

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTOINE SALLOUM,

Appellant,

vs.

BOYD GAMING CORPORATION,
D/B/A MAIN STREET STATION,
A DELAWARE CORPORATION,

Respondent.

Electronically Filed
Apr 17 2020 01:17 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court Case No. 80769

District Court Case No. A-19-804678-C

APPEAL

**From the Eighth Judicial District Court
The Honorable Kathleen E. Delaney**

RESPONSE TO DOCKETING STATEMENT

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The Nevada Rules of Appellate Procedure require that a Docketing Statement provide complete and accurate information. NRAP 14 (c). Boyd Gaming Corporation hereby responds to Appellant's Docketing Statement pursuant to NRAP 14(f) because the Docketing Statement's response to Paragraph/Question 7 misstates and omits material facts. Specifically, Appellant's response to Paragraph/Question 7 states that there were no other "[p]ending and prior proceedings in other courts which are related to this appeal." (See Docketing Statement at ¶ 7.) However, on January 16, 2020, two days after the district court dismissed Appellant's Complaint, he refiled his claims in the United States District Court for the District of Nevada, Case 2:20-cv-00116-JAD-NJK. Except for the addition of citations to Title VII, the federal pleading is identical to the Complaint in this case.¹

DATED: April 17, 2020

SNELL & WILMER L.L.P.

/s/ Paul Swenson Prior

PAUL SWENSON PRIOR

Nevada Bar No. 9324

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¹ On April 7, 2020, while Appellant's counsel was preparing the Docketing Statement, he sent the undersigned counsel a waiver of service request for the federal pleading. Appellant's counsel was working on both matters at about the same time, which makes this omission difficult to explain or justify.

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On April 17, 2020, I caused to be served a true and correct copy of the foregoing **RESPONSE TO DOCKETING STATEMENT** upon the following by the method indicated:

- ☐ **BY E-MAIL:** by transmitting via e-mail the document(s) listed above to the e-mail addresses set forth below and/or included on the Court's Service List for the above-referenced case.
- ☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.
- ☒ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below:

Dana Jonathon Nitz
1831 Kay Lynn Ct.
Las Vegas, NV 89117

/s/ Maricris Williams

An Employee of SNELL & WILMER L.L.P.