

CASE NO. 84934

IN THE SUPREME COURT OF NEVADA

ROWEN SEIBEL, AND GR BURGR, LLC,

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Elizabeth A. Brown
Clerk of Supreme Court

Appellants,

vs.

PHWLTV, LLC, AND GORDON RAMSAY,

Respondents,

District Court Case No. A-17-751759-B

APPENDIX TO APPELLANTS' OPENING BRIEF

VOLUME 31 OF 34

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APPENDIX OF EXHIBITS TO APPELLANTS' OPENING BRIEF

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CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY ❖ KENNEDY and that on the 10th day of March, 2023, service of the foregoing was made by mandatory electronic service through the Nevada Supreme Court's electronic filing system and/or by email as agreed by the parties, and addressed to the following at their last known email address:

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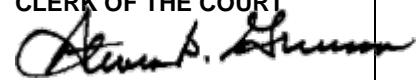
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**FILED UNDER
SEAL PURSUANT
TO PENDING
MOTION TO SEAL
FILED
CONCURRENTLY
HEREWITH**

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Paris Las Vegas Operating Company, LLC;
PHWLTV, LLC; and Boardwalk Regency
Corporation d/b/a Caesars Atlantic City*

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ROWEN SEIBEL, an individual and citizen of
New York, derivatively on behalf of Real Party
in Interest GR BURGR LLC, a Delaware
limited liability company,

Plaintiff,

v.

PHWLTV, LLC, a Nevada limited liability
company; GORDON RAMSAY, an individual;
DOES I through X; ROE CORPORATIONS I
through X,

Defendants,

and

GR BURGR LLC, a Delaware limited liability
company,

Nominal Plaintiff.

AND ALL RELATED MATTERS

Case No.: A-17-751759-B
Dept. No.: XVI

Consolidated with A-17-760537-B

**DECLARATION OF
M. MAGALI MERCERA, ESQ. IN
SUPPORT OF APPENDIX OF EXHIBITS
IN SUPPORT OF CAESARS' REPLIES IN
SUPPORT OF ITS MOTIONS FOR
SUMMARY JUDGMENT**

I, M. MAGALI MERCERA, ESQ., declare as follows:

1. I am a resident of the State of Nevada, and an attorney with the law firm of
PISANELLI BICE PLLC, counsel for PHWLTV, LLC ("Planet Hollywood"), Desert Palace, Inc.
("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), Boardwalk Regency

1 Corporation d/b/a Caesars Atlantic City ("CAC," and collectively, with Caesars Palace, Paris, and
2 Planet Hollywood, "Caesars") in the above-captioned action. I am competent to testify to the
3 matters stated herein based on personal knowledge, except for those matters stated upon
4 information and belief, and to those matters, I believe them to be true. If called as a witness, I
5 would testify competently thereto.

6 2. I make this declaration in support of the Appendix of Exhibits to Caesars' Replies
7 in Support of Motions for Summary Judgment (the "Appendix") filed concurrently herewith.

8 3. Attached to the Appendix as Exhibit 82 is a true and correct copy of an email
9 exchange between Rowen Seibel, Brian Ziegler, and Mark Dunn, dated April 6, 2011 bearing
10 Bates number TPOV000023740-1, which was produced by the Seibel Parties to Paris in Case No.
11 2:17-cv-00246-JCM-VCF. The parties have agreed that documents produced during discovery in
12 the various pending litigations may be used across the court cases during discovery and trial in
13 this matter. (*See* Ex. 75 to the Appendix of Exhibits in Support of Caesars' Motions for Summary
14 Judgment, Feb. 25, 2021, on file.) *Orr*, 285 F.3d at 777 n.20. *See Orr v. Bank of Am., NT & SA*,
15 285 F.3d 764, 777 n.20 (9th Cir. 2002) (citations omitted).

16 4. Attached to the Appendix as Exhibit 83 is a true and correct copy of an email
17 exchange between Rowen Seibel and Alan Lebensfeld, dated May 1, 2011 bearing Bates number
18 OHRNV000353-54 which was produced by The Original Old Homestead Restaurant, Inc. to
19 Caesars during discovery. *See Orr*, 285 F.3d at 777 n.20 (citations omitted).

20 5. Attached to the Appendix as Exhibit 84 is a true and correct copy of an email
21 exchange between Rowen Seibel and Mark Dunn, dated May 1, 2011 bearing Bates number
22 TPOV00015035-39, which was produced by the Seibel Parties to Paris in Case No. 2:17-cv-
23 00246-JCM-VCF. The parties have agreed that documents produced during discovery in the
24 various pending litigations may be used across the court cases during discovery and trial in this
25 matter. (*See* Ex. 75 to the Appendix of Exhibits in Support of Caesars' Motions for Summary
26 Judgment, Feb. 25, 2021, on file.) *See Orr*, 285 F.3d at 777 n.20 (citations omitted).

27 6. Attached to the Appendix as Exhibit 85 is a true and correct copy of an email from
28 Ryan Hammer to Michael Grey, Gary Selesner, Tom Jenkin, David Hoenemeyer, and Jeffrey

1 Frederick dated December 13, 2012 bearing Bates number PARIS016359-64. This document was
2 authenticated by Tom Jenkins at his deposition on September 16, 2019. (*See* Ex. 90 to the
3 Appendix at 76:22-77:11.)

4 7. Attached to the Appendix as Exhibit 86 is a true and correct copy of letter from
5 Brian Ziegler to Mark Clayton dated September 16, 2016 bearing Bates number
6 16TPOV00000734-38, which was produced by the Seibel Parties to Paris in Case No. 2:17-cv-
7 00246-JCM-VCF. The parties have agreed that documents produced during discovery in the
8 various pending litigations may be used across the court cases during discovery and trial in this
9 matter. (*See* Ex. 75 to the Appendix of Exhibits in Support of Caesars' Motions for Summary
10 Judgment, Feb. 25, 2021, on file.) *See Orr*, 285 F.3d at 777 n.20 (citations omitted).

11 8. Attached to the Appendix as Exhibit 87 is a true and correct copy of an email from
12 Mark Clayton to Susan Carletta and Amie Sabo, dated September 19, 2016 bearing Bates number
13 CAESARS081681-82. This document was authenticated by Brian Ziegler at his deposition on
14 October 8, 2020. (*See* Ex. 100 to the Appendix at 88:22-89:25.)

15 9. Attached to the Appendix as Exhibit 88 is a true and correct copy of J. Jeffrey
16 Frederick's Responses to Desert Palace, Inc.'s First Set of Interrogatories dated March 1, 2019,
17 which were produced by J. Jeffrey Frederick to Caesars during discovery. *Orr*, 285 F.3d at 777
18 n.20.

19 10. Attached to the Appendix as Exhibit 89 is a true and correct copy of transcript
20 excerpts from the deposition of the 30(b)(6) designee of TPOV Enterprises, LLC that took place
21 on September 5, 2019 at the offices of PISANELLI BICE, PLLC at 400 South Seventh Street, Suite
22 400, Las Vegas, Nevada 89101. The exhibit contains an executed certificate of reporter. *Orr*, 285
23 F.3d at 774 (citations omitted) ("A deposition or an extract therefrom is authenticated in a motion
24 for summary judgment when it identifies the names of the deponent and the action and includes
25 the reporter's certification that the deposition is a true record of the testimony of the deponent.")

26 11. Attached to the Appendix as Exhibit 90 is a true and correct copy of transcript
27 excerpts from the deposition of Tom Jenkin that took place on September 16, 2019 at the offices
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1 of PISANELLI BICE, PLLC at 400 South Seventh Street, Suite 400, Las Vegas, Nevada 89101. The
2 exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774

3 12. Attached to the Appendix as Exhibit 91 is a true and correct copy of transcript
4 excerpts from the deposition of Rowen Seibel that took place on September 24, 2019 at the
5 offices of PISANELLI BICE, PLLC at 400 South Seventh Street, Suite 400, Las Vegas, Nevada
6 89101. The exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774.

7 13. Attached to the Appendix as Exhibit 92 is a true and correct copy of transcript
8 excerpts from the deposition of Rowen Seibel that took place on September 25, 2019 at the
9 offices of PISANELLI BICE, PLLC at 400 South Seventh Street, Suite 400, Las Vegas, Nevada
10 89101. The exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774.

11 14. Attached to the Appendix as Exhibit 93 is a true and correct copy of Caesars'
12 Second Set of Requests for Production of Documents to Rowen Seibel which my office served on
13 Rowen Seibel on or about October 3, 2019.

14 15. Attached to the Appendix as Exhibit 94 is a true and correct copy of transcript
15 excerpts from the deposition of Bryn Dorfman that took place on October 31, 2019 at the offices
16 of SCAROLA ZUBATOV SCHAFFZIN at 1700 Broadway, 41st Floor, New York, New York, 10019.
17 The exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774.

18 16. Attached to the Appendix as Exhibit 95 is a true and correct copy of the Responses
19 to Caesars' Second Set of Requests for Production of Documents to Rowen Seibel dated
20 November 4, 2019, which were produced by Rowen Seibel to Caesars during discovery. *Orr*, 285
21 F.3d at 777 n.20.

22 17. Attached to the Appendix as Exhibit 96 is a true and correct copy of a tabulation of
23 loans to LLTQ Enterprises, LLC and LLTQ Enterprises 16, LLC. This document was
24 authenticated by the 30(b)(6) designee for LLTQ Enterprises 16, LLC, Craig Green, at his
25 deposition on November 13, 2019. (*See* Ex. 97 to the Appendix at 45:19-22.)

26 18. Attached to the Appendix as Exhibit 97 is a true and correct copy of transcript
27 excerpts from the deposition of the 30(b)(6) designee of LLTQ Enterprises 16, LLC that took
28 place on November 13, 2019 at the offices of PISANELLI BICE, PLLC at 400 South Seventh Street,

1 Suite 400, Las Vegas, Nevada 89101. The exhibit contains an executed certificate of reporter.
2 *Orr*, 285 F.3d at 774.

3 19. Attached to the Appendix as Exhibit 99 is a true and correct copy of transcript
4 excerpts from the deposition of Gary Selesner that took place on December 5, 2019 at the offices
5 of PISANELLI BICE, PLLC at 400 South Seventh Street, Suite 400, Las Vegas, Nevada 89101. The
6 exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774.

7 20. Attached to the Appendix as Exhibit 100 is a true and correct copy of transcript
8 excerpts from the deposition of Brian K. Ziegler that took place on October 8, 2020, via ZOOM
9 videoconference. The exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774.

10 21. Attached to the Appendix as Exhibit 101 is a true and correct copy of FERG 16,
11 LLC's Responses to Boardwalk Regency Corporation's First Set of Requests for Admission dated
12 November 18, 2020, which were produced by FERG 16, LLC to Caesars during discovery. *Orr*,
13 285 F.3d at 777 n.20.

14 22. Attached to the Appendix as Exhibit 102 is a true and correct copy of FERG,
15 LLC's Responses to Boardwalk Regency Corporation's First Set of Requests for Admission dated
16 November 18, 2020, which were produced by FERG, LLC to Caesars during discovery. *Orr*, 285
17 F.3d at 777 n.20.

18 23. Attached to the Appendix as Exhibit 103 is a true and correct copy of LLTQ
19 Enterprises 16, LLC's Responses to Desert Palace, Inc.'s First Set of Requests for Admission
20 dated November 18, 2020, which were produced by LLTQ Enterprises 16, LLC to Caesars during
21 discovery. *Orr*, 285 F.3d at 777 n.20.

22 24. Attached to the Appendix as Exhibit 104 is a true and correct copy of LLTQ
23 Enterprises, LLC's Responses to Desert Palace, Inc.'s First Set of Requests for Admission dated
24 November 18, 2020, which were produced by LLTQ Enterprises, LLC to Caesars during
25 discovery. *Orr*, 285 F.3d at 777 n.20.

26 25. Attached to the Appendix as Exhibit 105 is a true and correct copy of MOTI
27 Partners 16, LLC's Responses to Desert Palace, Inc.'s First Set of Requests for Admission dated
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November 18, 2020, which were produced by MOTI Partners 16, LLC to Caesars during discovery. *Orr*, 285 F.3d at 777 n.20.

26. Attached to the Appendix as Exhibit 106 is a true and correct copy of MOTI Partners, LLC's Responses to Desert Palace, Inc.'s First Set of Requests for Admission dated November 18, 2020, which were produced by MOTI Partners, LLC to Caesars during discovery. *Orr*, 285 F.3d at 777 n.20.

27. Attached to the Appendix as Exhibit 107 is a true and correct copy of TPOV Enterprises 16, LLC's Responses to Paris Las Vegas Operating Company, LLC's First Set of Requests for Admission dated November 18, 2020, which were produced by TPOV Enterprises 16, LLC to Caesars during discovery. *Orr*, 285 F.3d at 777 n.20.

28. Attached to the Appendix as Exhibit 108 is a true and correct copy of TPOV Enterprises, LLC's Responses to Paris Las Vegas Operating Company, LLC's First Set of Requests for Admission dated November 18, 2020, which were produced by TPOV Enterprises, LLC to Caesars during discovery. *Orr*, 285 F.3d at 777 n.20.

29. Attached to the Appendix as Exhibit 109 is a true and correct copy of transcript excerpts from the deposition of Rowen Seibel that took place on December 1, 2020, via ZOOM videoconference. The exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774.

30. Attached to the Appendix as Exhibit 110 is a true and correct copy of transcript excerpts from the deposition of Susan Carletta that took place on December 11, 2020, via ZOOM videoconference. The exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774.

31. Attached to the Appendix as Exhibit 111 is a true and correct copy of transcript excerpts from the deposition of Scott Scherer that took place on December 14, 2020, via ZOOM videoconference. The exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d at 774.

32. Attached to the Appendix as Exhibit 112 is a true and correct copy of PHWLTV, LLC's Responses to Rowen Seibel's First Set of Interrogatories served by my office on December 18, 2020 and verified by Dwayne Morgan (*See* Ex. 114 to the Appendix.)

33. Attached to the Appendix as Exhibit 113 is a true and correct copy of transcript excerpts from the deposition of Randall E. Sayre that took place on December 18, 2020, via

1 ZOOM videoconference. The exhibit contains an executed certificate of reporter. *Orr*, 285 F.3d
2 at 774.

3 34. Attached to the Appendix as Exhibit 114 is a true and correct copy of the
4 Verification of Dwayne Morgan served by my office on December 18, 2020.

5 I declare under penalty of perjury that the foregoing is a true and correct and that I signed
6 this declaration on this 30th day of November 2021.

7 /s/ M. Magali Mercera
8 M. MAGALI MERCERA, ESQ.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 30th day of November 2021, I caused to be served via the Court's e-filing/e-service system a true and correct copy of the above and foregoing **DECLARATION OF M. MAGALI MERCERA, ESQ. IN SUPPORT OF APPENDIX OF EXHIBITS IN SUPPORT OF CAESARS' REPLIES IN SUPPORT OF ITS MOTIONS FOR SUMMARY JUDGMENT** to the following:

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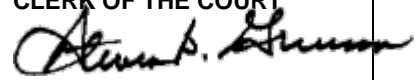
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/s/ Cinda townie
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TAB 85



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Paris Las Vegas Operating Company, LLC;
PHWLTV, LLC; and Boardwalk Regency
Corporation d/b/a Caesars Atlantic City*

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ROWEN SEIBEL, an individual and citizen of
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v.

PHWLTV, LLC, a Nevada limited liability
company; GORDON RAMSAY, an individual;
DOES I through X; ROE CORPORATIONS I
through X,

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Case No.: A-17-751759-B
Dept. No.: XVI

Consolidated with A-17-760537-B

**OBJECTIONS TO EXHIBITS OFFERED
IN SUPPORT OF THE SEIBEL PARTIES'
OPPOSITIONS TO CAESARS' MOTIONS
FOR SUMMARY JUDGMENT**

Desert Palace Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"),
PHWLTV, LLC ("Planet Hollywood") and Boardwalk Regency Corporation d/b/a Caesars Atlantic
City ("CAC") (collectively "Caesars") hereby object to the exhibits offered in support of the Seibel

Parties'¹ Oppositions to Caesars' Motion for Summary Judgment No. 1 and Caesars' Motion for Summary Judgment No. 2 (the "Oppositions to the Motions for Summary Judgment"). The individual exhibits are taken in turn.

1. Caesars objects to **Exhibit 500** to the Oppositions to the Motions for Summary Judgment, purporting to be the Certificate of Incorporation of Caesars Entertainment Corporation, on the following grounds: relevance (NRS 48.025(2)); public record requirement not satisfied (NRS 52.085); probative value substantially outweighed by the danger of unfair prejudice, of confusion of the issues, or of misleading the jury (NRS 48.035(1)); probative value substantially outweighed by other considerations (NRS 48.035(2)).

2. Caesars objects to **Exhibit 501-504** to the Oppositions to the Motions for Summary Judgment, purporting to be the BurGr Gordon Ramsay July 2013 Menu, Gordon Ramsay Burger November 2016 Menu, Gordon Ramsay Burger December 2019 Menu, and Gordon Ramsay Burger November 2020 Menu, on the following grounds: relevance (NRS 48.025(2)); lacks authentication (NRS 52.015); probative value substantially outweighed by other considerations (NRS 48.035(2)).

3. Caesars objects to **Exhibit 505-506, 526, 530-531, 533-537, 545, 547-548, 550-559, 561, 563-570, 572-573, 575-580, 591, 593, 596, 598, 600-602, 638** to the Oppositions to the Motions for Summary Judgment, purporting to be various email correspondence, on the following grounds: relevance (NRS 48.025(2)), hearsay (NRS 51.035); probative value substantially outweighed by other considerations (NRS 48.035(2)); foundation as to Ex. 526 as the exhibit is not cited to in the Seibel Parties' oppositions (*See Frias v. Valle*, 101 Nev. 219, 221, 698 P.2d 875, 876 (1985) (requiring a proper foundation be laid prior to introduction of evidence)).

4. Caesars objects to **Exhibit 507** to the Oppositions to the Motions for Summary Judgment, purporting to be the Notice of Debtors' Fourth Omnibus Motion for Entry of an Order Authorizing Rejection of Certain Executory Contracts Nunc Pro Tunc to June 11, 2015, on the

¹ TPOV Enterprises, LLC, TPOV Enterprises 16, LLC, LLTQ, LLTQ 16, FERG, FERG 16, MOTI Partners, LLC, MOTI Partners 16, LLC, and DNT Acquisition, LLC are collectively referred to herein as the "Seibel-Affiliated Entities." Rowen Seibel ("Seibel"), Craig Green, and the Seibel-Affiliated Entities are collectively referred to herein as the Seibel Parties.

1 following grounds: relevance (NRS 48.025(2)); probative value substantially outweighed by the
2 danger of unfair prejudice, of confusion of the issues, or of misleading the jury (NRS 48.035(1)).

3 5. Caesars objects to **Exhibit 508, 512-514, 528, 532, 588-590** to the Oppositions to
4 the Motions for Summary Judgment, purporting to be various letters correspondence, on the
5 following grounds: relevance (NRS 48.025(2)); hearsay (NRS 51.035, *see also Mishler v. McNally*,
6 102 Nev. 625, 628, 730 P.2d 432, 435 (1986) (explaining that a letter containing third party's
7 opinion is inadmissible hearsay)); foundation as to Ex. 512 as the exhibit is not cited to in the Seibel
8 Parties' Oppositions (*See Frias*, 101 Nev. at 221, 698 P.2d at 876).

9 6. Caesars objects to **Exhibit 516** to the Oppositions to the Motions for Summary
10 Judgment, purporting to be the Answer to Petition for Dissolution and Counterclaims, on the
11 following grounds: relevance (NRS 48.025(2)); probative value substantially outweighed by the
12 danger of unfair prejudice, of confusion of the issues, or of misleading the jury (NRS 48.035(1)).

13 7. Caesars objects to **Exhibit 517** to the Oppositions to the Motions for Summary
14 Judgment, purporting to be letter and email correspondence dated August 30, 2016, on the
15 following grounds: relevance (NRS 48.025(2)); hearsay (NRS 51.035, *see also Mishler*, 102 Nev.
16 at 628, 730 P.2d at 435).

17 8. Caesars objects to **Exhibit 518** to the Oppositions to the Motions for Summary
18 Judgment, purporting to be the August 25, 2017 Order to Petition for Dissolution and
19 Counterclaims, on the following grounds: relevance (NRS 48.025(2)); probative value
20 substantially outweighed by the danger of unfair prejudice, of confusion of the issues, or of
21 misleading the jury (NRS 48.035(1)).

22 9. Caesars objects to **Exhibit 519** to the Oppositions to the Motions for Summary
23 Judgment, purporting to be the June 26, 2020 transcript for Telephonic Ruling on Motion for
24 Confidential Treatment, Report of Receiver, and Oral Argument on Exception to Receiver's Report,
25 on the following grounds: relevance (NRS 48.025(2)); probative value substantially outweighed
26 by the danger of unfair prejudice, of confusion of the issues, or of misleading the jury (NRS
27 48.035(1)).
28

10. Caesars objects to **Exhibit 521** to the Oppositions to the Motions for Summary Judgment, purporting to be a tweet from Bally's Las Vegas, on the following grounds: relevance (NRS 48.025(2)); hearsay (NRS 51.035, *see Poneman v. Nike, Inc.*, 161 F. Supp. 3d 619, 630 (N.D. Ill. 2016) (reasoning "tweets are inadmissible hearsay" unless accompanied by "deposition testimony or sworn affidavits from the declarants"); authentication (NRS 52.015, *see also Tahoe eCommerce, LLC v. Rana*, 3:11-CV-00725-RCJ, 2014 WL 60360, at *5 n.3 (D. Nev. Jan. 6, 2014) (detailing that it would not consider a "claim" with "an unauthenticated screenshot" from a "website"); probative value substantially outweighed by other considerations (NRS 48.035(2)).

11. Caesars objects to **Exhibit 522** to the Oppositions to the Motions for Summary Judgment, purporting to be a Notice of Deposition of Jude Jeffrey Frederick, on the following grounds: relevance (NRS 48.025(2)).

12. Caesars objects to **Exhibit 523** to the Oppositions to the Motions for Summary Judgment, purporting to be a CDC Gaming Reports Inc. article, on the following grounds: relevance (NRS 48.025(2)); hearsay (NRS 51.035; *see Woods v. State*, 101 Nev. 128, 136, 696 P.2d 464, 470 (1985) (explaining that newspaper articles are inadmissible under the hearsay rule if offered for the truth of the content); foundation as the exhibit is not cited to in the Seibel Parties' Oppositions (*See Frias*, 101 Nev. at 221, 698 P.2d at 876).

13. Caesars objects to **Exhibit 524** to the Oppositions to the Motions for Summary Judgment, purporting to be a post on Caesars' Las Vegas Blog, on the following grounds: relevance (NRS 48.025(2)); hearsay (NRS 51.035); *see Woods*, 101 Nev. at 136, 696 P.2d at 470); probative value substantially outweighed by other considerations (NRS 48.035(2)).

14. Caesars objects to **Exhibit 525** to the Oppositions to the Motions for Summary Judgment, purporting to be the March 8, 2021 Order Regarding Receiver's Report and Recommendation, on the following grounds: relevance (NRS 48.025(2)); probative value substantially outweighed by the danger of unfair prejudice, of confusion of the issues, or of misleading the jury (NRS 48.035(1)).

1 15. Caesars objects to **Exhibit 527** to the Oppositions to the Motions for Summary
2 Judgment, purporting to be the DNT LLC Agreement, on the following grounds: relevance (NRS
3 48.025(2)); authentication (NRS 52.015); public record requirement not satisfied (NRS 52.085).

4 16. Caesars objects to **Exhibit 546** to the Oppositions to the Motions for Summary
5 Judgment, purporting to be an Agreement between GR US Licensing and GR Burgr, on the
6 following grounds: relevance (NRS 48.025(2)); authentication (NRS 52.015).

7 17. Caesars objects to **Exhibit 560** to the Oppositions to the Motions for Summary
8 Judgment, purporting to be a Certilman Balin invoice, on the following grounds: relevance (NRS
9 48.025(2)); foundation (*see Frias*, 101 Nev. at 221, 698 P.2d at 876); authentication (NRS 52.015).

10 18. Caesars objects to **Exhibit 571 and 597** to the Oppositions to the Motions for
11 Summary Judgment, purporting to be a trust agreement for The Siebel Family 2016 Trust and
12 various membership agreements, on the following grounds: relevance (NRS 48.025(2)).

13 19. Caesars objects to **Exhibit 595** to the Oppositions to the Motions for Summary
14 Judgment, purporting to be a Compliance Meeting Minutes dated October 18, 2016, on the
15 following grounds: relevance (NRS 48.025(2)); authentication (NRS 52.015).

16 20. Caesars objects to **Exhibit 603** to the Oppositions to the Motions for Summary
17 Judgment, purporting to be a Compliance Meeting Minutes dated October 18, 2016, on the
18 following grounds: relevance (NRS 48.025(2)); authentication (NRS 52.015).

19 21. Caesars objects to **Exhibit 604** to the Oppositions to the Motions for Summary
20 Judgment, purporting to be a settlement agreement between Caesars and Jeffrey Frederick, on the
21 following grounds: relevance (NRS 48.025(2)); evidence of offers to compromise (NRS 48.105);
22 probative value substantially outweighed by the danger of unfair prejudice, of confusion of the
23 issues, or of misleading the jury (NRS 48.035(1)).

24 22. Caesars objects to **Exhibit 605 - 608** to the Oppositions to the Motions for Summary
25 Judgment, purporting to be the Expert Reports of Harold Deiters and Randall Sayre, on the
26 following grounds: relevance (NRS 48.025(2)); hearsay (NRS 51.035); reliability (*see Higgs v.*
27 *Nevada*, 222 P.3d 648 (Nev. 2010)).
28

23. Caesars objects to **Exhibit 613, 615-618, 621, 624-625, 628-630, 632, 636** to the Oppositions to the Motions for Summary Judgment, purporting to be excerpts of various depositions, on the following grounds: relevance (NRS 48.025(2)); hearsay (NRS 51.035).

24. Caesars objects to **Exhibit 637** to the Oppositions to the Motions for Summary Judgment, purporting to be the Desert Palace's Responses to First Set of Interrogatories, on the following grounds: relevance (NRS 48.025(2)); lacks authentication as the document is incomplete (NRS 52.015).

25. Caesars objects to **Exhibit 639** to the Oppositions to the Motions for Summary Judgment, purporting to be the trademark application, on the following grounds: relevance (NRS 48.025(2)); foundation (*see Frias*, 101 Nev. at 221, 698 P.2d at 876); authentication (NRS 52.015); public record requirement not satisfied (NRS 52.085).

26. Caesars objects to **Exhibit 640** to the Oppositions to the Motions for Summary Judgment, purporting to be the Global Discovery Agreement, on the following grounds: relevance (NRS 48.025(2)); foundation as the document is not cited to in the Seibel Parties' Oppositions (*see Frias*, 101 Nev. at 221, 698 P.2d at 876); document is incomplete (NRS 52.015).

27. Caesars objects to **Exhibit 642** of the Seibel Parties' Opposition to the Motions for Summary Judgment, purporting to be the Declaration of Bryn Dorfman, on the following grounds: relevance (NRS 48.025(2)); foundation (*see Frias*, 101 Nev. at 221, 698 P.2d at 876); impermissible legal conclusion.

28. Caesars objects to **Exhibit 643** of the Seibel Parties' Opposition to the Motions for Summary Judgment, purporting to be the Declaration of Brian K. Ziegler, on the following grounds: relevance (NRS 48.025(2)); foundation (*see Frias*, 101 Nev. at 221, 698 P.2d at 876); impermissible legal conclusion.

29. Caesars objects to **Exhibit 644** of the Seibel Parties' Opposition to the Motions for Summary Judgment, purporting to be the Declaration of Paul B. Sweeney, on the following grounds: relevance (NRS 48.025(2)); impermissible legal conclusion.

30. Caesars objects to **Exhibit 645** of the Seibel Parties' Opposition to the Motions for Summary Judgment, purporting to be the Declaration of Craig Green, on the following grounds:

1 relevance (NRS 48.025(2)); impermissible legal conclusions; probative value substantially
2 outweighed by other considerations (NRS 48.035(2)).

3 31. Caesars objects to **Exhibit 646** of the Seibel Parties' Opposition to the Motions for
4 Summary Judgment, purporting to be the Declaration of Rowen Seibel, on the following grounds:
5 relevance (NRS 48.025(2)); foundation (*see Frias*, 101 Nev. at 221, 698 P.2d at 876); impermissible
6 legal conclusions; probative value substantially outweighed by other considerations (NRS
7 48.035(2)).

8 32. Caesars objects to **Exhibit 647** of the Seibel Parties' Opposition to the Motions for
9 Summary Judgment, purporting to be the Declaration of Joshua P. Gilmore, on the following
10 grounds: relevance (NRS 48.025(2)); foundation (*see Frias*, 101 Nev. at 221, 698 P.2d at 876).

11 DATED this 30th day of November 2021.

12 PISANELLI BICE PLLC

13 By: /s/ M. Magali Mercera
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18 *Paris Las Vegas Operating Company, LLC;*
19 *PHWLV, LLC; and Boardwalk Regency*
20 *Corporation d/b/a Caesars Atlantic City*
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 30th day of November 2021, I caused to be served via the Court's e-filing/e-service system a true and correct copy of the above and foregoing **OBJECTIONS TO EXHIBITS OFFERED IN SUPPORT OF THE SEIBEL PARTIES' OPPOSITIONS TO CAESARS' MOTIONS FOR SUMMARY JUDGMENT** to the following:

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TAB 86

**FILED UNDER
SEAL PURSUANT
TO PENDING
MOTION TO SEAL
FILED
CONCURRENTLY
HEREWITH**