I. Turner</i></p> <p>To be heard with all other motions</p> <p>Matter Continued;</p> <p>Motion Granted;</p> <p>To be heard with all other motions</p> <p>Matter Continued;</p> <p>Motion Granted;</p>
03/28/2019	<p> <b>All Pending Motions</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>DEFENDANTS' GNL, CORP., LANDRY'S, INC. AND GOLDEN NUGGET, INC.'S MOTION FOR SUMMARY JUDGMENT ON LIABILITY AND PUNITIVE DAMAGES...DEFENDANT/THIRD-PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S JOINDER IN, AND ADDITIONAL POINTS AND AUTHORITIES IN SUPPORT OF, DEFENDANT GNL CORP.'S MOTION FOR SUMMARY JUDGMENT ON PUNITIVE DAMAGES After the Court's consideration of the papers submitted by counsel in connection with this matter, and having heard the oral arguments presented by all counsel, COURT FINDS material issues of fact exist as to LIABILITY. Accordingly, COURT ORDERED Defendants' GNL, Corp., Landry's, Inc. and Golden Nugget, Inc.'s Motion for Summary Judgment on Liability DENIED WITHOUT PREJUDICE. Ms. McLeod to prepare the Order, circulating to opposing counsel and provide it back to the Court in accordance with EDCR 7.21. Pursuant to the agreement of counsel, the punitive damages portion of Defendants' GNL, Corp., Landry's, Inc. and Golden Nugget, Inc.'s Motion for Summary Judgment, as well as Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder In, and Additional Points and Authorities in Support of, Defendant GNL Corp.'s Motion for Summary Judgment on Punitive Damages are WITHDRAWN and will be resubmitted after the limited discovery has been completed and will be viewed as timely. MOTIONS IN LIMINE and PRE TRIAL CONFERENCE Colloquy regarding pretrial matters pending and its impact on the current trial setting. At the request of counsel, COURT ORDERED all pending Motions in Limine CONTINUED for hearing on April 3, 2019, at 10:00 a.m. Additionally, COURT FINDS good cause exists and ORDERED Calendar Call and Trial Dates VACATED to be reset no later than the October 14, 2019, five-week trial stack. While counsel anticipate trial being reset for the October 14, 2019 Trial Stack, the Court offered counsel the July 1st, August 5th, or the September 9th trial stack as well. Ms. McLeod indicated counsel would meet and agree by April 15, 2019, and she will coordinate submitting the parties' stipulation to the Court. The Court stated it would not be reopening past pretrial deadlines with the exception that the Motion for Summary Judgment on Punitive Damages deadline will be triggered by the new trial date.;</i></p>
04/03/2019	<p> <b>All Pending Motions</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>PLAINTIFFS' MOTION IN LIMINE TO EXCLUDE EXPERT WITNESS DAVIS L. TURNER FOR FAILURE TO DISCLOSE INSPECTION RELATED INFORMATION AND DOCUMENTS Following arguments by counsel, and counsel having spoken among themselves and stated there had not been a privilege log provided, COURT FINDS exclusion is not proper as expert was timely disclosed and ORDERED Plaintiffs' Motion in Limine to Exclude Expert Witness Davis L. Turner for Failure to Disclose Inspection Related Information and</i></p>



# CASE SUMMARY

CASE No. A-16-739887-C

*Documents DENIED. PLAINTIFFS' MOTION IN LIMINE #2 REGARDING CERTAIN OPINION TESTIMONY OF DAVID L. TURNER Following arguments by counsel, COURT ORDERED Plaintiffs' Motion in Limine #2 Regarding Certain Opinion Testimony of Davis L. Turner GRANTED. Court inquired if counsel would like to resume the hearing on the Motions in Limine at 1:00 p.m. or if they wished to continued the pending motions to another date. Colloquy regarding scheduling. COURT ORDERED, matter CONTINUED. The Court was made aware of Ms. McLeod's calendar conflict with a 9:00 a.m. Pretrial Conference in Department 30 on April 22, 2019, and DIRECTED counsel to remind the Court and the Court can coordinate with Department 30 such that Ms. McLeod can appear for both matters. 4/23/19 8:30 AM ALL PENDING MOTIONS IN LIMINE;*

04/16/2019	<b>CANCELED Calendar Call</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Judge</i>
04/22/2019	<b>CANCELED All Pending Motions</b> (8:30 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated</i> <b>ALL PENDING MOTIONS - MOTIONS IN LIMINE</b>
04/22/2019	<b>CANCELED Jury Trial</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - per Judge</i>
05/30/2019	<b>CANCELED Motion</b> (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - On in Error</i> <b>Motion to Release Lis Pendens and Pay Judgment from Escrow</b>
06/04/2019	<b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Events: 04/26/2019 Notice of Motion</i> <b>Defendant / Third Party Defendant Thyssenkrupp Elevator Corporation's Motion In Limine No. 2 Re: Treating Physicians</b> <i>Granted;</i>
06/04/2019	<b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Defendant / Third Party Defendant Thyssenkrupp Elevator Corporation's Motion In Limine No. 1 Re: Computation Of Damages</i> <i>Granted;</i>
06/04/2019	<b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Defendant / Third Party Defendant Thyssenkrupp Elevator Corporation's Motion In Limine No. 3 Re: Responsibility Avoidance And Reptile Theory Arguments</i> <i>Deferred Ruling;</i>
06/04/2019	<b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Defendant / Third Party Defendant Thyssenkrupp Elevator Corporation's Motion In Limine No. 4 Re: Improper Voir Dire</i> <i>Deferred Ruling;</i>
06/04/2019	<b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Defendant / Third Party Defendant Thyssenkrupp Elevator Corporation's Motion In Limine No. 5 Re: Limit Experts To Opinions And Matters Set Forth In Their Reports</i> <i>Granted;</i>
06/04/2019	<b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Defendant / Third Party Defendant Thyssenkrupp Elevator Corporation's Motion In Limine No. 6 Re: Exclusion Of Evidence of Subsequent Incidents</i> <i>Granted in Part;</i>
06/04/2019	<b>Motion in Limine</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <b>06/04/2019, 06/18/2019, 07/10/2019</b> <i>Defendant / Third Party Defendant Thyssenkrupp Elevator Corporation's Motion In Limine No. 7 Re: Claim That Thyssenkrupp "Hid" Or Failed To Produce Evidence</i> <i>Continued;</i> <i>Matter Continued;</i>

# CASE SUMMARY

CASE NO. A-16-739887-C

Matter Heard;  
Continued;  
Matter Continued;  
Matter Heard;  
Continued;  
Matter Continued;  
Matter Heard;

06/04/2019

**Motion in Limine** (10:00 AM) (Judicial Officer: Kishner, Joanna S.)  
**06/04/2019, 06/18/2019, 07/10/2019, 10/07/2019**

*Defendant / Third Party Defendant Thyssenkrupp Elevator Corporation's Motion In Limine No. 8 Re: Exclude The Testimony Of Sheila Nabors Swett*

Continued;  
Matter Continued;  
Deferred Ruling;  
Granted in Part;  
Continued;  
Matter Continued;  
Deferred Ruling;  
Granted in Part;  
Continued;  
Matter Continued;  
Deferred Ruling;  
Granted in Part;  
Continued;  
Matter Continued;  
Deferred Ruling;  
Granted in Part;  
Continued;  
Matter Continued;  
Deferred Ruling;  
Granted in Part;

06/04/2019



**All Pending Motions** (10:00 AM) (Judicial Officer: Kishner, Joanna S.)

*All Pending Motions (6/04/2019)*

Matter Heard;  
Journal Entry Details:

*Matter argued and submitted. COURT ORDERED, as follows: DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 1 RE: COMPUTATION OF DAMAGES - MOTION GRANTED. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 2 RE: TREATING PHYSICIANS - MOTION GRANTED as unopposed. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 3 RE: RESPONSIBILITY AVOIDANCE AND REPTILE THEORY ARGUMENTS - MOTION DEFERRED to a date and time set by parties, for this motion to be discussed close to time of Calendar Call; and parties are to remind the Court at time of Pre-Trial Conference as to when this motion can be specifically addressed and to also provide a date when the proposed voir dire will be submitted. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 4 RE: IMPROPER VOIR DIRE - MOTION DEFERRED to a date and time set by parties, for this motion to be discussed close to time of Calendar Call; and parties are to remind the Court at time of Pre-Trial Conference as to when this motion can be specifically addressed and to also provide a date when the proposed voir dire will be submitted. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 5 RE: LIMIT EXPERTS TO OPINIONS AND MATTERS SET FORTH IN THEIR REPORTS - MOTION GRANTED as unopposed. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 6 RE: EXCLUSION OF EVIDENCE OF SUBSEQUENT INCIDENTS - MOTION GRANTED IN PART only as to excluding testimony from Yolanda R. Moreno and Hector Ruelas about their own personal experiences at the property at issue and the escalator at issue. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 7 RE: CLAIM THAT THYSSENKRUPP "HID" OR FAILED TO PRODUCE EVIDENCE - MOTION CONTINUED to June 18, 2019 at 10:00 A.M. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 8 RE: EXCLUDE THE TESTIMONY OF SHEILA NABORS SWETT - MOTION CONTINUED to June 18, 2019 at 10:00 A.M. 6/18/19 10:00 A.M. DEFENDANTS' GNL, CORP LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTION IN LIMINE NO. 1 TO EXCLUDE SRINIVAS NALAMACHU, M.D. FOR UNAUTHORIZED PRACTICE OF*

# CASE SUMMARY

CASE No. A-16-739887-C

MEDICINE IN NEVADA; MOTION IN LIMINE NO. 2 REGARDING OTHER INCIDENTS OR REPAIRS; AND MOTION IN LIMINE NO. 3 REGARDING DISCOVERY MATTERS ;

06/18/2019



**Motion in Limine** (10:00 AM) (Judicial Officer: Kishner, Joanna S.)

06/18/2019, 07/10/2019

*Re-Notice Of Motion Of Defendants' GNL, Corp.'s Motion In Limine #1 To Exclude Srinivas Nalamachu, MD For Unauthorized Practice Of Medicine In Nevada; Motion In Limine #2 Regarding Other Incidents Or Repairs; And #3 Regarding Discovery Matters*

Matter Continued;

Granted;

Matter Continued;

Granted;

06/18/2019



**All Pending Motions** (10:00 AM) (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

*RE-NOTICE OF MOTION OF DEFTS' GNL, CORP'S MOTION IN LIMINE #1 TO EXCLUDE SRINIVAS NALAMACHU, MD, FOR UNAUTHORIZED PRACTICE OF MEDICINE IN NEVADA; MOTION IN LIMINE #2 REGARDING OTHER INCIDENTS OR REPAIRS; AND #3 REGARDING DISCOVERY MATTERS...DEFT / THIRD PARTY DEFT. THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 7 RE: CLAIM THAT THYSSENKRUPP "HID" OR FAILED TO PRODUCE EVIDENCE...DEFT / THIRD PARTY DEFT. THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 87 RE: EXCLUDE TESTIMONY OF SHEILA NABORS SWETT CONFERENCE AT THE BENCH. COURT ORDERED, matters CONTINUED. CONTINUED TO: 7/10/19 1:00 PM;*

07/10/2019

**Motion to Extend Discovery** (1:00 PM) (Judicial Officer: Kishner, Joanna S.)

*Plaintiffs' Motion To Extend Deadline For Court-Ordered Discovery On Order Shortening Time*

Denied;

07/10/2019



**All Pending Motions** (1:00 PM) (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

*Arguments by counsel. Court stated findings. COURT ORDERED, as follows: DEFENDANTS GNL, CORP., LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTION IN LIMINE NO. 1 TO EXCLUDE SRINIVAS NALAMACHU, M.D. FOR UNAUTHORIZED PRACTICE OF MEDICINE IN NEVADA...DEFENDANT / THIRD-PARTY DEFENDANTS GNL, CORP., LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTION IN LIMINE NO. 1 TO EXCLUDE SRINIVAS NALAMACHU, M.D. FOR UNAUTHORIZED PRACTICE OF MEDICINE IN NEVADA - MOTION AND JOINDER DENIED WITHOUT PREJUDICE, and Motion is DEFERRED IN PART with a caveat that an evidentiary hearing will be set for voir dire to be done on Srinivas Nalamachu, M.D., prior to trial, for clarification and more information to be provided on what this witness is intending to testify to. Parties made no objection to having the witness appear to testify by audio visual. DEFENDANTS GNL, CORP., LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTIONS IN LIMINE NO. 2 REGARDING OTHER INCIDENTS OR REPAIRS AND NO. 3 REGARDING DISCOVERY MATTERS...DEFENDANT / THIRD-PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S JOINDER TO DEFENDANTS GNL, CORP., LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTIONS IN LIMINE NO. 2 REGARDING OTHER INCIDENTS OR REPAIRS AND NO. 3 REGARDING DISCOVERY MATTERS - MOTION IN LIMINE NO. 2 AND JOINDER TO MOTION IN LIMINE NO. 2 are GRANTED; and, as to MOTION IN LIMINE NO. 3 AND JOINDER TO MOTION IN LIMINE NO. 3 - Motion and Joinder are GRANTED, parties are to follow the law, and what was not previously disclosed will not come in at trial. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 7 RE: CLAIM THAT THYSSENKRUPP "HID" OR FAILED TO PRODUCE EVIDENCE - all parties are to follow the law. DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 8 RE: EXCLUDE THE TESTIMONY OF SHEILA NABORS SWETT - MOTION DEFERRED with a caveat that an evidentiary hearing will be set for voir dire to be done on Sheila Nabors Swett, prior to trial. Parties made no objection to having the witness appear to testify by audio visual. Court offered time for next week to both sides to get the voir dire done; and reminded the parties this needs to get done before trial. PLAINTIFFS' MOTION TO EXTEND DEADLINE*

# CASE SUMMARY

CASE NO. A-16-739887-C

*FOR COURT-ORDERED DISCOVERY ON ORDER SHORTENING TIME - MOTION DENIED as the Court does not see good cause or excusable neglect to extend the deadline. Handouts on the audio visual procedures were provided. Ms. Mastrangelo to prepare the orders. Court stated this case may be ripe for a settlement conference program; and provided more information about this program and the senior judge settlement conference program. Counsel requested time to confer with each other and provide a letter to the Court about participating in a settlement conference. COURT SO ORDERED. ;*

- |            |   |
|------------|---|
| 07/10/2019 | <b>Joinder to Motion in Limine</b> (1:00 PM) (Judicial Officer: Kishner, Joanna S.)<br><i>Defendant / Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder To Defendants GNL, Corp., Landry's, Inc. &amp; Golden Nugget, Inc.'s Motion In Limine No. 1 To Exclude Srinivas Nalamachu, M.D. For Unauthorized Practice Of Medicine In Nevada Denied Without Prejudice;</i>   |
| 07/10/2019 | <b>Joinder to Motion in Limine</b> (1:00 PM) (Judicial Officer: Kishner, Joanna S.)<br><i>Defendant / Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder To Defendants GNL, Corp., Landry's, Inc. &amp; Golden Nugget, Inc.'s Motion In Limine No. 2 Regarding Other Incidents Or Repairs And No. 3 Regarding Discovery Matters Granted;</i>   |
| 08/27/2019 | <b>Motion for Summary Judgment</b> (9:30 AM) (Judicial Officer: Kishner, Joanna S.)<br><i>Defendant / Third-Party Plaintiff GNL, Corp.'s Re-Notice of Motion of Defendant, GNL, Corp.'s Motion for Summary Judgment on Liability and Punitive Damages Granted;</i>  |
| 08/27/2019 | <b>Joinder</b> (9:30 AM) (Judicial Officer: Kishner, Joanna S.)<br><i>Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder in GNL's Motion for Summary Judgment on Punitive Damages Granted;</i>   |
| 08/27/2019 |  <b>All Pending Motions</b> (9:30 AM) (Judicial Officer: Kishner, Joanna S.)<br><i>All Pending Motions (8/27/2019)</i><br>Matter Heard;<br>Journal Entry Details:<br><i>DEFENDANT / THIRD PARTY PLAINTIFF GNL, CORP.'S RE-NOTICE OF MOTION OF DEFENDANT, GNL, CORP.'S MOTION FOR SUMMARY JUDGMENT ON LIABILITY AND PUNITIVE DAMAGES...DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S JOINDER IN GNL'S MOTION FOR SUMMARY JUDGMENT ON PUNITIVE DAMAGES Arguments by counsel as to punitive damages. Court stated its findings. COURT ORDERED, Motion GRANTED as a matter of law, and as to punitive damages. Counsel for GNL Corp., to submit a proposed findings of facts and conclusions of law, in accordance to EDCR 7.21.;</i>  |
| 09/12/2019 |  <b>Pre Trial Conference</b> (10:15 AM) (Judicial Officer: Kishner, Joanna S.)<br>Trial Date Set;<br>Journal Entry Details:<br><i>Counsel stated parties met before coming to Court, to address some issues, and one of the issues was about voir dire. Colloquy regarding scheduling and availability of the parties. Counsel estimated 3 weeks for trial, and noted a 2.67 conference has been scheduled for September 24, 2019. COURT ORDERED, trial date SET. Court noted this case is #3. Discussions regarding pre-trial matters, juror notebooks being sought and voir dire. Parties to submit a joint letter after their 2.67 conference, regarding pre-trial matters to be addressed, and to include in the letter about whether or not the parties want to address the pre-trial matters on the day before Calendar Call, being Monday, October 7, 2019. 10/08/19 9:00 A.M. CALENDAR CALL 10/21/19 9:00 A.M. TRIAL BY JURY (#3) CLERK'S NOTE: Minutes updated 9/24/19. sb;</i> |
| 10/07/2019 | <b>Hearing</b> (1:00 PM) (Judicial Officer: Kishner, Joanna S.)<br><i>Hearing Re: Pre-Trial Matters</i><br>Matter Heard;  |
| 10/07/2019 |  <b>All Pending Motions</b> (1:00 PM) (Judicial Officer: Kishner, Joanna S.)   |

# CASE SUMMARY

CASE NO. A-16-739887-C

All Pending Motions (10/07/2019)

Matter Heard;

Journal Entry Details:

**HEARING RE: PRE TRIAL MATTERS** Paralegal to Mr. Roberts also present in Court. Court addressed issues regarding what was provided by Plaintiffs' counsel recently, in regards to the request to address deposition excerpts, and the Court's memo having been issued to the parties. Discussions as to deposition excerpts counsel is seeking to resolve, and Rule 2.67 conference. Court reminded counsel about deposition excerpt rules and requirements; and clarified the voir dire of Sheila Swett is what is only being handled today. Court inquired about pre-trial memorandums. Statements by counsel regarding notification having been given on Pre-Trial Memorandums being due October 7, 2019. Statements by Paralegal to Mr. Roberts were made to the Court as to communication having been made to Chambers by defense counsel's firm about the pre-trial memorandum deadline. Court reminded the parties about the rules; and admonished parties not to contact a judicial department by phone to change a deadline date. **DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 8 RE: EXCLUDE THE TESTIMONY OF SHEILA NABORS SWETT** Expert Sheila Swett appeared by video conference; and provided sworn testimony. Court's Exhibits presented (See Worksheets.). Witness was excused when voir dire testimony concluded. Arguments by counsel. Discussion as to Hallmark standards and the testimony presented today. Court stated its analysis and findings; and **ORDERED**, Motion **GRANTED** as to all opinions set forth in Sheila Swett's initial expert report from May 4, 2018, and as to any similar opinions in the rebuttal report from May 28, 2018. Court noted its ruling does not preclude Ms. Swett from testifying in some capacity as a rebuttal expert, and the Court would defer this portion until time of trial. By agreement of counsel, **COURT ORDERED**, Calendar Call **CONTINUED** from October 15, 2019 to a date determined by Court. Court noted it was not extending any deadlines.;

10/11/2019



**Further Proceedings** (10:00 AM) (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

Telephonic Conference. Court contacted counsel to set a trial date. Counsel estimated 15 days for trial. Court suggested that counsel talk with each other and experts and send the Court a joint letter with their available trial dates. Court noted that it was not inclined to have the trial past March 2020 due to the age of the case.;

10/14/2019

**CANCELED Jury Trial** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated - per Judge

10/15/2019

**CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated

10/21/2019

**CANCELED Jury Trial** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated

Jury Trial - **FIRM** (#3)

11/19/2019



**Calendar Call** (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Pursuant to fax of 10/11/19

Matter Heard;

Journal Entry Details:

Discussions as to deposition designation excerpts having been provided to the Court, and counsel's availability before trial to address the excerpts and to have the voir dire of the expert done. Parties estimated 6-8 hours for jury selection. Further discussions as to number of witnesses for trial. Court reviewed the Pre-Trial Memorandum. Deposition transcripts of Joe N. Brown, James Stephen Robertson, Sheila Nabors Swett, Don Hartmann, Davis Lee Turner, Chris Dutcher, and a videotaped deposition transcript of Don Hartmann, were provided to Clerk by counsel in open Court. Ms. McLeod confirmed deposition transcripts of Nettie Brown, Clay Mollette, Shalonda Mollette, Mary Brown, and William Lacost, D.O., will be delivered to Clerk, prior to trial. The following items were provided to the Clerk in open Court: Plaintiffs' Exhibits 1-34, Defendants' Joint Exhibits A-V, agreed upon jury instructions (plus CD), Defendants' proposed verdict forms, Defendants' proposed jury instructions objected to by Plaintiffs (cited and un-cited), Plaintiffs' proposed special jury instructions objected to by Defendants (cited), and GNL Corp.'s proposed questions for voir dire. Mr. Iqbal requested to set up a telephonic conference to address issues Plaintiffs have. Discussion as to status of



# CASE SUMMARY

CASE NO. A-16-739887-C

appeal before the Nevada Supreme Court. Arguments by Ms. Mastrangelo. Ms. McLeod stated she has not seen the list of demonstrative exhibits Plaintiffs are seeking to present. Statements by Mr. Roberts regarding audio / visual needs for trial. Further discussions as to no proposed exhibits being stipulated to by counsel at this time. Counsel to submit a joint letter by end of day providing a list of the outstanding issues, and to include in the letter as to when the parties want to have the Voir Dire of the expert done, plus estimate of how much time is needed for the hearing.;

11/21/2019



**Hearing (2:00 PM)** (Judicial Officer: Kishner, Joanna S.)

**11/21/2019-11/22/2019**

*Pre-Trial Matters*

Continued;

Matter Heard;

Journal Entry Details:

*Mr. Roberts not present. Paralegal Audra Bonney present in gallery. Deposition excerpts of Chris Dutcher were addressed. Discussion as to deposition excerpts of Don Hartmann. Objections were made by counsel on the record. Court issued rulings. Colloquy regarding trial schedule, and availability on when remaining issues could be addressed and finished.;*

Continued;

Matter Heard;

Journal Entry Details:

*Discussions as to availability of counsel and expert for the voir dire of expert. Statements by counsel regarding procedure on expert viewing exhibits while providing video testimony. Parties agreed to have 60 jurors for voir dire (jury selection). Court orally provided voir dire procedure to the parties. Plaintiffs' counsel noted exclusionary rule will be invoked. Mr. Roberts requested the exclusionary rule not be invoked as to experts. Discussions as to Rule 7.27. Parties agreed not to address disputed jury instructions today. Upon Court's inquiry, parties confirmed trial exhibits have not been stipulated to. Discussions as to Plaintiffs' demonstrative exhibits. Deposition excerpts of Chris Dutcher were addressed. Objections were made by counsel on the record. Court issued rulings. Matter CONTINUED to November 22, 2019 at 9:00 A.M.;*

12/02/2019



**Jury Trial - FIRM (9:00 AM)** (Judicial Officer: Kishner, Joanna S.)

**12/02/2019-12/06/2019, 12/09/2019-12/13/2019, 12/16/2019-12/18/2019**

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

*Mr. Serrano and Mr. Iqbal's assistant Marie-Claire Alsanjakli were present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court. OUTSIDE PRESENCE OF JURY: Plaintiff's EDCR 7.27 civil trial brief was addressed. Objection was withdrawn by defense counsel; and the brief was deemed as being moot. JURY INSTRUCTIONS SETTLED. VERDICT FORM(S) APPROVED. JURY PRESENT: Court instructed Jury on the law. Jury was admonished and excused for lunch recess, to return at 12:25 P.M. OUTSIDE PRESENCE OF JURY: Interlineations were made on Jury Instructions by Court to correct typographical errors, at request of the parties. Lunch recess. JURY PRESENT: Closing arguments by counsel. Objections made by defense counsel during Plaintiff's rebuttal argument. Matron was sworn by Clerk to take charge of the alternates. Marshal sworn by Clerk to take charge of the Jury. At the hour of 4:03 P.M., the Jury retired to deliberate. OUTSIDE PRESENCE OF JURY: Mr. Iqbal moved to preserve the record and make an objection; and argued as to demonstrative exhibits presented at closings and as to defense counsel's objection made during his rebuttal argument. Court reminded both sides regarding prior ruling having been made on the issue.*

**CASE NO. A-16-739887-C**

**CASE NO. A-16-739887-C**

*Plaintiff not present. OUTSIDE PRESENCE OF JURY: Deposition excerpts of Don Hartmann*



**CASE NO. A-16-739887-C**

[illegible]

# CASE SUMMARY

CASE NO. A-16-739887-C

Verdict;

Journal Entry Details:

*Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court. OUTSIDE PRESENCE OF JURY: Discussions as to witness line up and trial schedule for today and tomorrow to have deposition excerpts addressed. Objections placed on the record. Discussion as to questions being sought by counsel for today's witness. Court reminded parties about the rules, and the Court not being able to give advisory opinions. JURY PRESENT: Testimony and Exhibits presented (See Worksheets). OUTSIDE PRESENCE OF JURY: Objections placed on the record as to questions asked during direct examination by counsel. Discussions as to 2012 emails and prior ruling on the Motions in Limine. JURY PRESENT: Further testimony and Exhibits presented (See Worksheets.). OUTSIDE PRESENCE OF JURY: Objections placed on record and defense counsel moved to strike portion of direct examination, and for sanctions against Plaintiff's counsel. Arguments by Mr. Iqbal. Relief was sought to admit additional exhibits, and additional objections were raised. JURY PRESENT: Court gave an instruction to the Jury regarding earlier testimony. Further testimony and Exhibits presented (See Worksheets.). Evening recess. TRIAL CONTINUES. 12/11/19 8:45 A.M. TRIAL BY JURY;*

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

*Plaintiff and Plaintiff's counsel not present. Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court. Court TRAILED matter for Mr. Iqbal to appear. CASE RECALLED. Mr. Iqbal present in Court. OUTSIDE PRESENCE OF JURY: Witness present in gallery. Procedural issues and witness subpoena issues were addressed. Defense counsel moved to invoke the exclusionary rule. Further discussions as to whether or not parties made agreements on deposition excerpts of Chris Dutcher. Discussions as to witness line up for today and for Wednesday, December 11, 2019; and further discussions as to Ms. Brown and reasons why subpoena for Ms. Brown was issued. Court reminded both sides regarding the rules requiring witness subpoenas. Witness present in Court was asked by counsel to return at a later date. Further objections were made on the record. Court had portion of Mr. Smith's opening statement played back for the parties in open Court. Additional objections were made and addressed, regarding the objections made by defense counsel earlier during direct examination by Plaintiff's counsel. JURY PRESENT: Testimony and Exhibits presented (See Worksheets.). OUTSIDE PRESENCE OF JURY: Additional objections placed on record. Discussions as to documents in exhibit binders. Court reminded both sides proper questions need to be asked during witness examination. Court also reminded both sides it cannot give advisory opinions. Discussions regarding trial schedule for this afternoon. JURY PRESENT: Court made its decision on the objection raised earlier; and instructed the Jury. Witness examination was completed. Lunch recess. OUTSIDE PRESENCE OF JURY: Plaintiff's counsel made statements to Court as to proposed questions being sought to be asked during examination. Arguments by parties. Discussions as to Court's ruling on the May 23 incident. JURY PRESENT: Plaintiff Joe N. Brown present in Court. Further testimony and Exhibits presented (See Worksheets.). Deposition of James Stephen Robertson FILED AND PUBLISHED IN OPEN COURT. Mr. Iqbal requested to publish a deposition of Richard Smith, that was not provided for trial. CONFERENCE AT BENCH. Court DENIED the request. Court provided trial schedule to Jury for the week. Evening recess. TRIAL CONTINUES. 12/10/19 11:00 A.M. TRIAL BY JURY;*

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

# CASE SUMMARY

CASE NO. A-16-739887-C

Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Verdict;

## Journal Entry Details:

*Plaintiff not present. Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Additional support staff for Mr. Iqbal also present. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, and support staff for defense counsel also present. Mr. Roberts' assistant Audra Bonney present in Court. OUTSIDE PRESENCE OF JURY: Colloquy regarding jury selection process in order to obtain two additional jurors. PROSPECTIVE JURY PANEL PRESENT: Introductory statements by Court. Clerk called roll. PROSPECTIVE JURY PANEL SWORN. Voir Dire commenced. Peremptory challenges were exercised. Two jurors SELECTED. Court thanked and excused the remaining prospective jury panel members. JURY PRESENT: The two selected jurors joined the remaining empanelled jurors and were seated in the courtroom as a complete panel for trial. JURY SWORN by Clerk. Court instructed the Jury on the law. Opening statements by Mr. Iqbal and Mr. Smith. Objections were made, and a bench conference took place. OUTSIDE PRESENCE OF JURY: Court made a record as to the representations and objections that were made by counsel during the earlier bench conference. JURY PRESENT: Plaintiff Joe N. Brown present in Court. Opening statements by Mr. Smith and Ms. Mastrangelo. OUTSIDE PRESENCE OF JURY: Discussion as to Plaintiff's proposed Exhibit No. 30 and pre-trial memorandum. Objections were placed on record. Following discussions, counsel withdrew objections regarding William Schaefer. JURY PRESENT: Testimony presented (See Worksheets.). Jury admonished and excused for the weekend, to return Monday, December 9, 2019, at 9:30 A.M. OUTSIDE PRESENCE OF JURY: Discussion as to trial schedule for next week. Parties to return to the courtroom Monday, December 9, 2019, at 8:30 A.M., for continuation of trial. Evening recess. TRIAL CONTINUES. 12/09/19 8:30 A.M. TRIAL BY JURY;*

Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Trial Continues;  
Verdict;

## Journal Entry Details:

*Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery, and additional support staff for Mr. Iqbal also present. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, and support staff for defense counsel also present. Mr. Roberts' assistant Audra Bonney present in Court. OUTSIDE PRESENCE OF JURY: By oral agreement of the parties and pursuant to EDCR 7.50, COURT ORDERED, Plaintiff Nettie J. Brown and any claims raised by Nettie J. Brown against Defendants are DISMISSED; and each side will bear attorney fees and costs on any claims by Nettie J. Brown. Parties agreed to have the caption amended to reflect the current remaining parties in the case. COURT SO NOTED. Caption is AMENDED as follows: Plaintiff Joe N. Brown vs. Defendants GNL Corp., and Thyssenkrupp Elevator Corporation. Plaintiff's EDCR 7.27 Civil Trial Memorandum #1, of Plaintiff's Evidentiary Requests Regarding: (1) Opening Statement; and (2) Demonstrative Exhibits was addressed. Objections were placed on record. Discussions as to prior representations, and Court's prior rulings. Lunch recess. OUTSIDE PRESENCE OF JURY: Shalonda Mollette, present in Court with Plaintiff Joe N. Brown. Defense counsel made no objections to Mr. Brown's daughter sitting with Plaintiff during trial. Court informed parties it received written communications from Juror No. 1 and Juror No. 2, addressing their hardships. Parties conferred; and agreed to further questioning of Juror No. 1 and Juror No. 2 by the Court, outside the presence of the other jurors. Thereafter, Juror No. 1 appeared in the courtroom and addressed the Court regarding the written letter submitted. Following canvass by Court, Juror No. 1 was given oral instructions by Court and was directed to wait outside the*

# CASE SUMMARY

CASE NO. A-16-739887-C

courtroom for further instructions. Subsequently, Juror No. 2 appeared in the courtroom and addressed the Court regarding the written letter submitted. Following canvass by Court, Juror No. 2 was given oral instructions by Court and was directed to wait outside the courtroom for further instructions. Parties addressed the Court; and stated their concerns and made requests. Colloquy. By stipulated agreement pursuant to EDCR 7.50, the parties agreed to excuse the remaining jurors for the day and to return tomorrow, to excuse Juror No. 1 and Juror No. 2 from trial proceedings, to replace Juror No. 1 and Juror No. 2 with the two and only alternate jurors who were selected yesterday, and to have additional jurors brought into Court tomorrow morning, for voir dire and to have two more jurors selected, in order to have a complete panel of ten jurors for trial. COURT SO ORDERED; Juror No. 1 and Juror No. 2 EXCUSED. Court noted it will admonish the jury panel today, and have Juror No. 1 and Juror No. 2 excused outside the presence of the other jurors. The written letters submitted to the Court by Juror No. 1 and Juror No. 2 were returned to Juror No. 1 and Juror No. 2, respectively. JURY PRESENT: Court provided additional instructions; and admonished and excused the Jury, to return tomorrow morning at 10:15 A.M. OUTSIDE PRESENCE OF JURY: Deposition excerpts of Don Hartmann were addressed. Objections were placed on record. Discussions as to Court's prior rulings on some of the Motions in Limine. Court made rulings; and deferred ruling on additional pages of the deposition, to a later date; and deposition excerpts of Chris Dutcher were deferred to a later date for parties to discuss further. Evening recess. TRIAL CONTINUES. 12/06/19 8:45 A.M. TRIAL BY JURY ;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Trial Continues;

Verdict;

Journal Entry Details:

Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery, and Saad Syed also present. Christy Thompson, Client Representative for Defendant, also present; and Mr. Roberts' assistant Audra Bonney present in Court. Client Representative for GNL, Corp. Richard Smith also present in gallery behind defense counsel's table. OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Court addressed with the parties written correspondence submitted by Juror with Badge No. 0687. Objections were made on the record. At request of counsel, the Juror arrived in the Courtroom and addressed the Court about the correspondence. Thereafter, the Juror was instructed to wait outside the courtroom for further instructions. By agreement of the parties, excusal of the Juror was granted by Court, for medical accommodation. Colloquy regarding missing jurors, scheduling for tomorrow, and video conference to be scheduled tomorrow morning, for an expert to appear for voir dire to be done by counsel. PROSPECTIVE JURY PANEL PRESENT: Voir Dire commenced further. OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Counsel requested an instruction be given to the Jury by the Court, to address the insurance issue brought up during defense counsel's voir dire. Discussions. PROSPECTIVE JURY PANEL PRESENT: Court instructed the Jury on the law in regards to insurance. Voir Dire commenced further. CONFERENCE AT BENCH. Court instructed and excused Jurors with Badge No.'s 0895, 0898, 0904, 0907, 0908, and 0922 for remainder of voir dire until further order by Court. Juror with Badge No. 0795

**CASE NO. A-16-739887-C**

*Attorney Jaime Serrano, Esq., present with Mr. Iqbal. Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery, and Saad Sayed also present. Christy Thompson, Client Representative for Defendant, also present; and Mr. Roberts' assistant Audra Bonney present in Court. Client Representative for GNL, Corp. Richard Smith also present in gallery behind defense counsel's table. OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Pre-trial matters and voir dire procedures were addressed. Parties estimated two weeks for trial. PROSPECTIVE JURY PANEL PRESENT: Introductory statements by Court. Clerk called roll. Prospective Jury Panel SWORN by Clerk. Introductory statements by counsel. Voir Dire commenced. OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Juror excusals were addressed. PROSPECTIVE JURY PANEL PRESENT: Voir Dire commenced further. Evening recess. TRIAL CONTINUES. 12/03/19 12:40 P.M. TRIAL BY JURY;*

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. A-16-739887-C**

12/05/2019	<b>CANCELED Hearing</b> (11:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated - On In Error</i> <i>Pre-Trial Matters</i>
03/03/2020	<b>Motion for Attorney Fees and Costs</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Defendant Thyssenkrupp Elevator Corporation's Motion for Attorney's Fees and Costs</i>
03/03/2020	<b>Motion for Attorney Fees and Costs</b> (10:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Defendant's Motion for Attorneys' Fees &amp; Costs</i>

**DATE****FINANCIAL INFORMATION**

<b>Plaintiff</b> Brown, Nettie J	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/11/2020</b>	<b>0.00</b>
 <b>Defendant</b> Golden Nugget Inc	
Total Charges	823.00
Total Payments and Credits	823.00
<b>Balance Due as of 2/11/2020</b>	<b>0.00</b>
 <b>Defendant</b> Landry's Inc.	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 2/11/2020</b>	<b>0.00</b>
 <b>Defendant</b> GNL Corp	
Total Charges	603.50
Total Payments and Credits	603.50
<b>Balance Due as of 2/11/2020</b>	<b>0.00</b>
 <b>Defendant</b> Thyssenkrupp Elevator Corporation	
Total Charges	623.00
Total Payments and Credits	623.00
<b>Balance Due as of 2/11/2020</b>	<b>0.00</b>
 <b>Plaintiff</b> Brown, Joe N.	
Total Charges	318.00
Total Payments and Credits	318.00
<b>Balance Due as of 2/11/2020</b>	<b>0.00</b>
 <b>Plaintiff</b> Brown, Joe N.	
Appeal Bond Balance as of 2/11/2020	<b>500.00</b>



ORIGINAL

Electronically Filed  
1/8/2020 5:05 PM  
Steven D. Grierson  
CLERK OF THE COURT

*Steven D. Grierson*

DISTRICT COURT

CLARK COUNTY, NEVADA

JOE N. BROWN, an individual,  
Plaintiff,

Case No.: A-16-739887-C  
Dept. No.: XXXI

v.

GNL, CORP., a Nevada corporation, and  
THYSSENKRUPP ELEVATOR CORP., a  
foreign corporation,  
Defendants.

JUDGMENT ON JURY VERDICT

This action came on regularly for trial with the calling of the first witness on December 6, 2019, in Dept. XXXI of the Eighth Judicial District Court, Honorable Joanna S. Kishner, District Judge, presiding. The issues having been duly tried, and the jury having duly rendered a General Verdict in favor of Defendants on December 18, 2019, which General Verdict was filed by the Clerk on December 18, 2019, it is hereby ORDERED, ADJUDGED and DECREED, in accordance with the jury's General Verdict, that Plaintiff shall take nothing and that Judgment is hereby entered in favor of all Defendants, with Defendants to recover their costs.

The Court reserves amendment of this Judgment based on any proper requests or motions for costs or fees which may be timely submitted by Defendants.

SO ORDERED this 2<sup>nd</sup> day of Jan 2020.

*Joanna S. Kishner*  
JOANNA S. KISHNER  
Hon. Joanna S. Kishner  
District Court Judge

///

///





Submitted by:

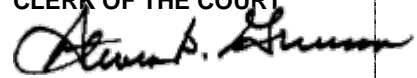
 #13527  
for

D. Lee Roberts, Jr., Esq.  
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Phillip N. Smith, Jr., Esq.  
Nevada Bar No. 10233  
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6385 S. Rainbow Blvd., Suite 400  
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*Attorneys for Defendant GNL, CORP.*

WEINBERG WHEELER  
HUDGINS GUNN & DIAL





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8 GUNN & DIAL, LLC

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9 Las Vegas, Nevada 89118

Telephone: (702) 938-3838

10 Facsimile: (702) 938-3864

11 *Attorneys for Defendant/Third-Party Plaintiff,*  
12 *GNL, CORP.*

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 JOE N. BROWN, an individual,

16 Plaintiff,

17 v.

18 LANDRY'S, INC., a foreign corporation;  
19 GOLDEN NUGGET, INC. a Nevada  
20 corporation, d/b/a GOLDEN NUGGET  
LAUGHLIN; GNL, CORP., a Nevada  
corporation; THYSENKRUPP ELEVATOR  
CORP., a foreign corporation,

21 Defendants.

Case No.: A-16-739887-C

Dept. No.: XXXI

**NOTICE OF ENTRY OF JUDGMENT**

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1 PLEASE TAKE NOTICE that Judgement On Jury Verdict was entered on January 8,  
2 2020, in this matter. A copy is attached hereto.

3 Dated this 9 day of January, 2020.

6 WEINBERG, WHEELER, HUDGINS,  
7 GUNN & DIAL, LLC

8 D. Lee Roberts, Jr., Esq.  
9 Howard J. Russell, Esq.  
10 Kristian T. Kaskla, Esq.  
11 Phillip N. Smith, Jr., Esq.  
12 6385 South Rainbow Blvd., Suite 400  
13 Las Vegas, Nevada 89118

14 *Attorneys for Defendant/Third-Party Plaintiff,*  
15 *GNL, CORP.*



**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of January, 2020, a true and correct copy of the foregoing **NOTICE OF ENTRY OF JUDGMENT** was electronically filed and served on counsel through the Eighth Judicial District Court's electronic service system pursuant to Administrative Order 14-2 and NEFCR 9, via the electronic mail addresses noted below, unless service by another method is stated or noted:

Mohamed A. Iqbal, Jr., Esq.  
mai@ilawlv.com  
Christopher Mathews, Esq.  
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*Attorneys for Plaintiff*

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*Attorneys for Defendant/Third-Party Defendant  
ThyssenKrupp Elevator Corporation*

Kelly L. Ruce  
An employee of WEINBERG, WHEELER,  
HUDGINS GUNN & DIAL, LLC

ORIGINAL

Electronically Filed  
1/8/2020 5:05 PM  
Steven D. Grierson  
CLERK OF THE COURT

*Steven D. Grierson*

DISTRICT COURT

CLARK COUNTY, NEVADA

JOE N. BROWN, an individual,  
Plaintiff,

Case No.: A-16-739887-C  
Dept. No.: XXXI

v.

GNL, CORP., a Nevada corporation, and  
THYSSENKRUPP ELEVATOR CORP., a  
foreign corporation,  
Defendants.

JUDGMENT ON JURY VERDICT

This action came on regularly for trial with the calling of the first witness on December 6, 2019, in Dept. XXXI of the Eighth Judicial District Court, Honorable Joanna S. Kishner, District Judge, presiding. The issues having been duly tried, and the jury having duly rendered a General Verdict in favor of Defendants on December 18, 2019, which General Verdict was filed by the Clerk on December 18, 2019, it is hereby ORDERED, ADJUDGED and DECREED, in accordance with the jury's General Verdict, that Plaintiff shall take nothing and that Judgment is hereby entered in favor of all Defendants, with Defendants to recover their costs.

The Court reserves amendment of this Judgment based on any proper requests or motions for costs or fees which may be timely submitted by Defendants.

SO ORDERED this 2<sup>nd</sup> day of Jan 2020.

*[Signature]*  
JOANNA S. KISHNER  
Hon. Joanna S. Kishner  
District Court Judge

///

///



Submitted by:

 #13527  
pk

D. Lee Roberts, Jr., Esq.

Nevada Bar No. 8877

[lroberts@wwhgd.com](mailto:lroberts@wwhgd.com)

Phillip N. Smith, Jr., Esq.

Nevada Bar No. 10233

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WEINBERG, WHEELER, HUDGINS,

GUNN & DIAL, LLC

6385 S. Rainbow Blvd., Suite 400

Las Vegas, Nevada 89118

*Attorneys for Defendant GNL, CORP.*

WEINBERG WHEELER  
HUDGINS GUNN & DIAL



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**March 28, 2017**

---

A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

---

**March 28, 2017      9:30 AM      Motion to Dismiss**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Sandra Harrell

**RECORDER:** Debbie Winn

**REPORTER:**

**PARTIES**

**PRESENT:**      Grant, Lee J      Attorney  
                 Iqbal, Mohamed A.      Attorney  
                 Michalek, Charles A.      Attorney

**JOURNAL ENTRIES**

- Matter argued and submitted. Court stated its findings, and ORDERED, Defendants Golden Nugget, Inc. and Landry's, Inc.'s Motion to Dismiss is DENIED WITHOUT PREJUDICE. Counsel for Plaintiff to prepare the Order, circulating to all counsel for approval as to form and content in accordance with EDCR 7.21.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**June 27, 2017**

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A-16-739887-C	Joe Brown, Plaintiff(s) vs. GNL Corp, Defendant(s)
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**June 27, 2017                      9:30 AM                      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.                      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Phyllis Irby  
Anntoinette Naumec-Miller

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Grant, Annalisa N	Attorney
	Iqbal, Mohamed A.	Attorney
	Mitchell, William C.	Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION FOR SUMMARY JUDGMENT...PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND, IN THE ALTERNATIVE, REQUEST FOR DISCOVERY UNDER NRCP 56(F)

Arguments by Ms. Grant and Mr. Iqbal. COURT stated its FINDINGS and ORDERED, Deft's Motion for Summary Judgment DENIED, Pltf's Countermotion for Rule 56(f) Relief GRANTED. Counsel for Pltf to prepare the Order, provide it to counsel and submit to the Court in accordance with EDCR 7.21.

CLERK'S NOTE: This minute order was corrected to reflect MSJ was denied and Countermotion was granted./pi

CLERK'S NOTE: Minutes corrected. anm/7/14/17



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**October 10, 2017**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**October 10, 2017      10:00 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** April Watkins

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Grant, Lee J      Attorney  
                 Iqbal, Mohamed A.      Attorney  
                 Mitchell, William C.      Attorney

**JOURNAL ENTRIES**

- DEFTS' GOLDEN NUGGET, INC. AND LANDRY'S, INC'S MOTION FOR  
RECONSIDERATION...DEFTS' MOTION FOR RECONSIDERATION

Mr. Grant argued in support of motion to reconsider. Opposition by Mr. Iqbal. Further argument by Mr. Grant. Court FINDS this does not meet the standard for reconsideration and ORDERED, motions DENIED. Further, as to request for stay, COURT ORDERED, request DENIED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability****COURT MINUTES****October 13, 2017**

A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

<b>October 13, 2017</b>	<b>9:00 AM</b>	<b>Motion to Compel</b>	<b>Motion To Compel Discovery From Defendants Landry s, Inc. And Golden Nugget, Inc. And Request For Sanctions</b>
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**HEARD BY:** Bulla, Bonnie**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES**

<b>PRESENT:</b>	Iqbal, Mohamed A.	Attorney
	McLeod, Alexandra B.	Attorney
	Michalek, Charles A.	Attorney

**JOURNAL ENTRIES**

- Arguments by counsel. Defts felt there wasn't a meaningful 2.34 conference. Colloquy re: Defts providing documentation supporting ownership of Laughlin Casino on the date of accident. COMMISSIONER RECOMMENDED, motion is GRANTED IN PART; answer and verify Interrogatories, and provide supporting documents on the date of accident; if Golden Nugget Laughlin takes responsibility, then tender defenses. Arguments by counsel. At the time of 2.34 conference, Ms. McLeod was not with the Law Firm, and Ms. Grant is in Trial. COMMISSIONER RECOMMENDED, Interrogatory 2 on Landry's is MODIFIED - on the date of accident, whether or not they had an ownership interest in Golden Nugget Laughlin; as to Landry's - Interrogatories 3, 4 are PROTECTED; Request to Produce 1 - look at SEC or gaming document at the time of accident; Interrogatory 5 is PROTECTED; provide supplemental responses no later than 11-13-17; no fees or

costs. Colloquy re: preparing a Stipulation and Order to Dismiss.

COMMISSIONER RECOMMENDED, Interrogatory 1 on GNI is MODIFIED - on the date of accident, whether or not they had an ownership interest in Golden Nugget Laughlin; as to GNI - Interrogatory 2 is PROTECTED; Request to Produce 1 - MODIFIED and show no ownership interest in Golden Nugget Laughlin; Request to Produce 2 is PROTECTED; provide supplemental responses no later than 11-13-17; no fees or costs. COMMISSIONER RECOMMENDED, verify all Interrogatories. Mr. Iqbai to prepare the Report and Recommendations, and counsel to approve as to form and content. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a contribution.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 14, 2017**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 14, 2017      3:00 AM      Status Check: Compliance**

**HEARD BY:** Bulla, Bonnie      **COURTROOM:** No Location

**COURT CLERK:** Jennifer Lott

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The 10-13-17 Report and Recommendation remains outstanding. Mr. Iqbal was given the responsibility to submit the Report and Recommendation from the 10-13-17 hearing. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a sanction. COMMISSIONER RECOMMENDED, matter CONTINUED to an in chambers status check.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of:

Mohamed Iqbal

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**April 17, 2018**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**April 17, 2018      10:30 AM      Discovery Conference**

**HEARD BY:** Bulla, Bonnie

**COURTROOM:** RJC Level 5 Hearing Room

**COURT CLERK:** Jennifer Lott

**RECORDER:** Francesca Haak

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
                 Michalek, Charles A.      Attorney

**JOURNAL ENTRIES**

- Commissioner received the Report and Recommendation this morning and everything was fine. Mr. Iqbal apologized for the mistake. No sanctions today. **MATTER RECALLED:** Attorneys Alexandra McLeod and Sarah Hartig present. Outcome provided to counsel.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**August 07, 2018**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**August 07, 2018      9:00 AM      Motion for Leave**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
Mastrangelo, Rebecca L.      Attorney  
McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- Following arguments by Mr. Iqbal, Ms. Mastrangelo and Mr. McLeod, COURT ORDERED, Plaintiffs' Motion for Leave to File Second Amended Complaint GRANTED; Plaintiffs will have ten (10) days from Notice of Entry of Order to file its Second Amended Complaint. Mr. Iqbal to prepare the Order pursuant to EDCR 7.21.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**October 16, 2018**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**October 16, 2018      9:00 AM      Status Check**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
                 McLeod, Alexandra B.      Attorney  
                 Payne, Sean N.      Attorney

**JOURNAL ENTRIES**

- Mr. Iqbal stated they were ready to move forward with trial. Upon the Court's inquiry if the parties wished to go to a settlement conference, both Mr. Payne and Ms. McLeod declined. Mr. Iqbal indicated the last deposition is scheduled for Friday and the parties will work on resolving or be ready for trial. Ms. McLeon anticipates future motion practice. Court stated Trial Dates STAND.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 04, 2018**

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A-16-739887-C	Joe Brown, Plaintiff(s)
	vs.
	GNL Corp, Defendant(s)

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**December 04, 2018      9:30 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	McLeod, Alexandra B.	Attorney

**JOURNAL ENTRIES**

- The Court noted it received yesterday Plaintiff's Emergency Motion for Reopening Discovery on Order Shortening Time and stated if there was a joint agreement by the parties, it could hear the matter today. Counsel indicated they were not ready to address the motion today.

**MOTION TO FILE DOCUMENTS UNDER SEAL PER SRCR 3 OR, ALTERNATIVELY, SUBMIT IN CAMERA**

Ms. McLeod stated there were three exhibits produced in discovery under a protective order and a Motion to File Document Under Seal was filed and set for hearing on December 18, 2018. Colloquy regarding advancing the motion to today. At the request of counsel and by stipulation of the parties, COURT ORDERED, Motion to File Documents Under Seal ADVANCED and GRANTED.

LANDRY'S INC.'S MOTION TO DISMISS FOR LACK OF GENERAL OR PERSONAL JURISDICTION...DEFENDANTS' LANDRY'S AND GOLDEN NUGGET, INC.'S MOTION FOR SUMMARY JUDGMENT...DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON LIABILITY AND PUNITIVE DAMAGES...DEFENDANT/THIRD-PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S JOINDER IN, AND ADDITIONAL POINTS AND AUTHORITIES IN



SUPPORT OF, DEFENDANT GNL CORP.'S MOTION FOR SUMMARY JUDGMENT ON PUNITIVE DAMAGES

Colloquy regarding scheduling. Mr. Iqbal indicated the pending Motion on Order Shortening Time could change the landscape of the pending matters. Ms. Mastrangelo's preference was to continue the trial to another stack in light of Plaintiff's Emergency Motion and the pending Writ. At the request of all counsel, COURT ORDERED, Trial Dates VACATED and RESET; no new dates are being opened up. COURT FURTHER ORDERED, all pending motions set for December 4, 2018 and December 18, 2018 CONTINUED and DIRECTED counsel to provide a letter to the Court with their agreed upon dates for hearing the Dispositive Motions, Motions in Limine, and Plaintiff's Emergency Motion and SET a Status Check on its Chambers Calendar.

12/7/18 (CHAMBERS) STATUS CHECK: LETTER FROM COUNSEL RESETTING 12/4/18 DISPOSITIVE MOTIONS, 12/18/18 MOTIONS IN LIMINE AND SETTING OST BRIEFING SCHEDULE AND HEARING

3/21/19 10:15 AM PRE TRIAL CONFERENCE

4/16/19 9:00 AM CALENDAR CALL

4/22/19 9:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability****COURT MINUTES****December 07, 2018**

A-16-739887-C      Joe Brown, Plaintiff(s)  
                                  vs.  
                                  GNL Corp, Defendant(s)

<b>December 07, 2018</b>	<b>3:00 AM</b>	<b>Status Check</b>	<b>Status Check: Letter from Counsel Resetting 12/4/18 Dispositive Motions, 12/18/18 Motions in Limine and setting OST briefing schedule and hearing</b>
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**HEARD BY:** Kishner, Joanna S.**COURTROOM:** Chambers**COURT CLERK:** Tena Jolley**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- This matter came on for hearing on December 4, 2018 regarding Motions to Dismiss and Motions for Summary Judgment. At the December 4, 2018 hearing, the parties requested to reschedule the hearings on the pending Motions that were set for December 4, 2018 and to reset Motions in Limine that were to be heard on December 18, 2018. In light of the parties, request, the parties were to send Department XXXI a fax prior to December 7th with their agreed upon proposed hearing dates for the December 4, 2018 Motions, December 18, 2018 Motions in Limine, and Plaintiffs' Emergency Motion for Reopening Discovery, Court Intervention, and Sanctions on Order Shortening Time. Accordingly, the matter was placed on Department XXXI's Chambers Calendar for December 7, 2018 so that the pending hearings could be reset.

As of 2:00 p.m. on December 7th, the Court had not received any notification from the parties

regarding rescheduled hearing dates. As a result, and in light of the April 4, 2018 trial date, the Court is setting the Motions to be heard on dates consistent with the scheduled trial stack. Accordingly, the Dispositive Motions that were set for December 4, 2018 and the pending December 18, 2018 Motions in Limine will now all be heard on February 12, 2019 at 10:00 a.m. Plaintiff's Emergency Motion for Reopening Discovery, Court Intervention, and Sanctions on Order Shortening Time will be heard on January 10, 2019 at 9:00 a.m. If these dates are not convenient to the parties they will need to provide the Court with a Stipulation and proposed Order consistent with the EDCR to reschedule the hearings.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Tena M. Jolley, to all registered parties for Odyssey File & Serve. (tmj:12/7/18)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**January 08, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**January 08, 2019      9:00 AM      Motion**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
                 Mastrangelo, Rebecca L.      Attorney  
                 McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- After the Court's consideration of the papers submitted by counsel in connection with this matter, and, having heard the oral arguments presented by Mr. Iqbal, Ms. McLeod and Ms. Mastrangelo, the COURT ORDERED, Plaintiffs' Emergency Motion for Reopening Discovery, Court Intervention, and Sanctions GRANTED; limited discovery is reopened, a new trial date will be set, and based on the lack of due diligence, SANCTIONS Defendant Tyssenkrupp Elevator Corporation for plaintiff counsel's attorney's fees for today's hearing, including the preparation of the motion and reply, as well as the costs of deposition transcript for deposing or redeposing the witnesses as to the Exhibit G emails and the individuals identified therein. Mr Iqbal to prepare the Order, circulating to opposing counsel and provide it back to the Court in accordance with EDCR 7.21.

COURT FURTHER ORDERED matter SET for Status Check and DIRECTED counsel to confer and send the Court a letter requesting a telephonic conference be set within the next two weeks for setting limited discovery deadlines and scheduling a new trial date.

1/25/19 (CHAMBERS) STATUS CHECK: LETTER FROM COUNSEL TO SET TELEPHONIC CONFERENCE FOR SETTING LIMITED DISCOVERY DEADLINES AND RESET TRIAL DATES



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability****COURT MINUTES****February 07, 2019**

A-16-739887-C      Joe Brown, Plaintiff(s)  
                                  vs.  
                                  GNL Corp, Defendant(s)

**February 07, 2019      9:00 AM      Status Check**

**HEARD BY:** Kishner, Joanna S.**COURTROOM:** RJC Courtroom 12B**COURT CLERK:** Tena Jolley**RECORDER:** Sandra Harrell**REPORTER:****PARTIES**

**PRESENT:**      Hartig, Sarah B.      Attorney  
                          Iqbal, Mohamed A.      Attorney  
                          Mastrangelo, Rebecca L.      Attorney

**JOURNAL ENTRIES**

- The Court noted that the Order submitted on the January 8, 2019, motion hearing was rejected on January 25, 2019, as it did not appear to have been circulated for opposing counsel's review; that the Court never received counsel's letter regarding the agreed upon limited discovery deadline and trial resetting; and therefore an Amended Order Setting Jury Trial was issued for the April 22, 2019, trial setting. Both Ms. Mastrangelo and Ms. Hartig indicated they reviewed the order and advised Mr. Iqbal of their requested changes. Mr. Iqbal stated he was not aware it was rejected and will see that it is corrected and resubmitted.

The Court further noted that there were several unopposed Motions in Limine set for hearing on February 12, 2019, which the Court was ready to grant and unless there was a waiver, they will be granted. Mr. Iqbal stated his oppositions to Motions in Limine were not filed as it was his understanding that they would be reset but since the Motion to Dismiss and Motions for Summary Judgment had been fully briefed, they would proceed on February 12, 2019. Ms. Hartig requested that the Motion to Dismiss proceed on February 12th, but that the Motions for Summary Judgment be renoticed. Ms. Mastrangelo stated if the April 22nd trial setting was not being continued, that she would like to proceed with the Motions in Limine on February 12, 2019. Mr. Iqbal requested that the

trial be reset for late Summer / August to allow the parties to finish the limited discovery. Ms. Hartig stated they would need 60-90 days for the additional discovery with out of state depositions to be completed. Ms. Mastrangelo stated she could live with the April 22nd trial setting, but that she would have a calendar conflict with a summer trial. The Court stated it would need proper motion practice if there was no agreement between all counsel. Counsel were unable to reach an agreement and the matter was adjourned.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**February 12, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**February 12, 2019      10:00 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Sandra Pruchnic

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
                 Mastrangelo, Rebecca L.      Attorney  
                 McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- Colloquy regarding matters being heard today. Stipulation and Order Regarding Hearing Dates for Pending Motions and Motions in Limine RECEIVED and SIGNED IN OPEN COURT.

**LANDRY'S, INC.'S MOTION TO DISMISS FOR LACK OF GENERAL OR PERSONAL JURISDICTION**

Following arguments by counsel, COURT ORDERED, Motion DENIED WITHOUT PREJUDICE. Mr. Iqbal to prepare the Order, circulating to opposing counsel and provide it back to the Court in accordance with EDCR 7.21.

**DEFENDANTS' LANDRY'S AND GOLDEN NUGGET, INC.'S MOTION FOR SUMMARY JUDGMENT**

Following arguments by counsel, COURT FINDS no material issues of fact in dispute and ORDERED, Motion for Summary Judgment GRANTED. Ms. McLeod to prepare the Order, circulating to opposing counsel and provide it back to the Court in accordance with EDCR 7.21.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**March 28, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**March 28, 2019      10:00 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
                 Mastrangelo, Rebecca L.      Attorney  
                 McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- DEFENDANTS' GNL, CORP., LANDRY'S, INC. AND GOLDEN NUGGET, INC.'S MOTION FOR SUMMARY JUDGMENT ON LIABILITY AND PUNITIVE DAMAGES...DEFENDANT/THIRD-PARTY DEFENDANT THYSENKRUPP ELEVATOR CORPORATION'S JOINDER IN, AND ADDITIONAL POINTS AND AUTHORITIES IN SUPPORT OF, DEFENDANT GNL CORP.'S MOTION FOR SUMMARY JUDGMENT ON PUNITIVE DAMAGES

After the Court's consideration of the papers submitted by counsel in connection with this matter, and having heard the oral arguments presented by all counsel, COURT FINDS material issues of fact exist as to LIABILITY. Accordingly, COURT ORDERED Defendants' GNL, Corp., Landry's, Inc. and Golden Nugget, Inc.'s Motion for Summary Judgment on Liability DENIED WITHOUT PREJUDICE. Ms. McLeod to prepare the Order, circulating to opposing counsel and provide it back to the Court in accordance with EDCR 7.21.

Pursuant to the agreement of counsel, the punitive damages portion of Defendants' GNL, Corp., Landry's, Inc. and Golden Nugget, Inc.'s Motion for Summary Judgment, as well as Defendant/Third-Party Defendant Thyssenkrupp Elevator Corporation's Joinder In, and Additional

Points and Authorities in Support of, Defendant GNL Corp.'s Motion for Summary Judgment on Punitive Damages are WITHDRAWN and will be resubmitted after the limited discovery has been completed and will be viewed as timely.

**MOTIONS IN LIMINE and PRE TRIAL CONFERENCE**

Colloquy regarding pretrial matters pending and its impact on the current trial setting. At the request of counsel, COURT ORDERED all pending Motions in Limine CONTINUED for hearing on April 3, 2019, at 10:00 a.m. Additionally, COURT FINDS good cause exists and ORDERED Calendar Call and Trial Dates VACATED to be reset no later than the October 14, 2019, five-week trial stack. While counsel anticipate trial being reset for the October 14, 2019 Trial Stack, the Court offered counsel the July 1st, August 5th, or the September 9th trial stack as well. Ms. McLeod indicated counsel would meet and agree by April 15, 2019, and she will coordinate submitting the parties' stipulation to the Court. The Court stated it would not be reopening past pretrial deadlines with the exception that the Motion for Summary Judgment on Punitive Damages deadline will be triggered by the new trial date.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**April 03, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**April 03, 2019      10:00 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Tena Jolley

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
                 Mastrangelo, Rebecca L.      Attorney  
                 McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- PLAINTIFFS' MOTION IN LIMINE TO EXCLUDE EXPERT WITNESS DAVIS L. TURNER FOR FAILURE TO DISCLOSE INSPECTION RELATED INFORMATION AND DOCUMENTS

Following arguments by counsel, and counsel having spoken among themselves and stated there had not been a privilege log provided, COURT FINDS exclusion is not proper as expert was timely disclosed and ORDERED Plaintiffs' Motion in Limine to Exclude Expert Witness Davis L. Turner for Failure to Disclose Inspection Related Information and Documents DENIED.

PLAINTIFFS' MOTION IN LIMINE #2 REGARDING CERTAIN OPINION TESTIMONY OF DAVID L. TURNER

Following arguments by counsel, COURT ORDERED Plaintiffs' Motion in Limine #2 Regarding Certain Opinion Testimony of Davis L. Turner GRANTED.

Court inquired if counsel would like to resume the hearing on the Motions in Limine at 1:00 p.m. or if they wished to continued the pending motions to another date. Colloquy regarding scheduling.

COURT ORDERED, matter CONTINUED. The Court was made aware of Ms. McLeod's calendar conflict with a 9:00 a.m. Pretrial Conference in Department 30 on April 22, 2019, and DIRECTED counsel to remind the Court and the Court can coordinate with Department 30 such that Ms. McLeod can appear for both matters.

4/23/19 8:30 AM ALL PENDING MOTIONS IN LIMINE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Negligence - Premises Liability

# COURT MINUTES

**June 04, 2019**

A-16-739887-C                      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

**June 04, 2019                      10:00 AM                      All Pending Motions**

**HEARD BY:** Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

## PARTIES

**PRESENT:** Iqbal, Mohamed A. Attorney  
Mastrangelo, Rebecca L. Attorney  
McLeod, Alexandra B. Attorney

## JOURNAL ENTRIES

- Matter argued and submitted.

COURT ORDERED, as follows:

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S  
MOTION IN LIMINE NO. 1 RE: COMPUTATION OF DAMAGES - MOTION GRANTED.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S  
MOTION IN LIMINE NO. 2 RE: TREATING PHYSICIANS - MOTION GRANTED as unopposed.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S  
MOTION IN LIMINE NO. 3 RE: RESPONSIBILITY AVOIDANCE AND REPTILE THEORY  
ARGUMENTS - MOTION DEFERRED to a date and time set by parties, for this motion to be  
discussed close to time of Calendar Call; and parties are to remind the Court at time of Pre-Trial  
Conference as to when this motion can be specifically addressed and to also provide a date when the  
proposed voir dire will be submitted.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 4 RE: IMPROPER VOIR DIRE - MOTION DEFERRED to a date and time set by parties, for this motion to be discussed close to time of Calendar Call; and parties are to remind the Court at time of Pre-Trial Conference as to when this motion can be specifically addressed and to also provide a date when the proposed voir dire will be submitted.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 5 RE: LIMIT EXPERTS TO OPINIONS AND MATTERS SET FORTH IN THEIR REPORTS - MOTION GRANTED as unopposed.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 6 RE: EXCLUSION OF EVIDENCE OF SUBSEQUENT INCIDENTS - MOTION GRANTED IN PART only as to excluding testimony from Yolanda R. Moreno and Hector Ruelas about their own personal experiences at the property at issue and the escalator at issue.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 7 RE: CLAIM THAT THYSSENKRUPP "HID" OR FAILED TO PRODUCE EVIDENCE - MOTION CONTINUED to June 18, 2019 at 10:00 A.M.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 8 RE: EXCLUDE THE TESTIMONY OF SHEILA NABORS SWETT - MOTION CONTINUED to June 18, 2019 at 10:00 A.M.

6/18/19 10:00 A.M. DEFENDANTS' GNL, CORP LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTION IN LIMINE NO. 1 TO EXCLUDE SRINIVAS NALAMACHU, M.D. FOR UNAUTHORIZED PRACTICE OF MEDICINE IN NEVADA; MOTION IN LIMINE NO. 2 REGARDING OTHER INCIDENTS OR REPAIRS; AND MOTION IN LIMINE NO. 3 REGARDING DISCOVERY MATTERS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**June 18, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**June 18, 2019      10:00 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** April Watkins

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
                 Mastrangelo, Rebecca L.      Attorney  
                 McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- RE-NOTICE OF MOTION OF DEFTS' GNL, CORP'S MOTION IN LIMINE #1 TO EXCLUDE SRINIVAS NALAMACHU, MD, FOR UNAUTHORIZED PRACTICE OF MEDICINE IN NEVADA; MOTION IN LIMINE #2 REGARDING OTHER INCIDENTS OR REPAIRS; AND #3 REGARDING DISCOVERY MATTERS...DEFT / THIRD PARTY DEFT. THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 7 RE: CLAIM THAT THYSSENKRUPP "HID" OR FAILED TO PRODUCE EVIDENCE...DEFT / THIRD PARTY DEFT. TYHSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 87 RE: EXCLUDE TESTIMONY OF SHEILA NABORS SWETT

CONFERENCE AT THE BENCH. COURT ORDERED, matters CONTINUED.

CONTINUED TO: 7/10/19 1:00 PM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**July 10, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**July 10, 2019**

**1:00 PM**

**All Pending Motions**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
Mastrangelo, Rebecca L.      Attorney  
McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- Arguments by counsel.

Court stated findings.

COURT ORDERED, as follows:

DEFENDANTS GNL, CORP., LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTION IN LIMINE NO. 1 TO EXCLUDE SRINIVAS NALAMACHU, M.D. FOR UNAUTHORIZED PRACTICE OF MEDICINE IN NEVADA...DEFENDANT / THIRD-PARTY DEFENDANTS GNL, CORP., LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTION IN LIMINE NO. 1 TO EXCLUDE SRINIVAS NALAMACHU, M.D. FOR UNAUTHORIZED PRACTICE OF MEDICINE IN NEVADA - MOTION AND JOINDER DENIED WITHOUT PREJUDICE, and Motion is DEFERRED IN PART with a caveat that an evidentiary hearing will be set for voir dire to be done on Srinivas Nalamachu, M.D., prior to trial, for clarification and more information to be provided on what this witness is intending to testify to. Parties made no objection to having the witness appear to testify by audio visual.



DEFENDANTS GNL, CORP., LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTIONS IN LIMINE NO. 2 REGARDING OTHER INCIDENTS OR REPAIRS AND NO. 3 REGARDING DISCOVERY MATTERS...DEFENDANT / THIRD-PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S JOINDER TO DEFENDANTS GNL, CORP., LANDRY'S, INC. & GOLDEN NUGGET, INC.'S MOTIONS IN LIMINE NO. 2 REGARDING OTHER INCIDENTS OR REPAIRS AND NO. 3 REGARDING DISCOVERY MATTERS - MOTION IN LIMINE NO. 2 AND JOINDER TO MOTION IN LIMINE NO. 2 are GRANTED; and, as to MOTION IN LIMINE NO. 3 AND JOINDER TO MOTION IN LIMINE NO. 3 - Motion and Joinder are GRANTED, parties are to follow the law, and what was not previously disclosed will not come in at trial.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 7 RE: CLAIM THAT THYSSENKRUPP "HID" OR FAILED TO PRODUCE EVIDENCE - all parties are to follow the law.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S MOTION IN LIMINE NO. 8 RE: EXCLUDE THE TESTIMONY OF SHEILA NABORS SWETT - MOTION DEFERRED with a caveat that an evidentiary hearing will be set for voir dire to be done on Sheila Nabors Swett, prior to trial. Parties made no objection to having the witness appear to testify by audio visual.

Court offered time for next week to both sides to get the voir dieres done; and reminded the parties this needs to get done before trial.

PLAINTIFFS' MOTION TO EXTEND DEADLINE FOR COURT-ORDERED DISCOVERY ON ORDER SHORTENING TIME - MOTION DENIED as the Court does not see good cause or excusable neglect to extend the deadline.

Handouts on the audio visual procedures were provided.

Ms. Mastrangelo to prepare the orders.

Court stated this case may be ripe for a settlement conference program; and provided more information about this program and the senior judge settlement conference program.

Counsel requested time to confer with each other and provide a letter to the Court about participating in a settlement conference. COURT SO ORDERED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**August 27, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**August 27, 2019      9:30 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
Mastrangelo, Rebecca L.      Attorney  
McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- DEFENDANT / THIRD PARTY PLAINTIFF GNL, CORP.'S RE-NOTICE OF MOTION OF DEFENDANT, GNL, CORP.'S MOTION FOR SUMMARY JUDGMENT ON LIABILITY AND PUNITIVE DAMAGES...DEFENDANT / THIRD PARTY DEFENDANT THYSENKRUPP ELEVATOR CORPORATION'S JOINDER IN GNL'S MOTION FOR SUMMARY JUDGMENT ON PUNITIVE DAMAGES

Arguments by counsel as to punitive damages. Court stated its findings. COURT ORDERED, Motion GRANTED as a matter of law, and as to punitive damages. Counsel for GNL Corp., to submit a proposed findings of facts and conclusions of law, in accordance to EDCR 7.21.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**September 12, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**September 12, 2019      10:15 AM      Pre Trial Conference**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
                 Mastrangelo, Rebecca L.      Attorney  
                 McLeod, Alexandra B.      Attorney

**JOURNAL ENTRIES**

- Counsel stated parties met before coming to Court, to address some issues, and one of the issues was about voir dire. Colloquy regarding scheduling and availability of the parties. Counsel estimated 3 weeks for trial, and noted a 2.67 conference has been scheduled for September 24, 2019. COURT ORDERED, trial date SET. Court noted this case is #3. Discussions regarding pre-trial matters, juror notebooks being sought and voir dire. Parties to submit a joint letter after their 2.67 conference, regarding pre-trial matters to be addressed, and to include in the letter about whether or not the parties want to address the pre-trial matters on the day before Calendar Call, being Monday, October 7, 2019.

10/08/19 9:00 A.M. CALENDAR CALL

10/21/19 9:00 A.M. TRIAL BY JURY (#3)

CLERK'S NOTE: Minutes updated 9/24/19. sb

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**October 07, 2019**

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A-16-739887-C	Joe Brown, Plaintiff(s)
	vs.
	GNL Corp, Defendant(s)

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**October 07, 2019      1:00 PM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	McLeod, Alexandra B.	Attorney
	Roberts, D Lee, Jr.	Attorney

**JOURNAL ENTRIES**

**- HEARING RE: PRE TRIAL MATTERS**

Paralegal to Mr. Roberts also present in Court.

Court addressed issues regarding what was provided by Plaintiffs' counsel recently, in regards to the request to address deposition excerpts, and the Court's memo having been issued to the parties. Discussions as to deposition excerpts counsel is seeking to resolve, and Rule 2.67 conference. Court reminded counsel about deposition excerpt rules and requirements; and clarified the voir dire of Sheila Swett is what is only being handled today. Court inquired about pre-trial memorandums. Statements by counsel regarding notification having been given on Pre-Trial Memorandums being due October 7, 2019. Statements by Paralegal to Mr. Roberts were made to the Court as to communication having been made to Chambers by defense counsel's firm about the pre-trial memorandum deadline. Court reminded the parties about the rules; and admonished parties not to contact a judicial department by phone to change a deadline date.

DEFENDANT / THIRD PARTY DEFENDANT THYSSENKRUPP ELEVATOR CORPORATION'S  
MOTION IN LIMINE NO. 8 RE: EXCLUDE THE TESTIMONY OF SHEILA NABORS SWETT

Expert Sheila Swett appeared by video conference; and provided sworn testimony. Court's Exhibits presented (See Worksheets.). Witness was excused when voir dire testimony concluded. Arguments by counsel. Discussion as to Hallmark standards and the testimony presented today. Court stated its analysis and findings; and ORDERED, Motion GRANTED as to all opinions set forth in Sheila Swett's initial expert report from May 4, 2018, and as to any similar opinions in the rebuttal report from May 28, 2018. Court noted its ruling does not preclude Ms. Swett from testifying in some capacity as a rebuttal expert, and the Court would defer this portion until time of trial.

By agreement of counsel, COURT ORDERED, Calendar Call CONTINUED from October 15, 2019 to a date determined by Court. Court noted it was not extending any deadlines.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**October 11, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**October 11, 2019      10:00 AM      Further Proceedings**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Alice Jacobson

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
Mastrangelo, Rebecca L.      Attorney  
McLeod, Alexandra B.      Attorney  
Roberts, D Lee, Jr.      Attorney

**JOURNAL ENTRIES**

- Telephonic Conference.

Court contacted counsel to set a trial date. Counsel estimated 15 days for trial. Court suggested that counsel talk with each other and experts and send the Court a joint letter with their available trial dates. Court noted that it was not inclined to have the trial past March 2020 due to the age of the case.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**November 19, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**November 19, 2019      9:00 AM      Calendar Call**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
Mastrangelo, Rebecca L.      Attorney  
McLeod, Alexandra B.      Attorney  
Roberts, D Lee, Jr.      Attorney

**JOURNAL ENTRIES**

- Discussions as to deposition designation excerpts having been provided to the Court, and counsel's availability before trial to address the excerpts and to have the voir dire of the expert done. Parties estimated 6-8 hours for jury selection. Further discussions as to number of witnesses for trial. Court reviewed the Pre-Trial Memorandum.

Deposition transcripts of Joe N. Brown, James Stephen Robertson, Sheila Nabors Swett, Don Hartmann, Davis Lee Turner, Chris Dutcher, and a videotaped deposition transcript of Don Hartmann, were provided to Clerk by counsel in open Court. Ms. McLeod confirmed deposition transcripts of Nettie Brown, Clay Mollette, Shalonda Mollette, Mary Brown, and William Lacost, D.O., will be delivered to Clerk, prior to trial. The following items were provided to the Clerk in open Court: Plaintiffs' Exhibits 1-34, Defendants' Joint Exhibits A-V, agreed upon jury instructions (plus CD), Defendants' proposed verdict forms, Defendants' proposed jury instructions objected to by Plaintiffs (cited and un-cited), Plaintiffs' proposed special jury instructions objected to by Defendants (cited), and GNL Corp.'s proposed questions for voir dire.

Mr. Iqbal requested to set up a telephonic conference to address issues Plaintiffs have. Discussion as to status of appeal before the Nevada Supreme Court. Arguments by Ms. Mastrangelo. Ms. McLeod stated she has not seen the list of demonstrative exhibits Plaintiffs are seeking to present. Statements by Mr. Roberts regarding audio / visual needs for trial. Further discussions as to no proposed exhibits being stipulated to by counsel at this time.

Counsel to submit a joint letter by end of day providing a list of the outstanding issues, and to include in the letter as to when the parties want to have the Voir Dire of the expert done, plus estimate of how much time is needed for the hearing.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**November 21, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**November 21, 2019      2:00 PM      Hearing**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**      Iqbal, Mohamed A.      Attorney  
Mastrangelo, Rebecca L.      Attorney  
McLeod, Alexandra B.      Attorney  
Roberts, D Lee, Jr.      Attorney

**JOURNAL ENTRIES**

- Discussions as to availability of counsel and expert for the voir dire of expert. Statements by counsel regarding procedure on expert viewing exhibits while providing video testimony. Parties agreed to have 60 jurors for voir dire (jury selection). Court orally provided voir dire procedure to the parties. Plaintiffs' counsel noted exclusionary rule will be invoked. Mr. Roberts requested the exclusionary rule not be invoked as to experts. Discussions as to Rule 7.27. Parties agreed not to address disputed jury instructions today. Upon Court's inquiry, parties confirmed trial exhibits have not been stipulated to. Discussions as to Plaintiffs' demonstrative exhibits. Deposition excerpts of Chris Dutcher were addressed. Objections were made by counsel on the record. Court issued rulings. Matter CONTINUED to November 22, 2019 at 9:00 A.M.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**November 22, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**November 22, 2019      9:00 AM      Hearing**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	McLeod, Alexandra B.	Attorney

**JOURNAL ENTRIES**

- Mr. Roberts not present. Paralegal Audra Bonney present in gallery.

Deposition excerpts of Chris Dutcher were addressed. Discussion as to deposition excerpts of Don Hartmann. Objections were made by counsel on the record. Court issued rulings. Colloquy regarding trial schedule, and availability on when remaining issues could be addressed and finished.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 02, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
                                 vs.  
                                 GNL Corp, Defendant(s)

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**December 02, 2019      9:00 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.      **COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Attorney Jaime Serrano, Esq., present with Mr. Iqbal. Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery, and Saad Sayed also present. Christy Thompson, Client Representative for Defendant, also present; and Mr. Roberts' assistant Audra Bonney present in Court. Client Representative for GNL, Corp. Richard Smith also present in gallery behind defense counsel's table.

**OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL:** Pre-trial matters and voir dire procedures were addressed. Parties estimated two weeks for trial.

**PROSPECTIVE JURY PANEL PRESENT:** Introductory statements by Court. Clerk called roll. Prospective Jury Panel SWORN by Clerk. Introductory statements by counsel. Voir Dire commenced.

**OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL:** Juror excusals were addressed.

PROSPECTIVE JURY PANEL PRESENT: Voir Dire commenced further.

Evening recess. TRIAL CONTINUES.

12/03/19 12:40 P.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 03, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 03, 2019      12:40 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Serrano, Jr., Jaime E.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery, and Saad Syed also present. Christy Thompson, Client Representative for Defendant, also present; and Mr. Roberts' assistant Audra Bonney present in Court. Client Representative for GNL, Corp. Richard Smith also present in gallery behind defense counsel's table.

**OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL:** Court addressed with the parties written correspondence submitted by Juror with Badge No. 0687. Objections were made on the record. At request of counsel, the Juror arrived in the Courtroom and addressed the Court about the correspondence. Thereafter, the Juror was instructed to wait outside the courtroom for further instructions. By agreement of the parties, excusal of the Juror was granted by Court, for medical accommodation. Colloquy regarding missing jurors, scheduling for tomorrow, and video conference to be scheduled tomorrow morning, for an expert to appear for voir dire to be done by counsel.

PROSPECTIVE JURY PANEL PRESENT: Voir Dire commenced further.

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Counsel requested an instruction be given to the Jury by the Court, to address the insurance issue brought up during defense counsel's voir dire. Discussions.

PROSPECTIVE JURY PANEL PRESENT: Court instructed the Jury on the law in regards to insurance. Voir Dire commenced further. CONFERENCE AT BENCH. Court instructed and excused Jurors with Badge No.'s 0895, 0898, 0904, 0907, 0908, and 0922 for remainder of voir dire until further order by Court. Juror with Badge No. 0795 made statements to Court about employment hardship. CONFERENCE AT BENCH. Court admonished and excused remaining Prospective Jury Panel members for the evening, to return tomorrow morning at 9:15 a.m., for further voir dire.

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Defense counsel's challenges for cause were given to the Court. Discussions as to missing juror and further proceedings. Parties to return to Court tomorrow at 8:30 A.M., to address challenges for cause.

Evening recess. TRIAL CONTINUES.

12/04/19 8:30 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 04, 2019**

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A-16-739887-C	Joe Brown, Plaintiff(s)
	vs.
	GNL Corp, Defendant(s)

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**December 04, 2019      8:30 AM      All Pending Motions**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:**

Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

**PRESENT:**

Iqbal, Mohamed A.	Attorney
Mastrangelo, Rebecca L.	Attorney
Michalek, Charles A.	Attorney
Roberts, D Lee, Jr.	Attorney
Serrano, Jr., Jaime E.	Attorney
Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

**- JURY TRIAL**

Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Additional support staff for Mr. Iqbal also present. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, and support staff for defense counsel also present. Mr. Roberts' assistant Audra Bonney present in Court.

Mr. Michalek not present.

**OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL:** Cause challenges by counsel and juror excusals were addressed. Objections were made on the record.

PROSPECTIVE JURY PANEL PRESENT: Voir Dire commenced further. Parties passed panel for cause. Court excused prospective jury panel for lunch.

Lunch recess.

Peremptory challenges were exercised by counsel.

OUTSIDE PRESENCE OF PROSPECTIVE JURY PANEL: Objections were made on the record regarding error by defense counsel on the peremptory challenge box, located on the Jury Seating Chart form. Court noted the objections and stated its findings. Defense counsel corrected the error. Thereafter, defense counsel's final peremptory challenge was exercised. Court evaluated the peremptory challenges; and announced the names of the ten remaining members of the jury panel. No objections were made.

PROSPECTIVE JURY PANEL PRESENT: JURY SELECTED. Court thanked and excused remaining prospective jury panel members. JURY SWORN BY CLERK. Court instructed the Jury. Jury was admonished and excused by Court for the evening, to return tomorrow afternoon at 12:45 P.M.

OUTSIDE PRESENCE OF JURY: Mr. Michalek present in Court.

DEFENDANTS, GNL CORP., LANDRY'S INC. & GOLDEN NUGGET, INC.'S MOTION IN LIMINE #1 TO EXCLUDE SRINIVAS NALAMACHU, MD FOR UNAUTHORIZED PRACTICE OF MEDICINE IN NEVADA

By agreement of the parties, the Voir Dire / Evidentiary Hearing commenced; and Srinivas Nalamachu, appeared by video conference; and provided sworn testimony. Following arguments by counsel, and discussions regarding Hallmark case law and Rule 35, Court stated its findings. COURT ORDERED, Motion GRANTED; and the witness will be precluded from testifying at trial. Counsel for GNL Corp., to prepare the order.

Colloquy regarding trial proceedings and scheduling for tomorrow. Parties to return to the Courtroom at 11:00 A.M., for continuation of trial.

Evening recess. TRIAL CONTINUES.

12/05/19 11:00 A.M. TRIAL BY JURY



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 05, 2019**

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A-16-739887-C	Joe Brown, Plaintiff(s)
	vs.
	GNL Corp, Defendant(s)

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**December 05, 2019      11:00 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery, and additional support staff for Mr. Iqbal also present. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, and support staff for defense counsel also present. Mr. Roberts' assistant Audra Bonney present in Court.

OUTSIDE PRESENCE OF JURY: By oral agreement of the parties and pursuant to EDCR 7.50, COURT ORDERED, Plaintiff Nettie J. Brown and any claims raised by Nettie J. Brown against Defendants are DISMISSED; and each side will bear attorney fees and costs on any claims by Nettie J. Brown. Parties agreed to have the caption amended to reflect the current remaining parties in the case. COURT SO NOTED. Caption is AMENDED as follows: Plaintiff Joe N. Brown vs. Defendants GNL Corp., and Thyssenkrupp Elevator Corporation.

Plaintiff's EDCR 7.27 Civil Trial Memorandum #1, of Plaintiff's Evidentiary Requests Regarding: (1) Opening Statement; and (2) Demonstrative Exhibits was addressed. Objections were placed on

record. Discussions as to prior representations, and Court's prior rulings.

Lunch recess.

OUTSIDE PRESENCE OF JURY: Shalonda Mollette, present in Court with Plaintiff Joe N. Brown. Defense counsel made no objections to Mr. Brown's daughter sitting with Plaintiff during trial. Court informed parties it received written communications from Juror No. 1 and Juror No. 2, addressing their hardships. Parties conferred; and agreed to further questioning of Juror No. 1 and Juror No. 2 by the Court, outside the presence of the other jurors. Thereafter, Juror No. 1 appeared in the courtroom and addressed the Court regarding the written letter submitted. Following canvass by Court, Juror No. 1 was given oral instructions by Court and was directed to wait outside the courtroom for further instructions. Subsequently, Juror No. 2 appeared in the courtroom and addressed the Court regarding the written letter submitted. Following canvass by Court, Juror No. 2 was given oral instructions by Court and was directed to wait outside the courtroom for further instructions. Parties addressed the Court; and stated their concerns and made requests. Colloquy. By stipulated agreement pursuant to EDCR 7.50, the parties agreed to excuse the remaining jurors for the day and to return tomorrow, to excuse Juror No. 1 and Juror No. 2 from trial proceedings, to replace Juror No. 1 and Juror No. 2 with the two and only alternate jurors who were selected yesterday, and to have additional jurors brought into Court tomorrow morning, for voir dire and to have two more jurors selected, in order to have a complete panel of ten jurors for trial. COURT SO ORDERED; Juror No. 1 and Juror No. 2 EXCUSED. Court noted it will admonish the jury panel today, and have Juror No. 1 and Juror No. 2 excused outside the presence of the other jurors. The written letters submitted to the Court by Juror No. 1 and Juror No. 2 were returned to Juror No. 1 and Juror No. 2, respectively.

JURY PRESENT: Court provided additional instructions; and admonished and excused the Jury, to return tomorrow morning at 10:15 A.M.

OUTSIDE PRESENCE OF JURY: Deposition excerpts of Don Hartmann were addressed. Objections were placed on record. Discussions as to Court's prior rulings on some of the Motions in Limine. Court made rulings; and deferred ruling on additional pages of the deposition, to a later date; and deposition excerpts of Chris Dutcher were deferred to a later date for parties to discuss further.

Evening recess. TRIAL CONTINUES.

12/06/19 8:45 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 06, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 06, 2019      8:45 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Plaintiff not present. Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Additional support staff for Mr. Iqbal also present. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, and support staff for defense counsel also present. Mr. Roberts' assistant Audra Bonney present in Court.

**OUTSIDE PRESENCE OF JURY:** Colloquy regarding jury selection process in order to obtain two additional jurors.

**PROSPECTIVE JURY PANEL PRESENT:** Introductory statements by Court. Clerk called roll.

**PROSPECTIVE JURY PANEL SWORN.** Voir Dire commenced. Peremptory challenges were exercised. Two jurors **SELECTED**. Court thanked and excused the remaining prospective jury panel members.

**JURY PRESENT:** The two selected jurors joined the remaining empanelled jurors and were seated in

the courtroom as a complete panel for trial. JURY SWORN by Clerk. Court instructed the Jury on the law. Opening statements by Mr. Iqbal and Mr. Smith. Objections were made, and a bench conference took place.

OUTSIDE PRESENCE OF JURY: Court made a record as to the representations and objections that were made by counsel during the earlier bench conference.

JURY PRESENT: Plaintiff Joe N. Brown present in Court. Opening statements by Mr. Smith and Ms. Mastrangelo.

OUTSIDE PRESENCE OF JURY: Discussion as to Plaintiff's proposed Exhibit No. 30 and pre-trial memorandum. Objections were placed on record. Following discussions, counsel withdrew objections regarding William Schaefer.

JURY PRESENT: Testimony presented (See Worksheets.). Jury admonished and excused for the weekend, to return Monday, December 9, 2019, at 9:30 A.M.

OUTSIDE PRESENCE OF JURY: Discussion as to trial schedule for next week. Parties to return to the courtroom Monday, December 9, 2019, at 8:30 A.M., for continuation of trial.

Evening recess. TRIAL CONTINUES.

12/09/19 8:30 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 09, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 09, 2019      8:30 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Plaintiff and Plaintiff's counsel not present. Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court. Court TRAILED matter for Mr. Iqbal to appear. CASE RECALLED. Mr. Iqbal present in Court.

OUTSIDE PRESENCE OF JURY: Witness present in gallery. Procedural issues and witness subpoena issues were addressed. Defense counsel moved to invoke the exclusionary rule. Further discussions as to whether or not parties made agreements on deposition excerpts of Chris Dutcher. Discussions as to witness line up for today and for Wednesday, December 11, 2019; and further discussions as to Ms. Brown and reasons why subpoena for Ms. Brown was issued. Court reminded both sides regarding the rules requiring witness subpoenas. Witness present in Court was asked by counsel to return at a later date. Further objections were made on the record. Court had portion of Mr. Smith's opening statement played back for the parties in open Court. Additional objections were made and addressed, regarding the objections made by defense counsel earlier during direct

examination by Plaintiff's counsel.

JURY PRESENT: Testimony and Exhibits presented (See Worksheets.).

OUTSIDE PRESENCE OF JURY: Additional objections placed on record. Discussions as to documents in exhibit binders. Court reminded both sides proper questions need to be asked during witness examination. Court also reminded both sides it cannot give advisory opinions. Discussions regarding trial schedule for this afternoon.

JURY PRESENT: Court made its decision on the objection raised earlier; and instructed the Jury. Witness examination was completed.

Lunch recess.

OUTSIDE PRESENCE OF JURY: Plaintiff's counsel made statements to Court as to proposed questions being sought to be asked during examination. Arguments by parties. Discussions as to Court's ruling on the May 23 incident.

JURY PRESENT: Plaintiff Joe N. Brown present in Court. Further testimony and Exhibits presented (See Worksheets.). Deposition of James Stephen Robertson FILED AND PUBLISHED IN OPEN COURT. Mr. Iqbal requested to publish a deposition of Richard Smith, that was not provided for trial. CONFERENCE AT BENCH. Court DENIED the request. Court provided trial schedule to Jury for the week.

Evening recess. TRIAL CONTINUES.

12/10/19 11:00 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 10, 2019**

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A-16-739887-C	Joe Brown, Plaintiff(s)
	vs.
	GNL Corp, Defendant(s)

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**December 10, 2019      11:00 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court.

**OUTSIDE PRESENCE OF JURY:** Discussions as to witness line up and trial schedule for today and tomorrow to have deposition excerpts addressed. Objections placed on the record. Discussion as to questions being sought by counsel for today's witness. Court reminded parties about the rules, and the Court not being able to give advisory opinions.

**JURY PRESENT:** Testimony and Exhibits presented (See Worksheets).

**OUTSIDE PRESENCE OF JURY:** Objections placed on the record as to questions asked during direct examination by counsel. Discussions as to 2012 emails and prior ruling on the Motions in Limine.

**JURY PRESENT:** Further testimony and Exhibits presented (See Worksheets.).

OUTSIDE PRESENCE OF JURY: Objections placed on record and defense counsel moved to strike portion of direct examination, and for sanctions against Plaintiff's counsel. Arguments by Mr. Iqbal. Relief was sought to admit additional exhibits, and additional objections were raised.

JURY PRESENT: Court gave an instruction to the Jury regarding earlier testimony. Further testimony and Exhibits presented (See Worksheets.).

Evening recess. TRIAL CONTINUES.

12/11/19 8:45 A.M. TRIAL BY JURY



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 11, 2019**

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A-16-739887-C	Joe Brown, Plaintiff(s) vs. GNL Corp, Defendant(s)
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**December 11, 2019      8:45 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court.

**OUTSIDE PRESENCE OF JURY:** Discussions as to playback of Exhibit A, being the video of the incident. Exhibit A was ADMITTED by stipulation. Objections placed on the record regarding defense seeking to play back the video to the Jury in slow motion for demonstrative purposes. Court stated findings; and noted the video may be played back to the Jury in slow motion, as long as the speed of the video is stated to the Jury by counsel, before the playback begins. Discussions as to witness line up for today.

**JURY PRESENT:** Testimony and Exhibits presented (See Worksheets).

**OUTSIDE PRESENCE OF JURY:** Objections placed on the record as to direct examination by

counsel, and comments made by the witness. Arguments by counsel as to alleged discovery violation. Court reminded parties the rule is clear as to witness examinations, each side has to comply with the rules, and the Court cannot give advisory rulings or opinions. Witness was addressed by Court.

Lunch recess.

JURY PRESENT: Further testimony and Exhibits presented (See Worksheets.). Deposition of William Lacost D.O. was FILED AND PUBLISHED in open Court. Jury was admonished and excused by Court for the evening, to return tomorrow at 12:45 P.M.

OUTSIDE PRESENCE OF JURY: Objections placed on record by Plaintiff's counsel regarding questions asked by defense counsel to the witness. Discussion as to trial progression, and trial schedule for tomorrow. Parties to return to the courtroom at 9:20 A.M. for continuation of the Jury Trial.

Evening recess. TRIAL CONTINUES.

12/12/19 9:20 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 12, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 12, 2019      9:20 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Plaintiff not present.

**OUTSIDE PRESENCE OF JURY:** Deposition excerpts of Don Hartmann were addressed. Objections placed on record. Discussions as to ruling from GNL Corp's Motion in Limine No. 2.

Lunch recess. Matter TRAILED and RECALLED at 12:45 P.M.

Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court.

**OUTSIDE PRESENCE OF JURY:** Discussions as to witness line up. Mr. Roberts not present in Court.

JURY PRESENT: Testimony and Exhibits presented (See Worksheets). Mr. Roberts present in Court.

OUTSIDE PRESENCE OF JURY: Statements by counsel as to witness issue. Court reminded parties about the trial progression. Ms. Mastrangelo requested Court to issue time constraints on opposing counsel and for opposing counsel to inform the Court and defense when Plaintiff will be seeking to rest their case in chief; and argued as to current trial progress and defense needing to present their case in chief. Response by Mr. Iqbal. Discussion as to there being no agreement between the parties. Court reminded both sides they cannot keep the Jury waiting.

JURY PRESENT: Further testimony and Exhibits presented (See Worksheets.). Depositions of Clay Mollette and Joe Brown were both FILED AND PUBLISHED in open Court. Jury was admonished and excused by Court for the evening to return tomorrow at 1:20 P.M.

OUTSIDE PRESENCE OF JURY: Parties to return to Court tomorrow at 8:45 A.M., for continuation of the Jury Trial.

Evening recess. TRIAL CONTINUES.

12/13/19 8:45 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 13, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 13, 2019      8:45 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Natalie Ortega

**RECORDER:** Maria Garibay

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE: Counsel and Court reviewed the depositions. Deposition FILED IN OPEN COURT.

INSIDE THE PRESENCE: Testimony presented. COURT ORDERED, trial CONTINUED.

CONTINUED TO: 12/16/19 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 16, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 16, 2019      9:00 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Client Representative for GNL Corp., also present. Mr. Roberts' assistant Audra Bonney present in Court.

OUTSIDE PRESENCE OF JURY: Exhibit 35 ADMITTED by stipulation. Discussions regarding multiple EDCR 7.27 trial briefs having been filed by Plaintiff, and counsel seeking to address deposition designation excerpts of Chris Dutcher. Objections placed on record regarding Plaintiff counsel's seeking to have excerpts of Davis Turner's deposition transcript read to the Jury. Arguments by parties. Court stated findings. COURT ORDERED, Plaintiff's oral request to have excerpts of Davis Turner's deposition read to the Jury DENIED. Discussions as to witness line up for today.

Client Representative for Thyssenkrupp Elevator Corporation, present in Court.

JURY PRESENT: Testimony and Exhibits presented (See Worksheets.).

OUTSIDE PRESENCE OF JURY: Objections placed on the record by defense regarding hearsay documents and medical records being sought for admission by Plaintiff's counsel. Response by Mr. Iqbal. Additional objections placed on record as to prior discussion between the parties on witness line up and whether there was an agreement on exhibits. Court read rules from NRS 48.035 and NRCp 16.1.

JURY PRESENT: Further testimony presented (See Worksheets).

OUTSIDE PRESENCE OF JURY: Objections placed on record regarding disagreement between parties on deposition excerpts being sought by Plaintiff's counsel, to be read to the Jury. Thereafter, parties conferred in the ante room during a break to resolve the disagreement.

MATTER TRAILED and RECALLED.

OUTSIDE PRESENCE OF JURY: Mr. Roberts informed the Court defense may be moving for a judgment as a matter of law after Plaintiff's case in chief.

JURY PRESENT: Testimony presented (See Worksheets.). Excerpts of Don Hartmann's and Chris Dutcher's Depositions were read into the record by Mr. Iqbal's assistant Marie-Claire Alsanjakli.

OUTSIDE PRESENCE OF JURY: Mr. Iqbal moved to admit various documents into evidence. Objections were made by defense counsel. Response by Mr. Iqbal. Court stated findings; and sustained defense counsel's objections. Mr. Iqbal moved to recall Plaintiff as witness in Plaintiff's case in chief to provide additional testimony. Objections by defense counsel. Further discussions.

JURY PRESENT: Further testimony presented (See Worksheets.). Jury admonished and excused by Court to return tomorrow morning at 11:00 A.M.

OUTSIDE PRESENCE OF JURY: Brief discussion as to Defendant GNL Corp's EDCR 7.27 trial brief in support of oral motion for judgment as a matter of law, having been filed.

Evening recess. TRIAL CONTINUES.

12/17/19 11:00 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 17, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 17, 2019      11:00 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Mr. Iqbal's assistant Marie-Claire Alsanjakli, present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court.

**OUTSIDE PRESENCE OF JURY:** Defense counsel's EDCR 7.27 trial brief was addressed. Objections placed on record.

**JURY PRESENT:** Testimony and Exhibits presented (See Worksheets.). Plaintiff rested. Jury was admonished and excused by Court, for the lunch recess, until 1:15 P.M.

**OUTSIDE PRESENCE OF JURY:** Discussions as to when arguments by counsel to the Court will be addressed.

Lunch recess until 12:45 P.M.



OUTSIDE PRESENCE OF JURY: Witness Mary Brown was instructed by counsel to remain outside of the courtroom. Defense counsel for Thyssenkrupp Elevator Corporation and GNL Corp., both moved for judgment on the negligence claim as a matter of law; and argued in support of relief requested. Testimony and evidence presented at trial was addressed further. Opposition by Mr. Iqbal. Court stated findings; and ORDERED, Motion for Judgment GRANTED IN PART as to past medical specials; and remaining relief DENIED WITHOUT PREJUDICE. Discussions as to witness line up for defense's case in chief, and possible witness line up for Plaintiff's rebuttal case.

JURY PRESENT: Testimony presented (See Worksheets.). Defense for Thyssenkrupp Elevator Corporation rested. Testimony and Exhibits presented (See Worksheets.). Defense for GNL Corp., rested. Plaintiff did not present a rebuttal case; and Plaintiff rested. CONFERENCE AT BENCH. Court admonished and excused the Jury for the afternoon, to return tomorrow by 11:00 A.M.

OUTSIDE PRESENCE OF JURY: Court noted all exhibits not admitted at trial will be returned to all counsel by the Clerk tomorrow. Counsel checked with the Clerk as to which exhibits were admitted at trial. Proposed jury instructions were addressed; and objections were placed on record by counsel regarding proposed instructions being sought from both sides. Parties to return to Court tomorrow at 10:15 A.M. for continuation of the Jury Trial.

Evening recess. TRIAL CONTINUES.

12/18/19 10:15 A.M. TRIAL BY JURY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 18, 2019**

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A-16-739887-C      Joe Brown, Plaintiff(s)  
vs.  
GNL Corp, Defendant(s)

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**December 18, 2019      10:15 AM      Jury Trial - FIRM**

**HEARD BY:** Kishner, Joanna S.

**COURTROOM:** RJC Courtroom 12B

**COURT CLERK:** Susan Botzenhart

**RECORDER:** Sandra Harrell

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Brown, Joe N.	Plaintiff
	Iqbal, Mohamed A.	Attorney
	Mastrangelo, Rebecca L.	Attorney
	Roberts, D Lee, Jr.	Attorney
	Serrano, Jr., Jaime E.	Attorney
	Smith, Phillip N.	Attorney

**JOURNAL ENTRIES**

- Mr. Serrano and Mr. Iqbal's assistant Marie-Claire Alsanjakli were present in gallery. Client Representatives for GNL Corp., and Thyssenkrupp Elevator Corporation, also present. Mr. Roberts' assistant Audra Bonney present in Court.

**OUTSIDE PRESENCE OF JURY:** Plaintiff's EDCR 7.27 civil trial brief was addressed. Objection was withdrawn by defense counsel; and the brief was deemed as being moot. **JURY INSTRUCTIONS SETTLED. VERDICT FORM(S) APPROVED.**

**JURY PRESENT:** Court instructed Jury on the law. Jury was admonished and excused for lunch recess, to return at 12:25 P.M.

**OUTSIDE PRESENCE OF JURY:** Interlineations were made on Jury Instructions by Court to correct typographical errors, at request of the parties.

Lunch recess.

JURY PRESENT: Closing arguments by counsel. Objections made by defense counsel during Plaintiff's rebuttal argument. Matron was sworn by Clerk to take charge of the alternates. Marshal sworn by Clerk to take charge of the Jury. At the hour of 4:03 P.M., the Jury retired to deliberate.

OUTSIDE PRESENCE OF JURY: Mr. Iqbal moved to preserve the record and make an objection; and argued as to demonstrative exhibits presented at closings and as to defense counsel's objection made during his rebuttal argument. Court reminded both sides regarding prior ruling having been made on the issue. Parties reviewed the verdict form(s) and the admitted evidence in open Court. Mr. Iqbal requested a deposition transcript be provided to the Jury. Objections by defense counsel for Thyssenkrupp Elevator Corporation and GNL Corp. Upon Court's inquiry, both defense counsel confirmed there was no stipulation by the parties to have a deposition transcript of witness testimony given to the Jury. Proposed exhibits not admitted at trial and deposition transcripts that were not published to the Jury, were ORDERED, all released and returned to all counsel by the Clerk in open Court.

Jury deliberating.

5:04 P.M. -- JURY PRESENT: Court reconvened with all parties present from before. Plaintiff was not present. Jury RETURNED VERDICT finding in favor of the Defendants GNL Corp., and Thyssenkrupp Elevator Corporation, and against the Plaintiff. Jury was not polled. Court thanked the Jury. JURY DISCHARGED from trial proceedings.

Court adjourned. TRIAL ENDS.

LIST  
Exigentary Hearing  
Date: 10/07/19

Date:

Judge: **JOANNA S. KISHNER**

PLAINTIFF,

Court Clerk: Susan Botzenhart

Recorder: Sandra Harrell

Counsel for Plaintiff: Mohamed Iqbal

**VS.**

DEFENDANTS.

Counsel for Defendant: Alexandra

ThyssenKrupp Elevator Corporation

McLeod, Rebecca

mastrangelo

## TRIAL BEFORE THE COURT

Court 'S EXHIBITS

March 25, 2016

# Plaintiff

## PLAINTIFFS' EXHIBIT LIST - JURY TRIAL - DEPARTMENT XXXI

A-16-739887-C

JOE BROWN vs. GNL CORP.

No.	Description	Date Offered	Objection	Date Admitted
1	TKE Escalator Maintenance Tasks & Records for 2011, 2012, 2013, 2014, 2015, 2016, and 2017	12-6-19 12-10-19	yes yes	NOT Admitted
2	TKE Account History for Down Escalator from May 1, 2010 to December 31, 2015	12-10-19	yes	Returned to Counsel
3	TKE Account History for Down Escalator from May 12, 2014 - November 12, 2015			RETURNED TO COUNSEL
4	September 12, 2012 repair order (proposal)	12-10-19	yes	Returned to Counsel
5	October 2, 2012 email from Larry Panaro to Clint Belka and repair order	12-10-19	yes	Returned to Counsel
6	Cleared Amounts of Payments on October 24, 2012 and on February 1, 2013, from 2012 & 2016 TKE Invoices and Payment Documents relating to step replacement			RETURNED TO COUNSEL
7	GNL provided TKE Account History for Down Escalator from April 1, 2015 to May 31, 2015			RETURNED TO COUNSEL
8	GNL provided TKE Account History for Down Escalator from January 1, 2012 to December 31, 2012 and January 1, 2015 to December 31, 2015			RETURNED TO COUNSEL
9	Agreement for Dover Master Maintenance Service	12-10-19	yes	Returned to Counsel
10	TKE First Report of Alleged Incident and State of Nevada Elevator Accident Report			RETURNED TO COUNSEL
11	GNL Incident Report without the photos at the end of the Report			RETURNED TO COUNSEL
12	GNL Escalator Inspection Records and KONE Bulletin			RETURNED TO COUNSEL
13	GNL Documents related to Prior Incidents without intersplined photographs			RETURNED TO COUNSEL
14	Escalator Inspection Records			RETURNED TO COUNSEL
15	Historical Incident Reports			RETURNED TO COUNSEL
16	GNL Correspondence			RETURNED TO COUNSEL
17	2015 Work/Repair Orders and Emails			RETURNED TO COUNSEL
18	Salesforce and Incident Reports, and NOV's			RETURNED TO COUNSEL

PLAINTIFFS' TRIAL EXHIBITS

## PLAINTIFFS' EXHIBIT LIST - JURY TRIAL - DEPARTMENT XXXI

A-16-739887-C

JOE BROWN vs. GNL CORP.

No.	Description	Date Offered	Objection	Date Admitted
19	iPhone/email communications from Chris Dutcher		<del>RETURNED TO COUNSEL</del>	
20	Dover Proposal dated June 23, 1998 and related correspondence		<del>RETURNED TO COUNSEL</del>	
21	February 2, 2017, 4:18:55 PM GNL Responses to Plaintiffs' 1 <sup>st</sup> RFPs		<del>RETURNED TO COUNSEL</del>	
22	February 2, 2017, 4:19:20 PM GNL Responses to Plaintiffs' 1 <sup>st</sup> ROGs		<del>RETURNED TO COUNSEL</del>	
23	March 3, 2017, 3:48:42 PM GNL Supp. Responses to Plaintiffs' 1 <sup>st</sup> ROGs		<del>RETURNED TO COUNSEL</del>	
24	March 3, 2017, 3:50:09 PM GNL Supp. Responses to Plaintiffs' 1 <sup>st</sup> RFPs		<del>RETURNED TO COUNSEL</del>	
25	Plaintiffs' 2 <sup>nd</sup> RFPs to GNL		<del>RETURNED TO COUNSEL</del>	
26	October 20, 2017, 10:53 AM GNL Responses to Plaintiffs' 2 <sup>nd</sup> RFPs		<del>RETURNED TO COUNSEL</del>	
27	February 6, 2018 TKE Responses to Plaintiffs' 1 <sup>st</sup> RFPs		<del>RETURNED TO COUNSEL</del>	
28	Division of Industrial Relations, Mechanical Compliance Section, Golden Nugget—Laughlin Escalator Records, Date: January 1, 2005-May 31, 2015		<del>RETURNED TO COUNSEL</del>	
29	Photographs of Subject Escalator (with 29-A, 29-B, 29-C...)		<del>RETURNED TO COUNSEL</del>	
30	Medical Records, Bills, and Documents	12-16-19	yes	Returned To Counsel
	REBUTTAL EXHIBITS		<del>RETURNED TO COUNSEL</del>	
31	October 30, 2018 TKE Letter to Plaintiffs		<del>RETURNED TO COUNSEL</del>	
32	Affidavit of Scott J. Silitsky in Support of Thyssenkrupp Elevator Corporation's December 20, 2018, Opposition to Plaintiff's Emergency Motion for Reopening of Discovery, Court Intervention, and Sanctions		<del>RETURNED TO COUNSEL</del>	
33	Affidavit of Rebecca Mastrangelo in Support of Thyssenkrupp Elevator Corporation's December 20, 2018, Opposition to Plaintiff's Emergency Motion for Reopening of Discovery		<del>RETURNED TO COUNSEL</del>	
34	July 17, 2017 letter from TKE's counsel to Mr. Turner.		<del>RETURNED TO COUNSEL</del>	

PLAINTIFFS' TRIAL EXHIBITS

## EXHIBIT(S) LIST

Joe Brown  
plaintiff vs. GNL Corp. et. al.  
'S EXHIBITS

[illegible]

# Defendant's

## EXHIBIT INDEX

Case No. A-16-739887-C

## DEFENDANTS' JOINT TRIAL EXHIBITS

*Joe Brown, et al. v. GNL Corp., thyssenkrupp Elevator Corporation*

Plaintiffs' Counsel: Mohamed Iqbal, Esq.

Defense Counsel: Alexandra B. Mcleod, Esq. and D. Lee Roberts, Jr. Esq. for GNL, Corp.;  
Rebecca L. Mastrangelo, Esq. for thyssenkrupp Elevator Corporation

No.	Description	Date Offered	Objection	Date Admitted	
A	Video of Incident	12-11-19	skip	12-11-19	wa
B	GNL Incident Report	12-17-19	no	12-17-19	wa
C	Photographs of escalator and surrounding area (GNL 15,16,19,20,21 only)	12-17-19	yes	12-17-19	wa
D	State of Nevada Accident Report	12-9-19	no	12-9-19	wa
E	Dover Elevator Maintenance Agreement	RETURNED TO COUNSEL			
F	State of Nevada Escalator Inspection and Permit Records 2013	12-9-19	yes	12-9-19	wa
G	State of Nevada Escalator Inspection and Permit Records 2014	12-9-19	no	12-9-19	wa
H	State of Nevada Escalator Inspection and Permit Records 2015	12-9-19	no	12-9-19	wa
I	Excerpts from Western Arizona Regional Medical Center Records	12-11-19	no	12-11-19	wa
J	Excerpts from Sunrise Hospital Medical Center Records	<del>12-11-19</del>	<del>no</del>	<del>12-11-19</del>	wa
K	VA Southern Nevada Healthcare System Disks of Radiology Films	RETURNED TO COUNSEL			



**EXHIBIT INDEX**

Case No. A-16-739887-C

**DEFENDANTS' JOINT TRIAL EXHIBITS***Joe Brown, et al. v. GNL Corp., thyssenkrupp Elevator Corporation*Plaintiffs' Counsel: Mohamed Iqbal, Esq.Defense Counsel: Alexandra B. Mcleod, Esq. and D. Lee Roberts, Jr. Esq. for GNL, Corp.;  
Rebecca L. Mastrangelo, Esq. for thyssenkrupp Elevator Corporation

No.	Description	Date Offered	Objection	Date Admitted
L	Mountainview Hospital Disk of Radiology Films (demonstrative)	RETURNED TO COUNSEL		
M	Western Arizona Regional medical Center disk of Radiology Films (demonstrative)	RETURNED TO COUNSEL		
N	State of Nevada Escalator Inspection & Permit Records 2012	RETURNED TO COUNSEL		
O	2012-2015 ThyssenKrupp Account History – Preventative Maintenance for GNL	RETURNED TO COUNSEL		
P	Jobsite Maintenance Records 2012	RETURNED TO COUNSEL		
Q	Jobsite Maintenance Records 2013	RETURNED TO COUNSEL		
R	Jobsite Maintenance Records 2014	RETURNED TO COUNSEL		
S	Jobsite Maintenance Records 2015	RETURNED TO COUNSEL		
T	ThyssenKrupp Repair Order dated 09/12/2012	RETURNED TO COUNSEL		
U	Emailed from Panaro to C. Belka dated 10/02/2012 re GN Laughlin-Escalators	RETURNED TO COUNSEL		
V	ThyssenKrupp Repair Order dated 10/02/2012	RETURNED TO COUNSEL		

— 2 —

Joe Brown

vs. GNL Corp + Thyssenkrupp  
Elevator Corporation

[illegible]

## EXHIBIT(S) LIST

Joe Brown & Nettie Brown vs. GNL Corp & Thyssen Krupp  
Court 'S EXHIBITS Elevator Corporation

## 'S EXHIBITS

[illegible]



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

**MOHAMED A. IQBAL, JR.**  
**101 CONVENTION CENTER DR., SUITE 1175**  
**LAS VEGAS, NV 89109**

**DATE: February 11, 2020**  
**CASE: A-16-739887-C**

**RE CASE:** JOE N. BROWN vs. GNL, CORP.; THYSSENKRUPP ELEVATOR CORP.

NOTICE OF APPEAL FILED: February 8, 2020

**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

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**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 (g) 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.***

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***\*\*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):

PLAINTIFF'S NOTICE OF APPEAL; PLAINTIFF'S CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; JUDGMENT ON JURY VERDICT; NOTICE OF ENTRY OF JUDGMENT; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

JOE N. BROWN,

Plaintiff(s),

vs.

GNL, CORP.; THYSSENKRUPP ELEVATOR  
CORP.,

Defendant(s),

Case No: A-16-739887-C

Dept No: XXXI

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 11 day of February 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk