

CASE NO. 84934

IN THE SUPREME COURT OF NEVADA

ROWEN SEIBEL AND GR BURGR, LLC,

Electronically Filed
Mar 10 2023 07:17 PM
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 34 OF 34

JOHN R. BAILEY
NEVADA BAR No. 0137
DENNIS L. KENNEDY
NEVADA BAR No. 1462
JOSHUA P. GILMORE
NEVADA BAR No. 11576
PAUL C. WILLIAMS
NEVADA BAR No. 12524

BAILEY ♦ KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
TELEPHONE: (702) 562-8820
FACSIMILE: (702) 562-8821
JBAILEY@BAILEYKENNEDY.COM
DKENNEDY@BAILEYKENNEDY.COM
JGILMORE@BAILEYKENNEDY.COM
PWILLIAMS@BAILEYKENNEDY.COM

Attorneys for Appellants

APPENDIX OF EXHIBITS TO APPELLANTS' OPENING BRIEF

VOLUME 34 OF 34

TABLE OF CONTENTS

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Notice of Entry of Order Granting Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment, filed July 26, 2022	34	108	AA07012-AA07023

INDEX

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
2 nd Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed August 19, 2019	8	48	AA01680- AA01685
3 rd Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed October 15, 2019	8	49	AA01686- AA01691
4 th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed January 10, 2020	8	50	AA01692- AA01697
5 th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed April 17, 2020	8	51	AA01698- AA01703
6 th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed June 18, 2020	8	53	AA01705- AA01710
7 th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed October 15, 2020	8	54	AA01711- AA01714
Amended Order Setting Civil Jury Trial, Pre-Trial/Calendar Call, filed March 13, 2019	8	47	AA01675- AA01679

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Answer to First Amended Complaint and Counterclaim, filed July 21, 2017	6	24	AA01237-AA01261
Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment – Volume 1 of 5, filed February 25, 2021- FILED UNDER SEAL	9	56	AA01741-AA01907
Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment – Volume 2 of 5, filed February 25, 2021- FILED UNDER SEAL	10	57	AA01908-AA02109
Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment – Volume 3 of 5, filed February 25, 2021- FILED UNDER SEAL	11	58	AA02110-AA02346
Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment – Volume 4 of 5, filed February 25, 2021- Part 1 of 2 - FILED UNDER SEAL	12	59	AA02347-AA02579
Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment – Volume 4 of 5, filed February 25, 2021 - Part 2 of 2 - FILED UNDER SEAL	13	59	AA02580-AA02817
Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment – Volume 5 of 5, filed February 25, 2021- Part 1 of 2 - FILED UNDER SEAL	14	60	AA02818-AA03060

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits in Support of Caesars’ Motions for Summary Judgment – Volume 5 of 5, filed February 25, 2021- Part 2 of 2 - FILED UNDER SEAL	15	60	AA03061-AA03075
Appendix of Exhibits in Support of Caesars’ Replies in Support of its Motions for Summary Judgment, filed November 30, 2021 – Part 1 of 2 - FILED UNDER SEAL	30	83	AA06213-AA06403
Appendix of Exhibits in Support of Caesars’ Replies in Support of its Motions for Summary Judgment, filed November 30, 2021 – Part 2 of 2 - FILED UNDER SEAL	31	83	AA06404-AA06528
Appendix of Exhibits in Support of Motion for Preliminary Injunction, filed March 6, 2017	1	3	AA00060-AA00246
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel’s Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars’ Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – Volume 1 of 9	20	71	AA03907-AA04111
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel’s Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars’ Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – Volume 2 of 9 - Part 1 of 2 FILED UNDER SEAL	21	72	AA04112-AA04334

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 2 of 9 - Part 2 of 2 FILED UNDER SEAL	22	72	AA04335-AA04368
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 3 of 9 - Part 1 of 2 FILED UNDER SEAL	22	73	AA04369-AA04576
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 3 of 9 - Part 2 of 2 FILED UNDER SEAL	23	73	AA04577-AA04629

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 4 of 9 – Part 1 of 2 FILED UNDER SEAL	23	74	AA04630-AA04824
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 4 of 9 – Part 2 of 2 FILED UNDER SEAL	24	74	AA04825-AA04889
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 5 of 9 – Part 1 of 2 - FILED UNDER SEAL	24	75	AA04890-AA05037

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 5 of 9 – Part 2 of 2 - FILED UNDER SEAL	25	75	AA05038-AA05161
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 6 of 9 – Part 1 of 2 - FILED UNDER SEAL	25	76	AA05162-AA05282
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 6 of 9 – Part 1 of 2 - FILED UNDER SEAL	26	76	AA05283-AA05422

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 7 of 9 – FILED UNDER SEAL	27	77	AA05423-AA05670
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 8 of 9 – Part 1 of 2 - FILED UNDER SEAL	28	78	AA05671-AA05905
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 8 of 9 – Part 2 of 2 - FILED UNDER SEAL	29	78	AA05906-AA05927

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 9 of 9 – FILED UNDER SEAL	29	79	AA05928-AA06156
Appendix of Exhibits to Defendant Gordon Ramsay's Opposition to Plaintiff's Motion for Preliminary Injunction, filed March 20, 2017 – Part 1 of 2	3	9	AA00455-AA00673
Appendix of Exhibits to Defendant Gordon Ramsay's Opposition to Plaintiff's Motion for Preliminary Injunction, filed March 20, 2017 – Part 2 of 2	4	9	AA00674-AA00863
Appendix to Defendant Gordon Ramsay's Motion for Summary Judgment, Volume I of II, filed February 26, 2021 - Part 1 of 2 - FILED UNDER SEAL	16	64	AA03126-AA03369
Appendix to Defendant Gordon Ramsay's Motion for Summary Judgment, Volume I of II, filed February 26, 2021 - Part 2 of 2 - FILED UNDER SEAL	17	64	AA03370-AA03452
Appendix to Defendant Gordon Ramsay's Motion for Summary Judgment, Volume II of II, filed February 26, 2021 - Part 1 of 2 - FILED UNDER SEAL	18	65	AA03453-AA03686

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix to Defendant Gordon Ramsay's Motion for Summary Judgment, Volume II of II, filed February 26, 2021 - Part 2 of 2 - FILED UNDER SEAL	19	65	AA03687-AA03791
Business Court Order, filed August 16, 2018	8	43	AA01616-AA01621
Business Court Order, filed July 28, 2017	6	25	AA01262-AA01266
Business Court Scheduling Order and Order Setting Civil Jury Trial, Pre-Trial Conference and Conference Call, filed September 1, 2017	6	27	AA01273-AA01276
Business Court Scheduling Order Setting Civil Jury Trial and Pre-Trial Conference/Calendar Call, filed October 31, 2018	8	44	AA01622-AA01627
Caesars' Motion for Summary Judgment No. 2, filed February 25, 2021- FILED UNDER SEAL	8	55	AA01715-AA01740
Caesars' Reply in Support of Motion for Summary Judgment No. 2, filed November 30, 2021 – FILED UNDER SEAL	30	82	AA06190-AA06212
Caesars' Reply to the Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment filed by Caesars and Ramsay, filed January 13, 2022 – FILED UNDER SEAL	32	93	AA06749-AA06758
Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment, filed November 30, 2021 – FILED UNDER SEAL	31	86	AA06545-AA06555

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
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, filed November 30, 2021	31	84	AA06529-AA06536
Declaration of M. Magali Mercera, Esq. in Support of Caesars' Motions for Summary Judgment, filed February 25, 2021	15	61	AA03076-AA03089
Defendant Gordon Ramsay's Amended Opposition to Plaintiff's Motion for Partial Summary Judgment Concerning (1) The Payment of the License Fee Through March 31, 2017, and (2) The Breach of § 14.21 of the Development Agreement, filed October 6, 2017	8	33	AA01512-AA01574
Defendant Gordon Ramsay's Answer and Affirmative Defenses to First Amended Verified Complaint, filed July 21, 2017	6	23	AA01215-AA01236
Defendant Gordon Ramsay's Joinder to PHWLTV, LLC's Motion to Dismiss Plaintiff's Claims, filed April 7, 2017	5	13	AA01050-AA01053
Defendant Gordon Ramsay's Opposition to Motion for Preliminary Injunction, filed March 17, 2017	2	5	AA00343-AA00371
Defendant Gordon Ramsay's Opposition to Plaintiff's Motion for Partial Summary Judgment Concerning (1) the Payment of the License Fee Through March 31, 2017, and (2) the Breach of § 14.21 of the Development Agreement, filed October 6, 2017	7	32	AA01450-AA01511

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Defendant Gordon Ramsay's Reply in Support of Joinder to PHWLVC LLC's Motion to Dismiss Plaintiff's Claims, filed May 10, 2017	6	18	AA01138- AA01145
Errata to Plaintiff's Motion for Preliminary Injunction, filed March 7, 2017	2	4	AA00247- AA00342
Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2, filed May 31, 2022	33	103	AA06913- AA06932
Findings of Fact, Conclusions of Law, and Order Granting Gordon Ramsay's Motion for Summary Judgment, filed May 25, 2022	33	102	AA06886- AA06912
First Amended Verified Complaint, filed June 28, 2017	6	22	AA01180- AA01214
Gordon Ramsay's Motion for Summary Judgment, filed February 26, 2021 – FILED UNDER SEAL	15	63	AA03094- AA03125
Gordon Ramsay's Reply in Support of His Motion for Summary Judgment, filed November 29, 2021– FILED UNDER SEAL	30	81	AA06169- AA06189
Gordon Ramsay's Reply to the Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment filed by Caesars and Ramsay, filed January 13, 2022	32	95	AA06763- AA06767
Gordon Ramsay's Request for Judicial Notice, filed February 26, 2021	19	66	AA03792- AA03795

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Gordon Ramsay’s Response to Rowen Seibel and GR Burgr, LLC’s Objections to Evidence Offered by Gordon Ramsay in Support of His Motion for Summary Judgment, filed November 29, 2021 – FILED UNDER SEAL	30	80	AA06157- AA06168
Initial Appearance Fee Disclosure (PHWLTV, LLC), filed March 20, 2017	2	8	AA00454
Initial Appearance Fee Disclosure (Ramsay), filed March 17, 2017	2	7	AA00451- AA00453
Minute Order Re: Motion for Partial Summary Judgment, filed November 7, 2017	8	35	AA01591- AA01592
Minute Order Re: Sealing Motions, filed March 9, 2022	33	101	AA06885
Minute Order Re: Status Check, filed April 29, 2020	8	52	AA01704
Minute Order Re: Status Check, filed December 5, 2017	8	36	AA01593
Minute Order Re: Status Check, filed February 6, 2018	8	38	AA01595
Minute Order Re: Status Check, filed January 9, 2018	8	37	AA01594
Motion for Preliminary Injunction on Order Shortening Time, filed March 6, 2017	1	2	AA00037- AA00059
Notice of Appeal, filed June 28, 2022 – Part 1 of 3	33	106	AA06987- AA07002

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Gordon Ramsay's Motion for Summary Judgment, filed June 2, 2022	33	104	AA06933-AA06963
Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2, filed June 3, 2022	33	105	AA06964-AA06986
Notice of Entry of Order (Omnibus Order Granting the Development Parties' Motions to Seal and Redact), filed February 9, 2022	33	100	AA06873-AA06884
Notice of Entry of Order Denying Plaintiff's Motion for Preliminary Injunction, filed April 13, 2017	5	15	AA01058-AA01063
Notice of Entry of Order Granting in Part and Denying in Part Planet Hollywood's Motion to Dismiss, filed June 16, 2017	6	21	AA01174-AA01179
Notice of Entry of Order Granting Motion to Redact Caesars' Motion for Summary Judgment No. 1 and Motion for Summary Judgment No. 2 and to Seal Exhibits 1-36, 38, 40-42, 45-46, 48, 50, 66-67, 73, and 76-80 to the Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment, filed January 28, 2022	33	98	AA06857-AA06869
Notice of Entry of Order Granting Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment, filed July 26, 2022	34	108	AA07012-AA07023

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Notice of Entry of Order Granting Motion to Redact Replies in Support of Caesars' Motion for Summary Judgment No. 1 and Motion for Summary Judgment No. 2 and to Seal Exhibits 82, 84-87, 90, 82, 99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars' Replies in Support of its Motions for Summary Judgment, filed January 4, 2022	32	92	AA06736-AA06748
Notice of Entry of Order Granting the Development Parties' Motion for Leave to File a Supplement to Their Opposition to Motions for Summary Judgment, filed December 27, 2021	32	89	AA06701-AA06712
Notice of Entry of Order Vacating Plaintiff's Motion for Partial Summary Judgment, filed March 8, 2018	8	42	AA01610-AA01615
Notice of Entry of Stipulated Confidentiality Agreement and Protective Order, filed March 12, 2019	8	46	AA01650-AA01674
Notice of Entry of Stipulation and Order to Consolidate Case No. A-17-760537-B with and into Case No. A-17-751759-B, filed February 13, 2018	8	40	AA01600-AA01606
Objections to Evidence Offered by Caesars in Support of its Motions for Summary Judgment, filed March 30, 2021	19	68	AA03801-AA03808
Objections to Evidence Offered by Gordon Ramsay in Support of His Motion for Summary Judgment, filed March 30, 2021	19	67	AA03796-AA03800

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Objections to Exhibits Offered in Support of Plaintiffs’ Omnibus Supplement to Their Oppositions to Motions For Summary Judgment, filed January 13, 2022	32	94	AA6759-AA06762
Objections to Exhibits Offered in Support of the Seibel Parties’ Oppositions to Caesars’ Motions for Summary Judgment, filed November 30, 2021	31	85	AA6537-AA06544
Omnibus Order Granting the Development Parties’ Motions to Seal and Redact, filed February 7, 2022	33	99	AA06870-AA06872
Omnibus Reply in Support of Plaintiff’s Motion for Preliminary Injunction, filed March 21, 2017	5	10	AA00864-AA00935
Opposition to Caesars’ Motion for Summary Judgment No. 2, filed March 30, 2021 – FILED UNDER SEAL	19	69	AA03809-AA03860
Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – FILED UNDER SEAL	19	70	AA03861-AA03906
Order Denying Plaintiff’s Motion for Preliminary Injunction, filed April 12, 2017	5	14	AA01054-AA01057
Order Granting in Part and Denying in Part Planet Hollywood’s Motion to Dismiss, filed June 15, 2017	6	20	AA01170-AA01173

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Order Granting Motion to Redact Caesars' Motion for Summary Judgment No. 1 and Motion for Summary Judgment No. 2 and to Seal Exhibits 1-36, 38, 40-42, 45-46, 48, 50, 66-67, 73, and 76-80 to the Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment, filed January 28, 2022	33	97	AA06847-AA06856
Order Granting Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment, filed July 26, 2022	33	107	AA07003-AA07011
Order Granting Motion to Redact Replies in Support of Caesars' Motion for Summary Judgment No. 1 and Motion for Summary Judgment No. 2 and to Seal Exhibits 82, 84-87, 90, 82, 99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars' Replies in Support of its Motions for Summary Judgment, filed January 3, 2022	32	91	AA06726-AA06735
Order Granting the Development Parties' Motion for Leave to File a Supplement to Their Opposition to Motions for Summary Judgment, filed December 27, 2021	32	88	AA06692-AA06700
Order Vacating Plaintiff's Motion for Partial Summary Judgment, filed March 7, 2018	8	41	AA01607-AA01609

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
PHWLV, LLC's Objection to Evidence Offered in Support of Plaintiff's Motion for Partial Summary Judgment Concerning (1) the Payment of the License Fee Through March 31, 2017, and (2) the Breach of § 14.21 of the Development Agreement, filed October 5, 2017	7	31	AA01447- AA01449
PHWLV, LLC's Opposition to Plaintiff's Motion for Partial Summary Judgment Concerning (1) the Payment of the License Fee Through March 31, 2017, and (2) the Breach of § 14.21 of the Development Agreement, filed October 5, 2017	7	29	AA01347- AA01443
Plaintiff's Motion For Partial Summary Judgment Concerning (1) The Payment Of The License Fee Through March 31, 2017, and (2) The Breach of § 14.21 Of The Development Agreement, filed September 18, 2017	7	28	AA01277- AA01346
Plaintiff's Opposition to Planet Hollywood's Partial Motion to Dismiss, filed April 24, 2017	6	16	AA01064- AA01124
Plaintiff's Reply to Defendant PHWLV, LLC's Counterclaims, filed August 25, 2017	6	26	AA01267- AA01272
Planet Hollywood's Motion to Dismiss Plaintiff's Claims, filed April 7, 2017	5	12	AA00985- AA01049
Planet Hollywood's Opposition to Plaintiff's Motion for Preliminary Injunction, filed March 17, 2017	2	6	AA00372- AA00450

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Reply in Support of Plaintiff's Motion for Partial Summary Judgment Concerning (1) The Payment of the License fee Through March 31, 2017 and (2) The Breach of § 14.21 of the Development Agreement, filed October 17, 2017	8	34	AA01575-AA01590
Reply in Support of Planet Hollywood's Motion to Dismiss Plaintiff's Claims, filed May 10, 2017	6	17	AA01125-AA01137
Request for Judicial Notice of Exhibits 39, 59, and 62 in Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment, filed February 25, 2021	15	62	AA03090-AA03093
Request for Judicial Notice, filed October 5, 2017	7	30	AA01444-AA01446
Stipulated Confidentiality Agreement and Protective Order, filed March 12, 2019	8	45	AA01628-AA01649
Stipulation and Order to Consolidate Case No. A-17-760537-B with and into Case No. A-17-751759-B, filed February 9, 2018	8	39	AA01596-AA01599
The Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment Filed by Caesars and Ramsay, filed December 30, 2021	32	90	AA06713-AA06725
Transcript of Proceedings, taken December 6, 2021	32	87	AA06556-AA06691
Transcript of Proceedings, taken January 20, 2022	33	96	AA06768-AA06846

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Transcript of Proceedings, taken March 22, 2017	5	11	AA00936- AA00984
Transcript of Proceedings, taken May 17, 2017	6	19	AA01146- AA01169
Verified Complaint and Demand for Jury Trial, filed February 28, 2017	1	1	AA00001- AA00036

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:

JAMES J. PISANELLI
DEBRA L. SPINELLI
M. MAGALI MERCERA
PISANELLI BICE PLLC
400 South 7th Street, Suite
300
Las Vegas, NV 89101

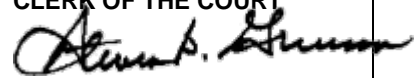
Email: JJP@pisanellibice.com
DLS@pisanellibice.com
MMM@pisanellibice.com
Attorneys for Respondent PHWLTV, LLC

JOHN D. TENNERT
GEENAMARIE CARUCCI
WADE BEAVERS
**FENNEMORE CRAIG,
P.C.**
7800 Rancharrah Parkway
Reno, NV 89511

Email: jtennert@fennemorelaw.com
wbeavers@fennemorelaw.com
gcarucci@fennemorelaw.com
Attorneys for Respondent Gordon Ramsay

/s/ Susan Russo
Employee of BAILEY ❖ KENNEDY

TAB 108



James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
M. Magali Mercera, Esq., Bar No. 11742
MMM@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: 702.214.2100
Facsimile: 702.214.2101

*Attorneys for Desert Palace, Inc.;
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

**NOTICE OF ENTRY OF ORDER
GRANTING MOTION TO REDACT
CAESARS' RESPONSE TO
OBJECTIONS TO EVIDENCE
OFFERED IN SUPPORT OF MOTIONS
FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that an Order Granting Motion to Redact Caesars' Response to
Objections to Evidence Offered in Support of Motions for Summary Judgment was entered in the
///

above-captioned matter on July 26 2022, a true and correct copy of which is attached hereto.

DATED this 26th day of July 2022.

PISANELLI BICE PLLC

By: /s/ M. Magali Mercera
James J. Pisanelli, Esq., #4027
Debra L. Spinelli, Esq., #9695
M. Magali Mercera, Esq., #11742
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

*Attorneys for Desert Palace, Inc.;
Paris Las Vegas Operating Company, LLC;
PHWL, LLC; and Boardwalk Regency
Corporation d/b/a Caesars Atlantic City*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 26th day of July 2022, I caused to be served via the Court's e-filing/e-service system a true and correct copy of the above and foregoing **NOTICE OF ENTRY OF ORDER GRANTING MOTION TO REDACT CAESARS' RESPONSE TO OBJECTIONS TO EVIDENCE OFFERED IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT** to the following:

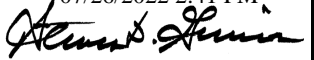
John R. Bailey, Esq.
Dennis L. Kennedy, Esq.
Joshua P. Gilmore, Esq.
Paul C. Williams, Esq.
BAILEY KENNEDY
8984 Spanish Ridge Avenue
Las Vegas, NV 89148-1302
JBailey@BaileyKennedy.com
DKennedy@BaileyKennedy.com
JGilmore@BaileyKennedy.com
PWilliams@BaileyKennedy.com

*Attorneys for Rowen Seibel, Craig Green
Moti Partners, LLC, Moti Partner 16, LLC,
LLTQ Enterprises, LLC, LLTQ Enterprises 16, LLC,
TPOV Enterprises, LLC, TPOV Enterprises 16, LLC,
FERG, LLC, and FERG 16, LLC; and R Squared
Global Solutions, LLC, Derivatively on Behalf of DNT
Acquisition, LLC, and Nominal Plaintiff
GR Burgr LLC*

John D. Tennert, Esq.
Wade Beavers, Esq.
Geenamarie Carucci, Esq.
FENNEMORE CRAIG, P.C.
7800 Rancharrah Parkway
Reno, NV 89511
jtennert@fclaw.com
wbeavers@fclaw.com
gcarucci@fennemorelaw.com

Attorneys for Gordon Ramsay

/s/ Cinda Towne
An employee of PISANELLI BICE PLLC


CLERK OF THE COURT

James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
M. Magali Mercera, Esq., Bar No. 11742
MMM@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: 702.214.2100

*Attorneys for Desert Palace, Inc.;
Paris Las Vegas Operating Company, LLC;
PHWLV, 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.

PHWLV, 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.

Case No.: A-17-751759-B

Dept. No.: XVI

Consolidated with A-17-760537-B

**ORDER GRANTING MOTION TO
REDACT CAESARS' RESPONSE TO
OBJECTIONS TO EVIDENCE
OFFERED IN SUPPORT OF MOTIONS
FOR SUMMARY JUDGMENT**

Date of Hearing: December 22, 2021

Time of Hearing: Chambers

AND ALL RELATED MATTERS

PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"),
Paris Las Vegas Operating Company, LLC ("Paris"), Boardwalk Regency Corporation d/b/a
Caesars Atlantic City's ("CAC," and collectively, with Caesars Palace, Paris, and
Planet Hollywood, "Caesars,") *Motion to Redact Caesars' Response to Objections to Evidence
Offered in Support of Motions for Summary Judgment* (the "Motion to Seal"), filed on

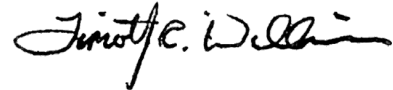
November 30, 2021, came before this Court for hearing on December 22, 2021, in Chambers. This Court issued a Minute Order dated December 22, 2021 addressing the Motion to Seal. Upon review of the papers and pleadings on file in this matter, as proper service of the Motion to Seal has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(e), the Motion to Seal is deemed unopposed.

The Court finds that Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment contains commercially sensitive information creating a compelling interest in protecting the information from widespread dissemination to the public which outweighs the public disclosure of said information in accordance with Rule 3(4) of the Nevada Supreme Court's Rules Governing Sealing and Redacting of Court Records. Therefore, good cause appearing therefor:

THE COURT HEREBY ORDERS, ADJUDGES, AND DECREES that the Motion to Seal shall be, and hereby is, GRANTED.

IT IS SO ORDERED.

Dated this 26th day of July, 2022



MH

6A9 5F9 119E 48FC
Timothy C. Williams
District Court Judge

Respectfully submitted: July 25, 2022

Approved as to form and content by:

PISANELLI BICE PLLC

BAILEY ♦ KENNEDY

By: /s/ M. Magali Mercera
James J. Pisanelli, Esq., #4027
Debra L. Spinelli, Esq., #9695
M. Magali Mercera, Esq., #11742
400 South 7th Street, Suite 300
Las Vegas, NV 89101

By: /s/ Joshua P. Gilmore
John R. Bailey, Esq., #0137
Dennis L. Kennedy, Esq., #1462
Joshua P. Gilmore, Esq., #11576
Paul C. Williams, Esq., #12524
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148

*Attorneys for Desert Palace, Inc.;
Paris Las Vegas Operating
Company, LLC; PHWLTV, LLC; and
Boardwalk Regency
Corporation d/b/a Caesars Atlantic City*

*Attorneys for Rowen Seibel, Craig Green
Moti Partners, LLC, Moti Partner 16, LLC,
LLTQ Enterprises, LLC,
LLTQ Enterprises 16, LLC,
TPOV Enterprises, LLC,
TPOV Enterprises 16, LLC, FERG, LLC,
FERG 16, LLC; R Squared Global Solutions,
LLC, Derivatively on Behalf of DNT
Acquisition, LLC, and GR BurGR, LLC*

1 Approved as to form and content by:

2 FENNEMORE CRAIG, P.C.

3
4 By: /s/ John D. Tennert
John D. Tennert, Esq., #11728
Wade Beavers, Esq., #13451
5 Geenamaria V. Carucci, Esq., #15393
7800 Rancharrah Parkway
6 Reno, NV 89511

7 *Attorneys for Gordon Ramsay*

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Kimberly Peets

From: Joshua Gilmore <JGilmore@baileykennedy.com>
Sent: Monday, July 25, 2022 11:59 AM
To: Magali Mercera; Tennert, John; Paul Williams; Beavers, Wade; Carucci, Geenamarie
Cc: Debra Spinelli; Emily A. Buchwald; Cinda C. Towne; Kimberly Peets
Subject: RE: Desert Palace v. Seibel: Order Granting Motions to Redact

CAUTION: This message is from an EXTERNAL SENDER.
You may affix my e-signature. Thanks. Josh

Joshua P. Gilmore, Esq. | Bailey Kennedy, LLP
8984 Spanish Ridge Avenue, Las Vegas, Nevada 89148-1302
(702) 562-8820 (main) | (702) 789-4547 (direct) | JGilmore@BaileyKennedy.com

www.BaileyKennedy.com

This e-mail message is a confidential communication from Bailey Kennedy, LLP and is intended only for the named recipient(s) above and may contain information that is a trade secret, proprietary, privileged or attorney work product. If you have received this message in error, or are not the named or intended recipient(s), please immediately notify the sender at 702-562-8820 and delete this e-mail message and any attachments from your workstation or network mail system.

From: Magali Mercera <mmm@pisanellibice.com>
Sent: Monday, July 25, 2022 10:39 AM
To: Tennert, John <jtennert@fennemorelaw.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Beavers, Wade <WBeavers@fennemorelaw.com>; Carucci, Geenamarie <gcarucci@fennemorelaw.com>
Cc: Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Kimberly Peets <kap@pisanellibice.com>
Subject: RE: Desert Palace v. Seibel: Order Granting Motions to Redact

Thanks, John.

Josh/Paul – Please let us know if you have any changes or if we may apply your e-signature.

Best,

M. Magali Mercera
PISANELLI BICE, PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 214-2100
Fax: (702) 214-2101
mmm@pisanellibice.com | www.pisanellibice.com



Please consider the environment before printing.

This transaction and any attachment is confidential. Any dissemination or copying of this communication is prohibited. If you are not the intended recipient, please notify us immediately by replying and delete the message. Thank you.

From: Tennert, John <jtennert@fennemorelaw.com>

Sent: Friday, July 22, 2022 4:22 PM

To: Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Beavers, Wade <WBeavers@fennemorelaw.com>; Carucci, Geenamarie <gcarucci@fennemorelaw.com>

Cc: Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Kimberly Peets <kap@pisanellibice.com>

Subject: RE: Desert Palace v. Seibel: Order Granting Motions to Redact

CAUTION: This message is from an EXTERNAL SENDER.

Magali, you may apply my e-signature. Thanks,

John D. Tennert III
Director

FENNEMORE.

7800 Rancharrah Parkway, Reno, NV 89511

T: 775.788.2212 | F: 775.788.2213

jtennert@fennemorelaw.com | [View Bio](#)



CONFIDENTIALITY NOTICE: The information contained in this message may be protected by the attorney-client privilege. If you believe that it has been sent to you in error, do not read it. Please immediately reply to the sender that you have received the message in error. Then delete it. Thank you.

From: Magali Mercera <mmm@pisanellibice.com>

Sent: Friday, July 22, 2022 2:33 PM

To: Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>; Carucci, Geenamarie <gcarucci@fennemorelaw.com>

Cc: Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Kimberly Peets <kap@pisanellibice.com>

Subject: Desert Palace v. Seibel: Order Granting Motions to Redact

Josh and John –

After reviewing the docket, it appears we had not yet submitted orders on two motions to seal that were decided via the Court's December 22, 2021 Minute order. Drafts for both are attached. Please let us know if you have any comments or suggested changes. Otherwise, if acceptable, please confirm we may apply your e-signature.

Thanks,

M. Magali Mercera

PISANELLI BICE, PLLC

400 South 7th Street, Suite 300

Las Vegas, Nevada 89101

Telephone: (702) 214-2100

Fax: (702) 214-2101



Please consider the environment before printing.

This transaction and any attachment is confidential. Any dissemination or copying of this communication is prohibited. If you are not the intended recipient, please notify us immediately by replying and delete the message. Thank you.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Rowen Seibel, Plaintiff(s)

CASE NO: A-17-751759-B

7 vs.

DEPT. NO. Department 16

8 PHWLTV LLC, Defendant(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 7/26/2022

15 Robert Atkinson

robert@nv-lawfirm.com

16 Kevin Sutehall

ksutehall@foxrothschild.com

17 "James J. Pisanelli, Esq." .

lit@pisanellibice.com

18 "John Tennert, Esq." .

jtennert@fclaw.com

19 Brittnie T. Watkins .

btw@pisanellibice.com

20 Dan McNutt .

drm@cmlawnv.com

21 Debra L. Spinelli .

dls@pisanellibice.com

22 Diana Barton .

db@pisanellibice.com

23 Lisa Anne Heller .

lah@cmlawnv.com

24 Matt Wolf .

mcw@cmlawnv.com

25 PB Lit .

lit@pisanellibice.com

26
27
28
AA07021

1	Daniel McNutt	drm@cmlawnv.com
2	Paul Sweeney	PSweeney@certilmanbalin.com
3	Nathan Rugg	nathan.rugg@bfkn.com
4	Steven Chaiken	sbc@ag-ltd.com
5	Alan Lebensfeld	alan.lebensfeld@lsandspc.com
6	Brett Schwartz	brett.schwartz@lsandspc.com
7	Doreen Loffredo	dloffredo@foxrothschild.com
8	Paul Williams	pwilliams@baileykennedy.com
9	Dennis Kennedy	dkennedy@baileykennedy.com
10	Joshua Gilmore	jgilmore@baileykennedy.com
11	John Bailey	jbailey@baileykennedy.com
12	Bailey Kennedy, LLP	bkfederaldownloads@baileykennedy.com
13	Magali Mercera	mmm@pisanellibice.com
14	Cinda Towne	cct@pisanellibice.com
15	Litigation Paralegal	bknotices@nv-lawfirm.com
16	Shawna Braselton	sbraselton@fennemorelaw.com
17	Mark Connot	mconnot@foxrothschild.com
18	Joshua Feldman	jfeldman@certilmanbalin.com
19	Nicole Milone	nmilone@certilmanbalin.com
20	Emily Buchwald	eab@pisanellibice.com
21	Cinda Towne	Cinda@pisanellibice.com
22	Karen Hippner	karen.hippner@lsandspc.com
23	Lawrence Sharon	lawrence.sharon@lsandspc.com
24		
25		
26		
27		
28		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

John Tennert	jtennert@fennemorelaw.com
Christine Gioe	christine.gioe@lsandspc.com
Trey Pictum	trey@mcnuttlawfirm.com
Anne Alley	aalley@fclaw.com
Monice Campbell	monice@envision.legal
Wade Beavers	wbeavers@fclaw.com
Sarah Hope	shope@fennemorelaw.com
Geenamarie Carucci	gcarucci@fennemorelaw.com
Susan Whitehouse	swhitehouse@fennemorelaw.com