

Electronically Filed
Oct 18 2021 11:41 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOAS

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Attorneys for Plaintiff McGuire Holdings Ltd.

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

McGuire Holdings Ltd.,

Plaintiff,

v.

Betfred International Holdings, Ltd.,

Defendant.

Case No.: A-21-827937-B

Dept. No.: XXVII

NOTICE OF APPEAL

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AKERMAN LLP

1635 VILLAGE CENTER CIRCLE, SUITE 200
LAS VEGAS, NEVADA 89134
TEL: (702) 634-5000 – FAX: (702) 380-8572

1 Plaintiff, McGuire Holdings, Ltd., gives notice of appeal. McGuire appeals the court's Order
2 Regarding Defendant Betfred International Holdings, LTD.'s Motion to Dismiss for Lack of
3 Personal Jurisdiction (Doc ID # 24), including any and all interlocutory orders and findings
4 incorporated therein. The court entered the order on September 16, 2021 (Doc ID # 24), and Betfred
5 served notice of entry of the order on September 16, 2021 (Doc ID # 25).

6 DATED this 13th day of October, 2021.

7 **AKERMAN, LLP**

8 */s/ Ariel Stern*

9 **ARIEL E. STERN, ESQ.**

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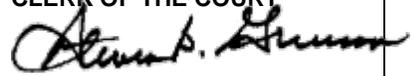
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23 *Attorneys for Plaintiff McGuire Holdings Ltd.*



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27 *Attorneys for Plaintiff McGuire Holdings Ltd.*

28 **EIGHTH JUDICIAL DISTRICT COURT**
CLARK COUNTY, NEVADA

29 McGuire Holdings Ltd.,
30 Plaintiff,
31 v.
32 Betfred International Holdings, Ltd.,
33 Defendant.

Case No.: A-21-827937-B

Dept. No.: XXVII

CASE APPEAL STATEMENT

34 McGuire Holdings Ltd. submits its Case Appeal Statement pursuant to NRAP 3(f)(3).

35 1. The appellant filing this case appeal statement is McGuire Holdings Ltd.

36 ///

37 ///

1 2. The Order appealed is this Court’s Order Regarding Defendant Betfred International
2 Holdings, Ltd.’s Motion to Dismiss for Lack of Personal Jurisdiction, Notice of Entry of which was
3 entered on September 16, 2021.

4 3. Counsel for Appellant are Ariel E. Stern, Esq. and Melanie D. Morgan, Esq. of
5 AKERMAN LLP, 1635 Village Center Circle, Suite 200, Las Vegas, Nevada 89134 and Damien H.
6 Prosser, Esq. (admitted pro hac vice) and Jessica Thorson, Esq. (admitted pro hac vice) of MORGAN
7 & MORGAN, P.A., Business Trial Group, 20 North Orange Avenue, 15th Floor, Orlando, Florida,
8 32801.

9 4. Counsel for Respondent Betfred International Holdings, Ltd. are James J. Pisanelli,
10 Esq., Todd L. Bice, Esq. and John A. Fortin, Esq. of PISANELLI BICE, PLLC, 400 South 7th Street,
11 Suite 300, Las Vegas, Nevada 89101. Appellant is not aware whether counsel will also act as
12 appellate counsel for Betfred.

13 5. Counsel for Appellant at AKERMAN LLP is licensed to practice law in Nevada.
14 Counsel for Respondent are licensed to practice law in Nevada.

15 6. Appellant is represented by retained counsel in the district court.

16 7. Appellant is represented by retained counsel on appeal.

17 8. Appellant was not granted leave to proceed in forma pauperis by the district court.

18 9. The date proceedings commenced in the district court was January 15, 2021.

19 10. In this action, McGuire alleges breach of contract and demanded a judgment for
20 damages, after Betfred failed to perform its duties under a July 2018 agreement between the parties.
21 As a result, McGuire has suffered damages in the form of loss of a fee in the amount of 10% of
22 Betfred’s gross revenue from the operation of its sportsbook betting and wagering services for the
23 Virgin Hotel Casino. Betfred moved to dismiss for lack of personal jurisdiction pursuant to NRCPC
24 12(b)(2), claiming McGuire failed to meet the minimum requirements of due process. The Court
25 granted Betfred’s motion and dismissed this action with prejudice, ruling Betfred did not have
26 enough of a relationship with Nevada and that the contract was negotiated at arm’s length.

27 11. This case has not previously been the subject of an appeal to or original writ
28 proceeding in the Supreme Court.

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that I am an employee of AKERMAN LLP, and that on this 14th day of
3 October 2021, I caused to be served a true and correct copy of the foregoing **CASE APPEAL**
4 **STATEMENT**, in the following manner:

5 **(ELECTRONIC SERVICE)** Pursuant to Administrative Order 14-2, the above-referenced
6 document was electronically filed on the date hereof and served through the Notice of Electronic
7 Filing automatically generated by the Court's facilities to those parties listed on the Court's Master
8 Service List as follows:

- 9 Damien H. Prosser DProsser@forthepeople.com
10 Jessica Thorson JThorson@forthepeople.com
11 Melissa Todd mtodd@forthepeople.com
12 Patricia Helman phelman@forthepeople.com
13 Todd L. Bice tlb@pisanellibice.com
14 Shannon Dinkel sd@pisanellibice.com
15 John A. Fortin jaf@pisanellibice.com
16 Kimberly Peets lit@pisanellibice.com

17 I declare that I am employed in the office of a member of the bar of this Court at whose
18 discretion the service was made.

19
20 */s/ Patricia Larsen*
An employee of AKERMAN LLP

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-21-827937-B

McGuire Holdings, Ltd., Plaintiff(s)
vs.
Betfred International Holdings, Ltd., Defendant(s)

§
§
§
§
§

Location: **Department 27**
 Judicial Officer: **Allf, Nancy**
 Filed on: **01/15/2021**
 Cross-Reference Case Number: **A827937**

CASE INFORMATION

Statistical Closures
 09/16/2021 Motion to Dismiss by the Defendant(s)

Case Type: **Other Business Court Matters**
 Case Status: **09/16/2021 Dismissed**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number: A-21-827937-B
 Court: Department 27
 Date Assigned: 01/15/2021
 Judicial Officer: Allf, Nancy

PARTY INFORMATION

Plaintiff **McGuire Holdings, Ltd.**

Lead Attorneys
Stern, Ariel E.
Retained
 702-634-5000(W)

Defendant **Betfred International Holdings, Ltd.**

Bice, Todd L
Retained
 702-214-2100(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

EVENTS

- 01/15/2021  Complaint (Business Court)
 Filed By: Plaintiff McGuire Holdings, Ltd.
[1] Complaint - Jury Trial Demanded - Exempt from Arbitration
- 01/19/2021  Clerk's Notice of Nonconforming Document
[2] Clerk's Notice of Nonconforming Document
- 01/20/2021  Clerk's Notice of Nonconforming Document and Curative Action
[3] Clerk's Notice of Curative Action
- 01/20/2021  Summons Electronically Issued - Service Pending
 Party: Plaintiff McGuire Holdings, Ltd.
[4] Summons (to Betford International)
- 01/25/2021  Amended Complaint
 Filed By: Plaintiff McGuire Holdings, Ltd.
[5] First Amended Complaint - Jury Trial Demand - Exempt from Arbitration
- 02/02/2021  Summons Electronically Issued - Service Pending
 Party: Plaintiff McGuire Holdings, Ltd.
[6] Summons

CASE SUMMARY

CASE NO. A-21-827937-B

- 02/22/2021  Motion to Associate Counsel
Filed By: Plaintiff McGuire Holdings, Ltd.
[7] Motion to Associate Counsel
- 02/22/2021  Clerk's Notice of Hearing
[8] Notice of Hearing
- 03/15/2021  Motion to Dismiss
Filed By: Defendant Betfred International Holdings, Ltd.
[9] Defendant's Motion to Dismiss for Lack of Personal Jurisdiction
- 03/15/2021  Initial Appearance Fee Disclosure
Filed By: Defendant Betfred International Holdings, Ltd.
[10] Initial Appearance Fee Disclosure
- 03/16/2021  Clerk's Notice of Hearing
[11] Clerk's Notice of Hearing
- 03/22/2021  Mandatory Rule 16 Conference Order
[12] Business Court Order for Mandatory 16.1 Conference
- 03/23/2021  Mandatory Rule 16 Conference Order
[13] Amended Business Court Order to Appear for Mandatory 16.1 Conference
- 03/30/2021  Stipulation and Order
Filed by: Plaintiff McGuire Holdings, Ltd.
[14] Stipulation and Order for Extension
- 03/31/2021  Order
Filed By: Plaintiff McGuire Holdings, Ltd.
[15] Order Admitting to Practice
- 03/31/2021  Notice of Entry of Stipulation and Order
Filed By: Plaintiff McGuire Holdings, Ltd.
[16] Notice of Entry of Stipulation and Order for Extension
- 03/31/2021  Notice of Entry of Order
Filed By: Plaintiff McGuire Holdings, Ltd.
[17] Notice of Entry of Order Admitting to Practice
- 04/12/2021  Opposition to Motion to Dismiss
Filed By: Plaintiff McGuire Holdings, Ltd.
[18] Plaintiff's Opposition to Defendant's Motion to Dismiss for Lack of Personal Jurisdiction
- 04/20/2021  Stipulation and Order
Filed by: Defendant Betfred International Holdings, Ltd.
[19] Stipulation and Order Rescheduling Hearing on Betfred Int'l Motion to Dismiss to May 12, 2021 at 10:30 A. M.
- 04/20/2021  Notice of Entry of Order
Filed By: Defendant Betfred International Holdings, Ltd.
[20] Notice of Entry of Order

CASE SUMMARY

CASE NO. A-21-827937-B

05/05/2021



Reply in Support

Filed By: Defendant Betfred International Holdings, Ltd.

[21] Defendant's Reply in Support of Motion to Dismiss for Lack of Personal Jurisdiction

06/01/2021



Recorders Transcript of Hearing

[22] Transcript of Proceedings, Defendant's Motion to Dismiss for Lack of Personal Jurisdiction; Mandatory Rule 16 Conference, Heard on May 12, 2021

09/13/2021



Notice

Filed By: Defendant Betfred International Holdings, Ltd.

[23] Notice of Submission of Proposed Order

09/16/2021



Order Granting Motion

[24] Order Granting Defendant Betfred International Holdings, Ltd.'S Motion To Dismiss For Lack Of Personal Jurisdiction

09/16/2021



Notice of Entry of Order

Filed By: Defendant Betfred International Holdings, Ltd.

[25] Notice of Entry of Order

10/13/2021



Notice of Appeal

Filed By: Plaintiff McGuire Holdings, Ltd.

[26] Notice of Appeal

10/14/2021



Case Appeal Statement

Filed By: Plaintiff McGuire Holdings, Ltd.

[27] Case Appeal Statement

DISPOSITIONS

09/16/2021

Order of Dismissal With Prejudice (Judicial Officer: Allf, Nancy)

Debtors: McGuire Holdings, Ltd. (Plaintiff)

Creditors: Betfred International Holdings, Ltd. (Defendant)

Judgment: 09/16/2021, Docketed: 09/17/2021

HEARINGS

03/19/2021



Minute Order (3:00 AM) (Judicial Officer: Allf, Nancy)

Minute Order: Motion to Associate Counsel set 3/25/2021 GRANTED and VACATED

Minute Order - No Hearing Held; Minute Order: Motion to Associate Counsel set 3/25/2021 GRANTED and VACATED

Journal Entry Details:

COURT FINDS after review that on February 22, 2021 a Motion to Associate Counsel was filed. COURT FURTHER FINDS after review the Motion to Associate is in compliance with SCR 42. COURT FURTHER FINDS after review EDCR 2.20(e) provides in relevant part: [f] ailure of the opposing party to serve and file written opposition may be construed as an admission that the motion and/or joinder is meritorious and a consent to granting the same.

COURT FURTHER FINDS after review no oppositions to the Motion to Associate Counsel have been filed. COURT FURTHER FINDS after review that the Motion to Associate Counsel was scheduled on March 25, 2021 at 9:30a.m. on Motions calendar. THEREFORE, COURT ORDERS for good cause appearing and after review pursuant to SCR 42 and EDCR 2.20(e), the Motion to Associate Counsel is hereby GRANTED and the matter scheduled on March 25, 2021 at 9:30a.m. on Motions calendar is hereby VACATED. Movants to prepare the Order in compliance with EDCR 7.21 and email it in pdf format to DC27Inbox@ClarkCountyCourts.us.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 3/19/2021;

03/25/2021

CANCELED Motion to Associate Counsel (9:30 AM) (Judicial Officer: Allf, Nancy)

CASE SUMMARY

CASE NO. A-21-827937-B

Vacated
Plaintiff's Motion to Associate Counsel

04/20/2021

 **Minute Order** (3:00 AM) (Judicial Officer: Allf, Nancy)

Minute Order: BlueJeans Appearance

Minute Order - No Hearing Held;

Journal Entry Details:

Department 27 Information to Appear Telephonically Re: Matter set on April 21, 2021, at 10:30 a.m. Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. You have the choice to appear either by phone or computer/video. Also, in person hearings are now being held in Department 27, at the option of counsel. Mask wearing protocols will be strictly enforced. Courtroom 3A can accommodate capacity of 9 people in total. Dial the following number: 1-408-419-1715 Meeting ID: 897 138 369 Meeting URL: <https://bluejeans.com/897138369> To connect by phone dial the number provided and enter the meeting ID followed by # To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans. You may also download the Blue Jeans app and join the meeting by entering the meeting ID PLEASE NOTE the following protocol each participant will be required to follow: Place your phone on MUTE while waiting for your matter to be called. Do NOT place the call on hold since some phones may play wait/hold music. Please do NOT use speaker phone as it causes a loud echo/ringing noise. Please state your name each time you speak so that the court recorder can capture a clear record. Please be mindful of rustling papers, background noise, and coughing or loud breathing. Please be mindful of where your camera is pointing. We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing. If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing. Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 4/20/2021 ;

05/07/2021

 **Minute Order** (3:00 AM) (Judicial Officer: Allf, Nancy)

Minute Order: BlueJeans Appearance

Minute Order - No Hearing Held; Minute Order: BlueJeans Appearance

Journal Entry Details:

Department 27 Information to Appear Telephonically Re: Matter set on May 12, 2021, 10:30 a.m. Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. Counsel have the choice to appear either by phone or computer/video, however, if appearing remotely via BlueJeans, please appear by audio AND video. Also, in person hearings are now being held in Department 27, at the option of counsel. Mask wearing protocols will be strictly enforced. As of May 1, 2021, the Governor has relaxed the capacity to 80%, so that the courtroom can now accommodate up to 32 people. Dial the following number: 1-408-419-1715 Meeting ID: 897 138 369 Meeting URL: <https://bluejeans.com/897138369> To connect by phone dial the number provided and enter the meeting ID followed by # To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans. You may also download the Blue Jeans app and join the meeting by entering the meeting ID PLEASE NOTE the following protocol each participant will be required to follow: Place your phone on MUTE while waiting for your matter to be called. Do NOT place the call on hold since some phones may play wait/hold music. Please do NOT use speaker phone as it causes a loud echo/ringing noise. Please state your name each time you speak so that the court recorder can capture a clear record. Please be mindful of rustling papers, background noise, and coughing or loud breathing. Please be mindful of where your camera is pointing. We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing. If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing. Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-21-827937-B

until your case is called. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 5/7/2021. ;

05/12/2021

Motion to Dismiss (10:30 AM) (Judicial Officer: Allf, Nancy)
Defendant's Motion to Dismiss for Lack of Personal Jurisdiction
 Granted;

05/12/2021

Mandatory Rule 16 Conference (10:30 AM) (Judicial Officer: Allf, Nancy)
 Off Calendar;

05/12/2021

 **All Pending Motions** (10:30 AM) (Judicial Officer: Allf, Nancy)
 Matter Heard;
 Journal Entry Details:
DEFENDANT'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION...MANDATORY RULE 16 CONFERENCE Present in Courtroom: *Todd L. Bice, Esq. & John Fortin Present via the BlueJeans Videoconferencing Application: Peter Hutchinson, Founder of McGuire Holdings, Ltd.; Ariel E. Stern, Esq.; and Damien H. Prosser. Arguments by Mr. Bice and Mr. Prosser regarding the merits of and opposition to the motion. Court stated its findings and ORDERED, Defendant's Motion to Dismiss for Lack of Personal Jurisdiction GRANTED; Mandatory Rule 16 Conference. Mr. Bice to prepare the order and submit it to opposing counsel for approval as to form. Upon inquiry by Mr. Prosser if Court's ruling was with leave to amend, COURT FURTHER ORDERED, request DENIED.;*

DATE

FINANCIAL INFORMATION

Defendant Betfred International Holdings, Ltd.

| | |
|-------------------------------------|-------------|
| Total Charges | 1,483.00 |
| Total Payments and Credits | 1,483.00 |
| Balance Due as of 10/15/2021 | 0.00 |

Plaintiff McGuire Holdings, Ltd.

| | |
|-------------------------------------|-------------|
| Total Charges | 1,554.00 |
| Total Payments and Credits | 1,554.00 |
| Balance Due as of 10/15/2021 | 0.00 |

BUSINESS COURT CIVIL COVER SHEET

Case No: A-21-827937-B

Clark County, Nevada
 Case No. A-21-827937-B
 (Assigned by Clerk's Office)

Department 27

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

| | |
|--|--|
| Plaintiff(s) (name/address/phone): <p align="center">McGuire Holdings, Ltd</p> | Defendant(s) (name/address/phone): <p align="center">Betford International Holdings, Ltd.</p> |
| Attorney (name/address/phone): <p align="center">Ariel E. Stern, Esq. and Melanie M. Morgan, Esq. Akerman LLP</p> | Attorney (name/address/phone): |
| 1635 Village Center Circle, Suite 200, Las Vegas, NV 89134 | |
| Phone: (702) 634-5000 / Facsimile: (702) 380-8572 | |

II. Nature of Controversy (Please check the applicable boxes for both the civil case type and business court case type)

Arbitration Requested

| Civil Case Filing Types | | Business Court Filing Types |
|---|---|---|
| <p align="center">Real Property</p> <p>Landlord/Tenant</p> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant | <p align="center">Torts</p> <p>Negligence</p> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence | <p align="center">CLARK COUNTY BUSINESS COURT</p> <input type="checkbox"/> NRS Chapters 78-89 <input type="checkbox"/> Commodities (NRS 91) <input type="checkbox"/> Securities (NRS 90) <input type="checkbox"/> Mergers (NRS 92A) <input type="checkbox"/> Uniform Commercial Code (NRS 104) <input type="checkbox"/> Purchase/Sale of Stock, Assets, or Real Estate <input type="checkbox"/> Trademark or Trade Name (NRS 600) <input type="checkbox"/> Enhanced Case Management <input checked="" type="checkbox"/> Other Business Court Matters |
| <p align="center">Construction Defect & Contract</p> <p>Construction Defect</p> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect | <p>Malpractice</p> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice | <p align="center">WASHOE COUNTY BUSINESS COURT</p> <input type="checkbox"/> NRS Chapters 78-88 <input type="checkbox"/> Commodities (NRS 91) <input type="checkbox"/> Securities (NRS 90) <input type="checkbox"/> Investments (NRS 104 Art.8) <input type="checkbox"/> Deceptive Trade Practices (NRS 598) <input type="checkbox"/> Trademark/Trade Name (NRS 600) <input type="checkbox"/> Trade Secrets (NRS 600A) <input type="checkbox"/> Enhanced Case Management <input type="checkbox"/> Other Business Court Matters |
| <p>Other Real Property</p> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property | <p>Other Torts</p> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort | |
| <p>Contract Case</p> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input checked="" type="checkbox"/> Other Contract | <p align="center">Civil Writs</p> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ | |
| <p align="center">Judicial Review/Appeal/Other Civil Filing</p> <p>Judicial Review</p> <input type="checkbox"/> Foreclosure Mediation Case | | |
| <p>Appeal Other</p> <input type="checkbox"/> Appeal from Lower Court | <p>Other Civil Filing</p> <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters | |

January 15, 2021

Date

/s/ Ariel E. Stern

Signature of initiating party or representative

1 James J. Pisanelli, Esq., Bar No. 4027
2 JJP@pisanellibice.com
3 Todd L. Bice, Esq., Bar No. 4534
4 TLB@pisanellibice.com
5 John A. Fortin, Esq., Bar No. 15221
6 JAF@pisanellibice.com
7 PISANELLI BICE PLLC
8 400 South 7th Street, Suite 300
9 Las Vegas, Nevada 89101
10 Telephone: 702.214.2100
11 Facsimile: 702.214.2101

12 *Attorneys for Defendant*
13 *Betfred Int'l Holdings, Ltd.*

14 **DISTRICT COURT**
15 **CLARK COUNTY, NEVADA**

16 MCGUIRE HOLDINGS LTD.,
17 Plaintiff,

18 vs.

19 BETFRED INTERNATIONAL
20 HOLDINGS, LTD.,
21 Defendant.

Case No.: A-21-827937-B
Dept. No.: XXVII

**ORDER REGARDING DEFENDANT
BETFRED INTERNATIONAL
HOLDINGS, LTD.'S MOTION TO
DISMISS FOR LACK OF PERSONAL
JURISDICTION**

Hearing Date: May 12, 2021

Hearing Time: 10:30 a.m.

22 On May 12, 2021, this Court heard Defendant Betfred International Holdings, Ltd.
23 ("Betfred Int'l") Motion to Dismiss Plaintiff McGuire Holdings Limited ("McGuire") First
24 Amended Complaint ("FAC") for Lack of Personal Jurisdiction under NRCP 12(b)(2). Having
25 considered the briefs, oral argument, and the record before the Court, the Court enters the
26 following findings of facts, conclusions of law, and enters its order as follows:

27 **I. FINDINGS OF FACT**

28 1. McGuire commenced this action based upon a 2018 Letter of Intent ("LOI")
between McGuire and Betfred Int'l.

2. Betfred Int'l is a subsidiary of the Betfred Group of companies within the
United Kingdom ("U.K."). Within that group are subsidiaries which operate the Betfred-branded

1 high street booking shop in the U.K. and also the Betfred-branded website operated out of
2 Gibraltar and serving primarily the U.K. online gaming market. Betfred Int'l is incorporated in
3 the U.K. and its principal place of business is the U.K.

4 3. McGuire is a company incorporated in the Bahamas with its principal place of
5 business in Orange County, Florida.

6 4. McGuire (through its owner Peter Hutchinson) initiated contact with a third-party
7 restaurant owner in the U.K. to make a connection with Betfred Int'l, and eventually made contact
8 with Betfred Int'l's director, Mark Stebbings, in the U.K.

9 5. McGuire sought Betfred Int'l's business by claiming to have several American
10 contacts with the Mohegan Sun Tribe and, in particular, the Mohegan Sun's Connecticut Casino.
11 At the time, the Mohegan Sun Connecticut Casino was actively accepting bids for its sportsbook
12 operation. Because Betfred Int'l was interested in entering the U.S. sportsbook market, Betfred
13 Int'l agreed to enter into the LOI with McGuire.

14 6. As the parties negotiated the LOI, all negotiations by Betfred Int'l occurred in the
15 U.K. In fact, McGuire (through Hutchinson) traveled to the U.K. to negotiate the deal, the parties
16 agreed that the LOI is governed by U.K. law, and Betfred Int'l consummated the LOI while in
17 the U.K.

18 7. Following the parties consummating the LOI, Betfred Int'l prepared and submitted
19 its bid to obtain the Mohegan Sun Connecticut Sportsbook.

20 8. In August 2018, both Betfred Int'l and McGuire traveled to Connecticut to meet
21 with McGuire's contacts and the Mohegan Sun in order to pitch Betfred Int'l's bid for the
22 Connecticut Sportsbook service.

23 9. After the Connecticut meeting, McGuire incorrectly predicted that Betfred Int'l
24 would be awarded the Mohegan Sun's Connecticut Sportsbook. These communications by
25 McGuire did mention other Sportsbook opportunities in Florida; however, there is no evidence in
26 the record that McGuire ever assisted Betfred Int'l or even discussed assisting Betfred Int'l in
27 obtaining any business in Nevada.

28

1 10. Betfred Int'l did travel to Nevada on one occasion in October 2018.
2 Representatives for Betfred Int'l came to Las Vegas to attend the Global Gaming Expo ("G2E")
3 along with much of the world-wide gaming industry.

4 11. While at G2E, Betfred Int'l and McGuire met with a member of the Mohegan Sun
5 and both were informed that Betfred Int'l failed to obtain the Mohegan Sun Connecticut
6 sportsbook. There is no connection between the LOI and the State of Nevada. This meeting
7 occurred simply because these parties were all in the same location at the same time.

8 12. Both parties appeared to understand that the terms of the LOI would not be met.
9 An email from McGuire's owner, Peter Hutchinson, confirmed the parties' mutual understanding
10 when he said "[Betfred Int'l] will be a success in USA [I] know, I'm just gutted [I] will not be
11 along to see it." There is no further evidence in the record that the parties continued working
12 together following the October 2018 G2E meeting.

13 13. In March 2019, the Mohegan Sun Connecticut Sportsbook Service publicly
14 announced that it awarded the contract to Kimba.

15 14. Section 7.1 of the LOI provides a termination clause which specifies that the LOI
16 terminates ("the date [Betfred Int'l] ceases to proceed with the application referred to; and . . . the
17 date it is confirmed another party has been appointed as the provider of the Sports Book
18 Service").

19 15. Following the LOI's termination, in June 2019, Betfred Int'l incorporated an
20 American subsidiary in Nevada, Betfred Sports USA, LLC ("Betfred USA") in order to pursue
21 other sportsbook services in the United States.

22 16. Betfred USA incorporated other U.S. subsidiaries and obtained sportsbook
23 contracts in Colorado, Iowa, and Pennsylvania.

24 17. Thereafter, in September 2019, Mohegan Gaming incorporated MGNV, LLC,
25 ("MGNV") a Delaware LLC, and MGNV obtained the rights to manage the Las Vegas Virgin
26 Hotel & Casino's gaming operations.

27
28

1 18. In October 2019, MGNV, LLC issued invites to Betfred USA and several other
2 sportsbook providers to submit proposals to obtain sportsbook operations for the Virgin Hotel &
3 Casino in Las Vegas.

4 19. In January 2020, Betfred USA formed Betfred Nevada as it signed an NDA with
5 MGNV and finalized an agreement to be the sportsbook for the Virgin Hotel & Casino.

6 20. In February 2020, Betfred Nevada entered into an agreement with MGNV, LLC to
7 operate the Virgin Hotel & Casino sportsbook.

8 **II. CONCLUSIONS OF LAW**

9 1. Because this Court concludes that McGuire will never be capable of pleading any
10 facts necessary to hale Betfred Int'l into a Nevada courthouse over the LOI, this Court denies
11 McGuire's request for leave to amend its complaint and likewise dismisses this case with
12 prejudice.

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

14 1. Defendant Betfred Int'l's Motion to Dismiss for lack of Personal Jurisdiction is
15 GRANTED under NRCP 12(b)(2) based upon the following findings:

- 16 a. Betfred Int'l does not have enough of a relationship with Nevada, if any, to
17 establish that there was a minimum contact with the forum;
- 18 b. Betfred Int'l did not purposefully avail itself of the forum in Nevada
19 concerning the LOI;
- 20 c. McGuire's arguments regarding agency and alter ego are rejected because it
21 would require the Court to speculate with regard to the Nevada subsidiary
22 entities and other non-parties to the litigation;
- 23 d. The contract was negotiated at arm's length, and included a forum selection
24 clause; and.
- 25 e. The parties did not come to Las Vegas to negotiate at G2E with regard to this
26 contract. The parties came to G2E to attend the conference and the fortuitous
27 meeting regarding the Connecticut Sportsbook was merely incidental to the
28 trip.

- 1 2. Plaintiff's request for jurisdictional discovery is DENIED.
- 2 3. Plaintiff's request for leave to amend its complaint is DENIED.
- 3 4. Plaintiff's First Amended Complaint is DISMISSED WITH PREJUDICE.
- 4 5. This order is intended to resolve all outstanding issues and intended to be a final
- 5 determination.

6
7 September 15, 2021

Dated this 16th day of September, 2021

Nancy L Allf

TW

07B OCA 12CE CF56
Nancy Allf
District Court Judge

8
9
10
11 Respectfully submitted by:
12 PISANELLI BICE PLLC

Approved by:
AKERMAN LLP

13
14 By: /s/ Todd L. Bice
15 James J. Pisanelli, Esq., # 4027
16 Todd L. Bice, Esq., #4534
17 John A. Fortin, Esq., #15221
18 400 South 7th Street, Suite 300
19 Las Vegas, Nevada 89101

By: **NOT APPROVED**
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20 Attorneys for Defendant
21 Betfred Int'l Holdings, Ltd.

MORGAN & MORGAN P.A.
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(admitted pro hac vice)
Jessica Thorson, Esq.,
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20 North Orange Ave, 15th Floor
Orlando, Florida 32801

Attorneys for McGuire Holdings Ltd.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 McGuire Holdings, Ltd.,
Plaintiff(s)

CASE NO: A-21-827937-B

7 vs.

DEPT. NO. Department 27

8
9 Betfred International Holdings,
Ltd., Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12
13 This automated certificate of service was generated by the Eighth Judicial District
14 Court. The foregoing Order Granting Motion was served via the court's electronic eFile
system to all recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 9/16/2021

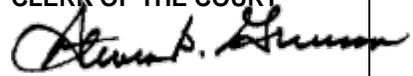
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| 18 | Melanie Morgan | melanie.morgan@akerman.com |
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| 20 | Kimberly Peets | lit@pisanellibice.com |
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| 24 | Jessica Thorson | JThorson@forthepeople.com |
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John Fortin

jaf@pisanellibice.com



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5 John A. Fortin, Esq., Bar No. 15221
6 JAF@pisanellibice.com
7 PISANELLI BICE PLLC
8 400 South 7th Street, Suite 300
9 Las Vegas, Nevada 89101
10 Telephone: 702.214.2100
11 Facsimile: 702.214.2101

12 *Attorneys for Defendant*
13 *Betfred Int'l Holdings, Ltd.*

14 **DISTRICT COURT**
15 **CLARK COUNTY, NEVADA**

16 MCGUIRE HOLDINGS LTD.,
17
18 Plaintiff,

Case No.: A-21-827937-B
Dept. No.: XXVII

19 vs.

NOTICE OF ENTRY OF ORDER

20 BETFRED INTERNATIONAL
21 HOLDINGS, LTD.,
22
23 Defendant.

24 PLEASE TAKE NOTICE that an "Order Regarding Defendant Betfred International
25 Holdings, Ltd.'s Motion to Dismiss for Lack of Personal Jurisdiction" was entered in the above-
26 captioned matter on September 16, 2021, a true and correct copy of which is attached hereto.

27 DATED this 16th day of September, 2021.

28 PISANELLI BICE PLLC

By: /s/John A. Fortin
James J. Pisanelli, Esq., #4027
Todd L. Bice, Esq., #4534
John A. Fortin, Esq., #15221
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Betfred International Holdings Ltd.

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9 Las Vegas, Nevada 89101
10 Telephone: 702.214.2100
11 Facsimile: 702.214.2101
12
13 *Attorneys for Defendant*
14 *Betfred Int'l Holdings, Ltd.*

15 **DISTRICT COURT**
16 **CLARK COUNTY, NEVADA**

17 MCGUIRE HOLDINGS LTD.,

18 Plaintiff,

19 vs.

20 BETFRED INTERNATIONAL
21 HOLDINGS, LTD.,

22 Defendant.

Case No.: A-21-827937-B
Dept. No.: XXVII

**ORDER REGARDING DEFENDANT
BETFRED INTERNATIONAL
HOLDINGS, LTD.'S MOTION TO
DISMISS FOR LACK OF PERSONAL
JURISDICTION**

Hearing Date: May 12, 2021

Hearing Time: 10:30 a.m.

23 On May 12, 2021, this Court heard Defendant Betfred International Holdings, Ltd.
24 ("Betfred Int'l") Motion to Dismiss Plaintiff McGuire Holdings Limited ("McGuire") First
25 Amended Complaint ("FAC") for Lack of Personal Jurisdiction under NRCP 12(b)(2). Having
26 considered the briefs, oral argument, and the record before the Court, the Court enters the
27 following findings of facts, conclusions of law, and enters its order as follows:

28 **I. FINDINGS OF FACT**

1. McGuire commenced this action based upon a 2018 Letter of Intent ("LOI")
between McGuire and Betfred Int'l.

2. Betfred Int'l is a subsidiary of the Betfred Group of companies within the
United Kingdom ("U.K."). Within that group are subsidiaries which operate the Betfred-branded

1 high street booking shop in the U.K. and also the Betfred-branded website operated out of
2 Gibraltar and serving primarily the U.K. online gaming market. Betfred Int'l is incorporated in
3 the U.K. and its principal place of business is the U.K.

4 3. McGuire is a company incorporated in the Bahamas with its principal place of
5 business in Orange County, Florida.

6 4. McGuire (through its owner Peter Hutchinson) initiated contact with a third-party
7 restaurant owner in the U.K. to make a connection with Betfred Int'l, and eventually made contact
8 with Betfred Int'l's director, Mark Stebbings, in the U.K.

9 5. McGuire sought Betfred Int'l's business by claiming to have several American
10 contacts with the Mohegan Sun Tribe and, in particular, the Mohegan Sun's Connecticut Casino.
11 At the time, the Mohegan Sun Connecticut Casino was actively accepting bids for its sportsbook
12 operation. Because Betfred Int'l was interested in entering the U.S. sportsbook market, Betfred
13 Int'l agreed to enter into the LOI with McGuire.

14 6. As the parties negotiated the LOI, all negotiations by Betfred Int'l occurred in the
15 U.K. In fact, McGuire (through Hutchinson) traveled to the U.K. to negotiate the deal, the parties
16 agreed that the LOI is governed by U.K. law, and Betfred Int'l consummated the LOI while in
17 the U.K.

18 7. Following the parties consummating the LOI, Betfred Int'l prepared and submitted
19 its bid to obtain the Mohegan Sun Connecticut Sportsbook.

20 8. In August 2018, both Betfred Int'l and McGuire traveled to Connecticut to meet
21 with McGuire's contacts and the Mohegan Sun in order to pitch Betfred Int'l's bid for the
22 Connecticut Sportsbook service.

23 9. After the Connecticut meeting, McGuire incorrectly predicted that Betfred Int'l
24 would be awarded the Mohegan Sun's Connecticut Sportsbook. These communications by
25 McGuire did mention other Sportsbook opportunities in Florida; however, there is no evidence in
26 the record that McGuire ever assisted Betfred Int'l or even discussed assisting Betfred Int'l in
27 obtaining any business in Nevada.

28

1 10. Betfred Int'l did travel to Nevada on one occasion in October 2018.
2 Representatives for Betfred Int'l came to Las Vegas to attend the Global Gaming Expo ("G2E")
3 along with much of the world-wide gaming industry.

4 11. While at G2E, Betfred Int'l and McGuire met with a member of the Mohegan Sun
5 and both were informed that Betfred Int'l failed to obtain the Mohegan Sun Connecticut
6 sportsbook. There is no connection between the LOI and the State of Nevada. This meeting
7 occurred simply because these parties were all in the same location at the same time.

8 12. Both parties appeared to understand that the terms of the LOI would not be met.
9 An email from McGuire's owner, Peter Hutchinson, confirmed the parties' mutual understanding
10 when he said "[Betfred Int'l] will be a success in USA [I] know, I'm just gutted [I] will not be
11 along to see it." There is no further evidence in the record that the parties continued working
12 together following the October 2018 G2E meeting.

13 13. In March 2019, the Mohegan Sun Connecticut Sportsbook Service publicly
14 announced that it awarded the contract to Kimba.

15 14. Section 7.1 of the LOI provides a termination clause which specifies that the LOI
16 terminates ("the date [Betfred Int'l] ceases to proceed with the application referred to; and . . . the
17 date it is confirmed another party has been appointed as the provider of the Sports Book
18 Service").

19 15. Following the LOI's termination, in June 2019, Betfred Int'l incorporated an
20 American subsidiary in Nevada, Betfred Sports USA, LLC ("Betfred USA") in order to pursue
21 other sportsbook services in the United States.

22 16. Betfred USA incorporated other U.S. subsidiaries and obtained sportsbook
23 contracts in Colorado, Iowa, and Pennsylvania.

24 17. Thereafter, in September 2019, Mohegan Gaming incorporated MGNV, LLC,
25 ("MGNV") a Delaware LLC, and MGNV obtained the rights to manage the Las Vegas Virgin
26 Hotel & Casino's gaming operations.

27
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1 18. In October 2019, MGNV, LLC issued invites to Betfred USA and several other
2 sportsbook providers to submit proposals to obtain sportsbook operations for the Virgin Hotel &
3 Casino in Las Vegas.

4 19. In January 2020, Betfred USA formed Betfred Nevada as it signed an NDA with
5 MGNV and finalized an agreement to be the sportsbook for the Virgin Hotel & Casino.

6 20. In February 2020, Betfred Nevada entered into an agreement with MGNV, LLC to
7 operate the Virgin Hotel & Casino sportsbook.

8 **II. CONCLUSIONS OF LAW**

9 1. Because this Court concludes that McGuire will never be capable of pleading any
10 facts necessary to hale Betfred Int'l into a Nevada courthouse over the LOI, this Court denies
11 McGuire's request for leave to amend its complaint and likewise dismisses this case with
12 prejudice.

13 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

14 1. Defendant Betfred Int'l's Motion to Dismiss for lack of Personal Jurisdiction is
15 GRANTED under NRCP 12(b)(2) based upon the following findings:

- 16 a. Betfred Int'l does not have enough of a relationship with Nevada, if any, to
17 establish that there was a minimum contact with the forum;
- 18 b. Betfred Int'l did not purposefully avail itself of the forum in Nevada
19 concerning the LOI;
- 20 c. McGuire's arguments regarding agency and alter ego are rejected because it
21 would require the Court to speculate with regard to the Nevada subsidiary
22 entities and other non-parties to the litigation;
- 23 d. The contract was negotiated at arm's length, and included a forum selection
24 clause; and.
- 25 e. The parties did not come to Las Vegas to negotiate at G2E with regard to this
26 contract. The parties came to G2E to attend the conference and the fortuitous
27 meeting regarding the Connecticut Sportsbook was merely incidental to the
28 trip.

- 1 2. Plaintiff's request for jurisdictional discovery is DENIED.
- 2 3. Plaintiff's request for leave to amend its complaint is DENIED.
- 3 4. Plaintiff's First Amended Complaint is DISMISSED WITH PREJUDICE.
- 4 5. This order is intended to resolve all outstanding issues and intended to be a final
- 5 determination.

6
7 September 15, 2021

Dated this 16th day of September, 2021

Nancy L Allf

TW

07B OCA 12CE CF56
Nancy Allf
District Court Judge

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10
11 Respectfully submitted by:
12 PISANELLI BICE PLLC

Approved by:
AKERMAN LLP

13
14 By: /s/ Todd L. Bice
15 James J. Pisanelli, Esq., # 4027
16 Todd L. Bice, Esq., #4534
17 John A. Fortin, Esq., #15221
18 400 South 7th Street, Suite 300
19 Las Vegas, Nevada 89101

By: **NOT APPROVED**
Ariel E. Stern, Esq., #8276
Melanie M. Morgan, Esq., #8215
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134

20 Attorneys for Defendant
21 Betfred Int'l Holdings, Ltd.

MORGAN & MORGAN P.A.
Damien H. Prosser, Esq.,
(admitted pro hac vice)
Jessica Thorson, Esq.,
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20 North Orange Ave, 15th Floor
Orlando, Florida 32801

Attorneys for McGuire Holdings Ltd.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 McGuire Holdings, Ltd.,
Plaintiff(s)

CASE NO: A-21-827937-B

7 vs.

DEPT. NO. Department 27

8
9 Betfred International Holdings,
Ltd., Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12
13 This automated certificate of service was generated by the Eighth Judicial District
14 Court. The foregoing Order Granting Motion was served via the court's electronic eFile
system to all recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 9/16/2021

| | |
|--------------------|----------------------------|
| 16 Todd Bice | tlb@pisanellibice.com |
| 17 Ariel Stern | ariel.stern@akerman.com |
| 18 Melanie Morgan | melanie.morgan@akerman.com |
| 19 Akerman LLP | AkermanLAS@akerman.com |
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| 23 Damien Prosser | DProsser@forthepeople.com |
| 24 Jessica Thorson | JThorson@forthepeople.com |
| 25 Melissa Todd | mtodd@forthepeople.com |

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John Fortin

jaf@pisanellibice.com

THEREFORE, COURT ORDERS for good cause appearing and after review pursuant to SCR 42 and EDCR 2.20(e), the Motion to Associate Counsel is hereby GRANTED and the matter scheduled on March 25, 2021 at 9:30a.m. on Motions calendar is hereby VACATED. Movants to prepare the Order in compliance with EDCR 7.21 and email it in pdf format to DC27Inbox@ClarkCountyCourts.us.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 3/19/2021

To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans.

You may also download the Blue Jeans app and join the meeting by entering the meeting ID

PLEASE NOTE the following protocol each participant will be required to follow:

Place your phone on MUTE while waiting for your matter to be called.

Do NOT place the call on hold since some phones may play wait/hold music.

Please do NOT use speaker phone as it causes a loud echo/ringing noise.

Please state your name each time you speak so that the court recorder can capture a clear record.

Please be mindful of rustling papers, background noise, and coughing or loud breathing.

Please be mindful of where your camera is pointing.

We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing.

If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing.

Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 4/20/2021

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

May 07, 2021

A-21-827937-B McGuire Holdings, Ltd., Plaintiff(s)
vs.
Betfred International Holdings, Ltd., Defendant(s)

**May 07, 2021 3:00 AM Minute Order Minute Order:
BlueJeans
Appearance**

HEARD BY: Allf, Nancy **COURTROOM:** No Location

COURT CLERK: Nicole McDevitt

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Department 27 Information to Appear Telephonically

Re: Matter set on May 12, 2021, 10:30 a.m.

Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. Counsel have the choice to appear either by phone or computer/video, however, if appearing remotely via BlueJeans, please appear by audio AND video. Also, in person hearings are now being held in Department 27, at the option of counsel. Mask wearing protocols will be strictly enforced. As of May 1, 2021, the Governor has relaxed the capacity to 80%, so that the courtroom can now accommodate up to 32 people.

Dial the following number: 1-408-419-1715

Meeting ID: 897 138 369

Meeting URL: <https://bluejeans.com/897138369>

To connect by phone dial the number provided and enter the meeting ID followed by #

To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans.

You may also download the Blue Jeans app and join the meeting by entering the meeting ID

PLEASE NOTE the following protocol each participant will be required to follow:

Place your phone on MUTE while waiting for your matter to be called.

Do NOT place the call on hold since some phones may play wait/hold music.

Please do NOT use speaker phone as it causes a loud echo/ringing noise.

Please state your name each time you speak so that the court recorder can capture a clear record.

Please be mindful of rustling papers, background noise, and coughing or loud breathing.

Please be mindful of where your camera is pointing.

We encourage you to visit the [Bluejeans.com](https://www.bluejeans.com) website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing.

If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing.

Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 5/7/2021.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

May 12, 2021

A-21-827937-B McGuire Holdings, Ltd., Plaintiff(s)
vs.
Betfred International Holdings, Ltd., Defendant(s)

May 12, 2021 10:30 AM All Pending Motions

HEARD BY: Alf, Nancy **COURTROOM:** RJC Courtroom 03A

COURT CLERK: Nicole McDevitt

RECORDER: Brynn White

REPORTER:

PARTIES

| | | |
|-----------------|------------------------|----------|
| PRESENT: | Bice, Todd L | Attorney |
| | Fortin, John A | Attorney |
| | Prosser, Damien Hunter | Attorney |
| | Stern, Ariel E. | Attorney |

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION...MANDATORY RULE 16 CONFERENCE

Present in Courtroom: Todd L. Bice, Esq. & John Fortin
Present via the BlueJeans Videoconferencing Application: Peter Hutchinson, Founder of McGuire Holdings, Ltd.; Ariel E. Stern, Esq.; and Damien H. Prosser.

Arguments by Mr. Bice and Mr. Prosser regarding the merits of and opposition to the motion. Court stated its findings and ORDERED, Defendant's Motion to Dismiss for Lack of Personal Jurisdiction GRANTED; Mandatory Rule 16 Conference. Mr. Bice to prepare the order and submit it to opposing counsel for approval as to form. Upon inquiry by Mr. Prosser if Court's ruling was with leave to amend, COURT FURTHER ORDERED, request DENIED.



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

ARIEL E. STERN, ESQ.
1635 VILLAGE CENTER CIR., SUITE 200
LAS VEGAS, NV 89134

DATE: October 15, 2021
CASE: A-21-827937-B

RE CASE: MCGUIRE HOLDINGS, LTD. vs. BETFRED INTERNATIONAL HOLDINGS, LTD.

NOTICE OF APPEAL FILED: October 13, 2021

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
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- Order
- Notice of Entry of Order

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

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (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.

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER REGARDING DEFENDANT BETFRED INTERNATIONAL HOLDINGS, LTD.'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

MCGUIRE HOLDINGS, LTD.,

Plaintiff(s),

vs.

BETFRED INTERNATIONAL HOLDINGS,
LTD.,

Defendant(s),

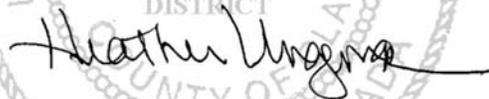
Case No: A-21-827937-B

Dept No: XXVII

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 15 day of October 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

