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

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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, vs. 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. AND ALL RELATED CLAIMS.	Case No. A-17-751759-B Dept. No. XVI Consolidated with A-17-760537-B **NOTICE OF APPEAL**

Docket 86462 Document 2023-13117
Case Number: A-17-751759-B

NOTICE IS HEREBY GIVEN that, pursuant to NRAP 3(a)(1) and 3A(b)(1), Rowen Seibel ("Mr. Seibel"); Craig Green ("Mr. Green"); Moti Partners, LLC ("Moti"); Moti Partners 16, LLC ("Moti 16"); LLTQ Enterprises, LLC ("LLTQ"); LLTQ Enterprises 16, LLC ("LLTQ 16"); TPOV Enterprises, LLC ("TPOV"); TPOV Enterprises 16, LLC ("TPOV 16"); FERG, LLC ("FERG"); FERG 16, LLC ("FERG 16"); R Squared Global Solutions, LLC ("R Squared"), derivatively on behalf of DNT Acquisition LLC ("DNT"); and GR Burgr LLC[1] ("GRB," and together with Mr. Seibel, Mr. Green, Moti, Moti 16, LLTQ, LLTQ 16, TPOV, TPOV 16, FERG, FERG 16, and R Squared, the "Appellants"), by and through their counsel, hereby appeal to the Supreme Court of Nevada from the final judgment and all other interlocutory orders and rulings entered by the District Court made appealable by entry of final judgment, including, but not limited to:[2]

- Findings of Fact, Conclusions of Law, and Order: (1) Denying Craig Green's Motion for Summary Judgment; (2) Granting Caesars' Counter-Motion for Summary Judgment Against Craig Green; and (3) Granting Caesars' Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint), filed on March 22, 2023, notice of entry of which was filed on March 28, 2023;[3]
- Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1, filed on May 31, 2022, notice of entry of which was filed on June 3, 2022;[4]

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[1] GRB was formed as a Delaware limited liability company in 2012. GRB was judicially dissolved in 2018, and a certificate of cancellation was filed in 2021. Notwithstanding, because claims in this matter were filed against GRB, and because Mr. Seibel was judicially authorized to defend those claims on behalf of GRB pursuant to a proceeding in the Delaware Court of Chancery, this appeal is being filed on behalf of GRB (among others) as a matter of caution.

[2] Case No. A-17-760537-B (the "Second Case"), from which this appeal is currently being taken, was previously consolidated with Case No. A-17-751759-B (the "First Case") pursuant to an order entered on February 9, 2018. The Second Case was finally resolved by order entered on March 22, 2023, thereby authorizing the filing of this appeal. A separate appeal was already taken in the First Case and remains pending (Nevada Supreme Court Case No. 84934). *See Matter of Estate of Sarge*, 134 Nev. 866, 866, 432 P.3d 718, 720 (2018) (holding that an order "finally resolving a constituent consolidated case is immediately appealable as a final judgment even where the other constituent case or cases remain pending").

[3] See Exhibit A.

[4] *See* Exhibit B.

- Order (i) Denying the Development Entities, Rowen Seibel, and Craig Green's Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and (ii) Granting Caesars' Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green, filed on February 4, 2021, notice of entry of which was filed on February 4, 2021;[5]
- Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss, filed on February 3, 2021, notice of entry of which was filed on February 3, 2021;[6] and
- Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims, filed on November 25, 2019, notice of entry of which also was filed on November 25, 2019.[7]

DATED this 21st day of April, 2023.

BAILEY❖KENNEDY

By: /s/ Joshua P. Gilmore
JOHN R. BAILEY
DENNIS L. KENNEDY
JOSHUA P. GILMORE
PAUL C. WILLIAMS
Attorneys for Rowen Seibel; Moti Partners, LLC; Moti Partners 16, LLC; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC; TPOV Enterprises, LLC; TPOV Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; Craig Green; R Squared Global Solutions, LLC, Derivatively on Behalf of DNT Acquisition, LLC; and GR Burgr, LLC

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[5] *See* Exhibit C.

[6] *See* Exhibit D.

[7] *See* Exhibit E.

CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY❖KENNEDY and that on the 21st day of April, 2023, service of the foregoing was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known 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 Defendants/Counterclaimant Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation*

/s/ Susan Russo
Employee of BAILEY❖KENNEDY

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

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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, vs. 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. AND ALL RELATED CLAIMS.	Case No. A-17-751759-B Dept. No. XVI Consolidated with A-17-760537-B **CASE APPEAL STATEMENT**

1. NAME OF APPELLANT(S) FILING THIS CASE APPEAL STATEMENT:

Rowen Seibel ("Mr. Seibel"); Craig Green ("Mr. Green"); Moti Partners, LLC ("Moti"); Moti Partners 16, LLC ("Moti 16"); LLTQ Enterprises, LLC ("LLTQ"); LLTQ Enterprises 16, LLC ("LLTQ 16"); TPOV Enterprises, LLC ("TPOV"); TPOV Enterprises 16, LLC ("TPOV 16"); FERG, LLC ("FERG"); FERG 16, LLC ("FERG 16"); R Squared Global Solutions, LLC ("R Squared"), derivatively on behalf of DNT Acquisition LLC ("DNT"); and GR Burgr LLC[1] ("GRB," and together with Mr. Seibel, Mr. Green, Moti, Moti 16, LLTQ, LLTQ 16, TPOV, TPOV 16, FERG, FERG 16, and R Squared, the "Appellants").

2. IDENTIFY THE JUDGE ISSUING THE DECISION, JUDGMENT, OR ORDER APPEALED FROM:

The Honorable Timothy C. Williams, Department 16 of the Eighth Judicial District Court, Clark County, Nevada.

3. IDENTIFY EACH APPELLANT AND THE NAME AND ADDRESS OF COUNSEL FOR EACH APPELLANT:

Counsel for Appellants:

John R. Bailey (NV Bar No. 0137)
Dennis L. Kennedy (NV Bar No. 1462)
Joshua P. Gilmore (NV Bar No. 11576)
Paul C. Williams (NV Bar No. 12524)
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[1] GRB was formed as a Delaware limited liability company in 2012. GRB was judicially dissolved in 2018, and a certificate of cancellation was filed in 2021. Notwithstanding, because claims in this matter were filed against GRB, and because Mr. Seibel was judicially authorized to defend those claims on behalf of GRB pursuant to a proceeding in the Delaware Court of Chancery, this appeal is being filed on behalf of GRB (among others) as a matter of caution.

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4. IDENTIFY EACH RESPONDENT AND THE NAME AND ADDRESS OF APPELLATE COUNSEL, IF KNOWN, FOR EACH RESPONDENT (IF THE NAME OF A RESPONDENT'S APPELLATE COUNSEL IS UNKNOWN, INDICATE AS MUCH AND PROVIDE THE NAME AND ADDRESS OF THAT RESPONDENT'S TRIAL COUNSEL):

Counsel for Respondents, Desert Palace, Inc. ("Desert Palace"); Paris Las Vegas Operating Company, LLC ("Paris"); PHWLV, LLC ("PHWLV"); and Boardwalk Regency Corporation ("Boardwalk," and together with Desert Palace, Paris, and PHWLV, the "Respondents"):

James J. Pisanelli (NV Bar No. 4027)
Debra L. Spinelli (NV Bar No. 9695)
M. Magali Mercera (NV Bar No. 11742)
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

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JJP@pisanellibice.com
DLS@pisanellibice.com
MMM@pisanellibice.com

5. INDICATE WHETHER ANY ATTORNEY IDENTIFIED ABOVE IN RESPONSE TO QUESTION 3 OR 4 IS NOT LICENSED TO PRACTICE LAW IN NEVADA AND, IF SO, WHETHER THE DISTRICT COURT GRANTED THE ATTORNEY PERMISSION TO APPEAR UNDER SCR 42 (ATTACH A COPY OF ANY DISTRICT COURT ORDER GRANTING SUCH PERMISSION):

N/A.

6. INDICATE WHETHER APPELLANT WAS REPRESENTED BY APPOINTED OR RETAINED COUNSEL IN THE DISTRICT COURT:

Appellants were represented by retained counsel in the District Court.

7. INDICATE WHETHER APPELLANT IS REPRESENTED BY APPOINTED OR RETAINED COUNSEL ON APPEAL:

Appellants are represented by retained counsel on appeal.

8. INDICATE WHETHER APPELLANT WAS GRANTED LEAVE TO PROCEED IN FORMA PAUPERIS, AND THE DATE OF ENTRY OF THE DISTRICT COURT ORDER GRANTING SUCH LEAVE:

Appellants have not moved for leave to proceed in forma pauperis.

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9. INDICATE THE DATE THE PROCEEDINGS COMMENCED IN THE DISTRICT COURT (E.G., DATE COMPLAINT, INDICTMENT, INFORMATION, OR PETITION WAS FILED):

This case commenced in the District Court on August 25, 2017, when the initial complaint was filed.

10. PROVIDE A BRIEF DESCRIPTION OF THE NATURE OF THE ACTION AND RESULT IN THE DISTRICT COURT, INCLUDING THE TYPE OF JUDGMENT OR ORDER BEING APPEALED AND THE RELIEF GRANTED BY THE DISTRICT COURT:

This is a civil action related to profit-sharing for numerous restaurants at various hotels and casinos owned and operated by Respondents in Las Vegas, Nevada and Atlantic City, New Jersey (among other cities). Between March 2009 and December 2012, Respondents entered into a total of six (6) contracts (the "Agreements") with certain of the Development Entities[2] related to the development, construction, and operation of the following restaurants (the "Restaurants"): (i) Serendipity 3; (ii) Old Homestead Steakhouse (the "Old Homestead"); (iii) Gordon Ramsay Steak ("GR Steak"); (iv) Gordon Ramsay Pub & Grill in Las Vegas ("GR Pub LV"); (v) Gordon Ramsay Burger f/k/a BurGR Gordon Ramsay ("GR Burger"); and (vi) Gordon Ramsay Pub & Grill in Atlantic City ("GR Pub AC").[3] In September 2016, Respondents terminated the Agreements upon finding that an alleged affiliate of the Development Entities (*i.e.*, Mr. Seibel) was unsuitable.[4]

In February 2017, Mr. Seibel initiated Case No. A-17-751759-B (the "First Case"), derivatively on behalf of GRB, by filing a Verified Complaint against PHWLV and Gordon Ramsay ("Mr. Ramsay"), asserting claims for breach of contract, contractual breach of the implied covenant of good faith and fair dealing, unjust enrichment, and civil conspiracy. In June 2017, Mr. Seibel, derivatively on behalf of GRB, filed his First Amended Verified Complaint. Mr. Seibel requested damages and other forms of relief relating to the Agreement associated with GR Burger.

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[2] "Development Entities" refers to Moti, Moti 16, LLTQ, LLTQ 16, TPOV, TPOV 16, FERG, FERG 16, DNT (by and through one of its two members, R Squared), and GRB.

[3] Respondents, or affiliates of Respondents, subsequently opened additional Gordon Ramsay-branded restaurants without involving any of the Development Entities or their affiliates in alleged violation of the Agreements.

[4] By this time, Moti, LLTQ, TPOV, and FERG had assigned their interests in the Agreements associated with Serendipity 3, GR Pub LV, GR Steak, and GR Pub AC to Moti 16, LLTQ 16, TPOV 16, and FERG 16, respectively.

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In July 2017, PHWLV and Mr. Ramsay filed their Answers to the First Amended Verified Complaint. PHWLV also filed Counterclaims against Mr. Seibel for fraudulent concealment and civil conspiracy. PHWLV requested damages relating to the Agreement associated with GR Burger.

In August 2017, while the First Case was pending, PHWLV, together with Desert Palace, Paris, and Boardwalk, initiated Case No. A-17-760537-B (the "Second Case") by filing a Complaint against Mr. Seibel, the Development Entities, and J. Jeffrey Frederick ("Mr. Frederick").[5] Respondents asserted claims against Mr. Seibel and the Development Entities for declaratory relief with respect to the Agreements. Respondents did not assert any claims against Mr. Frederick.

In September 2017, Mr. Frederick filed his Answer to the Complaint.[6]

In February 2018, the Second Case was consolidated with the First Case.

In July 2018, Mr. Seibel and the Development Entities filed their Answers to the Complaint. DNT, LLTQ, LLTQ 16, FERG, and FERG 16 also filed Counterclaims against Desert Palace and Boardwalk for breach of contract and accountings. DNT, LLTQ, LLTQ 16, FERG, and FERG 16 requested damages and other forms of relief relating to the Agreements associated with Old Homestead, GR Pub LV, and GR Pub AC.

In October 2018, an order was entered permitting The Original Homestead Restaurant, Inc. ("OHR"), a party to the Agreement associated with Old Homestead, to intervene in the Second Case, to assert a claim for declaratory relief against Caesars Palace.[7]

In November 2019, the District Court denied a motion filed by LLTQ, LLTQ 16, FERG, and FERG 16 to amend their Counterclaims to assert additional breach of contract claims against Desert Palace and Boardwalk associated with Gordon-Ramsay branded restaurants that were allegedly opened in violation of the Agreements associated with GR Pub LV and GR Pub AC but that were not specifically mentioned in the initial Counterclaims.

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[5] Mr. Ramsay is not a party to the Second Case.

[6] Mr. Frederick was voluntarily dismissed from the Second Case pursuant to an Order entered in August 2019.

[7] OHR voluntarily dismissed its claims in the Second Case pursuant to an Order entered in May 2022.

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In March 2020, Respondents amended their Complaint in the Second Case to add coercive claims for relief against Mr. Seibel, the Development Entities, and Mr. Green (who had not previously been named as a defendant in the Second Case).

In June 2020, Mr. Seibel, Mr. Green, and the Development Entities filed their Answer to the First Amended Complaint. The Development Entities (except for GRB) also filed Counterclaims against Respondents for breach of contract and breach of the implied covenant of good faith and fair dealing. They requested damages and other forms of relief relating to the Agreements associated with Serendipity, Old Homestead, GR Steak, GR Pub LV, and GR Pub AC.

In February 2021, the District Court granted a motion filed by Respondents to strike those Counterclaims that were asserted by the Development Entities (except for GRB) in response to the First Amended Complaint that had not previously been asserted in response to the initial Complaint.

That same month, the District Court made certain rulings on competing discovery motions filed by the parties that were erroneous and constituted an abuse of discretion.

In March 2021, an order was entered in a proceeding in Delaware involving GRB, authorizing Mr. Seibel to defend the claims that were filed by Respondents against GRB in the Second Case.[8]

In May 2022, the District Court entered summary judgment on certain claims and counterclaims asserted in the Second Case. Specifically, the District Court entered summary judgment as follows: (i) in favor of Respondents on their claims for declaratory relief asserted against Mr. Seibel and the Development Entities; and (ii) in favor of Desert Palace and Boardwalk on the counterclaims asserted against them by DNT, LLTQ, LLTQ 16, FERG, and FERG 16.

That same month, the District Court entered summary judgment in the First Case as follows: (i) in favor of PHWLV and Mr. Ramsay on the claims asserted against them by GRB; and (ii) in favor of PHWLV on its counterclaims asserted against Mr. Seibel. In doing so, the District Court resolved all claims and counterclaims asserted in the First Case.

[8] Mr. Seibel was also assigned the right to pursue the claims that had been asserted by GRB against PHWLV and Mr. Ramsay in the First Case.

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In June 2022, Mr. Seibel and GRB filed a notice of appeal from the summary judgment orders and certain other interlocutory orders and rulings entered by the District Court in the First Case.[9] That appeal is docketed as Nevada Supreme Court Case No. 84934 and remains pending (the Opening Brief was filed on March 10, 2023).

In February 2023, the District Court entered orders granting attorneys' fees and costs in favor of PHWLV and Mr. Ramsay against Mr. Seibel and GRB in the First Case.

In March 2023, Mr. Seibel and GRB filed a notice of appeal from the attorneys' fees and cost awards entered by the District Court in the First Case. That appeal is docketed as Nevada Supreme Court Case No. 86359 and remains pending.

That same month, the District Court entered summary judgment for Respondents on the remaining claims asserted in the Second Case. Specifically, the District Court entered summary judgment in favor of Respondents on their claims for coercive relief asserted against Mr. Seibel, Mr. Green, and the Development Entities. In doing so, the District Court resolved all remaining claims asserted in the Second Case.

Appellants now appeal from the final judgment and certain other interlocutory orders and rulings entered by the District Court in the Second Case as follows:

(a) Findings of Fact, Conclusions of Law, and Order: (1) Denying Craig Green's Motion for Summary Judgment; (2) Granting Caesars' Counter-Motion for Summary Judgment Against Craig Green; and (3) Granting Caesars' Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint), filed on March 22, 2023, notice of entry of which was filed on March 28, 2023;[10]

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[9] In *Matter of Estate of Sarge*, 134 Nev. 866, 432 P.3d 718 (2018), the Nevada Supreme Court held that an order "finally resolving a constituent consolidated case is immediately appealable as a final judgment even where the other constituent case or cases remain pending." *Id.* at 866, 432 P.3d at 720.

[10] See Exhibit A.

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(b) Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1, filed on May 31, 2022, notice of entry of which was filed on June 3, 2022;[11]

(c) Order (i) Denying the Development Entities, Rowen Seibel, and Craig Green's Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and (ii) Granting Caesars' Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green, filed on February 4, 2021, notice of entry of which was filed on February 4, 2021;[12]

(d) Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss, filed on February 3, 2021, notice of entry of which was filed on February 3, 2021;[13] and

(e) Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims, filed on November 25, 2019, notice of entry of which also was filed on November 25, 2019.[14]

11. INDICATE WHETHER THE CASE HAS PREVIOUSLY BEEN THE SUBJECT OF AN APPEAL TO OR ORIGINAL WRIT PROCEEDING IN THE SUPREME COURT AND, IF SO, THE CAPTION AND SUPREME COURT DOCKET NUMBER OF THE PRIOR PROCEEDING:

This case has been the subject of the following original writ proceedings:

(a) Petition for Extraordinary Writ Relief, Case No. 82488, filed by Petitioners Moti Partners, LLC; Moti Partners 16, LLC; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC, TPOV Enterprises, LLC; TPOV Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; and R Squared Global Solutions, LLC, Derivatively on Behalf of DNT Acquisition LLC;

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[11] *See* Exhibit B.

[12] *See* Exhibit C.

[13] *See* Exhibit D.

[14] *See* Exhibit E.

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(b) Petition for Extraordinary Writ Relief, Case No. 83071, filed by Petitioners Rowen Seibel; Moti Partners, LLC; Moti Partners 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; GR Burger, LLC; and Craig Green; and

(c) Petition for Extraordinary Writ Relief, Case No. 83723, filed by Petitioners Rowen Seibel; Moti Partners, LLC; Moti Partners 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; GR Burger, LLC; and Craig Green

This appeal is also related to other appeals that remain pending before the Nevada Supreme Court arising from the First Case (Case Nos. 84934 and 86359).

12. INDICATE WHETHER THIS APPEAL INVOLVES CHILD CUSTODY OR VISITION:

This appeal does not involve child custody or visitation.

13. IF THIS IS A CIVIL CASE, INDICATE WHETHER THIS APPEAL INVOLVES THE POSSIBILITY OF SETTLEMENT:

This is a civil case. Due to prior unsuccessful attempts at resolution in connection with a pending appeal arising from the First Case, Appellants do not believe that settlement is possible.

DATED this 21st day of April, 2023.

BAILEY❖KENNEDY

By: /s/ Joshua P. Gilmore
JOHN R. BAILEY
DENNIS L. KENNEDY
JOSHUA P. GILMORE
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Attorneys for Rowen Seibel; Moti Partners, LLC; Moti Partners 16, LLC; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC; TPOV Enterprises, LLC; TPOV Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; Craig Green; R Squared Global Solutions, LLC, Derivatively on Behalf of DNT Acquisition, LLC; and GR Burgr, LLC

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CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY❖KENNEDY and that on the 21st day of April, 2023, service of the foregoing was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known 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 Defendants/Counterclaimant Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation*

/s/ Susan Russo
Employee of BAILEY❖KENNEDY

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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, vs. 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. AND ALL RELATED CLAIMS.	Case No. A-17-751759-B Dept. No. XVI Consolidated with A-17-760537-B **APPENDIX OF EXHIBITS TO: (1) CASE APPEAL STATEMENT; AND (2) NOTICE OF APPEAL**

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Ex. No.	Document Description
A	Notice of Entry of Findings of Fact, Conclusions of Law, and Order: (1) Denying Craig Green's Motion for Summary Judgment; (2) Granting Caesars' Counter-Motion for Summary Judgment Against Craig Green; and (3) Granting Caesars' Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VII of the First Amended Complaint, filed March 28, 2023
B	Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1, filed on June 3, 2022
C	Notice of Entry of Order (i) Denying the Development Entities, Rowen Seibel, and Craig Green's Motion: (1) For Leave to Take Caesars NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and (ii) Granting Caesars' Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green, filed February 4, 2021
D	Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss, filed February 3, 2021

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Ex. No.	Document Description
E	Notice of Entry of Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims, filed November 25, 2019

DATED this 21st day of April, 2023.

BAILEY❖KENNEDY

By: /s/ Joshua P. Gilmore
JOHN R. BAILEY
DENNIS L. KENNEDY
JOSHUA P. GILMORE
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Attorneys for Rowen Seibel; Moti Partners, LLC; Moti Partners 16, LLC; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC; TPOV Enterprises, LLC; TPOV Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; Craig Green; R Squared Global Solutions, LLC, Derivatively on Behalf of DNT Acquisition, LLC; and GR Burgr, LLC

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CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY❖KENNEDY and that on the 21st day of April, 2023, service of the foregoing was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

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/s/ Susan Russo
Employee of BAILEY❖KENNEDY

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EXHIBIT A

EXHIBIT A

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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.

AND ALL RELATED MATTERS

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

Consolidated with A-17-760537-B

NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER:

(1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT;

(2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND

(3) GRANTING CAESARS' CROSS-MOTION FOR SUMMARY JUDGMENT AGINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT)

PLEASE TAKE NOTICE that the *Findings of Fact, Conclusions of Law, and Order: (1) Denying Craig Green's Motion for Summary Judgment; (2) Granting Caesars' Counter-Motion for*

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Summary Judgment Against Craig Green; and (3) Granting Caesars' Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) was entered in the above-captioned matter on March 22, 2023, a true and correct copy of which is attached hereto.

DATED this 28th day of March 2023.

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By: /s/ M. Magali Mercera
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 28th day of March 2023, 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 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER: (1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT; (2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND (3) GRANTING CAESARS' CROSS-MOTION FOR SUMMARY JUDGMENT AGINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT)** to the following:

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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,

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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

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER:

(1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT;

(2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND

(1) GRANTING CAESARS' CROSS-MOTION FOR SUMMARY JUDGMENT AGAINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT)

Date of Hearing: November 22, 2022

Time of Hearing: 1:30 p.m.

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Craig Green's ("Green") *Motion for Summary Judgment* (the "Green Motion for Summary Judgment"), filed on June 17, 2022; PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("Caesars Atlantic City," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Counter-Motion for Summary Judgment Against Craig Green* (the "Counter-Motion for Summary Judgment"), filed on July 14, 2022; and Caesars' *Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)* (the "Cross-Motion for Summary Judgment"), filed on July 14, 2022, came before this Court for hearing on November 22, 2022, at 1:30 p.m.

James J. Pisanelli, Esq., and M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared on behalf of Caesars. Joshua P. Gilmore, Esq., and Paul C. Williams, Esq., of the law firm BAILEY KENNEDY, appeared on behalf of TPOV Enterprises, LLC ("TPOV"), LLTQ Enterprises, LLC ("LLTQ"), FERG, LLC ("FERG"), MOTI Partners, LLC ("MOTI"), GR Burgr, LLC ("GRB"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared") (collectively the "Seibel-Affiliated Entities"), Rowen Seibel ("Seibel"), and Green.[1]

The Court having considered the Green Motion for Summary Judgment, the Counter-Motion for Summary Judgment, the Cross-Motion for Summary Judgment, the oppositions and replies thereto, as well as argument of counsel presented at the hearing, taken the matter under advisement, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

/ / /

[1] Seibel, Green, and the Seibel-Affiliated Entities are collectively referred to herein as the "Seibel Parties."

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FINDINGS OF FACT[2]

The Court HEREBY FINDS AS FOLLOWS:

1. Caesars and its affiliates hold gaming licenses in Nevada and other jurisdictions across the country.

2. These gaming licenses are not a right, but rather a privilege that Caesars must earn and continually show it remains suitable to hold.

3. Nevada's gaming regulations make clear that a gaming license will not be awarded unless the Nevada Gaming Commission is satisfied that the gaming license applicant (a) is "of good character, honesty, and integrity" (b) with "background, reputation and associations [that] will not result in adverse publicity for the State of Nevada and its gaming industry; and" (c) someone who "[h]as adequate business competence and experience for the role or position for which application is made." Nev. Gaming Regul. 3.090(1).

4. As a result, Caesars is required to self-police and ensure it is not engaged in unsuitable practices or doing business with unsuitable persons.

5. To ensure it is upholding the standards expected of a gaming licensee, Caesars maintains an Ethics and Compliance Program (the "Compliance Plan").

6. Under the express and unequivocal terms of its Compliance Plan, Caesars' employees are instructed "to avoid acts and situations that are improper, might give an appearance of impropriety, or might impair their good judgment when acting on behalf of" Caesars. The Compliance Plan also explicitly states that "[b]ribes, influence payments or kickbacks may never be provided to or accepted from any Person, including in the form of gifts, hospitality, or similar benefits."

7. Importantly, Caesars' Compliance Plan requires that, "[a]ll vendors, suppliers, tenants, business partners, independent agents/junket representatives, lobbyists, and consultants

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2 Any stated findings of fact which constitute conclusions of law shall be treated as conclusions of law, and any conclusions of law which constitute findings of fact shall be treated as findings of fact.

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who represent or have relationships with [Caesars] or any of its Affiliates must agree to meet the standards, business ethics, and principles that govern the [Caesars'] Employees."

8. Thus, Caesars' vendors are prohibited from engaging in illegal conduct, including, but not limited to, the procurement or acceptance of kickbacks.

9. Beginning in 2009, Caesars began entering into contracts with Seibel and the Seibel-Affiliated Entities relating to the development, creation, and operation of various restaurants at Caesars properties in Las Vegas and Atlantic City.

10. In total, Caesars and the Seibel-Affiliated Entities entered into six agreements as follows:

(1) A Development, Operation and License Agreement between MOTI Partners, LLC and Desert Palace, Inc. dated March 2009 related to the Serendipity restaurant in Las Vegas (the "MOTI Agreement");

(2) A Development, Operation and License Agreement between DNT Acquisition, LLC, the Original Homestead Restaurant, Inc., and Desert Palace, Inc., dated June 21, 2011, dated June 21, 2011 related to the Original Homestead Restaurant in Las Vegas (the "DNT Agreement");

(3) A Development and Operation Agreement between TPOV and Paris dated November 2011 related to the Gordon Ramsay Steak restaurant at the Paris Las Vegas (the "TPOV Agreement");

(4) A Development and Operation Agreement between LLTQ Enterprises, LLC and Desert Palace, Inc. dated April 4, 2012 related to the Gordon Ramsay Pub & Grill at Caesars Palace in La Vegas (the "LLTQ Agreement");

(5) A Development, Operation and License Agreement between PHW Las Vegas, LLC dba Planet Hollywood by its manager, PHW Manager, LLC, GR BURGR, LLC, and Gordon Ramsay, dated December 13, 2012 related to the GR Burgr restaurant at Planet Hollywood in Las Vegas (the "GRB Agreement"); and

(6) A Consulting Agreement between FERG, LLC and Boardwalk Regency Corporation dba Caesars Atlantic City, dated May 16, 2014 related to the Gordon Ramsay Pub & Grill at Caesars Atlantic City (the "FERG Agreement").

11. Each of the agreements (collectively the "Seibel Agreements") required the Seibel-Affiliated Entities to acknowledge that Caesars' properties were "exclusive first-class resort hotels casinos" and each of the restaurants governed by the agreements would be "an exclusive first-class restaurant."

12. Caesars' reputation and the goodwill of its guests and invitees were of the utmost importance and, as such, each of the Seibel-Affiliated Entities agreed to conduct themselves "with

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the highest standards of honesty, integrity, quality and courtesy so as to maintain and enhance the reputation and goodwill of" Caesars.

13. Under each of the Seibel Agreements, Caesars was solely responsible for the day-to-day operations of the restaurants, which included purchasing necessary items for the establishments.

14. Further, the Seibel Agreements provide that any rebates obtained be appropriately accounted for in the restaurants' financials for the benefit of the operations.

15. Importantly, under the Seibel Agreements, an "Unsuitable Person" is defined to include:

> Any Person (a) whose association with Caesars could be anticipated to result in a disciplinary action relating to, or the loss of, inability to reinstate or failure to obtain, any registration, application or license or any other rights or entitlements held or required to be held by Caesars or any of its Affiliates under any United States, state, local or foreign laws, rules or regulations relating to gaming or the sale of alcohol, (b) whose association or relationship with Caesars or its Affiliates could be anticipated to violate any United States, state, local or foreign laws, rules or regulations relating to gaming or the sale of alcohol to which Caesars or its Affiliates are subject, (c) who is or might be engaged or about to be engaged in any activity which could adversely impact the business or reputation of Caesars or its Affiliates, or (d) who is required to be licensed, registered, qualified or found suitable under any United States, state, local, or foreign laws, rules or regulations relating to gaming or the sale of alcohol under which Caesars or any of its Affiliates is licensed, registered, qualified or found suitable, and such Person is not or does not remain so licensed, registered, qualified or found suitable.

16. Unbeknownst to Caesars at the time, the Seibel Parties developed a scheme to undermine the Seibel Agreements in order to reap kickbacks, for their own benefit.

17. Specifically, Green and Seibel secretly contacted Caesars' vendors and unilaterally extorted kickbacks for items Caesars purchased. They specifically demanded a percentage "reimbursement" for any sales the vendors made to Caesars' restaurants not only for future purchases by Caesars, but also retroactively for product Caesars had previously purchased.

18. Green specifically directed others to seek kickbacks and went as far as to encourage threats against vendors who did not want to pay any kickbacks to the Seibel Parties. If vendors were not willing to engage in the scheme, the Seibel Parties threatened to remove them from the restaurants they were already selling to.

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19. The Seibel Parties admit that the kickback scheme – demanding payment from Caesars' vendors without Caesars' knowledge for product that Caesars purchased – occurred but argue that these "arrangements" were marketing.

20. The Court rejects the Seibel Parties' arguments. There has been no evidence of a marketing agreement, marketing activation, branding, or any marketing deliverables. Further Seibel admits there was no obligation to market nor were any marketing efforts undertaken.

21. The Seibel Parties kept Caesars and their other business partners, like Gordon Ramsay and the Sherry brothers, in the dark about their kickback scheme. In fact, Green explicitly instructed Caesars' vendors not to provide the kickback amounts to Harrah's and directed that they instead go directly to one of his companies.

22. For his part, Green engaged in this kickback scheme in his own capacity. Green was not an employee of Seibel or any of the Seibel-Affiliated Entities and he admits that he provided consulting services to Seibel through Green's company, CBG Hospitality Consulting, LLC., *i.e.*, a separate legal entity. Seibel also describes his relationship with Green as a friendship and business associate, not as an employer-employee.

23. Caesars initiated this litigation in August 2017 seeking declaratory relief from this Court related to Seibel's concealment of his criminal conviction which made him unsuitable to do business with Caesars, a gaming licensee subject to rigorous regulation. (Compl., Aug. 25, 2017, on file).

24. Discovery in the litigation revealed that Seibel was engaged in further criminal activity.

25. Caesars discovered that Seibel and his friend Green engaged in commercial bribery by soliciting and accepting kickbacks from Caesars' vendors and resorted to extortion when vendors attempted to play "hardball."

26. Upon its discovery, Caesars moved to amend its complaint. (Caesars' Mot. for Leave to File 1st Am. Compl.; Ex-Parte Appl. for Order Shortening Time, Dec. 12, 2019, on file).

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27. The Court found that there was good cause to allow Caesars to amend its complaint and granted Caesars' Motion. (Order Granting Caesars' Mot. for Leave to File 1st Am. Compl., Mar. 10, 2020).

28. On March 11, 2020, Caesars amended its complaint to add claims for civil conspiracy, unjust enrichment, intentional interference with contractual relations, and fraudulent concealment against Seibel and Green and a claim for breaches of implied covenants of good faith and fair dealing against the Seibel-Affiliated Entities.

29. In total, discovery revealed that Seibel and Green have solicited and received illegal kickbacks totaling $326,046.87, as follows:

(1) Kickbacks received from Innis & Gunn USA, Inc. in the amount of $25,671.75;

(2) Kickbacks received from LaFrieda Meats in the amount of $278,507.08;

(3) Kickbacks received from Tynant/Sysco in the amount of $11,411.94; and

(4) Kickbacks received from Marathon Enterprises, Inc. in the amount of $10,456.10.

CONCLUSIONS OF LAW

1. Pursuant to Nevada law, "[s]ummary judgment is appropriate and shall be rendered forthwith when the pleadings and other evidence on file demonstrate that no genuine issue as to any material fact [remains] and that the moving party is entitled to a judgment as a matter of law." *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005) (internal quotations omitted); NRCP 56. "The purpose of summary judgment is to avoid unnecessary trials when there is no dispute over the facts before the court." *Winnemucca Farms, Inc. v. Eckersell*, No. 3:05-CV-385-RAM, 2010 WL 1416881, at *2 (D. Nev. Mar. 31, 2010) (citing *Nw. Motorcycle Ass'n v. U.S. Dep't of Agric.*, 18 F.3d 1468, 1471 (9th Cir. 1994)).

2. "The party moving for summary judgment bears the initial burden of production to show the absence of a genuine issue of material fact." *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007) (citation omitted). "If such a showing is made, then the party opposing summary judgment assumes a burden of production to show the existence of a genuine issue of material fact." *Id.*, 172 P.3d at 134. "[T]o defeat summary judgment, the nonmoving party must transcend the pleadings and, by affidavit or other admissible evidence,

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introduce specific facts that show a genuine issue of material fact." *Id.*, 172 P.3d 131, 134 (2007) (citation omitted).

3. "[T]he nonmoving party may not defeat a motion for summary judgment by relying on the gossamer threads of whimsy, speculation and conjecture." *Wood*, 121 Nev. at 731, 121 P.3d at 1030 (internal quotation omitted).

4. "General allegations and conclusory statements do not create genuine issues of fact." *Saticoy Bay LLC Series 9641 Christine View v. Fed. Nat'l Mortg. Ass'n*, 134 Nev. 270, 271, 417 P.3d 363, 366 (2018) (citations omitted).

5. "The substantive law controls which factual disputes are material and will preclude summary judgment; other factual disputes are irrelevant." *Wood*, 121 Nev. at 731, 121 P.3d at 1031.

6. Under Nevada law, "[a]n actionable civil conspiracy is a combination of two or more persons who, by some concerted action, intend to accomplish some unlawful objective for the purpose of harming another which results in damage." *Collins v. Union Fed. Sav. & Loan Ass'n*, 99 Nev. 284, 303, 662 P.2d 610, 622 (1983) (citations omitted).

7. "[A] plaintiff must provide evidence of an explicit or tacit agreement between the alleged conspirators." *Guilfoyle v. Olde Monmouth Stock Transfer Co.*, 130 Nev. 801, 813, 335 P.3d 190, 198 (2014). But, "it has long been the rule that it is not necessary for all joint tortfeasors to be named as defendants in a single lawsuit." *Temple v. Synthes Corp., Ltd.*, 498 U.S. 5, 7 (1990).

8. Generally, "[a]gents and employees of a corporation cannot conspire with their corporate principal or employer where they act in their official capacities on behalf of the corporation and not as individuals for their individual advantage." *Collins*, 99 Nev. at 303, 662 P.2d at 622 (citations omitted). "This limitation, known as the intracorporate conspiracy doctrine, prevents a finding of liability for conspiracy between co-employees without a showing that the employees were acting as individuals and for their individual advantage." *U-Haul Co. of Nev. v. United States*, No. 2:08 CV-729-KJD-RJJ, 2012 WL 3042908, at *2 (D. Nev. July 25, 2012) (citing *Collins*, 99 Nev. at 303, 662 P.2d at 622).

9. However, the intra-corporate conspiracy doctrine does not apply to corporate employees acting outside of the scope of their employment. *See Collins*, 99 Nev. at 303, 662 P.2d

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at 622. Indeed, "employees of a corporation may be deemed to be conspirators with their employer corporation when they act "as individuals for their individual advantage." *Loc. Ad Link, Inc. v. AdzZoo, LLC*, No. 209CV01564RCJLRL, 2009 WL 10694069, at *9 (D. Nev. Dec. 15, 2009) (quoting *Collins*, 99 Nev. at 303, 662 P.2d at 622).

10. Seibel and Green engaged in civil conspiracy against Caesars. The documentary evidence in this case is undisputed and overwhelmingly demonstrates that Seibel and Green entered into agreements with different Caesars' vendors to obtain a percentage kickback of the amounts sold to, or purchased by, Caesars. Each and every communication with the vendors make clear that Seibel and Green were soliciting and coercing kickbacks for their own individual benefits.

11. Specifically, Seibel and Green sought and coerced payment from vendors who had agreements with Caesars for the sale of certain products to Caesars' restaurants. If the vendors refused, they were threatened with having their relationship with Caesars severed. By actively pursuing such arrangements – to Caesars' detriment – Green and Seibel are liable for civil conspiracy.

12. Importantly, separate and apart from any obligation or duty to disclose owed to Caesars, Seibel and Green's conduct was illegal on its own. Indeed, neither Seibel, Green, nor any of their companies purchased any of the goods for which they demanded money. Instead, Seibel and Green sought and/or coerced payment from vendors who had agreements with Caesars for the sale of certain products to Caesars' restaurants. *See, e.g.*, NRS 207.295(1) ("Any person who, with corrupt intent . . .[o]ffers, confers or agrees to confer any benefit upon any employee, agent or fiduciary without the consent of the employer or principal of that employee, agent or fiduciary in order to influence adversely that person's conduct in relation to the commercial affairs of his or her employer or principal . . . commits commercial bribery and is guilty of a misdemeanor.").

13. Further, the intracorporate conspiracy doctrine is inapplicable here as Green was not an employee of Seibel or any of the Seibel-Affiliated Entities.

14. "[U]njust enrichment occurs 'when ever [sic] a person has and retains a benefit which in equity and good conscience belongs to another.'" *Leasepartners Corp. v. Robert L. Brooks Tr.*

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Dated Nov. 12, 1975, 113 Nev. 747, 755, 942 P.2d 182, 187 (1997) (quoting *Unionamerica Mtg. v. McDonald*, 97 Nev. 210, 212, 626 P.2d 1272, 1273 (1981)).

15. "Unjust enrichment exists when the plaintiff confers a benefit on the defendant, the defendant appreciates such benefit, and there is acceptance and retention by the defendant of such benefit under circumstances such that it would be inequitable for him to retain the benefit without payment of the value thereof." *Certified Fire Prot. Inc. v. Precision Constr.*, 128 Nev. 371, 381, 283 P.3d 250, 257 (2012) (internal quotations omitted). "[B]enefit in the unjust enrichment context can include services beneficial to or at the request of the other, denotes any form of advantage, and is not confined to retention of money or property." *Id.* at 382, 283 P.3d at 257 (internal quotations omitted).

16. Seibel and Green individually benefitted and were unjustly enrichment by their kickback scheme. By his own testimony, Green admitted that BR 23 Venture, the entity to which he funneled the kickbacks paid for his health insurance and at one point became part owner of said entity. For his part, Seibel reported BR 23 Venture's income on his tax return demonstrating that he obtained income – a benefit – from the entity and Seibel treated BR 23's Venture's income as his own. Both Seibel and Green are liable for unjust enrichment against Caesars.

17. Under Nevada law, to prove a claim for intentional interference with contractual relations, "a plaintiff must establish (1) a valid and existing contract; (2) the defendant's knowledge of the contract; (3) intentional acts intended or designed to disrupt the contractual relationship; (4) actual disruption of the contract; and (5) resulting damage." *J.J. Indus., LLC v. Bennett*, 119 Nev. 269, 274, 71 P.3d 1264, 1267 (2003) (citations omitted).

18. "[I]n Nevada, a party cannot, as a matter of law, tortiously interfere with his own contract." *Klein v. Freedom Strategic Partners, LLC*, 595 F. Supp. 2d 1152, 1163 (D. Nev. 2009) (internal quotations omitted). However, an "agent may be an interfering third party if the agent was acting outside the scope of the agency, was not acting in the principal's interest, or was motivated by malice towards one or both of the contracting parties." *From the Future, LLC v. Flowers, No. 206CV00203PMPRJJ*, 2009 WL 10709083, at *8 (D. Nev. Apr. 20, 2009). "[A]n agent is privileged to interfere with his principal's contract 'unless the agent acts to serve the agent's own

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interests or for another wrongful purpose.'" *Id.* (quoting Restatement (Third) of Agency § 7.01 cmt. E). Indeed, "[i]f the agent is acting predominantly in his own interest, he effectively exceeds the scope of the agency or he no longer is acting in the principal's interest, and he thus may be liable to a third party for tortious interference with his principal's contract." *Id.*

19. The Seibel Agreements were valid and existing contracts between Caesars and its vendors. Seibel and Green were aware of the Seibel Agreements and that their kickback scheme was designed to disrupt those agreements. Specifically, Green and Seibel were aware that the Seibel Agreements required rebates for items purchased for the restaurants to be accounted for and they nevertheless sought kickbacks from the vendors. The Seibel Agreements were disrupted as amounts that should have been accounted as "rebates" under the Seibel Agreements were instead syphoned to Green and Seibel for their own benefit. Further, by the very act of engaging in a kickback scheme whereby they sought to coerce certain fees from vendors for product they sold to Caesars, Green and Seibel lost the ability to claim that any "agent status" precluded their liability. Seibel and Green are liable for intentional interference with contractual relations.

20. Under Nevada law, to establish a claim for fraudulent concealment, a plaintiff must show "(1) the defendant concealed or suppressed a material fact; (2) the defendant was under a duty to disclose the fact to the plaintiff; (3) the defendant intentionally concealed or suppressed the fact with the intent to defraud the plaintiff; that is, the defendant concealed or suppressed the fact for the purpose of inducing the plaintiff to act differently than she would have if she had known the fact; (4) the plaintiff was unaware of the fact and would have acted differently if she had known of the concealed or suppressed fact; (5) and, as a result of the concealment or suppression of the fact, the plaintiff sustained damages." *Dow Chem. Co. v. Mahlum*, 114 Nev. 1468, 1485, 970 P.2d 98, 110 (1998), *abrogated, in part on other grounds by GES, Inc. v. Corbitt*, 117 Nev. 265, 21 P.3d 11 (2001) (citation omitted).

21. "Nondisclosure will become the equivalent of fraudulent concealment when it becomes the duty of a person to speak in order that the party with whom he is dealing may be placed on an equal footing with him." *Id.* at 1486, 970 P.2d at 110 (quoting *Mackintosh v. Jack Matthews & Co.*, 109 Nev. 628, 634 35, 855 P.2d 549, 553 (1993)).

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22. "Even when the parties are dealing at arm's length, a duty to disclose may arise from 'the existence of material facts peculiarly within the knowledge of the party sought to be charged and not within the fair and reasonable reach of the other party.'" *Id.* at 1486, 970 P.2d at 110 (quoting *Villalon v. Bowen*, 70 Nev. 456, 467-68, 273 P.2d 409, 415 (1954)).

23. "Under such circumstances the general rule is that a deliberate failure to correct an apparent misapprehension or delusion may constitute fraud." *Villalon*, 70 Nev. at 468, 273 P.2d at 415. "This would appear to be particularly so where the false impression deliberately has been created by the party sought to be charged." *Id.*, 273 P.2d at 415.

24. Caesars was unaware that Seibel and Green were engaged in a kickback scheme as the scheme was a scenario entirely of Seibel and Green's own making. Indeed, given all of the safeguards in the Seibel Agreements meant to thwart dishonest or illegal conduct, Caesars cannot be faulted for failing to guess that Green and Seibel were soliciting kickbacks.

25. Neither Seibel nor Green informed Caesars of the kickback scheme and instead actively took steps to conceal it from Caesars.

26. Additionally, the Seibel Agreements further obligated Seibel to disclose the illegal kickback conduct. Under the terms of the Seibel Agreements, the Seibel Affiliates Entities and their Associates – a definition that encompasses Seibel – were obligated to inform Caesars about any events that could threaten Caesars' gaming license within ten days. Thus, Seibel was required to inform Caesars if he became an Unsuitable Person. Separate and apart from his unsuitability as a result of his felony conviction, Seibel also became an Unsuitable Person by engaging in the kickback scheme. The Seibel Agreements define an Unsuitable Person to include "[a]ny person . . . who is or might be engaged or about to be engaged in any activity which could adversely impact the business or reputation of Caesars." The very act of soliciting kickbacks is illegal and thus could unquestionably "adversely impact the business or reputation of Caesars." As a result, Seibel had a duty to disclose his involvement in the kickback scheme to Caesars.

27. Seibel and Green's failure to disclose the kickback scheme to Caesars makes them liable for fraudulent concealment.

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28. "An implied covenant of good faith and fair dealing exists in every Nevada contract and essentially forbids arbitrary, unfair acts by one party that disadvantage the other." *Frantz v. Johnson*, 116 Nev. 455, 465 n.4, 999 P.2d 351, 358 n.4 (2000) (citing *Consol. Generator v. Cummins Engine*, 114 Nev. 1304, 1311, 971 P.2d 1251, 1256 (1998)). "A breach of the [implied] covenant [of good faith and fair dealing] occurs '[w]here the terms of a contract are literally complied with but one party to the contract deliberately contravenes the intention and spirit of the contract. . . . '" *Gamboa v. World Sav. Bank*, FSB, No. 3:10-CV-454-ECR-VPC, 2010 WL 5071166, at *2 (D. Nev. Dec. 6, 2010) (quoting *Hilton Hotels Corp. v. Butch Lewis Prods., Inc.*, 107 Nev. 226, 232, 808 P.2d 919, 922-23 (1991)).

29. "When one party performs a contract in a manner that is unfaithful to the purpose of the contract and the justified expectations of the other party are thus denied, damages may be awarded against the party who does not act in good faith." *Hilton*, 107 Nev. at 234, 808 P.2d at 923 (emphasis added).

30. "Reasonable expectations are to be 'determined by the various factors and special circumstances that shape these expectations.'" *Perry v. Jordan*, 111 Nev. 943, 948, 900 P.2d 335, 338 (1995) (quoting *Hilton*, 107 Nev. at 234, 808 P.2d at 924).

31. The Seibel Agreements were valid and existing contracts. Under the terms of the Seibel Agreements, the Seibel-Affiliated Entities agreed to hold their Associates (which includes Seibel) to the suitability standards of the various agreements. Nevertheless, aware that Seibel was soliciting kickbacks and thus double-dipping in amounts received from vendors, the Seibel-Affiliated Entities did nothing to inform Caesars of the illegal kickback scheme.

32. At no time did any of the Seibel-Affiliated Entities notify any of their business partners that their Associated Persons were engaging in this illegal conduct. By failing to report their conduct, the Seibel Affiliated Entities were also continuing to benefit from the Seibel Agreements which likely would have been terminated had Caesars become aware of the illegal activity at the time. This conduct was not only in bad faith, but also in direct contravention of the spirit, intent, and justified expectations under the Seibel Agreements, which required the Seibel-Affiliated Entities to conduct themselves "with the highest standards of honesty, integrity, quality

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and courtesy so as to maintain and enhance the reputation and goodwill of" Caesars. As a result, the Seibel-Affiliated Entities breached the implied covenant of good faith and fair dealing.

33. Caesars suffered damages as a result of the Seibel Parties' actions totaling $326,046.87.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Green's Motion for Summary Judgment is DENIED;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Counter-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts IV, VI, VII, and VII of Caesars First Amended Complaint against Green;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Cross-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts IV, VI, VII, and VII of Caesars First Amended Complaint against Seibel

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Cross-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on V of Caesars First Amended Complaint against the TPOV Enterprises, LLC, LLTQ Enterprises, LLC, FERG, LLC, MOTI Partners, LLC, GR Burgr, LLC, and DNT Acquisition, LLC; and

/ / /

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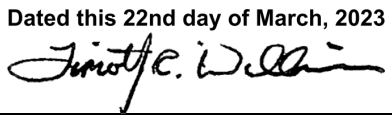
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Caesars and against the Seibel Parties in the amount of $326,046.87 plus pre- and post-judgment interest, with Seibel and Green being jointly and severally liable for the amount awarded to Caesars.

IT IS SO ORDERED.

Dated this 22nd day of March, 2023



5A8 E80 15B3 8074 JM
Timothy C. Williams
District Court Judge

Respectfully submitted by:

DATED: March 21, 2023

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CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Rowen Seibel, Plaintiff(s)	CASE NO: A-17-751759-B
vs.	DEPT. NO. Department 16
PHWLV LLC, Defendant(s)	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Findings of Fact, Conclusions of Law and Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

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EXHIBIT B

EXHIBIT B

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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 **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1**
AND ALL RELATED MATTERS	

PLEASE TAKE NOTICE that a Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1 was entered in the above-captioned

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matter on May 31, 2022, a true and correct copy of which is attached hereto.

DATED this 3rd day of June 2022.

PISANELLI BICE PLLC

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 3rd day of June 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 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1** to the following:

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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 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1** Date of Hearing: December 6, 2021 Time of Hearing: 1:30 p.m.
AND ALL RELATED MATTERS	

PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("Caesars Atlantic City," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Motion for Summary Judgment No. 1* (the "MSJ No. 1"), filed on February 25, 2021, came before this Court for hearing on December 6, 2021, at 1:30 p.m.

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James J. Pisanelli, Esq., and M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. Joshua P. Gilmore, Esq., and Paul C. Williams, Esq., of the law firm BAILEY KENNEDY, appeared telephonically on behalf of TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), GR Burgr, LLC ("GRB"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared") (collectively the "Seibel-Affiliated Entities"), Rowen Seibel ("Seibel"), and Craig Green ("Green").[1] John Tennert, Esq., of the law firm FENNEMORE CRAIG, appeared telephonically on behalf of Gordon Ramsay ("Ramsay"). Alan Lebensfeld, of the law firm LEBENSFELD SHARON & SCHWARTZ P.C., appeared telephonically on behalf of The Original Homestead Restaurant.

The Court having considered MSJ No. 1, the opposition thereto, as well as argument of counsel presented at the hearing, taken the matter under advisement, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

The Court HEREBY FINDS AS FOLLOWS:

1. Caesars and its affiliates hold gaming licenses in Nevada and other jurisdictions across the country.

2. Nevada's gaming regulations provide that a gaming license will not be awarded unless the Nevada Gaming Commission is satisfied that the gaming license applicant (a) is "of good character, honesty, and integrity" (b) with "background, reputation and associations [that] will not result in adverse publicity for the State of Nevada and its gaming industry; and" (c) someone who "[h]as adequate business competence and experience for the role or position for which application is made." Nev. Gaming Regul. 3.090(1).

[1] Seibel, Green, and the Seibel-Affiliated Entities are collectively referred to herein as the "Seibel Parties."

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3. Nevada gaming licensees are required to self-police and to act promptly if they learn of derogatory information about their own operations or those of their business associates.

4. Caesars has established and operates an Ethics and Compliance Program (the "Compliance Plan") requiring Caesars to maintain the highest standards of conduct and association and guard its reputation to avoid even the slightest appearance of impropriety. To that end, Caesars is further required to avoid questionable associations with Unsuitable Persons which could tarnish Caesars' image, jeopardize its gaming licenses, or hamper its ability to expand into new markets.

5. Pursuant to Caesars' Compliance Plan, Caesars' vendors, suppliers, and business partners, among others, must agree to abide by the same standards, business ethics, and principles expected of Caesars' employees. To that end, Caesars customarily includes clear and unambiguous language in its contracts with third parties that puts all such parties on notice that Caesars is in a highly regulated business and that such third parties must abide by suitability requirements.

6. Beginning in 2009, Caesars began entering into contracts with Seibel and the Seibel-Affiliated Entities relating to the development, creation, and operation of various restaurants at Caesars properties in Las Vegas and Atlantic City.

7. Caesars Palace and a Seibel-Affiliated Entity, MOTI, entered into an agreement on or about March 2009 relating to the Serendipity 3 restaurant in Las Vegas (the "MOTI Agreement").

8. Caesars Palace and a Seibel-Affiliated Entity, DNT, entered into an agreement on or about June 2011 relating to the Original Homestead Restaurant in Las Vegas (the "DNT Agreement").

9. Paris and a Seibel-Affiliated Entity, TPOV, entered into an agreement on or about November 2011 relating to the Gordon Ramsay Steak restaurant at the Paris Las Vegas (the "TPOV Agreement").

10. Caesars Palace and a Seibel-Affiliated Entity, LLTQ, entered into an agreement on or about April 2012 relating to the Gordon Ramsay Pub & Grill at Caesars Palace in La Vegas (the "LLTQ Agreement").

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11. Section 13.22 of the LLTQ Agreement contemplated potential future restaurants but Caesars Palace and LLTQ did not agree on material terms regarding future restaurants. Specifically, Section 13.22 provided that:

> If Caesars elects under this Agreement to pursue any venture similar to (1) the Restaurant (i.e., any venture generally in the nature of a pub, bar, café, or tavern) or (ii) the "Restaurant" as defined in the development and operation agreement entered into December 5, 2011 between TPOV Enterprises, LLC (an affiliate of LLTQ), on the one hand, and Paris Las Vegas Operating Company, LLC, on the other hand (i.e., any venture generally in the nature of a steak restaurant, fine dining steakhouse or chop house), Caesars and LLTQ shall, or shall cause an Affiliate to, execute a development and operation agreement on the same terms and conditions as this Agreement, subject only to revisions proposed by Caesars or its Affiliate as are necessary to reflect the difference in location between the Restaurant and such other venture (including, for the avoidance of doubt, the Baseline Amount, permitted Operating Expenses and necessary Project Costs).

12. Planet Hollywood and a Seibel-Affiliated Entity, GRB, entered into an agreement on or about December 2012 relating to the GR Burgr restaurant at Planet Hollywood in Las Vegas (the "GRB Agreement").

13. Caesars Atlantic City and a Seibel-Affiliated Entity, FERG, entered into an agreement on or about May 2014 relating to the Gordon Ramsay Pub & Grill at Caesars Atlantic City (the "FERG Agreement").[2]

14. Section 4.1 of the FERG Agreement contemplated potential future restaurants but Caesars Atlantic City and FERG did not agree on material terms regarding future restaurants. Specifically, Section 4.1 provided that:

> In the event, a new agreement is executed between [Caesars Atlantic City] and/or its Affiliate and Gordon Ramsay and/or his Affiliate relative to the Restaurant, or Restaurant Premises, this Agreement shall be in effect and binding on the parties during the term thereof.

15. Each of the Seibel Agreements contained representations, warranties, and conditions to ensure that Caesars was not involved in a business relationship with an unsuitable individual

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[2] The MOTI Agreement, DNT Agreement, TPOV Agreement, LLTQ Agreement, GRB Agreement, and FERG Agreement shall be collectively referred to hereinafter as the "Seibel Agreements."

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and/or entity. Each of the Seibel agreements contained nearly identical language noting that each of the Seibel-Affiliated Entities acknowledged that Caesars and its affiliates were subject to and exists because of privileged licenses "issued U.S., state, local and foreign governmental, regulatory and administrative authorities, agencies, boards and officials (the "Gaming Authorities") responsible for or involved in the administration of application of laws, rules and regulations relating to gaming or gaming activities or the sale, distribution and possession of alcoholic beverages." (*See, e.g.*, Section 10.2 of the TPOV Agreement). The Seibel Agreements further provided that "[t]he Gaming Authorities require [Caesars], and [Caesars] deems it advisable, to have a compliance committee (the "Compliance Committee") that does its own background checks on, and issues approvals of Persons involved with [Caesars] and its Affiliates." (*See, e.g.*, *id.*)

16. Each of the Seibel Agreements provided for severe consequences, up to and including termination of the agreements, if the Seibel-Affiliated Entities failed to abide their suitability obligations.

17. Under each of the Seibel Agreements, Caesars reserved the right in its sole and exclusive judgment to determine whether any Seibel-Affiliated Entity or Associate was an Unsuitable Person.

18. The Seibel Agreements also contained suitability disclosure obligations requiring the Seibel-Affiliated Entities to disclose certain information. Each of the Seibel Agreements contained nearly identical language providing that prior to the execution of the agreement and "on each anniversary of the Opening Date during the Term, (a) [the Seibel-Affiliated Entities] shall provide to [Caesars] written disclosure regarding the [Seibel-Affiliated Entities] Associates, and (b) the Compliance Committee shall have issued approvals of the [Seibel-Affiliated Entities] Associates." (*See, e.g.*, Section 10.2 of the TPOV Agreement). Further, "during the Term, on ten (10) calendar days written request by [Caesars] to [the Seibel-Affiliated Entities], [the Seibel-Affiliated Entities] shall disclose to [Caesars] all [the Seibel-Affiliated Entities] Associates." (*See, e.g.*, *id.*) If any such disclosures became inaccurate, "within ten (10) calendar days from that event, update the prior disclosure without [Caesars] making any further request [the Seibel-Affiliated Entities] shall cause all [the Seibel-Affiliated Entities] Associates to provide all requested

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information and apply for and obtain all necessary approvals required or requested by [Caesars] or the Gaming Authorities." (*See, e.g., id.*)

19. Caesars required that the Seibel-Affiliated Entities complete and submit to Caesars Business Information Forms ("BIFs"). In the BIFs, the Seibel-Affiliated Entities were required to disclose potentially derogatory information about their background and their suitability. Among other things, the BIFs required Seibel and the Seibel-Affiliated Entities to disclose whether any of their associated persons, including Seibel, had been convicted of any crimes, engaged in criminal activity, or were the subject of any criminal investigation.

20. In accordance with the MOTI Agreement, MOTI submitted a BIF (the "MOTI BIF").

21. The MOTI BIF did not disclose any criminal activities by Seibel.

22. In accordance with the DNT Agreement, DNT submitted a BIF (the "DNT BIF"). The DNT BIF did not disclose any criminal activity by Seibel.

23. As set forth in the Seibel Agreements, the suitability disclosures (*e.g.*, the BIFs) were required to be updated. Nevertheless, following submittal of the MOTI BIF and DNT BIF, neither MOTI nor DNT updated their respective BIFs to disclose any criminal activity by Seibel.

24. Neither Seibel nor the Seibel-Affiliated Entities submitted a BIF in connection with the TPOV Agreement, the LLTQ Agreement, the GRB Agreement, or the FERG Agreement. Caesars did not waive, release, or modify the disclosure obligations for any of the Seibel-Affiliated Entities.

25. Pursuant to the Seibel Agreements, if the Seibel-Affiliated Entities failed to comply with their disclosure obligations, Caesars reserved the right, in its sole discretion, to terminate the Seibel Agreements and its relationship with any of the Seibel Affiliated Entities. Specifically, each of the Seibel Agreements contained nearly identical language providing, in pertinent part, that:

> If any [Seibel-Affiliated Entity] Associate fails to satisfy or such requirement, if [Caesars] or any of [Caesars'] Affiliates are directed to cease business with any [Seibel-Affiliated Entity] Associate by any Gaming Authority, or if [Caesars] shall determine, in [Caesars'] sole and exclusive judgment, that any [Seibel-Affiliated Entity]Associate is an Unsuitable Person, whether as a result of a [Seibel-Affiliated Entity] Change of Control or otherwise, then (a) [the Seibel-Affiliated Entity] shall terminate any relationship with the Person who is the source of such issue, (b) [the

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> Seibel-Affiliated Entity] shall cease the activity or relationship creating the issue to [Caesars'] satisfaction, in [Caesars'] sole judgment, or (c) if such activity or relationship is not subject to cure as set forth in the foregoing clauses (a) and (b), as determined by [Caesars] in its sole discretion, [Caesars] shall, without prejudice to any other rights or remedies of [Caesars] including at law or in equity, have the right to terminate th[e] Agreement and its relationship with [the Seibel-Affiliated Entity]. [The Seibel-Affiliated Entity] further acknowledges that [Caesars] shall have the absolute right to terminate this Agreement in the event any Gaming Authority requires [Caesars] or one of its Affiliates to do so. Any termination by [Caesars] pursuant to this Section . . . shall not be subject to dispute by [the Seibel-Affiliated Entity] and shall not be the subject of any proceeding . . . .

26. Per the express language of the Seibel Agreements, Caesars' determination and termination of the Seibel Agreements were not subject to dispute by the Seibel-Affiliated Entities

27. In April 2016, Seibel pleaded guilty to one count of corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws because, in Seibel's own words, he was in fact guilty of the crime.

28. Prior to his guilty plea, and despite a January 2016 tolling agreement with the U.S. government entered into to allow Seibel "to manage his financial affairs in an optimal way prior to entering a guilty plea," neither Seibel nor any of the Seibel-Affiliated Entities notified Caesars of any of the facts underlying the charges against him, or that Seibel planned to plead guilty to a felony. Siebel did not update any of the mandatory suitability disclosures.

29. Rather than disclosing these crimes to Caesars, before pleading guilty, Seibel undertook at scheme to create the appearance of disassociating from certain Seibel Agreements[3] by (1) creating new entities to which he was purportedly assigning the interests in the Seibel Agreements; (2) creating the Seibel Family 2016 Trust to receive the income from said entities; and (3) entering into a prenuptial agreement with his soon to be wife.

30. Seibel, with his attorneys, and Green, created new entities to which he purportedly assigned the Seibel Agreements.

---

[3] As set forth in the Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2, Seibel attempted to assign his interest in GRB to The Seibel Family 2016 Trust (the "Trust"). In order to do so, Seibel needed GRUS, the other member of GRB, to consent to such an assignment. However, Seibel did not inform GRUS or Gordon Ramsay that the reason he sought to assign his interest was because he planned to plead guilty to a felony in the coming week and GRUS did not consent to the assignment.

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31. While not mentioning or disclosing his criminal activity or impending guilty plea, Seibel sent letters to Caesars representing that the Seibel Agreements would be assigned to those new entities whose membership interests were mostly owned by the Seibel Family 2016 Trust.

32. Seibel represented to Caesars that the sole beneficiaries of the Seibel Family 2016 Trust were Netty Wachtel Slushny, Bryn Dorfman, and potential descendants of Seibel, and that "[o]ther than the parties described in th[e] letter[s], there [were] no other parties that have any management rights, powers or responsibilities regarding, or equity or financial interests in" the new entities.

33. Those representations were all false and were made with the intent to deceive Caesars.

34. At or around the same time, Seibel negotiated a prenuptial agreement with his soon-to-be wife that would require her to share distributions she received from the Seibel Family 2016 Trust with Seibel and ensure that the entities assigned to the Trust would remain Seibel's separate property. Seibel did not disclose this association with Caesars.

35. On or about August 19, 2016, Seibel was sentenced for his crimes, served time in a federal penitentiary, and was required to pay fines and restitution, and perform community service.

36. At the time Caesars entered into the Seibel Agreements, Seibel did not disclose to Caesars that he had been engaged in criminal activity.

37. At the time Seibel became aware that he was being investigated for crimes related to violations of federal tax laws, Seibel did not disclose to Caesars that he was being investigated for engaging in criminal activity.

38. Seibel did not disclose to Caesars that he pleaded guilty to one count of corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, a Class E Felony.

39. Seibel did not disclose to Caesars that he was sentenced to serve time in federal prison as a result of his guilty plea and conviction for engaging in a corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, a Class E Felony.

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40. Following Seibel's sentencing, Caesars found out through news reports that Seibel pleaded guilty to a felony and was sentenced to serve time in federal prison as a result of his crimes.

41. After learning of Seibel's guilty plea and conviction, Caesars determined that Seibel was unsuitable pursuant to the Seibel Agreements and applicable Nevada gaming laws and regulations.

42. After determining that Seibel was unsuitable, Caesars terminated the Seibel Agreements.

43. Upon discovering Seibel's unsuitability, Caesars self-reported and disclosed the information of Seibel's unsuitability to Nevada gaming regulators, including its termination of the Seibel Agreements and disassociation with an unsuitable person.

44. The Nevada gaming regulators agreed with Caesars' actions, concluding that Caesars appropriately addressed the matter as the Nevada gaming regulators would expect from a gaming licensee.

CONCLUSIONS OF LAW

1. Pursuant to Nevada law, summary judgment is appropriate and shall be rendered when the pleadings and other evidence on file demonstrate that no genuine issue as to any material fact remains and the moving party is entitled to judgment as a matter of law. *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005); NRCP 56(c). "The party moving for summary judgment bears the initial burden of production to show the absence of a genuine issue of material fact." *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007) (citation omitted). "If such a showing is made, then the party opposing summary judgment assumes a burden of production to show the existence of a genuine issue of material fact." *Id.*, 172 P.3d at 134.

2. "[T]o defeat summary judgment, the nonmoving party must transcend the pleadings and, by affidavit or other admissible evidence, introduce specific facts that show a genuine issue of material fact." *Id.*, 172 P.3d 131, 134 (2007) (citation omitted). Importantly, the nonmoving party can no longer merely raise the "slightest doubt" to avoid summary judgment. *Wood*, 121 Nev. at 731, 121 P.3d at 1031. Rather, the nonmoving party must present genuine issues of material fact to

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avoid summary judgment. *Id.*, 121 P.3d at 1031. The nonmoving party cannot merely "build a case on the gossamer threads of whimsy, speculation, and conjecture." *Id.*, 121 P.3d at 1031

3. Under Nevada law, "[a]ny person interested under [a written contract] or whose rights, status or other legal relations are affected by a [contract] may have determined any question of construction or validity arising under the [contract] and obtain a declaration of rights, status or other legal relations thereunder." NRS § 30.040(1). "In the absence of ambiguity or other factual complexities, contract interpretation presents a question of law that the district court may decide on summary judgment." *Galardi v. Naples Polaris, LLC*, 129 Nev. 306, 309, 301 P.3d 364, 366 (2013) (citations omitted). "As a general rule, [courts] construe unambiguous contracts . . . . according to their plain language." *Sheehan & Sheehan v. Nelson Malley & Co.*, 121 Nev. 481, 487–88, 117 P.3d 219, 223–24 (2005).

4. Each of the Seibel Agreements contains valid and enforceable provisions that Caesars reserved the right to terminate the agreements if it found, in its sole and exclusive discretion, that any of the Seibel Affiliated Entities or their associates were an Unsuitable Person.

5. Caesars' determination that the Seibel-Affiliated Entities were unsuitable based on Seibel's admitted criminal activities, *i.e.*, a felony conviction for engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and sentence to serve prison time for the same, was within Caesars' sole discretion under the Seibel Agreements.

6. Caesars properly exercised its discretion in terminating the Seibel Agreements.

7. Caesars did not breach the Seibel Agreements.

8. Seibel and the Seibel entities breached the Seibel Agreements by not disclosing that Seibel had engaged in criminal activities, pleaded guilty to and been convicted of engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and been sentenced to serve prison as a result of that crime.

9. Seibel and the Seibel-Affiliated Entities purported to "cure" the unsuitability through the creation of new entities, but Seibel secretly continued to hold both a beneficial and actual ownership interest in the new entities. However, the Seibel Agreements (1) do not provide Seibel

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or the Seibel-Affiliated Entities with an opportunity to cure; (2) nor do they provide Seibel or a Seibel-Affiliated Entity with a unilateral right to sell Seibel's interests to a third party.

10. Even if the Seibel Agreements provided Seibel or the Seibel-Affiliated Entities a right to cure his unsuitability, which the Court finds it did not, Seibel and the Seibel-Affiliated Entities forfeited any such right through the fraudulent cure scheme and Seibel's continued association with the Seibel-Affiliated Entities.

11. "A breach of the [implied] covenant [of good faith and fair dealing] occurs '[w]here the terms of a contract are literally complied with but one party to the contract deliberately contravenes the intention and spirit of the contract. . . . '" *Gamboa v. World Sav. Bank, FSB*, No. 3:10-CV-454-ECR-VPC, 2010 WL 5071166, at *2 (D. Nev. Dec. 6, 2010) (quoting *Hilton Hotels Corp. v. Butch Lewis Prods., Inc.*, 107 Nev. 226, 232, 808 P.2d 919, 922-23 (1991)). "[W]hen there is no factual basis for concluding that a defendant acted in bad faith, a court may determine the issue of bad faith as a matter of law." *Tennier v. Wells Fargo Bank, N.A.*, No. 3:14-CV-0035-LRH-VPC, 2015 WL 128672, at *7 (D. Nev. Jan. 8, 2015) (*quoting Andrew v. Century Sur. Co.*, No. 2:12–cv–0978, 2014 WL 1764740, at *10 (D. Nev. Apr. 29, 2014).

12. While every agreement has an implied covenant of good faith and fair dealing, that implied covenant generally cannot contradict an *express* contract provision. *See, e.g., Kuiava v. Kwasniewski*, 126 Nev. 731, 367 P.3d 791 (2010) (unpublished disposition), citing with approval *Kucharczyk v. Regents of Univ. of Cal.*, 946 F. Supp. 1419, 1432 (N.D. Cal. 1996) (noting that the implied covenant of good faith and fair dealing may not be used to imply a term that is contradicted by an express term of the contract); *see also Gerdlund v. Elec. Dispensers Int'l*, 235 Cal. Rptr. 279, 286 (Ct. App. 1987) (internal quotations omitted) ("No obligation can be implied, however, which would result in the obliteration of a right expressly given under a written contract.")

13. "There cannot be a valid express contract and an implied contract, each embracing the same subject, but requiring different results." *Gerdlund*, 235 Cal. Rptr. at 286 (internal quotations omitted); *see also Melnick v. State Farm Mut. Auto. Ins. Co.*, 749 P.2d 1105, 1110 (N.M. 1988) ("We cannot change or modify the language of an otherwise legal contract for the benefit of one party and to the detriment of another.").

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14. Moreover, "one generally cannot base a claim for breach of the implied covenant on conduct authorized by the terms of the agreement." *Miller v. FiberLight, LLC*, 808 S.E.2d 75, 87 (Ga. App. Ct. 2017) (quoting *Dunlap v. State Farm Fire & Cas. Co.*, 878 A.2d 434, 441 (Del. 2005)); *see also Vitek v. Bank of Am., N.A.*, No. 8:13-CV-816-JLS ANX, 2014 WL 1042397, at *5 (C.D. Cal. Jan. 23, 2014) (citation omitted) ("In general, acting in accordance with an express contractual provision does not amount to bad faith."). "In other words, 'a party does not act in bad faith by relying on contract provisions for which that party bargained where doing so simply limits advantages to another party.'" *Miller*, 343 Ga. App. at 607–08, 808 S.E.2d at 87 (quoting *Alpha Balanced Fund, LLLP v. Irongate Performance Fund, LLC*, 802 S.E.2d 357 (Ga. 2017)).

15. Importantly, "when there is no factual basis for concluding that a defendant acted in bad faith, a court may determine the issue of bad faith as a matter of law." *Tennier v. Wells Fargo Bank, N.A.*, No. 3:14-CV-0035-LRH-VPC, 2015 WL 128672, at *7 (D. Nev. Jan. 8, 2015) (*quoting Andrew v. Century Sur. Co.*, No. 2:12–cv– 0978, 2014 WL 1764740, at *10 (D. Nev. Apr. 29, 2014)).

16. The "implied promise of good faith and fair dealing is 'reciprocal,' a 'two-way street' which demands mutual compliance from the contracting parties." *Los Angeles Mem'l Coliseum Comm'n v. Nat'l Football League*, 791 F.2d 1356, 1361 (9th Cir. 1986) (citation omitted). Indeed, there is "no justice in permitting a plaintiff to complain of unfair dealing in a [t]ransaction when he himself has not fulfilled in good faith his contractual obligations with regard to that transaction." *Id.* at 1362 (citation omitted).

17. Caesars' termination of the Seibel Agreements after learning that Seibel had engaged in criminal activities, pleaded guilty to and been convicted of engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and been sentenced to serve prison as a result of that crime, does not constitute a breach of the covenant of good faith and fair dealing.

18. In addition, Seibel and the Seibel-Affiliated Entities are barred from arguing Caesars acted in bad faith by their committing the first breach and Seibel's own acts of bad faith, including

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not only the felony conviction and the conduct leading up to it, but also the misrepresentation of purported disassociation through the new entities to which he purported to assign his interests.

19. Finally, Seibel's unsuitability renders the future restaurant provisions void as a result of his unsuitability to do business with a gaming licensee.

20. Under Nevada law, that "[a]n agreement to agree at a future time is nothing and will not support an action for damages." *City of Reno v. Silver State Flying Serv., Inc.*, 84 Nev. 170, 176, 438 P.2d 257, 261 (1968) (quoting *Salomon v. Cooper*, 98 Cal. App. 2d 521, 220 P.2d 774 (1950)). "There is no dispute that neither law nor equity provides a remedy for breach of an agreement to agree in the future." *Autry v. Republic Prods.*, 30 Cal. 2d 144, 151, 180 P.2d 888, 893 (1947). Indeed, "[s]uch a contract cannot be made the basis of a cause of action." *Id.*, 180 P.2d at 893 (citations omitted). "Basic contract principles require, for an enforceable contract, an offer and acceptance, meeting of the minds, and consideration." *May v. Anderson*, 121 Nev. 668, 672, 119 P.3d 1254, 1257 (2005). "With respect to contract formation, preliminary negotiations do not constitute a binding contract unless the parties have agreed to all material terms." *Id.*, 119 P.3d at 1257.

21. Section 13.22 of the LLTQ Agreement has indefinite and open terms and thus is an invalid and unenforceable agreement to agree. As such, this provision fails as a matter of law.

22. Section 4.2 of the FERG Agreement has indefinite and open terms and thus is an invalid and unenforceable agreement to agree. As such, this provision fails as a matter of law.

23. Section 13.22 of the LLTQ Agreement and Section 4.2 of the FERG Agreement are further unenforceable because the Seibel-Affiliated Entities would be unable to comply with the suitability obligations required by contract and gaming regulations rendering them agreements against public policy and void as a matter of law.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Caesars' MSJ No. 1 shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts I. II, and III of Caesars First Amended Complaint.

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IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars is entitled to declarations that:

(1) Caesars Palace properly terminated the MOTI Agreement, the DNT Agreement, and the LLTQ Agreement;

(2) Paris properly terminated the TPOV Agreement;

(3) PHWLV properly terminated the GRB Agreement;

(4) Caesars Atlantic City properly terminated the FERG Agreement;

(5) Caesars does not have any current or future financial obligations or commitments to Seibel or any of the Seibel-Affiliated Entities;

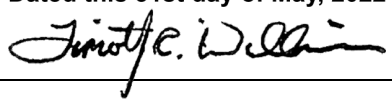
(6) Section 13.22 of the LLTQ Agreement is unenforceable and Caesars does not have any current or future obligations pursuant to that provision or otherwise that would prohibit or limit existing or future restaurant ventures between Caesars and Gordon Ramsay; and

(7) Section 4.1 of the FERG Agreement is unenforceable and Caesars does not have any current or future obligations pursuant to that provision or otherwise that would prohibit or limit existing or future restaurant ventures between Caesars and Gordon Ramsay.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor Caesars on Counts I and II of DNT's counterclaim, and on Counts I, II, III and IV of LLTQ, LLTQ 16, FERG, and FERG 16's counterclaims, which seek an accounting of monies purportedly owed under the DNT, LLTQ, and FERG Agreements and allege breaches of contract related to the ongoing operation of certain restaurants. Because all Seibel Agreements were properly terminated by Caesars as found herein, these counterclaims fail as a matter of law and judgment is appropriate in favor of Caesars.

IT IS SO ORDERED.

Dated this 31st day of May, 2022



MH

2AA A93 02DD E0B1
Timothy C. Williams
District Court Judge

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Respectfully submitted by:

DATED May 25, 2022

PISANELLI BICE PLLC

By: /s/ M. Magali Mercera
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Debra L. Spinelli, Esq., Bar No. 9695
M. Magali Mercera, Esq., Bar No. 11742
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Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation d/b/a Caesars Atlantic City

Approved as to form and content by:

DATED May 25, 2022

LEBENSFELD SHARON & SCHWARTZ P.C.

By: /s/ Alan M. Lebensfeld
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Attorneys for The Original Homestead Restaurant

Approved as to form and content by:

DATED May 25, 2022

FENNEMORE CRAIG, P.C.

By: /s/ John D. Tennert
John D. Tennert, Esq. (SBN 11728)
Wade Beavers, Esq. (SBN 13451)
7800 Rancharrah Parkway
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Attorneys for Gordon Ramsay

Cinda C. Towne

From: Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Sent: Wednesday, May 25, 2022 4:36 PM
To: Magali Mercera; Joshua Gilmore; Paul Williams; Tennert, John; Beavers, Wade
Cc: James Pisanelli; Debra Spinelli; Emily A. Buchwald; Cinda C. Towne; Susan Russo
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

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You may, thanks

From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, May 25, 2022 5:11 PM
To: Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

Understood, Josh.

John and Alan – We updated our draft proposed findings of fact and conclusions of law to remove Bailey Kennedy from the signature block in light of their objections to the orders and updated the date to May. Please confirm that we may affix your e-signatures to these versions.

Thanks,

M. Magali Mercera
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From: Joshua Gilmore <JGilmore@baileykennedy.com>
Sent: Tuesday, April 26, 2022 2:03 PM
To: Magali Mercera <mmm@pisanellibice.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

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Cinda C. Towne

From: Tennert, John <jtennert@fennemorelaw.com>
Sent: Wednesday, May 25, 2022 2:44 PM
To: Magali Mercera; Joshua Gilmore; Paul Williams; Alan Lebensfeld; Beavers, Wade
Cc: James Pisanelli; Debra Spinelli; Emily A. Buchwald; Cinda C. Towne; Susan Russo
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

CAUTION: This message is from an EXTERNAL SENDER.

Hi Magali,

You may affix my e-signature to both proposed orders.

Thanks,
John

John D. Tennert III, Director

FENNEMORE.

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From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, May 25, 2022 2:11 PM
To: Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

Understood, Josh.

John and Alan – We updated our draft proposed findings of fact and conclusions of law to remove Bailey Kennedy from the signature block in light of their objections to the orders and updated the date to May. Please confirm that we may affix your e-signatures to these versions.

Thanks,

M. Magali Mercera
PISANELLI BICE, PLLC

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Rowen Seibel, Plaintiff(s)	CASE NO: A-17-751759-B
vs.	DEPT. NO. Department 16
PHWLV LLC, Defendant(s)	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Findings of Fact, Conclusions of Law and Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 5/31/2022

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EXHIBIT C

EXHIBIT C

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2/4/2021 5:18 PM
Steven D. Grierson
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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **NOTICE OF ENTRY OF ORDER (i) DENYING THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND (ii) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN**

PLEASE TAKE NOTICE that an Order (i) Denying the Development Entities, Rowen Seibel, and Craig Green's Motion: (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and (ii) Granting Caesars' Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green was entered in the above-captioned matter on February 4, 2021, a true and correct copy of which is attached hereto.

DATED this 4th day of February 2021.

PISANELLI BICE PLLC

By: /s/ Emily A. Buchwald, Bar #13442
James J. Pisanelli, Esq., #4027
Debra L. Spinelli, Esq., #9695
M. Magali Mercera, Esq., #11742
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 4th day of February 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 **NOTICE OF ENTRY OF ORDER (i) DENYING THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND (ii) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN** to the following:

John R. Bailey, Esq.
Dennis L. Kennedy, Esq.
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Stephanie J. Glantz, Esq.
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Alan Lebensfeld, Esq.
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Attorneys for Gordon Ramsay

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/s/ Cinda Towne
An employee of PISANELLI BICE PLLC

Electronically Filed
2/4/2021 3:25 PM
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Attorneys for Desert Palace, Inc.;
Paris Las Vegas Operating Company, LLC;
PHWLV, LLC; and Boardwalk Regency
Corporation d/b/a Caesars Atlantic City

PISANELLI BICE PLLC
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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **ORDER (i) DENYING THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND (ii) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN** Date of Hearing: December 14, 2020 Time of Hearing: 9:30 a.m.

The Development Entities,[1] Rowen Seibel ("Seibel"), and Craig Green's ("Green") Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time ("Motion to Compel"), filed on November 20, 2020, and Caesars'[2] Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green ("Countermotion"), filed December 4, 2020, came before this Court for hearing on December 14, 2020, at 9:30 a.m. James J. Pisanelli, Esq. and Brittnie T. Watkins, Esq. of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. Paul C. Williams, Esq. of the law firm BAILEY KENNEDY, appeared telephonically on behalf of the Seibel Parties.[3]

The Court having considered the Motion to Compel, the Countermotion, the Points and Authorities contained therein, and the oppositions and reply thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor,

THE COURT FINDS as follows:

1. The Seibel Parties' requests for production, interrogatories, and NRCP 30(b)(6) topics at issue in their Motion to Compel are not relevant to this case and disproportionate under NRCP 26;

2. There is a distinction between the rebates or gratuities about which the Seibel Parties seek discovery, on the one hand, and the coercive conduct that Caesars alleges the Seibel Parties engaged in, on the other hand;

3. Discovery into the rebates, gratuities, or Caesars' accounting practices related to rebates are not relevant. Additionally, discovery for purposes of a purported set-off is not relevant;

---

[1] TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), and R Squared Global Solutions, LLC ("R Squared"), derivatively on behalf of DNT Acquisition, LLC ("DNT"), are collectively referred to herein as the "Development Entities."

[2] 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") are collectively referred to herein as Caesars.

[3] The Development Entities, Green, and Seibel are collectively referred to herein as the "Seibel Parties."

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4. The discovery sought by the Seibel Parties related to felony convictions of Caesars' employees is not relevant or germane to the case; and

5. Caesars anticipated litigation when it became aware of Seibel's guilty plea on or about August 19, 2016. Therefore, August 19, 2016 is the controlling date for the common-interest privilege between Caesars and Gordon Ramsay.

In light of the foregoing, IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. The Seibel Parties' Motion to Compel shall be, and hereby is, DENIED; and

2. Caesars' Countermotion, shall be, and hereby is, GRANTED.

IT IS SO ORDERED.

February 4, 2021 ZJ

Respectfully submitted by:

DATED February 3, 2021

PISANELLI BICE PLLC

By: /s/ Emily A. Buchwald, Bar #13442
James J. Pisanelli, Esq., Bar No. 4027
Debra L. Spinelli, Esq., Bar No. 9695
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Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation d/b/a Caesars Atlantic City

Approved as to form and content by:

DATED February 1, 2021

BAILEY❖KENNEDY

By: /s/ Paul C. Williams
John R. Bailey (SBN 0137)
Dennis L. Kennedy (SBN 1462)
Joshua P. Gilmore (SBN 11576)
Paul C. Williams (SBN 12524)
Stephanie J. Glantz (SBN 14878)
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Attorneys for Rowen Seibel, Craig Green Moti Partners, LLC, Moti Partners 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

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Approved as to form and content by:

DATED February 3, 2021

FENNEMORE CRAIG, P.C.

By: /s/ John D. Tennert
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Wade Beavers, Esq. (SBN 13451)
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Reno, NV 89511

Attorneys for Gordon Ramsay

Approved as to form and content by:

DATED February 3, 2021

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Attorneys for The Original Homestead Restaurant, Inc

Approved as to form and content by:

DATED February 3, 2021

NEWMEYER & DILLION LLP

By: /s/ Aaron D. Lovaas
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Attorneys for GR Burgr, LLC

Cinda C. Towne

From: Emily A. Buchwald
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

We can accept your revision, and will apply your e-signature. John, Alan, and Aaron, do we have your permission to affix your e-signature to the order?

Emily A. Buchwald
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eab@pisanellibice.com | www.pisanellibice.com

From: Paul Williams <PWilliams@baileykennedy.com>
Sent: Monday, February 1, 2021 5:38 PM
To: Emily A. Buchwald <eab@pisanellibice.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; 'jtennert@fclaw.com' <jtennert@fclaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

CAUTION: External Email

Hi Emily,

Attached is a redline with one revision to your last version. The Court did not find that the discovery concerning benefits was irrelevant based on a failure to allege offset as an affirmative defense or counterclaim. Neither Caesars nor the Development Parties had briefed that issue—the Judge raised it as a potential issue sua sponte, though ultimately did not make that particular finding in his decision.

If you are okay with this revision, you may affix my electronic signature and submit it the court.

Thank you,

Paul C. Williams
Bailey Kennedy, LLP
8984 Spanish Ridge Avenue

Cinda C. Towne

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Sent: Wednesday, February 3, 2021 9:28 AM
To: Emily A. Buchwald; Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

CAUTION: External Email

Hi Emily,
You may affix my e-signature.
Thanks,
John

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

Fennemore has expanded to California. Read more here.

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From: Emily A. Buchwald <eab@pisanellibice.com>
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; Tennert, John <jtennert@fennemorelaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

Cinda C. Towne

From: Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Sent: Wednesday, February 3, 2021 9:26 AM
To: Emily A. Buchwald; Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com
Subject: RE: [EXTERNAL]:RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

CAUTION: External Email

You may apply my e-signature.

Aaron D. Lovaas
702.777.7519 | Aaron.Lovaas@ndlf.com
Newmeyer & Dillion LLP

From: Emily A. Buchwald <eab@pisanellibice.com>
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; 'jtennert@fclaw.com' <jtennert@fclaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Subject: [EXTERNAL]:RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

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Cinda C. Towne

From: Emily A. Buchwald
Sent: Wednesday, February 3, 2021 10:37 AM
To: Cinda C. Towne
Subject: Fwd: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Begin forwarded message:

From: Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion
Date: February 3, 2021 at 10:29:30 AM PST
To: "Emily A. Buchwald" <eab@pisanellibice.com>

CAUTION: External Email

Yes, thanks.

From: Emily A. Buchwald [mailto:eab@pisanellibice.com]
Sent: Wednesday, February 03, 2021 12:19 PM
To: Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

We can accept your revision, and will apply your e-signature. John, Alan, and Aaron, do we have your permission to affix your e-signature to the order?

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EXHIBIT D

EXHIBIT D

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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS**

PLEASE TAKE NOTICE that the Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss was entered in the above-captioned matter on February 3, 2021, a true and correct copy of which is attached hereto.

DATED this 3rd day of February 2021.

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By: /s/ M. Magali Mercera
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 3rd day of February 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 **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS** to the following:

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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS** Date of Hearing: September 23, 2020 Time of Hearing: 9:00 a.m.

Case Number: A-17-751759-B

PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("CAC," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss* (the "Motion to Strike"), filed on July 15, 2020, came before this Court for hearing on September 23, 2020, at 9:00 a.m. James J. Pisanelli, Esq., Debra L. Spinelli, Esq., and Brittnie T. Watkins, Esq. of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. John R. Bailey, Esq. and Paul C. Williams, Esq. of the law firm BAILEY KENNEDY, appeared telephonically on behalf of TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared"), (collectively the "Development Entities"), Rowen Seibel ("Seibel"), and Craig Green ("Green").[1] John Tennert, Esq., of the law firm FENNEMORE CRAIG, appeared telephonically on behalf of Gordon Ramsay ("Ramsay"). Aaron D. Lovaas, Esq. of the law firm NEWMEYER & DILLION LLP, appeared telephonically on behalf of GR Burgr, LLC ("GRB").

The Court having considered the Motion to Strike, the opposition thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. THE COURT FINDS THAT, Caesars filed its Complaint in Case No. A-17-760537-B on August 25, 2017 (the "Original Complaint"), setting forth three causes of action against Seibel and the Development Entities relating to the termination of the

[1] Seibel, Green, and the Development Entities are collectively referred to herein as the "Development Parties."

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Development Agreements,[2] including: (1) declaratory judgment declaring that Caesars properly terminated all of the Development Agreements; (2) declaratory judgment declaring that Caesars does not have any current or future obligations to Defendants under the Development Agreements; and (3) declaratory judgment declaring that the Development Agreements do not prohibit or limit existing or future restaurant ventures between Caesars and Ramsay.

2. THE COURT FURTHER FINDS THAT, Case No A-17-760537-B was consolidated with and into Case No. A-17-751759-B on or about February 9, 2018, pursuant to a stipulation and order. (Stipulation & Order to Consolidate Case No. A-17-760537-B with & into Case No. A-17-751759-B, Feb. 9, 2018, on file.)

3. THE COURT FURTHER FINDS THAT, on or about July 6, 2018, LLTQ, LLTQ 16, FERG, FERG 16, and DNT, derivatively by R Squared, filed answers to Caesars' Original Complaint and counterclaims against Caesars. (LLTQ/FERG Defs.' Answer & Affirmative Defenses to Pl.'s Compl. & Countercls., July 6, 2018, on file; Def. DNT's Answer to Pl.'s Compl. & Coutnercls., July 6, 2018, on file.)

4. THE COURT FURTHER FINDS THAT, on or about July 6, 2018, TPOV, TPOV 16, MOTI, and MOTI 16 filed answers only to Caesars' Original Complaint. (MOTI Defs.' Answer & Affirmative Defenses to Pl.'s Compl., July 6, 2018; Defs. TPOV & TPOV 16's Answer to Pl.'s Compl., July 6, 2018, on file.)

5. THE COURT FURTHER FINDS THAT, on or about October 31, 2018, the Court issued a scheduling order setting, among other things, the deadline to amend pleadings or add

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[2] The Development Agreements include: (1) a Development, Operation and License Agreement between MOTI Partners, LLC and Desert Palace, Inc., dated March 2009 (the "MOTI Agreement"); (2) a Development, Operation and License Agreement between DNT Acquisition, LLC, the Original Homestead Restaurant, Inc., and Desert Palace, Inc., dated June 21, 2011 (the "DNT Agreement"); (3) a Development and Operation Agreement between TPOV and Paris, dated November 2011 (the "TPOV Agreement"); (4) a Development and Operation Agreement between LLTQ Enterprises, LLC and Desert Palace, Inc., dated April 4, 2012 (the "LLTQ Agreement"); (5) a Development, Operation and License Agreement between PHW Las Vegas, LLC dba Planet Hollywood by its manager, PHW Manager, LLC, GR BURGR, LLC, and Gordon Ramsay, dated December 13, 2012 (the "GR Burgr Agreement"); and (6) a Consulting Agreement between FERG, LLC and Boardwalk Regency Corporation dba Caesars Atlantic City, dated May 16, 2014 (the "FERG Agreement").

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parties for February 4, 2019. (Business Court Scheduling Order Setting Civil Jury Trial & Pre-Trial Conference Calendar Call, Oct. 31, 2018, on file, at 2:3.)

6. THE COURT FURTHER FINDS THAT, the deadline to amend pleadings or add parties was never extended or otherwise modified beyond February 4, 2019.

7. THE COURT FURTHER FINDS THAT, on or about October 2, 2019, nearly eight months after the deadline to amend pleadings expired, LLTQ, LLTQ 16, FERG, and FERG 16 (the "LLTQ/FERG Defendants") moved this Court for leave to amend their counterclaims to add claims in their counterclaims related to a Gordon Ramsay Steak Restaurant located in Atlantic City as well as additional restaurants in the United States involving Gordon Ramsay and Caesars or its affiliates (Mot. to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses & Countercls., Oct. 2, 2019, on file.)

8. THE COURT FURTHER FINDS THAT, the Court denied the LLTQ/FERG Defendants' request to amend, finding that the LLTQ/FERG Defendants had failed to meet their "burden and ha[d] not demonstrated that good cause exists to permit amendment of their counterclaim." (Order Denying Mot. to Amend LLTQ/FERG Defs.' Answer, Affirmative Defenses, & Countercls., at 3:4-6, Nov. 25, 2019, on file.) The Court specifically held that "[t]he LLTQ/FERG Defendants were aware of the facts they sought to include in their amended counterclaim before the deadline to amend expired and they delayed seeking leave to amend their counterclaim." (*Id.* at 3:6-8.)

9. THE COURT FURTHER FINDS THAT, on or about December 12, 2019, ten months after the deadline to amend pleadings expired, Caesars moved to amend its Original Complaint to add new allegations and claims pertaining to an alleged kickback scheme it claimed to have uncovered following discovery and depositions and to add Green as a defendant. (Caesars' Mot. for Leave to File 1st Am. Compl., Dec. 12, 2019, on file.)

10. THE COURT FURTHER FINDS THAT, on or about March 10, 2020, this Court granted Caesars' motion to amend, finding that "Caesars demonstrated good cause [to permit amendment after the deadline to amend expired] because depositions had to be taken in order to

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understand the documents produced by the parties." (Order Granting Caesars' Mot. for Leave to File 1st Am. Compl., at 3:6-9, Mar. 10, 2020, on file.)

11. THE COURT FURTHER FINDS THAT, on or about March 11, 2020, Caesars filed its First Amended Complaint, asserting five new claims, including (1) civil conspiracy against Seibel and Green, (2) breaches of the implied covenants of good faith and fair dealing against the Development Entities; (3) unjust enrichment against Seibel and Green, (4) intentional interference with contractual relations against Seibel and Green, and (5) fraudulent concealment against Seibel and Green. (First Am. Compl., Mar. 11, 2020, ¶¶ 171-206, on file.)

12. THE COURT FURTHER FINDS THAT, all of Caesars' new allegations and claims were limited to an alleged kickback scheme Caesars claimed to have uncovered in discovery during the litigation.

13. THE COURT FURTHER FINDS THAT, Caesars did not make changes to any of the claims or allegations surrounding Caesars' termination of the Development Agreements as pleaded in the Original Complaint.

14. THE COURT FURTHER FINDS THAT, on or about April 8, 2020, the Development Parties filed a Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint (the "Development Parties' Motion to Dismiss").

15. THE COURT FURTHER FINDS THAT, Caesars' First Amended Complaint withstood the Rule 12(b)(5) challenge and the Development Parties' Motion to Dismiss was denied. (Order Denying without Prejudice Rowen Seibel, the Development Entities, & Craig Green's Motion to Dismiss Counts IV, V, VI, VII, & VIII of Caesars' 1st Am. Compl., May 29, 2020, on file.)

16. THE COURT FURTHER FINDS THAT, on or about June 19, 2020, the Development Parties filed a consolidated Answer to Caesars' First Amended Complaint and Counterclaims. (The Development Entities, Seibel, & Green's Answer to Caesars' 1st Am. Compl. & Countercls., June 19, 2020, on file.)

17. THE COURT FURTHER FINDS THAT, in their counterclaims filed June 19, 2020, all of the Development Entities asserted claims for breach of contract and breach of the implied

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covenant of good faith and fair dealing against Caesars concerning the termination of the Development Agreements as first alleged in Caesars' Original Complaint brought nearly three years prior.

18. THE COURT FURTHER FINDS THAT, the counterclaims filed June 19, 2020 included claims from TPOV, TPOV 16, MOTI, and MOTI 16, entities that did not previously assert any counterclaims in response to Caesars' Original Complaint.

19. THE COURT FURTHER FINDS THAT, none of the Development Entities' counterclaims filed June 19, 2020 pertain to the new claims (the alleged kickback scheme) brought by Caesars in its First Amended Complaint.

20. THE COURT FURTHER FINDS THAT, the Development Entities did not move to amend their initial counterclaims filed July 6, 2018 before filing their counterclaims on June 19, 2020, nor did they seek reconsideration of this Court's prior order denying the LLTQ/FERG Defendants' previous motion to amend.

CONCLUSIONS OF LAW

1. There are three Nevada Rules of Civil Procedure ("NRCP") that are implicated by the instant motion: Rule 12(f), which governs motions to strike, Rule 15(a), which governs amendments to pleadings, and former Rule 13(f), which governed the addition of omitted counterclaims.

2. The 2019 Amendments to the NRCPs changed Rule 15(a) and abrogated Rule 13(f) (consistent with the Federal Rules of Civil Procedure).

3. Pursuant to NRCP 12(f), a "court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." *See also Russell Rd. Food & Beverage, LLC v. Galam*, No. 2:13-CV-0776-JCM-NJK, 2013 WL 6684631, at *1 (D. Nev. Dec. 17, 2013 (internal quotations omitted) ("A motion to strike material from a pleading is made pursuant to Rule 12(f), which allows courts to strike an insufficient defense or any redundant, immaterial, impertinent or scandalous matter.").

4. "The essential function of a Rule 12(f) motion is to 'avoid the expenditure of time and money that may arise from litigating spurious issues by dispensing with those issues prior to

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trial.'" *Russell Rd. Food & Beverage, LLC*, 2013 WL 6684631, at *1 (quoting *Fantasy, Inc. v. Fogerty*, 984 F.2d 1524, 1527 (9th Cir. 1993)); *see also Bolick v. Pasionek*, No. 2:10-CV-00353-KJD, 2011 WL 742237, at *3 (D. Nev. Feb. 24, 2011) (citations omitted) ("The Court is cautious of transparent attempts to prolong litigation, open up spurious discovery issues, or that may unnecessarily waste time, expense, resources or cause undue prejudice.").

5. "In considering a motion to strike, 'the court views the pleadings in the light most favorable to the non-moving party, and resolves any doubt as to the relevance of the challenged allegations or sufficiency of a defense in [non-moving party's] favor.'" *Genlyte Thomas Grp., LLC v. Covelli*, No. 208CV01350KJDPAL, 2009 WL 10709254, at *4 (D. Nev. Aug. 7, 2009) (quoting *State of Cal. Dep't of Toxic Substances Control v. Alco Pac., Inc.*, 217 F. Supp. 2d 1028, 1033 (C.D. Cal. 2002)).

6. There is no Nevada case law directly addressing whether a defendant may file amended counterclaims in response to an amended complaint without leave of court. Therefore, the Court turns to federal case law addressing the analogous Federal Rules of Civil Procedure.

7. Federal case law has recognized three separate approaches, which have been characterized as narrow, permissive, and moderate.

8. Under the narrow approach, "counterclaims as of right are allowed only if they are 'strictly confined to the new issues raised by the amended complaint.'" *Bibb Cnty. Sch. Dist. v. Dallemand*, Civil Action No. 5:26-cv-549, 2019 WL 1519299, at *3 n.6 (M.D. GA Apr. 8, 2019) (quoting *S. New England Tel. Co v. Glob. NAPS, Inc.*, Civil Action No. 3:04–cv–2075 (JCH), 2007 WL 521162, at *2-3 (D. Con. Feb. 14, 2007)). The abrogation of FRCP 13(f) in 2009; and consequently NRCP 13(f) in 2019 would supersede cases following the narrow approach. *See Sierra Dev. Co. v. Chartwell Advisory Grp. Ltd.*, No. 13-cv-602-BEN-VPC, 2016 U.S. Dist. LEXIS 160308, at *11 (D. Nev. Nov. 18, 2016).

9. "Under the 'permissive' approach, "'once a plaintiff amends a complaint, the defendant always has the right to amend to bring new counterclaims, without regard to the scope of the amendments.'" *Cieutat v. HPCSP Invs., LLC*, No. CV 20-0012-WS-B, 2020 WL 4004806, at *3 (S.D. Ala. July 15, 2020) (quoting *Bern Unlimited, Inc. v. Burton Corp.*, 25 F. Supp. 3d 170,

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178 (D. Mass. 2014)). Courts have found that the permissive approach deprives a court of the ability to manage the litigation. *See Sierra Dev. Co.*, 2016 U.S. Dist. LEXIS 160308, at *11. Under Nevada law, the permissive approach would contradict NRCP 16, which the Nevada Supreme Court implemented to ensure trial judges actively managed their cases in an orderly manner.

10. Under the moderate approach, courts have held that the breadth of the amended counterclaim's changes must reflect the breadth of the changes in the amended complaint. Under this approach, the Development Entities' counterclaims would not be permitted because the breadth of the changes in their Amended Counterclaims do not reflect the breadth of the changes in Caesars' First Amended Complaint (*i.e.*, the alleged kick-back scheme). Instead, the Amended Counterclaims relate to Caesars' termination of the Development Agreements. Moreover, this Court already rejected the LLTQ/FERG Defendants' efforts to file similar amended counterclaims, finding that they failed to show good cause after the deadline to amend had expired.

11. Pursuant to NRCP 15(a), a party should be granted leave to amend a pleading when justice so requires, and the proposed amendment is not futile. However, when a party seeks leave to amend a pleading after the deadline previously set for seeking such amendment has expired, NRCP 16(b) requires a showing of "good cause" for missing the deadline. *See Nutton v. Sunset Station*, 131 Nev. 279, 28, 357 P.3d 966, 970-71 (Nev. App. 2015).

12. This Court has considered the three approaches described under federal law; however, this Court will follow the NRCP 16 mandate, which specifically requires a showing of good cause to amend the pleadings after the time for doing so set forth in the court's scheduling order has expired.

13. "Where a scheduling order has been entered, the lenient standard under Rule 15(a), which provides leave to amend 'shall be freely given,' must be balanced against the requirement under Rule 16(b) that the Court's scheduling order shall not be modified except upon a showing of good cause.'" *Nutton*, 131 Nev. at 285, 357 P.3d at 971 (quoting *Grochowski v. Phoenix Constr.*, 318 F.3d 80, 86 (2d Cir. 2003)). "Disregard of the [scheduling] order would undermine the court's ability to control its docket, disrupt the agreed-upon course of the litigation, and reward the indolent

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and the cavalier." *Id.* at 285–86, 357 P.3d at 971 (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992)).

14. Consequently, the Amended Counterclaims are time-barred by this Court's prior scheduling order and the previous denial of the LTTQ/FERG Defendants' Motion to Amend.

15. Caesars' First Amended Complaint did not open the door for the Development Entities to expand the scope of the litigation beyond its current parameters. Thus, the Development Entities' counterclaims filed June 19, 2020 must be stricken.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Motion to Strike shall be, and hereby is, GRANTED.

IT IS HEREBY FURTHER ORDERED that the Development Entities' Amended Counterclaims are STRICKEN in their entirety.

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IT IS HEREBY FURTHER ORDERED that the Development Entities shall file a responsive pleading consistent with this order (as well as any and all applicable prior orders).

IT IS SO ORDERED.

DATED this 3rd day of ~~January~~ February 2021.

ZJ

Respectfully submitted by:

DATED January 27, 2021

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Approved as to form and content by:

DATED January 27, 2021

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DATED January 27, 2021

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CAUTION: External Email

Magali, you have my authority to apply my signature to the Order.

Thank you.

Alan

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To: Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Aaron D. Lovaas; Tennert, John; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
Subject: RE: [EXTERNAL]:RE: Notification of Service for Case: A-17-751759-B, Rowen Seibel, Plaintiff(s)vs.PHWLV LLC, Defendant(s) for filing Service Only, Envelope Number: 6981047 [FC-Email.FID7746767]

Thanks, Paul. As discussed during our meet and confer, we believe that your proposal narrows the court's ruling, which limits any new allegations and counterclaims to the kickback scheme. Since we are at an impasse, we will proceed with submitting competing orders. We will plan to send ours this afternoon and copy counsel on the submission.

John, Alan, and Aaron – I assume we still have your approval to apply your e-signatures to this version. If that is not correct, please let us know promptly.

Once we have final confirmation from John, Alan, and Aaron, we will plan to submit the order and note in the body of the email that a competing version is being submitted by you as well. We would request that you similarly copy us on the submission.

Thanks,

M. Magali Mercera
PISANELLI BICE, PLLC
Telephone: (702) 214-2100
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.

Cinda C. Towne

From: Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Sent: Wednesday, January 27, 2021 12:28 PM
To: Magali Mercera; Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Tennert, John; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
Subject: RE: [EXTERNAL]:RE: Notification of Service for Case: A-17-751759-B, Rowen Seibel, Plaintiff(s) vs.PHWLV LLC, Defendant(s) for filing Service Only, Envelope Number: 6981047 [FC-Email.FID7746767]

CAUTION: External Email

Confirming my previous authorization to affix my e-signature.

Aaron D. Lovaas
702.777.7519 | Aaron.Lovaas@ndlf.com
Newmeyer & Dillion LLP

From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, January 27, 2021 11:36 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; James Pisanelli <jjp@pisanellibice.com>; Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>; Tennert, John <jtennert@fennemorelaw.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; Sharon Murnane <SMurnane@baileykennedy.com>; Susan Russo <SRusso@baileykennedy.com>; Beavers, Wade <WBeavers@fennemorelaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Subject: RE: [EXTERNAL]:RE: Notification of Service for Case: A-17-751759-B, Rowen Seibel, Plaintiff(s)vs.PHWLV LLC, Defendant(s) for filing Service Only, Envelope Number: 6981047 [FC-Email.FID7746767]

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M. Magali Mercera
PISANELLI BICE, PLLC
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Please consider the environment before printing.

Cinda C. Towne

From: Tennert, John <jtennert@fennemorelaw.com>
Sent: Wednesday, January 27, 2021 11:40 AM
To: Magali Mercera; Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Aaron D. Lovaas; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
Subject: RE: [EXTERNAL]:RE: Notification of Service for Case: A-17-751759-B, Rowen Seibel, Plaintiff(s) vs.PHWLV LLC, Defendant(s) for filing Service Only, Envelope Number: 6981047 [FC-Email.FID7746767]

CAUTION: External Email

Magali,
Yes, you still have my approval to apply my e-signature to Caesars' version.
Thanks,
John

John D. Tennert III, Director
T: 775.788.2212 | F: 775.788.2213
jtennert@fennemorelaw.com

From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, January 27, 2021 11:36 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; James Pisanelli <jjp@pisanellibice.com>; Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>; Tennert, John <jtennert@fennemorelaw.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; Sharon Murnane <SMurnane@baileykennedy.com>; Susan Russo <SRusso@baileykennedy.com>; Beavers, Wade <WBeavers@fennemorelaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Subject: RE: [EXTERNAL]:RE: Notification of Service for Case: A-17-751759-B, Rowen Seibel, Plaintiff(s)vs.PHWLV LLC, Defendant(s) for filing Service Only, Envelope Number: 6981047 [FC-Email.FID7746767]

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Thanks,

M. Magali Mercera
PISANELLI BICE, PLLC

EXHIBIT E

EXHIBIT E

Electronically Filed
11/25/2019 5:38 PM
Steven D. Grierson
CLERK OF THE COURT

James J. Pisanelli, Esq., Bar No. 4027
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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 Dept. No.: XVI Consolidated with A-17-760537-B **NOTICE OF ENTRY OF ORDER DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS**
AND ALL RELATED MATTERS	

PLEASE TAKE NOTICE that an Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims was entered in the above-captioned matter on November 25, 2019, a true and correct copy of which is attached hereto.

DATED this 25th day of November 2019.

PISANELLI BICE PLLC

By: _____

James J. Pisanelli, Esq., #4027
Debra L. Spinelli, Esq., #9695
M. Magali Mercera, Esq., #11742
Brittnie T. Watkins, Esq., #13612
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Jeffrey J. Zeiger, P.C., Esq.
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Chicago, Illinois 60654

Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, 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 25th day of November 2019, 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 DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS** to the following:

David A. Carroll, Esq.
Anthony J. DiRaimondo, Esq.
Robert E. Opdyke, Esq.
RICE REUTHER SULLIVAN & CARROLL, LLP
3800 Howard Hughes Pkwy., Suite 1200
Las Vegas, NV 89169

Steven C. Bennett, Esq.
Daniel J. Brooks, Esq.
SCAROLA ZUBATOV SCHAFFZIN PLLC
1700 Broadway, 41st Floor
New York, NY 10019

Attorneys for Rowen Seibel, DNT Acquisition LLC, Moti Partners, LLC, Moti Partner 16s, LLC, LLTQ Enterprises, LLC, LLTQ Enterprises 16, LLC, TPOV Enterprises, LLC, TPOV Enterprises 16, LLC, FERG, LLC, and FERG 16, LLC

Allen J. Wilt, Esq.
John D. Tennert, Esq.
FENNEMORE CRAIG, P.C.
300 East 2nd Street, Suite 1510
Reno, NV 89501

Attorneys for Gordon Ramsay

Alan Lebensfeld, Esq.
Lawrence J. Sharon, Esq.
LEBENSFELD SHARON & SCHWARTZ, P.C.
140 Broad Street
Red Bank, NJ 07701

Attorneys for DNT Acquisition LLC

Mark J. Connot, Esq.
Kevin M. Sutehall, Esq.
FOX ROTHSCHILD LLP
1980 Festival Plaza Drive, #700
Las Vegas, NV 89135

Attorneys for Plaintiff in Intervention The Original Homestead Restaurant, Inc.

VIA U.S. MAIL (pleading only)
Kurt Heyman, Esq.
HEYMAN ENERIO GATTUSO & HIRZEL LLP
300 Delaware Ave., Suite 200
Wilmington, DE 19801

Trustee for GR Burgr LLC

An employee of PISANELLI BICE PLLC

PISANELLI BICE
400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

Electronically Filed
11/25/2019 3:30 PM
Steven D. Grierson
CLERK OF THE COURT

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Jeffrey J. Zeiger, P.C., Esq. (admitted *pro hac vice*)
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Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation d/b/a Caesars Atlantic City

PISANELLI BICE
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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 DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS** Date of Hearing: November 6, 2019 Time of Hearing: 9:00 a.m.
AND ALL RELATED MATTERS	

Defendants LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG LLC ("FERG"), and FERG 16, LLC ("FERG 16") (collectively "LLTQ/FERG Defendants") Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses, and Counterclaims (the "Motion to Amend") came before the Court for hearing on November 6, 2019, at 9:00 a.m. M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared on behalf of PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City ("CAC") and collectively with Caesars Palace, Paris, and Planet Hollywood, "Caesars"). Anthony DiRaimondo, Esq. of the law firm RICE REUTHER SULIVAN & CARROLLC, LLP appeared on behalf of the LLTQ/FERG Defendants. Daniel Brooks, Esq., of SCAROLA ZUBATOV SCHAFFZIN PLLC, appeared telephonically on behalf of the LLTQ/FERG Defendants. Allen Wilt, Esq., of the law firm FENNEMORE CRAIG, appeared on behalf of Gordon Ramsay.

The Court having considered the Motion to Amend and the opposition thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor,

THE COURT FINDS THAT, under Nevada law, "[t]he court should freely give leave [to amend] when justice so requires." NRCP 15(a)(2). However, "'[t]his does not . . . mean that a trial judge may not, in a proper case, deny a motion to amend. If that were the intent, leave of court would not be required.'" *Kantor v. Kantor*, 116 Nev. 886, 891, 8 P.3d 825, 828 (2000) (quoting *Stephens v. So. Nev. Music Co.*, 89 Nev. 104, 105, 507 P.2d 138, 139 (1973)).

THE COURT FURTHER FINDS THAT, "'[w]here a scheduling order has been entered, the lenient standard under Rule 15(a), which provides leave to amend 'shall be freely given,' must be balanced against the requirement under Rule 16(b) that the Court's scheduling order 'shall not be modified except upon a showing of good cause.'" *Nutton v. Sunset Station, Inc.*, 131 Nev. 279, 285, 357 P.3d 966, 971 (Nev. App. 2015) (quoting *Grochowski v. Phoenix Constr.*, 318 F.3d 80, 86 (2d Cir.2003)). "Disregard of the [scheduling] order would undermine the court's ability to control its docket, disrupt the agreed-upon course of the litigation, and reward the indolent and the cavalier." *Id.* at 285-86, 357 P.3d at 971 (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir.1992)).

PISANELLI BICE
400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

THE COURT FURTHER FINDS THAT, the deadline to amend pleadings in this action was February 4, 2019. Accordingly, the LLTQ/FERG Defendants had to demonstrate that good cause exists to allow the amendment of their counterclaim after the deadline had expired.

THE COURT FURTHER FINDS THAT, the LLTQ/FERG Defendants have not met that burden and have not demonstrated that good cause exists to permit amendment of their counterclaim. The LLTQ/FERG Defendants were aware of the facts they sought to include in their amended counterclaim before the deadline to amend expired and they delayed seeking leave to amend their counterclaim.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Motion to Amend is DENIED IN ITS ENTIRETY.

IT IS SO ORDERED.

DATED this 22nd day of November 2019.

THE HONORABLE TIMOTHY C. WILLIAMS
EIGHTH JUDICIAL DISTRICT COURT

Respectfully submitted by:

DATED November 21, 2019

PISANELLI BICE PLLC

By: _____

James J. Pisanelli, Esq., Bar No. 4027
Debra L. Spinelli, Esq., Bar No. 9695
M. Magali Mercera, Esq., Bar No. 11742
Brittnie T. Watkins, Esq., Bar No. 13612
400 South 7th Street, Suite 300
Las Vegas, NV 89101

and

Jeffrey J. Zeiger, P.C., Esq.
(admitted *pro hac vice*)
William E. Arnault, IV, Esq.
(admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654

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

Approved as to form and content by:

DATED November 21, 2019

FENNEMORE CRAIG, P.C.

By: /s/ Allen Wilt
Allen Wilt, Esq. (SBN 4798)
John Tennert, Esq. (SBN 11728)
300 East 2nd Street, Suite 1510
Reno, NV 89501

Attorneys for Gordon Ramsay

Approved as to form and content by:

DATED November 21, 2019

RICE REUTHER SULIVAN & CARROLLC, LLP

By: /s/ David A. Carroll
David A. Carroll, Esq.
Anthony J. DiRaimondo, Esq.
Robert E. Opdyke, Esq.
3800 Howard Hughes Pkwy., Suite 1200
Las Vegas, NV 89169

and

Steven C. Bennett, Esq.
Daniel J. Brooks, Esq.
SCAROLA ZUBATOV SCHAFFZIN PLLC 1700
Broadway, 41st Floor
New York, NY 10019

Attorneys for Plaintiff Rowen Seibel/Defendants Rowen Seibel; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; MOTI Partners, LLC; MOTI Partners 16, LLC; TPOV Enterprises, LLC; and TPOV Enterprises 16, LLC

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4/21/2023 11:11 AM
Steven D. Grierson
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NOCB (CIV)
JOHN R. BAILEY
Nevada Bar No. 0137
DENNIS L. KENNEDY
Nevada Bar No. 1462
JOSHUA P. GILMORE
Nevada Bar No. 11576
PAUL C. WILLIAMS
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JGilmore@BaileyKennedy.com
PWilliams@BaileyKennedy.com

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

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LAS VEGAS, NEVADA 89148-1302
702.562.8820

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, vs. 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. AND ALL RELATED CLAIMS.	Case No. A-17-751759-B Dept. No. XVI Consolidated with A-17-760537-B **APPELLANTS' NOTICE OF FILING COST BOND**

NOTICE IS HEREBY GIVEN that, pursuant to NRAP 7, Rowen Seibel ("Mr. Seibel"); Craig Green ("Mr. Green"); Moti Partners, LLC ("Moti"); Moti Partners 16, LLC ("Moti 16"); LLTQ Enterprises, LLC ("LLTQ"); LLTQ Enterprises 16, LLC ("LLTQ 16"); TPOV Enterprises, LLC ("TPOV"); TPOV Enterprises 16, LLC ("TPOV 16"); FERG, LLC ("FERG"); FERG 16, LLC ("FERG 16"); R Squared Global Solutions, LLC ("R Squared"), derivatively on behalf of DNT Acquisition LLC ("DNT"); and GR Burgr LLC ("GRB," and together with Mr. Seibel, Mr. Green, Moti, Moti 16, LLTQ, LLTQ 16, TPOV, TPOV 16, FERG, FERG 16, and R Squared, the "Appellants"), by and through their counsel, posted a bond with the Clark County District Court in the amount of $500.00 for costs on appeal.

A true and correct copy of the $500 check for costs on appeal is attached as Exhibit A.

DATED this 21st day of April, 2023.

BAILEY❖KENNEDY

By: /s/ Joshua P. Gilmore
JOHN R. BAILEY
DENNIS L. KENNEDY
JOSHUA P. GILMORE
PAUL C. WILLIAMS
Attorneys for Rowen Seibel; Moti Partners, LLC; Moti Partners 16, LLC; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC; TPOV Enterprises, LLC; TPOV Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; Craig Green; R Squared Global Solutions, LLC, Derivatively on Behalf of DNT Acquisition, LLC; and GR Burgr, LLC

BAILEY❖KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY❖KENNEDY and that on the 21st day of April, 2023, service of the foregoing was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known 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 Defendants/Counterclaimant Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation*

/s/ Susan Russo
Employee of BAILEY❖KENNEDY

BAILEY❖KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

EXHIBIT A

EXHIBIT A

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.

BAILEY KENNEDY, LLP
GENERAL ACCOUNT
8984 SPANISH RIDGE AVENUE
Las Vegas, NV 89148-1302
(702) 562-8820

BANK OF GEORGE
9115 WEST RUSSELL ROAD, #110
LAS VEGAS, NV 89148
94-236/1224

28095

4/18/2023

PAY TO THE ORDER OF **Clark County District Court** $ 500.00

Five Hundred & No/100 Dollars DOLLARS

Clark County District Court
200 Lewis Avenue
Las Vegas, NV 86155-1601

MEMO Cost Bond ; A-17-751759-B

AUTHORIZED SIGNATURE

Security Features Included Details on Back.

⑈028095⑈ ⑆122402366⑆ 1020201131⑈

BAILEY KENNEDY, LLP GENERAL ACCOUNT 28095

4/18/2023 Clark County District Court

Invoice Date	Invoice No.	Description	Matter ID	Amount
4/18/2023	230430	Cost Bond ; A-17-751759-B	11522-001	500.00

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-17-751759-B

Rowen Seibel, Plaintiff(s)	§	Location:	**Department 16**
vs.	§	Judicial Officer:	**Williams, Timothy C.**
PHWLV LLC, Defendant(s)	§	Filed on:	**02/28/2017**
	§	Case Number History:	
	§	Cross-Reference Case Number:	**A751759**
	§	Supreme Court No.:	**84934** **86359**

CASE INFORMATION

Related Cases
A-17-760537-B (Consolidated)

Statistical Closures
11/28/2022 Summary Judgment

Case Type: **Other Business Court Matters**

Case Status: **11/28/2022 Closed**

DATE | CASE ASSIGNMENT

Current Case Assignment

Case Number	A-17-751759-B
Court	Department 16
Date Assigned	07/05/2018
Judicial Officer	Williams, Timothy C.

PARTY INFORMATION

Plaintiff	**GR BURGR LLC**	**Bailey, John R** *Retained* 702-562-8820(W)
	Seibel, Rowen	**Bailey, John R** *Retained* 702-562-8820(W)
Defendant	**DNT Acquisition LLC**	**Bailey, John R** *Retained* 702-562-8820(W)
	DNT ACQUISITION LLC Removed: 02/22/2018 Data Entry Error	
	DNT ACQUISITION LLC Removed: 02/22/2018 Data Entry Error	
	FERG 16, LLC	**Bailey, John R** *Retained* 702-562-8820(W)
	FERG, LLC	**Bailey, John R** *Retained* 702-562-8820(W)
	Green, Craig	**Bailey, John R** *Retained* 702-562-8820(W)
	LLTQ Enterprises 16, LLC	**Bailey, John R** *Retained* 702-562-8820(W)

	LLTQ Enterprises, LLC	**Bailey, John R** *Retained* 702-562-8820(W)
	LLTQ Enterprises, LLC Removed: 02/22/2018 Data Entry Error	
	LLTQ Enterprises, LLC Removed: 02/22/2018 Data Entry Error	
	LLTQ Enterprises, LLC Removed: 02/22/2018 Data Entry Error	
	LLTQ Enterprises, LLC Removed: 02/22/2018 Data Entry Error	
	MOTI Partners 16 LLC	**Bailey, John R** *Retained* 702-562-8820(W)
	MOTI Partners LLC	**Bailey, John R** *Retained* 702-562-8820(W)
	MOTI PARTNERS, LLC Removed: 02/22/2018 Data Entry Error	
	MOTI PARTNERS, LLC Removed: 02/22/2018 Data Entry Error	
	MOTI PARTNERS, LLC Removed: 02/22/2018 Data Entry Error	
	PHWLV LLC	**Pisanelli, James J** *Retained* 702-214-2100(W)
	Ramsay, Gordon	**Tennert, John D.** *Retained* 775-788-2200(W)
	TPOV Enterprises 16, LLC	**Bailey, John R** *Retained* 702-562-8820(W)
	TPOV Enterprises, LLC	**Bailey, John R** *Retained* 702-562-8820(W)
Consolidated Case Party	**Boardwalk Regency Corporation**	**Pisanelli, James J** *Retained* 702-214-2100(W)
	Desert Palace Inc	**Pisanelli, James J** *Retained* 702-214-2100(W)
	Frederick, J. Jeffrey Removed: 08/28/2019 Dismissed	
	Paris Las Vegas Operating Company LLC	**Pisanelli, James J** *Retained*

		702-214-2100(W)
	PHWLV LLC	
Counter Claimant	**DNT Acquisition LLC** Removed: 07/06/2018 Data Entry Error	**Bailey, John R** *Retained* 702-562-8820(W)
	PHWLV LLC	**Pisanelli, James J** *Retained* 702-214-2100(W)
	R Squared Global Solutions, LLC	**Bailey, John R** *Retained* 702-562-8820(W)
Counter Defendant	**Seibel, Rowen**	**Bailey, John R** *Retained* 702-562-8820(W)
Intervenor Defendant	**Desert Palace Inc** Removed: 06/02/2022 Dismissed	
Intervenor Plaintiff	**Original Homestead Restaurant Inc** Removed: 06/02/2022 Dismissed	
Other Plaintiff	**GR BURGR LLC**	**Bailey, John R** *Retained* 702-562-8820(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	EVENTS	
02/28/2017	Complaint (Business Court) Filed By: Counter Defendant Seibel, Rowen *[1] Verified Complaint and Demand for Jury Trial*	
02/28/2017	Initial Appearance Fee Disclosure Filed By: Counter Defendant Seibel, Rowen *[2] Initial Appearance Fee Disclosure*	
02/28/2017	Other Civil Matters	
03/06/2017	Appendix Filed By: Counter Defendant Seibel, Rowen *[4] Appendix of Exhibits in support of Motion for Preliminary Injunction*	
03/06/2017	Motion for Preliminary Injunction Filed By: Counter Defendant Seibel, Rowen *[3] (Please See Errata Filed on 3/7/2017) Motion for Preliminary Injunction on Order Shortening Time*	
03/07/2017	Errata Filed By: Counter Defendant Seibel, Rowen *[5] Errata to Plaintiff's Motion for Preliminary Injunction*	
03/17/2017	Opposition to Motion Filed By: Defendant Ramsay, Gordon *[6] Defendant Gordon Ramsay's Opposition to Motion for Preliminary Injunction*	

03/17/2017 Initial Appearance Fee Disclosure
Filed By: Defendant Ramsay, Gordon
[7] Initial Appearance Fee Disclosure

03/17/2017 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC
[9] Planet Hollywood's Opposition to Plaintiff's Motion for Preliminary Injunction

03/20/2017 Initial Appearance Fee Disclosure
Filed By: Counter Claimant PHWLV LLC
[10] Initial Appearance Fee Disclosure (NRS Chapter 19)

03/20/2017 Appendix
Filed By: Defendant Ramsay, Gordon
[8] Appendix to Defendant Gordon Ramsay's Opposition to Plaintiff's Motion for Preliminary Injunction

03/21/2017 Reply in Support
Filed By: Counter Defendant Seibel, Rowen
[11] Omnibus Reply in Support of Plaintiff's Motion on Order Shortening Time for a Preliminary Injunction

04/03/2017 Transcript of Proceedings
[12] Transcript of Proceedings, Plaintiff Seibel's Motion for Preliminary Injunction on Order Shortening Time, March 22, 2017

04/07/2017 Disclosure Statement
Party: Defendant Ramsay, Gordon
[15] Defendant Gordon Ramsay's Disclosure Statement Pursuant to NRCP 7.1

04/07/2017 Motion to Dismiss
Filed By: Counter Claimant PHWLV LLC
[13] Planet Hollywood's Motion to Dismiss Plaintiff's Claims

04/07/2017 Joinder To Motion
Filed By: Defendant Ramsay, Gordon
[14] Defendant Gordon Ramsay's Joinder to PHWLV, LLC's Motion to Dismiss Plaintiff's Claims

04/12/2017 Order Denying Motion
Filed By: Counter Claimant PHWLV LLC
[16] Order Denying Plaintiff's Motion for Preliminary Injunction

04/13/2017 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[17] Notice of Entry of Order Denying Plaintiff's Motion for Preliminary Injunction

04/24/2017 Opposition
Filed By: Counter Defendant Seibel, Rowen
[18] Plaintiff's Opposition to Planet Hollywood's Partial Motion to Dismiss

04/25/2017 Demand for Jury Trial
Filed By: Counter Defendant Seibel, Rowen

[21] Plaintiff's Demand for Jury Trial

04/25/2017 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC
[19] Stipulation and Order to Continue Hearing

04/26/2017 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[20] Notice of Entry of Stipulation and Order to Continue Hearing

05/10/2017 Reply in Support
Filed By: Defendant Ramsay, Gordon
[22] Defendant Gordon Ramsay's Reply in Support of Joinder to PHWLV LLC's Motion to Dismiss Plaintiff's Claims

05/10/2017 Reply in Support
Filed By: Counter Claimant PHWLV LLC
[23] Reply in Support of Planet Hollywood's Motion to Dismiss Plaintiff's Claims

06/15/2017 Order Granting
Filed By: Counter Claimant PHWLV LLC
[24] Order Granting in Part and Denying in Part Planet Hollywood's Motion to Dismiss

06/16/2017 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[25] Notice of Entry of Order Granting in Part and Denying in Part Planet Hollywood's Motion to Dismiss

06/28/2017 First Amended Complaint
Filed By: Counter Defendant Seibel, Rowen
[26] First Amended Verified Complaint

07/21/2017 Answer to Amended Complaint
Filed By: Defendant Ramsay, Gordon
[27] Defendant Gordon Ramsay's Answer and Affirmative Defenses to First Amended Verified Complaint

07/21/2017 Answer and Counterclaim
Filed By: Counter Claimant PHWLV LLC
[28] Answer to First Amended Complaint and Counterclaim - PHWLV LLC (Planet Hollywood)

07/28/2017 Business Court Order
[29] Business Court Order

08/21/2017 Notice
Filed By: Counter Claimant PHWLV LLC
[30] Notice of Compliance

08/21/2017 Notice of Compliance
Party: Defendant Ramsay, Gordon
[31] Defendant Gordon Ramsay's Notice of Compliance with Business Court Order Filed July 28, 2017

08/22/2017

Notice of Compliance
Party: Counter Defendant Seibel, Rowen
[32] Plaintiff's Notice of Compliance

08/25/2017 Reply
Filed by: Counter Defendant Seibel, Rowen
[33] Plaintiff's Reply to Defendant PHWLV, LLC's Counterclaims

08/25/2017 Motion to Associate Counsel
Filed By: Counter Defendant Seibel, Rowen
[34] Motion to Associate Counsel

09/01/2017 Business Court Order
[35] Business Court Scheduling Order rand Order Setting Civil Jury Trial, Pre-Trial Conference and Calendar Call

09/13/2017 Joint Case Conference Report
Filed By: Counter Defendant Seibel, Rowen
[36] Joint Case Conference Report

09/18/2017 Motion for Summary Judgment
Filed By: Counter Defendant Seibel, Rowen
[37] (Vacated 3/7/18) 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

09/27/2017 Order
Filed By: Counter Defendant Seibel, Rowen
[38] Order Admitting to Practice

09/28/2017 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen
[39] Notice of Entry of Order

10/05/2017 Opposition to Motion For Summary Judgment
Filed By: Counter Claimant PHWLV LLC
[40] 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

10/05/2017 Request for Judicial Notice
Filed By: Counter Claimant PHWLV LLC
[41] Request for Judicial Notice

10/05/2017 Objection
Filed By: Counter Claimant PHWLV LLC
[42] 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

10/06/2017 Opposition to Motion
Filed By: Defendant Ramsay, Gordon
[43] Defendant Gordon Ramsay's Opposition to Plaintiff's Motion for Partial Summary Judgment Concering (1) the Payment of the License Fee Through March 31, 2017, and (2) the Breach of 14.21 of the Decelopment Agreement

10/06/2017 Opposition to Motion
Filed By: Defendant Ramsay, Gordon
[44] 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

10/06/2017 Notice of Change of Firm Name
Filed By: Counter Defendant Seibel, Rowen
[45] Notice of Firm Name Change

10/17/2017 Reply in Support
Filed By: Counter Defendant Seibel, Rowen
[46] Reply in Support of Plaintiffs 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

10/23/2017 Stipulation and Order
Filed by: Counter Defendant Seibel, Rowen
[47] Stipulation and Order to Continue Hearing on Plaintiff's Motion for Partial Summary Judgment

10/24/2017 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen
[48] A-17-751759-B

02/09/2018 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC
[49] Stipulation and Order to Consolidate Case No. A-17-760537-B with and into Case No. A-17-751759-B

02/13/2018 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[50] Notice of Entry of Stipulation and Order to Consolidate Case No. A-17-760537-B with and into Case No. A-17-751759-B

02/22/2018 Motion to Dismiss
[51] Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against Defendant DNT Acquisition, LLC

02/22/2018 Motion to Dismiss
Filed By: Counter Defendant Seibel, Rowen
[52] Defendant Rowen Seibel's Motion to Dismiss Plaintiffs Claims

02/22/2018 Motion to Dismiss
Filed By: Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC
[53] Defendants TPOV Enterprises and TPOV Enterprises 16's Motion to Dismiss Plaintiffs Claims

02/22/2018 Motion to Dismiss
Filed By: Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC
[54] Amended Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against LLTQ/FERG Defendants

02/22/2018

Appendix
Filed By: Defendant DNT Acquisition LLC
[55] Appendix of Exhibits in Support of Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against Defendant DNT Aquistion, LLC Volume I

02/22/2018 Appendix
Filed By: Defendant DNT ACQUISITION LLC
[56] Appendix of Exhibits in Support of Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against Defendant DNT Aquisition, LLC Volume II

02/22/2018 Appendix
Filed By: Defendant MOTI Partners LLC
[57] Appendix of Exhibits in Support of Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against Moti Moti Defendants Volume I

02/22/2018 Appendix
Filed By: Defendant MOTI PARTNERS, LLC
[58] Appendix of Exhibits In Support of Amended Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against Moti Defendants Volume III

02/22/2018 Appendix
Filed By: Defendant LLTQ Enterprises, LLC
[59] Appendix of Exhibits In Support Of Amended Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against LLTQ/FERG Defendants Volume II

02/22/2018 Appendix
Filed By: Defendant LLTQ Enterprises, LLC
[60] Appendix of Exhibits In Support of Amended Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against LLTQ/FERG Defendants Volume IV

02/22/2018 Appendix
[61] Appendix of Exhibits in Support of Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against Moti Defendants Volume II

02/22/2018 Appendix
Filed By: Defendant LLTQ Enterprises, LLC
[62] Appendix of Exhibits in Support of Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against LLTQ/Ferg Defendants-Volume III

02/22/2018 Motion to Dismiss
Filed By: Defendant MOTI PARTNERS, LLC; Defendant MOTI Partners 16 LLC
[63] Amended Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against Moti Defendants

02/22/2018 Appendix
Filed By: Defendant LLTQ Enterprises, LLC
[64] Appendix of Exhibits in Support of Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against LLTQ/Ferg Defendants- Volume I

02/23/2018 Notice of Appearance
[65] Notice of Appearance for Defendant J. Jeffrey Frederick

03/07/2018 Order
Filed By: Counter Claimant PHWLV LLC
[66] Order Vacating Plaintiff's Motion for Partial Summary Judgment

03/08/2018 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[67] Notice of Entry of Order Vacating Plaintiff's Motion for Partial Summary Judgment

03/12/2018 Opposition to Motion to Dismiss
Filed By: Counter Claimant PHWLV LLC
[68] Plaintiffs' Combined Opposition to Certain Defendants' Motions to Dismiss

03/12/2018 Appendix
Filed By: Counter Claimant PHWLV LLC
[69] Appendix of Exhibits in Support of Plaintiffs' Combined Opposition to Certain Defendants' Motions to Dismiss

03/19/2018 Stipulation and Order
Filed by: Counter Defendant Seibel, Rowen
[70] Stipulation and Order to Continue Status Check to April 4, 2018

03/20/2018 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen
[71] Notice of Entry of Stipulation and Order

03/27/2018 Motion to Associate Counsel
Filed By: Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI PARTNERS, LLC; Defendant MOTI Partners 16 LLC
[72] Motion to Associate Nathan Rugg

03/27/2018 Motion to Associate Counsel
Filed By: Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI PARTNERS, LLC; Defendant MOTI Partners 16 LLC
[73] Motion to Associate Steven Chaiken

03/28/2018 Appendix
Filed By: Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI PARTNERS, LLC; Defendant MOTI Partners 16 LLC
[74] Appendix of Exhibits In Support of Reply In Support of Amended Motion to Dismiss or, In the Alternative, to Stay Claims Asserted Against LLTQ/FERG and Moti Defendants

03/28/2018 Reply
Filed by: Counter Defendant Seibel, Rowen
[75] Defendant Rowen Seibel's Reply in Further Support of His Motion to Dismiss Plaintiffs' Claims

03/28/2018 Reply
Filed by: Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC
[76] Defedants Troy Enterprises, LLC and Troy Enterprises 16, LLC Reply Memorandum of Law in Further Support of Motion to Dimiss, or, in the Alternative to Stay

03/28/2018 Reply in Support
Filed By: Defendant DNT ACQUISITION LLC
[77] Defendants DNT Acquisition, LLC Reply Memorandum of Law in Further Support of Motion to Dismiss, or, in the Alternative to Stay

03/28/2018 Reply
Filed by: Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI PARTNERS, LLC; Defendant MOTI Partners 16 LLC
[78] Reply in Support of Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against LLTQ/FERG and MOTI Defendants

04/03/2018 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC
[79] Stipulation and Proposed Order to Continue Hearings on Motions to Dismiss

04/03/2018 Stipulation and Order to Extend Discovery Deadlines
Filed By: Counter Claimant PHWLV LLC
[80] Stipulation and Proposed Order to Extend Discovery Deadlines

04/04/2018 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[81] Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (First Request)

04/04/2018 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[82] Notice of Entry of Stipulation and Order to Continue Hearings on Motions to Dismiss

04/10/2018 Motion to Associate Counsel
Filed By: Counter Claimant PHWLV LLC
[83] Motion to Associate Counsel Jeffrey John Zeiger, Esq.; Ex Parte Application for Order Shortening Time

04/11/2018 Motion to Associate Counsel
Filed By: Counter Claimant PHWLV LLC
[84] Motion to Associate Counsel William Edward Arnault, IV, Esq.

04/24/2018 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC
[85] (A751759, A760537) Order Granting Motion to Associate Counsel Jeffrey John Zeiger, Esq.

04/25/2018 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[86] Notice of Entry of Order Granting Motion to Associate Counsel Jeffrey John Zeiger, Esq.

05/02/2018 Order
Filed By: Counter Defendant Seibel, Rowen
[87] Order Admitting to Practice - Nathan Rugg

05/02/2018 Order
Filed By: Counter Defendant Seibel, Rowen
[88] Order Admitting to Practice - Steven Chaiken

05/02/2018 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen
[89] Notice of Entry of Order

05/02/2018 Notice of Entry of Order

Filed By: Counter Defendant Seibel, Rowen
[90] Notice of Entry of Order

05/03/2018 Notice of Non Opposition
Filed By: Counter Claimant PHWLV LLC
[91] Notice of Non-Opposition to Motion to Associate Counsel William Edward Arnault, IV, Esq.

06/01/2018 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC
[92] Order Granting Motion to Associate Counsel William Edward Arnault, IV, Esq.

06/01/2018 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[93] Notice of Entry of Order Granting Motion to Associate Counsel William Edward Arnault, IV, Esq.

06/01/2018 Order Denying Motion
Filed By: Counter Claimant PHWLV LLC
[94] Order Denying, without Prejudice, (1) Defendant Rowen Seibel's Motion to Dismiss Plaintiffs' Claims; (2) Defendants TPOV Enterprises and TPOV Enterprises 16's Motion to Dismiss Plaintiffs Claims; (3) Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against Defendant DNT Acquisition, LLC; (4) Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against LLTQ/FERG Defendants; and (5) Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against MOTI Defendants

06/04/2018 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[95] Notice of Entry of Order Denying, without Prejudice, (1) Defendants Rowen Seibel's Motion to Dismiss Plaintiffs' Claims; (2) Defendants TPOV Enterprises and TPOV Enterprises 16's Motion to Dismiss Plaintiffs Claims; (3) Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against Defendant DNT Acquisition, LLC; (4) Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against LLTQ/FERG Defendants; and (5) Amended Motion to Dismiss or, in the Alternative, to Stay Claims Asserted Against MOTI Defendants

06/18/2018 Notice
Filed By: Counter Defendant Seibel, Rowen
[96] Notice of Petition for Writ of Mandamus or Prohibition

06/18/2018 Motion to Stay
Filed By: Counter Defendant Seibel, Rowen
[97] Defendants Motion To Stay All Proceedings In The District Court Pending A Decision On Their Petition For A Writ Of Mandamus Or Prohibition

06/20/2018 Errata
Filed By: Counter Defendant Seibel, Rowen
[98] Errata to Defendant's Motion to Stay All Proceedings In the District Court Pending A Decision on thier Petition for A Writ of Mandamus or Prohibition

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[99] Notice of Intent to Take Default of Defendant Rowen Seibel

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[100] Notice of Intent to Take Default of Defendant LLTQ Enterprises, LLC

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[101] Notice of Intent to Take Default of Defendant LLTQ Enterprises 16, LLC

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[102] Notice of Intent to Take Default of Defendant FERG, LLC

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[103] Notice of Intent to Take Default of Defendant FERG 16, LLC

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[104] Notice of Intent to Take Default of Defendant MOTI Partners, LLC

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[105] Notice of Intent to Take Default of Defendant MOTI Partners 16, LLC

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[106] Notice of Intent to Take Default of Defendant TPOV Enterprises, LLC

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[107] Notice of Intent to Take Default of Defendant TPOV Enterprises 16, LLC

06/25/2018 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC
[108] Notice of Intent to Take Default of Defendant DNT Acquisition, LLC

06/25/2018 Receipt of Copy
Filed by: Counter Claimant PHWLV LLC
[109] Receipt of Copy

07/02/2018 Case Reassigned to Department 11
Reassigned From Judge Hardy - Dept 15

07/03/2018 Answer
Filed By: Counter Defendant Seibel, Rowen
[110] Defendant Rowen Seibel's Answer to Plaintiffs' Complaint

07/03/2018 Peremptory Challenge
Filed by: Counter Claimant PHWLV LLC
[111] Peremptory Challenge of Judge

07/05/2018 Notice of Department Reassignment
[112] Notice of Department Reassignment

07/06/2018 Answer
Filed By: Defendant MOTI Partners LLC
[113] Moti Defendant's Answer and Affirmative Defenses to Plainitiff's Complaint

07/06/2018 Answer
Filed By: Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC
[114] Defendants TPOV Enterprises, LLC and TPOV Enterprises 16, LLC's Answer to Plaintiff's Complaint

07/06/2018 Answer and Counterclaim
Filed By: Defendant DNT Acquisition LLC
[115] (A760537) Defendant DNT Acquisition, LLC's Answer to Plaintiffs' Complaint and Counterclaims

07/06/2018 Answer and Counterclaim
Filed By: Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC
[116] LLTQ/FERG Defendants' Answer and Affirmative Defenses to Plaintiffs' Complaint and Counterclaims

07/09/2018 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC
[117] Plaintiffs' Opposition to Defendants' Motion to Stay All Proceedings in the District Court Pending a Decision on their Petition for a Writ of Mandamus or Prohibition

07/09/2018 Appendix
Filed By: Counter Claimant PHWLV LLC
[118] Appendix of Exhibits in Support of Plaintiffs' Opposition to Defendants' Motion to Stay All Proceedings in the District Court Pending a Decision on their Petition for a Writ of Mandamus or Prohibition

07/25/2018 Reply to Counterclaim
Filed by: Counter Claimant PHWLV LLC
[119] Reply to LLTQ/FERG Defendants' Counterclaims

07/25/2018 Reply to Counterclaim
Filed by: Counter Claimant PHWLV LLC
[120] Reply to DNT Acquisition, LLC's Counterclaims

07/31/2018 Appendix
Filed By: Counter Defendant Seibel, Rowen
[121] Appendix of Exhibits in Support of Reply in Support of Defendants Motion to Stay All Proceedings in The District Court Pending a Decision on Their Petition for a Writ of Mandamus or Prohibition

07/31/2018 Reply in Support
Filed By: Counter Defendant Seibel, Rowen
[122] Reply in Support of Defendants' Motion to Stay All Proceedings in the District Court Pending a Decision on Their Petition for a Writ of Mandamus or Prohibition

08/06/2018 Motion to Intervene
[123] Motion to Intervene

08/16/2018 Business Court Order
[124] Business Court Order

08/20/2018 Notice of Rescheduling of Hearing
[125] Notice of Rescheduling Date for Mandatory Rule 16 Conference

08/22/2018 Order Denying Motion
Filed By: Counter Claimant PHWLV LLC
[126] Order Denying Defendants' Motion to Stay All Proceedings in the District Court Pending a Decision on Their Petition for a Writ of Mandamus or Prohibition

08/22/2018 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[127] Notice of Entry of Order Denying Defendants' Motion to Stay All Proceedings in the District Court Pending a Decision on Their Petition for Writ of Mandamus or Prohibition

08/28/2018 Stipulation and Order
Filed by: Intervenor Plaintiff Original Homestead Restaurant Inc
[128] Stipulation and Order to Continue Hearing on Motion to Intervene

08/28/2018 Motion to Associate Counsel
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[129] Proposed Plaintiff in Intervention The Original Homestead Restaurant, Inc. d/b/a The Old Homestead Steakhouse's Motion to Associate Counsel on an Order Shortening Time

08/29/2018 Notice of Entry of Stipulation and Order
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[130] Notice of Entry of Stipulation and Order to Continue Hearing on Motion to Intervene

09/24/2018 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC
[131] Stipulation and Order to Continue Hearing

09/24/2018 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[132] Notice of Entry of Stipulation and Order to Continue Hearing

10/11/2018 Order of Remand from Federal Court
[133] Supplemental Transmittal Form Regarding Remand of Adversary Proceeding

10/23/2018 Order Admitting to Practice
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[134] Order Admitting to Practice - Alan M. Lebensfeld

10/23/2018 Order Granting Motion
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[135] Order Granting Proposed Plaintiff in Intervention The Original Homestead Restaurant, Inc. d/b/a The Old Homestead Steakhouse's Motion to Intervene

10/23/2018 Notice of Entry of Order
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[136] Notice of Entry of Order Admitting to Practice Alan M. Lebensfeld

10/23/2018 Notice of Entry of Order
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[137] Notice of Entry of Order Granting Proposed Plaintiff in Intervention The Original Homestead Restaurant, Inc. d/b/a the Old Homestead Steakhouse's Motion to Intervene

10/24/2018 Complaint in Intervention

Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[138] Complaint in Intervention

10/24/2018 Initial Appearance Fee Disclosure
[139] Initial Appearance Fee Disclosure

10/24/2018 Summons Electronically Issued - Service Pending
Party: Intervenor Plaintiff Original Homestead Restaurant Inc
[140] Summons

10/31/2018 Amended Order Setting Jury Trial
[141] Business Court Scheduling Order Setting Civil Jury Trial and Pre-Trial Conference/Calendar Call

11/02/2018 Summons
Filed by: Intervenor Plaintiff Original Homestead Restaurant Inc
[142] Summons

11/02/2018 Acceptance of Service
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[143] Acceptance of Service of Summons and Complaint

11/27/2018 Answer to Complaint
Filed by: Counter Claimant PHWLV LLC
[144] Answer to Complaint in Intervention

12/26/2018 Notice of Rescheduling of Hearing
[145] Notice of Rescheduling Hearing

01/09/2019 Notice of Change of Address
[146] Notice of Change of Address

02/19/2019 Stipulation and Order
Filed by: Counter Defendant Seibel, Rowen
[147] Stipulation and Proposed Order to Extend Discovery Deadlines

02/22/2019 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen
[148] NOTICE OF ENTRY OF STIPULATION AND ORDER

02/26/2019 Motion to Extend Discovery
Filed By: Counter Defendant Seibel, Rowen
[149] Motion for an Extension of Discovery Deadlines on Order Shortening Time

03/06/2019 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC
[150] Limited Opposition to Motion for an Extension of Discovery Deadlines on Order Shortening Time

03/06/2019 Joinder to Opposition to Motion
Filed by: Intervenor Plaintiff Original Homestead Restaurant Inc
[151] Plaintiff in Intervention, The Original Homestead Restaurant, Inc.'s Joinder in and to Plaintiffs' Opposition to Defendant Rowen Seibel's, et al., Motion for an Extension of the Discovery Deadlines and of the Trial Date Herein

03/06/2019 Joinder To Motion
Filed By: Defendant Ramsay, Gordon
[152] Joinder to Caesars Limited Opposition to Plaintiff's Motion for Extension of Discovery Deadlines on Order Shortening Time

03/11/2019 Reply
Filed by: Counter Defendant Seibel, Rowen
[153] Reply in Support Of Motion for an Extension of Discovery Deadlines on Order Shortening Time

03/12/2019 Stipulated Protective Order
Filed By: Counter Claimant PHWLV LLC
[154] Stipulated Confidentiality Agreement and Protective Order

03/12/2019 Stipulation
Filed by: Counter Claimant PHWLV LLC
[155] Proposed Stipulated Protocol Governing Production of Electronically Store Information

03/12/2019 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[156] Notice of Entry of Stipulated Confidentiality Agreement and Protective Order

03/12/2019 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[157] Notice of Entry of Proposed Stipulated Protocol Governing Production of Electronically Stored Information

03/13/2019 Amended Order Setting Jury Trial
[158] Amended Order Setting Jury Trial

03/19/2019 Order
Filed By: Counter Defendant Seibel, Rowen
[159] Order Granting Motion for an Extension of Discovery Deadlines

03/19/2019 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen
[160] Notice of Entry of Order

03/26/2019 Stipulation
Filed by: Defendant Ramsay, Gordon
[161] Stipulation to Continue Hearing

03/28/2019 Motion to Associate Counsel
Filed By: Counter Defendant Seibel, Rowen
[162] MOTION TO ASSOCIATE JOSHUA FELDMAN

03/28/2019 Clerk's Notice of Hearing
[163] Notice of Hearing

03/28/2019 Clerk's Notice of Hearing
[164] Notice of Hearing

04/02/2019 Motion to Associate Counsel

Filed By: Counter Defendant Seibel, Rowen
[165] Motion to Associate Nicole Milone

04/03/2019 Clerk's Notice of Hearing
[166] Notice of Hearing

05/01/2019 Notice of Intent to Participate
Filed By: Defendant Ramsay, Gordon
[167] Notice of Intent to Participate by Telephone

05/02/2019 Order
Filed By: Counter Defendant Seibel, Rowen
[168] Order Admitting Joshua Feldman to Practice

05/02/2019 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen
[169] Notice of Entry of Order

05/03/2019 Motion to Withdraw As Counsel
Filed By: Counter Defendant Seibel, Rowen
[170] McNutt Law Firm's Motion to Withdraw as Counsel

05/03/2019 Clerk's Notice of Hearing
[171] Notice of Hearing

05/13/2019 Motion to Withdraw As Counsel
Filed By: Counter Defendant Seibel, Rowen
[172] Certilman Balin's Motion to Withdraw and Motion for a Stay of Discovery on Order Shortening Time

05/13/2019 Motion to Withdraw As Counsel
Filed By: Counter Defendant Seibel, Rowen
[173] Barack Ferrazzano's Motion to Withdraw on Shortened Notice

05/14/2019 Motion to Withdraw As Counsel
Filed By: Counter Defendant Seibel, Rowen
[174] Adelman & Gettleman's Motion to Withdraw on Order Shortening Time

05/14/2019 Clerk's Notice of Hearing
[175] Notice of Hearing

05/16/2019 Notice
Filed By: Counter Defendant Seibel, Rowen
[176] McNutt Law Firm, P.C. S Notice of Attorney's Charging Lien

05/16/2019 Notice
Filed By: Counter Defendant Seibel, Rowen
[177] McNutt Law Firm, P.C. S Notice of Attorney's Retaining Lien

05/22/2019 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC
[178] Opposition to (1) Certilman Balin's Motion to Withdraw and Motion for a Stay of Discovery on Order Shortening Time; (2) Barack Ferrazzano's Motion to Withdraw on Shortened Notice; and (3) Adelamn & Gettleman's Motion to Withdraw on Order Shortening

Time

05/22/2019 Appendix
Filed By: Counter Claimant PHWLV LLC
[179] Appendix in Support of Opposition to (1) Certilman Balin's Motion to Withdraw and Motion for a Stay of Discovery on Order Shortening Time; (2) Barack Ferrazzano's Motion to Withdraw on Shortened Notice; and (3) Adelamn & Gettleman's Motion to Withdraw on Order Shortening Time

05/22/2019 Joinder to Opposition to Motion
Filed by: Defendant Ramsay, Gordon
[180] Gordon Ramsay s Limited Joinder to Caesars Opposition to (1) Certilman Balin s Motion to Withdraw and Motion for Stay of Discovery on Order Shortening Time; (2) Barack Ferrazano s Motion to Withdraw on Shortened Notice; and (3) Adelman & Gettleman s Motion to Withdraw on Order Shortening Time

05/31/2019 Order
Filed By: Counter Defendant Seibel, Rowen
[181] (A751759, A760537) Order Granting Motions to Withdraw as Counsel of Record

05/31/2019 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen
[182] Notice of Entry of Order

06/04/2019 Notice of Intent to Participate
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[183] Notice of Intent to Participate by Telephone

06/04/2019 Notice of Appearance
[184] Notice of Appearance

06/04/2019 Order
Filed By: Counter Claimant PHWLV LLC
[185] Order Granting, in Part, Motion for a Stay of Discovery on Order Shortening Time

06/04/2019 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[186] Notice of Entry of Order Granting, in Part, Motion for a Stay of Discovery on Order Shortening Time

06/19/2019 Motion to Associate Counsel
[187] Bennett Motion to Associate Counsel

06/19/2019 Motion to Associate Counsel
[188] Brooks Motion to Associate Counsel

06/19/2019 Clerk's Notice of Hearing
[189] Notice of Hearing

06/21/2019 Notice of Intent to Participate
Filed By: Defendant Ramsay, Gordon
[190] Notice of Intent to Participate by Telephone

08/02/2019 Opposition
Filed By: Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16,

LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC
[191] Opposition to Countermotion to Strike Reply

08/13/2019 Order
[192] Order Admitting to Practice Bennett

08/13/2019 Order
[193] Order Admitting to Practice Brooks

08/13/2019 Notice of Entry
[194] Notice of Entry of Order - Bennett

08/13/2019 Notice of Entry
[195] Notice of Entry of Order - Brooks

08/15/2019 Stipulation and Order to Extend Discovery Deadlines
Filed By: Counter Claimant PHWLV LLC
[196] Stipulation and Proposed Order to Extend Discovery Deadlines and Trial (Fourth Request)

08/15/2019 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[197] Notice of Entry of Stipulation and Proposed Order to Extend Discovery Deadlines and Trial (Fourth Request)

08/19/2019 Amended Order Setting Jury Trial
[198] 2nd Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call

08/28/2019 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC
[199] (A760537) Stipulation and Order of Dismissal of J. Jeffrey Frederick with Prejudice

08/28/2019 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[200] Notice of Entry of Stipulation and Order of Dismissal of J. Jeffrey Frederick with Prejudice

09/06/2019 Notice of Deposition
[201] Notice of Videotaped Deposition of PHWLV, LLC

09/06/2019 Notice of Deposition
Filed By: Counter Defendant Seibel, Rowen
[202] Notice of Videotaped Depostion of Boardwalk Regency Corporation

09/06/2019 Notice of Deposition
Filed By: Counter Defendant Seibel, Rowen
[203] Notice of Videotaped Depostion of Desert Palace

09/06/2019 Notice of Deposition
Filed By: Counter Defendant Seibel, Rowen
[204] Notice of Videotaped Depostion of Paris Las Vegas Operating Company, LLC

09/09/2019 Notice of Deposition
Filed By: Counter Defendant Seibel, Rowen
[205] Notice of Videotaped Depostion of of Mark Clayton

09/09/2019 Notice of Deposition
Filed By: Counter Defendant Seibel, Rowen
[206] Notice of Videotaped Depostion of Thomas Jenkin

09/13/2019 Motion to Seal/Redact Records
Filed By: Defendant Ramsay, Gordon
[207] Gordon Ramsay's Motion to Seal Motion for Protective Order and Certain Supporting exhibits on Order Shortening Time

09/17/2019 Filed Under Seal
Filed By: Defendant Ramsay, Gordon
[208] Gordon Ramsay's Motion for Protective Order Regarding Siebel's Requests for Admission on Order Shortening Time Seal per (unfiled Order Granting Motion to Seal, LSF copy of it and 3/12/19 Stipulated Confidentiality Agreement and Protective Order

09/17/2019 Declaration
Filed By: Defendant Ramsay, Gordon
[209] Declaration of Service of Motion for Protective Order Filed Under Seal

09/17/2019 Order
Filed By: Defendant Ramsay, Gordon
[210] Order Granting Motion to Seal

09/24/2019 Opposition
[211] Plaintiff's Opposition to Motion for Protective Order

09/24/2019 Motion to Seal/Redact Records
Filed By: Counter Defendant Seibel, Rowen
[212] Motion to Seal Certain Exhibits to Plaintiff's Opposition to Motion of Gordon Ramsay for Protective Order Regarding Seibel Requests for Admissions, and Countermotion for Determination of Sufficiency of Answers and Objections

09/24/2019 Redacted Version
[214] PER ORDER 10/01/19 Redacted version of Opposition

09/24/2019 Filed Under Seal
[215] Exhibits 1,4,5,7,8,9,12,13,14 and 15

09/25/2019 Clerk's Notice of Hearing
[213] Notice of Hearing

09/25/2019 Reply to Opposition
Filed by: Defendant Ramsay, Gordon
[216] Gordon Ramsay's Reply in Support of Motion for Protective Order and Opposition to Plaintiff Rowen Seibel's Countermotion for Determination of Sufficiency of Answers and Objections

10/01/2019 Order
Filed By: Defendant Ramsay, Gordon
[217] Order Granting Gordon Ramsay's Motion for Protective Order Regarding Seibel's

Requests for Admission on Order Shortening Time

10/02/2019 Motion to Amend Answer
Filed By: Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC
[218] Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims

10/03/2019 Clerk's Notice of Hearing
[219] Notice of Hearing

10/07/2019 Motion to Associate Counsel
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[220] Motion to Associate Counsel

10/07/2019 Clerk's Notice of Hearing
[221] Notice of Hearing

10/14/2019 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC
[222] Stipulation and Proposed Order to Extend Discovery Deadlines (Fifth Request)

10/14/2019 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[223] Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Fifth Request)

10/14/2019 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC
[224] Opposition to Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims

10/15/2019 Amended Order Setting Jury Trial
[225] 3rd Amended Order Setting Jury Trial

10/17/2019 Reply
[226] Reply in Support of Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims

11/01/2019 Notice of Non Opposition
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[227] Notice of Non-Opposition to Motion to Associate Lawrence J. Sharon as Counsel

11/13/2019 Order Admitting to Practice
[228] Order Admitting Lawrence J. Sharon to Practice

11/14/2019 Notice of Entry of Order
Filed By: Intervenor Plaintiff Original Homestead Restaurant Inc
[229] Notice of Entry of Order Admitting Lawrence J. Sharon to Practice

11/21/2019 Notice of Deposition
[230] Notice of Deposition of Gary Selesner

11/25/2019 Order
Filed By: Counter Claimant PHWLV LLC

[231] Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims

11/25/2019 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[232] Notice of Entry of Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims

12/12/2019 Motion for Leave to File
[233] Caesars' Motion for Leave to File First Amended Complaint; and Ex Parte Application for Order Shortening Time

12/12/2019 Appendix
Filed By: Counter Claimant PHWLV LLC
[234] Appendix in Support of Caesars' Motion for Leave to File First Amended Complaint; and Ex Parte Application for Order Shortening Time

12/12/2019 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC
[235] Motion to Redact Portions of Caesars' Motion for Leave to File First Amended Complaint; and Ex Parte Application for Order Shortening Time, and Seal Exhibits 1, 6, 7, 9, 10, 11, 12, 13, 15, and 16 Thereto

12/13/2019 Filed Under Seal
Filed By: Consolidated Case Party Desert Palace Inc
[236] Caesars Motion for Leave to File First Amended Complaint and Ex Parte Application for Order Shortening Time

12/23/2019 Opposition
Filed By: Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC
[237] Opposition to Caesars' Motion for Leave to File First Amended Complaint

12/23/2019 Motion to Seal/Redact Records
[238] Motion to Seal Certain Exhibits to Opposition to Caesars' Motion for Leave to File First Amended Complaint

12/23/2019 Clerk's Notice of Hearing
[239] Notice of Hearing

01/07/2020 Stipulation and Order
[240] Stipulation and Order to Continue Hearings Scheduled for January 8, 2020 and February 5, 2020 (First Request)

01/07/2020 Notice of Entry of Stipulation and Order
[241] Notice of Entry of Stipulation and Order to Continue Hearings Scheduled for January 8, 2020 and February 5, 2020 (First Request)

01/08/2020 Stipulation and Order to Extend Discovery Deadlines
Filed By: Counter Claimant PHWLV LLC
[242] Stipulation and Order to Extend Discovery Deadlines (Sixth Request)

01/08/2020 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC

[243] Notice of Entry of Stipulation and Proposed Order to Extend Discovery Deadlines (Sixth Request)

01/10/2020 Amended Order Setting Jury Trial
[244] 4th Amended Order Setting Jury Trial, Pre-Trial, Calendar Casll, and Deadlines for Motions

02/05/2020 Reply in Support
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[245] Caesars' Reply in Support of Its Motion for Leave to File First Amended Complaint

02/05/2020 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[246] Motion to Seal Exhibits 23 to Caesars' Reply in Support of Its Motion for Leave to File First Amended Complaint

02/05/2020 Clerk's Notice of Hearing
[247] Notice of Hearing

02/06/2020 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[248] Exhibit 23 of Caesars' Reply in Support of Its Motion for Leave to File First Amended Complaint 2/5/2020 - Motion to Seal Exhibit 23 to Caesars' Reply in Support of Its Motion for Leave to File First Amended Complaint

02/21/2020 Notice of Withdrawal of Attorney
Filed by: Defendant Ramsay, Gordon
[249] Notice of Withdrawal of Attorney

03/02/2020 Substitution of Attorney
Filed by: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC
[250] Substitution of Attorneys

03/10/2020 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[251] Order Granting Caesars' Motion for Leave to File First Amended Complaint

03/11/2020 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[252] Notice of Entry of Order Granting Caesars' Motion for Leave to File First Amended Complaint

03/11/2020 First Amended Complaint
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace

Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[253] (A760537) First Amended Complaint

03/11/2020 Summons Electronically Issued - Service Pending
Party: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[254] Summons to Craig Green

03/13/2020 Acceptance of Service
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[255] Acceptance of Service

03/17/2020 Acceptance of Service
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[256] Acceptance of Service - DNT Acquisition, LLC

04/08/2020 Substitution of Attorney
Filed by: Counter Claimant R Squared Global Solutions, LLC
[257] Substitution of Attorneys

04/08/2020 Motion to Dismiss
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[258] Rowen Seibel, The Development Entities, and Craig Green's Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint

04/08/2020 Initial Appearance Fee Disclosure
Filed By: Defendant Green, Craig
[259] Initial Appearance Fee Disclosure

04/09/2020 Clerk's Notice of Hearing
[260] Notice of Hearing

04/13/2020 Order Granting Motion
[261] Order Granting Motion to Seal Exhibit 23 to Caesars' Reply in Support of its Motion for Leave to File First Amended Complaint

04/13/2020 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[262] Notice of Entry of Order Granting Motion to Seal Exhibit 23 to Caesars' Reply in Support of its Motion for Leave to File First Amended Complaint

04/17/2020 Amended Order Setting Jury Trial
[263] 5th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call

04/17/2020 Stipulation and Order
[264] Stipulation to Stay Discovery and Order to Extend Discovery Deadlines Following Stay (7th Request)

04/20/2020 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[265] Notice of Entry of Stipulation to Stay Discovery and Proposed Order to Extend Discovery Deadlines Following Stay (Seventh Request)

04/22/2020 Opposition to Motion to Dismiss
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[266] Caesars' Opposition to Rowen Seibel, The Development Entities, and Craig Green's Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint

04/22/2020 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[267] Motion to Redact Caesars' Opposition to Rowen Seibel, The Development Entities, and Craig Green's Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint and Seal Exhibit 2 Thereto

04/23/2020 Clerk's Notice of Hearing
[268] Notice of Hearing

05/13/2020 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[269] Rowen Seibel, The Development Entities, and Craig Green's Reply in Support of their Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint

05/20/2020 Notice of Intent to Take Default
Party: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[270] Notice of Intent to Take Default of Defendant GR Burgr LLC

05/28/2020 Order Shortening Time
[271] The Development Entities, Rowen Seibel, and Craig Green S Motion to Extend Discovery Deadlines and Continue Trial On Order Shortening Time (Eighth Request)

05/29/2020 Order Denying Motion
[272] ORDER DENYING, WITHOUT PREJUDICE, ROWEN SEIBEL, THE DEVELOPMENT ENTITIES, AND CRAIG GREEN'S MOTION TO DISMISS COUNTS IV, V, VI, VII, AND VIII OF CAESARS' FIRST AMENDED COMPLAINT

05/29/2020 Order Scheduling Status Check
[273] STIPULATION AND ORDER SCHEDULING A STATUS CHECK

05/29/2020 Notice of Entry of Order

Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[274] Notice of Entry of Order Denying, without Prejudice, Rowen Seibel, the Development Entities, and Craig Green's Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint

05/29/2020 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[275] Notice of Entry of Stipulation and Order Scheduling a Status Check

06/08/2020 Opposition
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[276] Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Extend Discovery Deadlines and Continue Trial on Order Shortening Time (Eighth Request)

06/08/2020 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[277] Appendix in Support of Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Extend Discovery Deadlines and Continue Trial on Order Shortening Time (Eighth Request)

06/09/2020 Joinder to Opposition to Motion
Filed by: Defendant Ramsay, Gordon
[278] Ramsay's Joinder to Caesars' Opposition to the Development Entities Rowen Seibel, and Craig Green's Motion to Extend Discovery Deadlines and Continue Trial on Order Shortening Time (Eighth Request)

06/09/2020 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[279] The Development Entities, Rowen Seibel, and Craig Green's Reply in Support of their Motion to Extend Discovery Deadlines and Continue Trial on Order Shortening Time (Eighth Request)

06/09/2020 Notice of Appearance
Party: Other Plaintiff GR BURGR LLC
[280] Notice of Appearance of Counsel

06/09/2020 Motion to Compel
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[281] Caesars' Motion to Compel Responses to Requests for Production of Documents

06/09/2020 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case

Party Boardwalk Regency Corporation
[282] Appendix in Support of Caesars' Motion to Compel Responses to Requests for Production of Documents

06/09/2020 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[283] Motion to Redact Caesars' Motion to Compel Responses to Requests for Production of Documents and Seal Exhibits 1 and 18 Thereto

06/09/2020 Application for Entry of Default
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[284] Application for Entry of Default of Defendant GR Burgr, LLC

06/09/2020 Declaration
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[285] Declaration of M. Magali Mercera, Esq. in Support of Application for Entry of Default of Defendant GR Burgr, LLC

06/11/2020 Clerk's Notice of Hearing
[286] Notice of Hearing

06/18/2020 Amended Order Setting Jury Trial
[287] 6th AMENDED ORDER SETTING CIVIL JURY TRIAL, PRE-TRIAL, CALENDAR CALL, AND DEADLINES FOR MOTIONS; AMENDED DISCOVERY SCHEDULING ORDER CALL

06/19/2020 Answer (Business Court)
Filed By: Other Plaintiff GR BURGR LLC
[288] Nominal Plaintiff, GR Burgr, LLC's Answer to First Amended Compalint

06/19/2020 Initial Appearance Fee Disclosure
Filed By: Other Plaintiff GR BURGR LLC
[289] GR Burgr, LLC's Initial Appearance Fee Disclosure (NRS Chapter 19)

06/19/2020 Disclosure Statement
Party: Other Plaintiff GR BURGR LLC
[290] GR Burgr LLC's NRCP 7.1 Disclosure Statement

06/19/2020 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[291] ORDER GRANTING MOTION TO REDACT CAESARS' OPPOSITION TO ROWEN SEIBEL, THE DEVELOPMENT ENTITIES, AND CRAIG GREEN'S MOTION TO DISMISS COUNTS IV, V, VI, VII, AND VIII OF CAESARS' FIRST AMENDED COMPLAINT AND SEAL EXHIBIT 2 THERETO

06/19/2020 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation

[292] Notice of Entry of Order Granting Motion to Redact Caesars' Opposition to Rowen Seibel, the Development Entities, and Craig Green's Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint and Seal Exhibit 2 Thereto

06/19/2020 Answer and Counterclaim
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[293] The Development Entities, Rowen Seibel, and Craig Green s Answer to Caesars First Amended Complaint and Counterclaims

06/23/2020 Opposition and Countermotion
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[294] (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order

06/23/2020 Motion to Seal/Redact Records
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[295] Motion to Seal Exhibits 1 and 3 to (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order

06/23/2020 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[296] SEALED per minute order 7/21/20 Exhibits 1 and 3 to (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order-FILED UNDER SEAL

06/25/2020 Clerk's Notice of Nonconforming Document
[297] Clerk's Notice of Nonconforming Document

06/26/2020 Clerk's Notice of Nonconforming Document and Curative Action
[298] Clerk's Notice of Curative Action

06/26/2020 Clerk's Notice of Hearing
[299] Notice of Hearing

06/29/2020 Stipulation and Order
Filed by: Consolidated Case Party Desert Palace Inc
[300] STIPULATION AND ORDER PERMITTING ISSUANCE OF SUBPOENAS PURSUANT TO NRCP 45

06/29/2020

Order
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[301] ORDER GRANTING, IN PART, THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN S MOTION TO EXTEND DISCOVERY DEADLINES AND CONTINUE TRIAL (EIGHTH REQUEST)

06/29/2020 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[302] SEALED PER ORDER 7/27/20 [302] Exhibits 1 and 18 of Caesars' Motion to Compel Responses to Requests for Production of Documents (Filed under Seal)

06/29/2020 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[303] Notice of Entry of Stipulation and Order Permitting Issuance of Subpoenas Pursuant to NRCP 45

06/30/2020 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[304] Notice of Entry of Order Granting, in Part, the Development Entities, Rowen Seibel, and Craig Green s Motion to Extend Discovery Deadlines and Continue Trial (Eighth Request)

07/07/2020 Non Opposition
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[305] Caesars' Non-Opposition to the Motion to Seal Exhibits 1 and 3 to (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order

07/08/2020 Reply in Support
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[306] Caesars' Reply in Support of Motion to Compel Responses to Requests for Production of Documents and Opposition to Countermotion for a Protective Order

07/08/2020 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[307] Motion to Redact Caesars' Reply in Support of Motion to Compel Responses to Requests for Production of Documents and Opposition to Countermotion for a Protective Order and Exhibit 20 and Seal Exhibit 23 Thereto

07/08/2020

Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[308] SEALED PER ORDER 6/4/21 Exhibits 20 and 23 of Caesars' Reply in Support of Motion to Compel Responses to Requests for Production of Documents and Opposition to Countermotion for a Protective Order (Filed under Seal)

07/09/2020 Clerk's Notice of Hearing
[309] Notice of Hearing

07/15/2020 Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[310] Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss

07/16/2020 Clerk's Notice of Hearing
[311] Notice of Hearing

07/27/2020 Order Granting Motion
[312] Order Granting Motion to Redact Caesar's Motion to Compel Responses to Requests for Production of Documents and Seal Exhibits 1 & 18 Thereto

07/27/2020 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[313] Notice of Entry of Order Granting Motion to Redact Caesars' Motion to Compel Responses to Requests for Production of Documents and Seal Exhibits 1 and 18 Thereto

07/28/2020 Order Granting Motion
Filed By: Consolidated Case Party Desert Palace Inc
[314] Order (1) Granting Motion to Compel Responses to Requests for Production of Documents; and (2) Denyig Countermotion for a Protective Order

07/28/2020 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[315] Notice of Entry of Order (1) Granting Motion to Compel Responses to Requests for Production of Documents; and (2) Denying Countermotion for a Protective Order

07/29/2020 Order Granting Motion
Filed By: Counter Defendant Seibel, Rowen; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[316] ORDER GRANTING THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN S MOTION TO SEAL EXHIBITS 1 AND 3 TO (1) ROWEN SEIBEL S OPPOSITION TO CAESARS MOTION TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS; AND (2) THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL S COUNTERMOTION FOR A PROTECTIVE ORDER

07/30/2020 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises,

LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[317] Notice of Entry of Order Granting the Development Entities, Rowen Seibel, and Craig Green's Motion to Seal Exhibits 1 and 3 to (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) the Development Entities and Rowen Seibel's Countermotion for a Protective Order

08/03/2020 Opposition to Motion
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[318] The Development Entities' Opposition to Caesars' Motion to Strike Counterclaims, and/or in the Alternative, Motion to Dismiss

08/12/2020 Reply in Support
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[319] Caesars' Reply in Support of Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss

08/19/2020 Motion to Compel
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[320] (Withdrawn 12/2/20) The Development Entities and Rowen Seibel's Motion to Compel Production of Financial Records Related to Gordon Ramsay Steak Atlantic City

08/20/2020 Clerk's Notice of Hearing
[321] Notice of Hearing

09/02/2020 Opposition and Countermotion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[322] Opposition to the Development Entities and Rowen Seibel's Motion to Compel Production of Financial Records Related to Gordon Ramsay Steak Atlantic City and Countermotion for Protective Order

09/02/2020 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[323] Appendix in Support of Opposition to the Development Entities and Rowen Seibel's Motion to Compel Production of Financial Records Related to Gordon Ramsay Steak Atlantic City and Countermotion for Protective Order

09/16/2020 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant

MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[324] Reply in Support of The Development Entities and Rowen Seibel's Motion to Compel Production of Financial Records Related to Gordon Ramsay Steak Atlantic City

09/26/2020 Change of Address
Filed By: Defendant Ramsay, Gordon
[325] Change of Address

10/09/2020 Notice of Withdrawal of Attorney
Filed by: Intervenor Plaintiff Original Homestead Restaurant Inc
[326] Notice of Withdrawal of Counsel

10/15/2020 Stipulation and Order to Extend Discovery Deadlines
Filed By: Consolidated Case Party Desert Palace Inc
[327] Stipulation and Proposed Order to Extend Discovery Deadlines (Ninth Request)

10/15/2020 Amended Order Setting Jury Trial
[328] 7th AMENDED ORDER SETTING CIVIL JURY TRIAL, PRE-TRIAL, CALENDAR CALL, AND DEADLINES FOR MOTIONS; AMENDED DISCOVERY SCHEDULING ORDER CALL

10/19/2020 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[329] Notice of Entry of Stipulation and Proposed Order to Extend Discovery Deadlines (Ninth Request)

11/20/2020 Motion
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[330] The Development Entities, Rowen Seibel, and Craig Green's Motion for Leave to File Oversized Brief

11/20/2020 Motion to Seal/Redact Records
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[331] Motion to Redact Their Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery; and to Seal Exhs. 49-57 to the Appendix of Exhibits Related Thereto

11/20/2020 Appendix
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[332] Appendix of Exhibits to the Motion: (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on OST-Vol. 1 of 4

11/20/2020 Appendix

Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[333] Appendix of Exhibits to Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on OST-Vol. 2 of 4

11/20/2020 Appendix
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[334] Appendix of Exhibits to Motion: (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on OST-Vol. 3 of 4

11/20/2020 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[335] SEALED PER ORDER 1/6/21 Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) To Compel Responses to Written Discovery-FILED UNDER SEAL

11/20/2020 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[336] SEALED PER ORDER 1/6/21 Appendix of Exhibits to Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on OST-Vol 4 of 4-FILED UNDER SEAL

11/20/2020 Motion for Leave to File
[337] The Development Entities, Rowen Seibel, and Craig Green's Motion: (1) For Leave to Take Caesars' NRCP 30(B)(6) Deopsitions and to Compel Responses to Written Discovery on Order Shortening Time

11/20/2020 Redacted Version
[476] Redacted version of Appendix to remove Exhibit 49 and seal it per Order 5/26/21

11/20/2020 Filed Under Seal
[477] Exhibit 49

11/24/2020 Clerk's Notice of Hearing
[338] Notice of Hearing

11/24/2020 Clerk's Notice of Hearing
[339] Notice of Hearing

12/02/2020 Stipulation and Order
[340] STIPULATION AND ORDER TO WITHDRAWMOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY

12/04/2020 Opposition and Countermotion

Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[341] Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green

12/04/2020 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[342] Motion to Redact Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green and Seal Exhibits 3-6, 8-11, 13, 15, and 16 Thereto

12/04/2020 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[343] Appendix in Support of Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green

12/04/2020 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[344] SEALED PER ORDER 1/6/21 Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green

12/04/2020 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[345] SEALED PER ORDER 1/6/21 Appendix in Support of Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green

12/07/2020 Clerk's Notice of Hearing
[346] Notice of Hearing

12/07/2020 Motion to Seal/Redact Records
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[347] The Development Entities, Rowen Seibel, and Craig Green's Motion to Seal Volume 5 of the Appendix to Their Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery

12/07/2020 Filed Under Seal

Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[348] SEALED PER ORDER 1/6/21 Appendix of Exhibits to Develop. Entities, R. Seibel, & C. Green's Motion (1) for Leave to Take Caesars' NRCP30(b)(6) Depos; & (2) to Compel Responses to Written Disc on OST,Vol 5-FUS

12/07/2020 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[349] The Development Entities, Rowen Seibel, and Craig Green's: (1) Reply in Support of Mot for Leave/to Compel; (2) Opp to Caesars Countermotion for Protective Order; and (3) Opp to Motion to Compel Deposition of Craig Green

12/08/2020 Clerk's Notice of Hearing
[350] Notice of Hearing

01/06/2021 Motion to Compel
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[351] Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

01/06/2021 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[352] Appendix in Support of Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

01/06/2021 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[353] Motion to Redact Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception and Seal Exhibits 1, 3, 4, 5, 8, 12, and 16-21 Thereto

01/06/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[354] SEALED per minute order 2/10/21 Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

01/07/2021 Clerk's Notice of Hearing
[355] Notice of Hearing

01/07/2021 Clerk's Notice of Hearing
[356] Notice of Hearing

01/22/2021 Motion to Seal/Redact Records

Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[357] The Development Entities, Rowen Seibel, and Craig Green's Motion to Redact Their Opposition to Caesars' Motion to Compel Documents Withheld on the Basis of Atty-Client Privilege Pursuant to the Crime-Fraud Exception; and to Seal Exs. 2-20, 22-23, 26-36, 38-60, 62-69, and 71 to the Appendix of Exhibits Related Thereto

01/22/2021 Opposition
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[358] Rowen Seibel, Craig Green, and The Development Entities' Opposition to Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[359] SEALED PER MINUTE ORDER 2/24/21 Rowen Seibel, Craig Green, and The Development Entities' Opposition to Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception-FILED UNDER SEAL

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[360] SEALED PER MINUTE ORDER 2/24/21 Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities' Opposition to Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Vol. 1 of 6, FILED UNDER SEAL

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[361] SEALED PER MINUTE ORDER 2/24/21 Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities' Opposition to Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Vol. 2 of 6, FILED UNDER SEAL

01/22/2021 Appendix
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[362] Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 1 of 6

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[363] SEALED PER MINUTE ORDER 2/24/21 Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 3-1 of 6-FILED UNDER SEAL

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[364] SEALED PER MINUTE ORDER 2/24/21 Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 3-2 of 6-FILED UNDER SEAL

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[365] SEALED PER MINUTE ORDER 2/24/21 Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 4-1 of 6-FILED UNDER SEAL

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[366] SEALED PER MINUTE ORDER 2/24/21 Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 4-2 of 6-FILED UNDER SEAL

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[367] SEALED PER MINUTE ORDER 2/24/21 Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 5 of 6-FILED UNDER SEAL

01/22/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter

Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[368] SEALED PER MINUTE ORDER 2/24/21 Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 6 of 6-FILED UNDER SEAL

01/22/2021 Appendix
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[369] Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 3-2 of 6

01/22/2021 Appendix
[370] Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 4-1 of 6

01/22/2021 Appendix
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[371] Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 4-2 of 6

01/22/2021 Appendix
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[372] Appendix of Exhibits to Rowen Seibel, Craig Green, and the Development Entities Opposition to Caesars Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception, Volume 6 of 6

01/26/2021 Clerk's Notice of Hearing
[373] Notice of Hearing

02/02/2021 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[374] Order Granting Motion to Redact Caesars'Oppostio to the Development Entities, Rowen Seibel and Crign Green's Motion (1) For Leave to Take Caesars NRCP 30(B) (6) Depositions to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and For leave to take Limited Depostion of Craig Green and Seal Exhibits 3-6, 8-11. 13, 15, and 16 Thereto

02/03/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[375] Notice of Entry of Order Granting Motion to Redact Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion (1) for Leave to Take Caesars'

NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green and Seal Exhibits 3-6, 8-11, 13, 15, and 16 Thereto

02/03/2021 Reply
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[376] Reply in Support of Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

02/03/2021 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[377] Appendix to Reply in Support of Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

02/03/2021 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[378] Motion to Redact Reply in Support of Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception and Seal Exhibits 23, 24, 27, 30-32, and 34 Thereto

02/03/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[379] SEALED PER MINUTE ORDER 2/24/21 Reply in Support of Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

02/03/2021 Findings of Fact, Conclusions of Law and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[380] Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss

02/03/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[381] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss

02/04/2021 Clerk's Notice of Hearing
[382] Notice of Hearing

02/04/2021 Order Denying
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[383] Order (i) Denying The Development Entities, Rowen Seibel, And Craig Green's Motion: (1) For Leave To Take Caesars' NRCP 30(B)(6) Depositions; And (2) To Compel Responses To Written Discovery On Order Shortening Time; And (Ii) Granting Caesars' Countermotion

For Protective Order And For Leave To Take Limited Deposition Of Craig Green

02/04/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[384] Notice of Entry of Order (i) Denying the Development Entities, Rowen Seibel, and Craig Green's Motion: (1) for Leave to Take Caesars NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and (ii) Granting Caesars' Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green

02/05/2021 Notice
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[385] Notice of Filing Petition for Extraordinary Writ Relief

02/08/2021 Motion to Stay
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[386] The Development Entities' Motion for a Limited Stay of Proceedings Pending Their Petition for Extraordinary Writ Relief on Order Shortening Time

02/09/2021 Motion to Compel
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[387] The Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents

02/09/2021 Motion to Seal/Redact Records
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[388] The Development Entities, Rowen Seibel, and Craig Green's Motion to Seal Exhibits 2-3 and 5-6 to Their Motion to Compel "Confidential" Designation of Caesars' Financial Documents

02/09/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[389] Filed Under Seal per Minute Order 4/9/2021 Exhibits 2-3 and 5-6 to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents-FILED UNDER SEAL

02/10/2021 Clerk's Notice of Nonconforming Document
[390] Clerk's Notice of Nonconforming Document

02/10/2021 Clerk's Notice of Nonconforming Document and Curative Action
[391] Clerk's Notice of Curative Action

02/10/2021 Clerk's Notice of Hearing
[392] Notice of Hearing

02/16/2021 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[393] Caesars' Opposition to the Development Entities' Motion for a LImited Stay of Proceedings Pending Their Petition for Extraordinary Writ Relief on Order Shortening Time

02/17/2021 Stipulation and Order
Filed by: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[394] Stipulation and Order for a Limited Extension of the Dispositive Motion Deadline

02/18/2021 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[395] Notice of Entry of Stipulation and Order for a Limited Extension of the Dispositive Motion Deadline

02/18/2021 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[396] Stipulation and Order to Extend Dispositive Motion Deadline

02/18/2021 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[397] Notice of Entry of Stipulation and Order to Extend Dispositive Motion Deadline

02/24/2021 Order Granting Motion
Filed By: Consolidated Case Party Desert Palace Inc
[398] Order Granting Motion to Redact Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege PUrsuant to the Crime-Fraud Exception and Seal Exhibits 1,3,4,5,8,12 and 16-21 Thereto

02/24/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[399] Notice of Entry of Order Granting Motion to Redact Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception and Seal Exhibits 1, 3, 4, 5, 8, 12, and 16-21 Thereto

02/24/2021 Order Denying Motion

Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[400] Order Denying The Development Entities' Motion for a Limited Stay of Proceedings Pending their Petition for Extraordinary Writ Relief on Order Shortening Time

02/25/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[401] Notice of Entry of Order Denying the Development Entities' Motion for a Limited Stay of Proceedings Pending Their Petition for Extraordinary Writ Relief on Order Shortening Time

02/25/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[402] SEALED PER ORDER 1/28/22 [402] Exhibits 7-15 to Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment

02/25/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[403] SEALED PER ORDER 1/28/22 [403] Exhibits 38, 40-42, 45-46, 48, 50, 66-67, 73, and 76-80 to Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment

02/25/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[404] SEALED PER ORDER 1/28/22 [404] Caesars' Motion for Summary Judgment No. 1

02/25/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[405] SEALED PER ORDER 1/28/22 [405] Caesars' Motion for Summary Judgment No. 2

02/25/2021 Motion for Summary Judgment
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[406] Caesars' Motion for Summary Judgment No. 1

02/25/2021 Motion for Summary Judgment
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[407] Caesars' Motion for Summary Judgment No. 2

02/25/2021 Request for Judicial Notice
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[408] Request for Judicial Notice of Exhibits 39, 59, and 62 in Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment

02/25/2021 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[409] Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment

02/25/2021 Declaration
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[410] Declaration of M. Magali Mercera, Esq. in Support of Caesars' Motions for Summary Judgment

02/25/2021 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[411] 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

02/25/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[417] SEALED PER ORDER 1/28/22 [417] Exhibits 1-6 to Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment

02/26/2021 Motion for Summary Judgment
Filed By: Defendant Ramsay, Gordon
[412] Gordan Ramsay's Motion for Summary Judgment

02/26/2021 Appendix
Filed By: Defendant Ramsay, Gordon
[413] Appendix to Defendant Gordan Ramsay's Motion for Summary Judgment Volume I of II

02/26/2021 Appendix
Filed By: Defendant Ramsay, Gordon
[414] Appendix to Defendant Gordan Ramsay's Motion for Summary Judgment Volume II of II

02/26/2021 Request for Judicial Notice
Filed By: Defendant Ramsay, Gordon
[415] Gordon Ramsay's Request for Judicial Notice

02/26/2021 Motion to Seal/Redact Records
Filed By: Defendant Ramsay, Gordon
[416] Gordon Ramsay's Motion to Redact Gordon Ramsay's Motion for Summary Judgment and Seal Exhibits 2-3, 5-25, 27, 28, 30, 32-35, 37, 38, 42 in Appendix to Ramsay's Motion for Summary Judgment

02/26/2021 Clerk's Notice of Hearing
[418] Notice of Hearing

02/26/2021 Clerk's Notice of Hearing
[419] Notice of Hearing

02/26/2021 Clerk's Notice of Hearing
[420] Notice of Hearing

02/26/2021 Clerk's Notice of Hearing
[421] Notice of Hearing

02/26/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[422] SEALED PER ORDER 1/28/22 [422] Exhibits 16-36 to Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment

03/04/2021 Opposition and Countermotion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[423] Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order

03/04/2021 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[424] Appendix of Exhibits in Support of Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order

03/04/2021 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[425] Motion to Redact Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order and Seal Exhibits 1, 2, 4, 7, 9-18, 20, 22, and 26-30 Thereto

03/04/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[426] SEALED PER MINUTE ORDER 4/9/21 Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order

03/04/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[427] SEALED PER MINUTE ORDER 4/9/21 Exhibits 1, 2, 4, 7, 9-18, 20, 22 and 26-30 to Appendix of Exhibits in Support of Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order

03/05/2021 Clerk's Notice of Hearing
[428] Notice of Hearing

03/05/2021 Notice of Change of Hearing
[429] Notice of Change of Hearing

03/05/2021 Clerk's Notice of Hearing
[430] Notice of Hearing

03/05/2021 Notice of Withdrawal
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[431] Notice of Withdrawal of Kirkland & Ellis LLP

03/10/2021 Stipulation and Order
Filed by: Consolidated Case Party Desert Palace Inc
[432] Stipulation and Order to Continue Hearing Dates and Set Briefing Schedule

03/10/2021 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[433] Notice of Entry of Stipulation and Order to Continue Hearing Dates and Set Briefing Schedule

03/17/2021 Substitution of Attorney
Filed by: Counter Defendant Seibel, Rowen
[434] (A751759, A760537) Substitution of Attorneys for GR Burgr, LLC

03/17/2021 Stipulation and Order
Filed by: Consolidated Case Party Desert Palace Inc
[435] Stipulation and Order to Continue Hearing on the Development Entities, Rowen Seibel, and Craig Green's (1) Motion to Compel "Confidential" Designation of Caesars' Financial Documents, and (2) Motion to Seal Exhibits 2-3 and 5-6 to Their Motion to Compel "Confidential" Designation of Caesars' Financial Documents

03/17/2021 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[436] Notice of Entry of Stipulation and Order to Continue Hearing on the Development Entities, Rowen Seibel, and Craig Green's (1) Motion to Compel "Confidential" Designation of Caesars' Financial Documents, and (2) Motion to Seal Exhibits 2-3 and 5-6 to Their Motion to Compel "Confidential" Designation of Caesars' Financial Documents

03/30/2021 Objection
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[437] Objections to Evidence Offered by Caesars in Support of its Motions for Summary Judgment

03/30/2021 Objection
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI

Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[438] Objections to Evidence Offered by Gordon Ramsay in Support of his Motion for Summary Judgment

03/30/2021 Motion for Leave to File
[439] Rowen Seibel, GR Burgr, LLC, and The Development Entities' Omnibus Motion for Leave to File Oversized Briefs

03/30/2021 Motion to Seal/Redact Records
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[440] The Development Entities and Rowen Seibel's Motion to Redact Their Oppositions to the Motions for Summary Judgment and to Seal Exhibits 526 through 647 to the Appendix of Exhibits Thereto

03/30/2021 Opposition to Motion
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[441] The Development Entities and Rowen Seibel's Opposition to Caesars' Motion for Summary Judgment No. 1

03/30/2021 Opposition to Motion For Summary Judgment
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[442] Opposition to Caesars' Motion for Summary Judgment No. 2

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[443] SEALED PER ORDER 2/8/22 [443] The Development Entities and Rowen Seibel's Opposition to Caesars' Motion for Summary Judgment No. 1

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[444] SEALED PER ORDER 2/8/22 [444] Opposition to Caesars' Motion for Summary Judgment No. 2

03/30/2021 Opposition to Motion For Summary Judgment

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[445] Opposition to Gordon Ramsay's Motion for Summary Judgment

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[446] SEALED PER ORDER 2/8/22 [446] Opposition to Gordon Ramsay's Motion for Summary Judgment-FILED UNDER SEAL

03/30/2021 Appendix
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[447] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's MSJ No. 1; (2) Opposition to Caesar's MSJ No. 2; and (3) Opposition to Gordon Ramsay's MSJ-Vol. 1 of 9

03/30/2021 Appendix
Filed By: Counter Defendant Seibel, Rowen; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC
[448] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's MSJ No. 1; (2) Opposition to Caesar's MSJ No. 2; and (3) Opposition to Gordon Ramsay's MSJ-Vol 2 of 9

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[449] SEALED PER ORDER 2/8/22 [449] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's MSJ No. 1; (2) Opposition to Caesar's MSJ No. 2; and (3) Opposition to Gordon Ramsay's MSJ-Vol. 4 of 9-FILED UNDER SEAL

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[450] SEALED PER ORDER 2/8/22 [450] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's Motion for Summary Judgment No. 1; (2) Opposition to Caesar's Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment - Volume 2 of 9 - Filed Under Seal

03/30/2021 Filed Under Seal

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[451] SEALED PER ORDER 2/8/22 [451] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's Motion for Summary Judgment No. 1; (2) Opposition to Caesar's Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment - Volume 3 of 9 - Filed Under Seal

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[452] SEALED PER ORDER 2/8/22 [452] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's Motion for Summary Judgment No. 1; (2) Opposition to Caesar's Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment - Volume 5 of 9 - Filed Under Seal

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[453] SEALED PER ORDER 2/8/22 [453] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's Motion for Summary Judgment No. 1; (2) Opposition to Caesar's Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment - Volume 6 of 9 - Filed Under Seal

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[454] SEALED PER ORDER 2/8/22 [454] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's MSJ No. 1; (2) Opposition to Caesar's MSJ No. 2; and (3) Opposition to Gordon Ramsay's MSJ-Vol. 7 of 9-FILED UNDER SEAL

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[455] SEALED PER ORDER 2/8/22 [455] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's MSJ No. 1; (2) Opposition to Caesar's MSJ No. 2; and (3) Opposition to Gordon Ramsay's MSJ-Vol. 8 of 9-FILED UNDER SEAL

03/30/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI

Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[456] SEALED PER ORDER 2/8/22 [456] Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesar's MSJ No. 1; (2) Opposition to Caesar's MSJ No. 2; and (3) Opposition to Gordon Ramsay's MSJ-Vol. 9 of 9-FILED UNDER SEAL

03/31/2021 Clerk's Notice of Hearing
[457] Notice of Hearing

03/31/2021 Clerk's Notice of Hearing
[458] Notice of Hearing

03/31/2021 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[459] The Development Entities, Rowen Seibel, and Craig Green's: (1) Reply in Support of Motion to Compel "Confidential" Designation of Caesars' Financial Documents; and (2) Opposition to Caesars' Countermotion for Protective Order

04/05/2021 Notice of Rescheduling of Hearing
[460] Notice of Rescheduling Hearing

04/07/2021 Reply in Support
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[461] Caesars' Reply in Support of Its Countermotion for Protective Order

04/07/2021 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[462] Motion to Redact Portions of Caesars' Reply in Support of Its Countermotion for Protective Order, and Seal Exhibits 31 through 33 Thereto

04/07/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[463] SEALED PER MINUTE ORDER 4/28/21 Caesars' Reply in Support of Its Countermotion for Protective Order

04/08/2021 Clerk's Notice of Hearing
[464] Notice of Hearing

04/09/2021 Notice of Rescheduling of Hearing
[465] Notice of Rescheduling Hearing

04/28/2021 Stipulation and Order
Filed by: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI

Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[466] Stipulation and Order to (1) Vacate Hearing on Motions for Summary Judgment and Related Motions; (2) Vacate Deadline to File Dispositive Motions Concerning Certain Claims; and (3) Vacate Trial and Related Deadlines

04/30/2021 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[467] Notice of Entry of Stipulation and Order to: (1) Vacate Hearing on Motions for Summary Judgment and Related Motions; (2) Vacate Deadline to File Dispositive Motions Concerning Certain Claims; and (3) Vacate Trial and Related Deadlines/Hearings

05/14/2021 Order Granting Motion
Filed By: Consolidated Case Party Desert Palace Inc; Consolidated Case Party Boardwalk Regency Corporation
[468] Order Granting Motion to Redact Portions of Caesars' Reply in Support of Its Countermotion for Protective Order and Seal Exhibits 31 Through 33 Thereto

05/14/2021 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[469] Order Granting Motion to Redact Caesars Reply In Support Caesars' Motion to Compel Withheld on the Basis of Attorney 0-Client Privilege Pursuant to the Crime-Fraud Exception and Seal Exhibits 23,24, 27,30-32 and 34, Thereto

05/14/2021 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[470] Order Granting Motion to Redact Caesars' Opposition to the Development Entities, Rowen Siebel and Craig Green's Motion to Compel Confidential Designation of Casars' Financial Documents and and Countermotion for Protective Order and Seal Exhibits 1, 2, 4, 7, 9-18, 20, 22 and 26-30 Thereto

05/17/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[471] Notice of Entry of Order Granting Motion to Redact Portions of Caesars' Reply in Support of Its Countermotion for Protective Order, and Seal Exhibits 31 through 33 Thereto

05/17/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[472] Notice of Entry of Order Granting Motion to Redact Caesars' Opposition to the Development Entities, Rowen Seibel and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order and Seal Exhibits 1, 2, 4, 7, 9-18, 20, 22, and 26-30 Thereto

05/17/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation

[473] Notice of Entry of Order Granting Motion to Redact Reply in Support of Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception and Seal Exhibits 23, 24, 26, 30-32, and 34 Thereto

05/26/2021 Order
Filed By: Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Defendant Green, Craig
[474] Omnibus Order Granting the Development Entities, Rowen Seibel and Craig Green's Motion to Seal and Redact

05/27/2021 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[475] Notice of Entry of Omnibus Order Granting the Development Entities, Rowen Seibel, and Craig Green s Motions to Seal and Redact

06/04/2021 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[478] Order Granting Motion to Redact Caesars' Reply in Support of Motion to Compel Responses to Requests for Production and Countermotion and Seal Exhibit 23 Thereto

06/04/2021 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[479] Notice of Entry of Order Granting Motion to Redact Caesars' Reply in Support of Motion to Compel Responses to Requests for Production of Documents and Opposition to Countermotion for Protective Order and Exhibit 20 and Seal Exhibit 23 Thereto

06/08/2021 Findings of Fact, Conclusions of Law and Order
Filed By: Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party PHWLV LLC; Consolidated Case Party Boardwalk Regency Corporation
[480] Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

06/08/2021 Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[481] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

06/10/2021 Opposition
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[482] Opposition to Request for Order Shortening Time on the Development Entities, Rowen Seibel, and Craig Green's Motion to Stay Compliance with the Court's June 8, 2021 Order

Pending Petition for Extraordinary Writ Relief

06/10/2021 Order Shortening Time
[483] The Development Entities, Rowen Seibel, and Craig Green's Motion to Stay Compliance with the Court's June 8, 2021 Order Pending Petition for Extraordinary Writ Relief on OST

06/11/2021 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[484] Notice of Entry of Order Shortening Time

06/17/2021 Notice
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[485] Notice of Filing Petition for Extraordinary Writ Relief

06/18/2021 Notice of Compliance
Party: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[486] Notice of Compliance with June 8, 2021, Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

06/23/2021 Notice of Withdrawal of Motion
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[487] Notice of Withdrawal of the Development Entities, Rowen Seibel, and Craig Green's Motion to Stay Compliance with the Court s June 8, 2021 Order Pending Petition for Extraordinary Writ Relief on Order Shortening Time

08/30/2021 Order Shortening Time
Filed By: Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Defendant Green, Craig
[488] The Development Entities, Rowen Seibel, and Craig Green's Motion to Compel the Return, Destruction or Sequestering of the Court's August 19, 2021, Minute Order Containing Privileged Atty-Client Communications on Order Shortening Time

08/30/2021 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG,

LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[489] Notice of Entry of Order Shortening Time

09/15/2021 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[490] Stipulation and Order to Continue Hearing on the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel the Return, Destruction or Sequestering of the Courts August 19 2021 Minute Order Containing Privileged Attorney and Extend Deadline to File Opposition Thereto

09/17/2021 Notice of Entry of Stipulation and Order
Filed By: Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party PHWLV LLC; Consolidated Case Party Boardwalk Regency Corporation
[491] Notice of Entry of Stipulation and Order to Continue Hearing on the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel the Return, Destruction, or Sequestering of the Court's August 19, 2021, Minute Order Containing Privileged Attorney-Client Communications and Extend Deadline to File Opposition Thereto

09/20/2021 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[492] Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel the Return, Destruction, or Sequestering of the Court's August 19, 2021, Minute Order Containing Privileged Attorney-Client Communications

09/20/2021 Joinder to Opposition to Motion
Filed by: Defendant Ramsay, Gordon
[493] Defendant Gordan Ramsay s Joinder In The Caesars Parties Opposition To The Development Entities, Rowen Seibel, And Craig Green s Motion To Compel The Return, Destruction, Or Sequestering Of The Court s August 19, 2021, Minute Order

09/21/2021 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[494] Reply in Support of the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel the Return, Destruction, or Sequestering of the Court's August 19, 2021, Minute Order Containing Privileged Attorney-Client Communications on Order Shortening Time

10/28/2021 Findings of Fact, Conclusions of Law and Order
[495] Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Compel Documents Withheld Pursuant to the Crime-Fraud Exception

10/28/2021 Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[496] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

10/28/2021 Notice
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[497] The Development Parties' Notice of Submission of Competing Order Concerning Supplemental Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

11/03/2021 Order
Filed By: Other Plaintiff GR BURGR LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Defendant Green, Craig
[498] Order Granting in Part, and Denying in Part, the Development Parties' Motion to Compel the Return, Destruction, or Sequestering of the Court s August 19, 2021, Minute Order Containing Privileged Attorney-Client Communiations

11/03/2021 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[499] Notice of Entry of Order Granting in Part, and Denying in Part, the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel the Return, Destruction, or Sequestering of the Court's August 19, 2021, Minute Order Containing Privileged Attorney-Client Communications

11/04/2021 Order Shortening Time
Filed By: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[500] The Development Entities, Rowen Seibel, and Craig Green's Motion to Stay Proceedings Pending the Outcome of a Petition for Extraordinary Writ Relief on Order Shortening Time

11/05/2021 Notice
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[501] Notice of Filing Petition for Extraordinary Writ Relief

11/09/2021 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[502] Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Stay Proceedings Pending the Outcome of a Petition for Extraordinary Writ Relief

11/09/2021 Joinder to Opposition to Motion
Filed by: Defendant Ramsay, Gordon

[503] Defendant Gordon Ramsay's Joinder in the Caesars Parties' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Stay Proceedings Pending the Outcome of a Petition for Extraordinary

11/12/2021 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[504] Notice of Entry of Order Directing Answer and Granting Stay

11/29/2021 Order Shortening Time
Filed By: Counter Defendant Seibel, Rowen
[505] The Development Parties' Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment on OST

11/29/2021 Reply in Support
Filed By: Defendant Ramsay, Gordon
[506] Gordon Ramsay's Reply in Support of His Motion for Summary Judgment

11/29/2021 Response
Filed by: Defendant Ramsay, Gordon
[507] Gordon Ramsay's Response to Rowen Seibel and GR Burgr, LLC's Objections to Evidence Offered by Gordan Ramsay in Support of His Motion for Summary Judgment

11/29/2021 Motion
Filed By: Defendant Ramsay, Gordon
[508] Gordon Ramsay's Motion to Redact i. Gordon Ramsay's Reply in Support of Motion for Summary Judgment, and ii. Gordon Ramsay's Response to Rowen Seibel and GR Burgr, LLC's Objections to Evidence

11/30/2021 Reply in Support
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[509] Reply in Support of Caesars' Motion for Summary Judgment No. 1

11/30/2021 Reply in Support
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[510] Caesars' Reply in Support of Motion for Summary Judgment No. 2

11/30/2021 Declaration
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[511] 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

11/30/2021 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[512] Appendix of Exhibits in Support of Caesars' Replies in Support of Its Motions for Summary Judgment

11/30/2021 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[513] 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, 92, 99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars' Replies in Support of Its Motions for Summary Judgment

11/30/2021 Stipulation and Order
Filed by: Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[514] Stipulation and Order to Extend Deadline to File Replies in Support of Motions for Summary Judgment

11/30/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[515] SEALED PER ORDER 1/3/22 [515] Reply in Support of Caesars' Motion for Summary Judgment No. 1

11/30/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[516] SEALED PER ORDER 1/3/22 [516] Caesars' Reply in Support of Motion for Summary Judgment No. 2

11/30/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[517] SEALED PER ORDER 1/3/22 [517] Exhibits 82, 84-87, 90, 92, 99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars' Replies in Support of Its Motions for Summary Judgment

11/30/2021 Response
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[518] Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment

11/30/2021 Objection
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[519] Objections to Exhibits Offered in Support of the Seibel Parties' Oppositions to Caesars' Motions for Summary Judgment

11/30/2021 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[520] Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment

11/30/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[521] SEALED PER MINUTE ORDER 12/22/21 [521] Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment

12/01/2021 Clerk's Notice of Hearing
[522] Notice of Hearing

12/01/2021 Recorders Transcript of Hearing
[523] Transcript Re: The Development Entities, Rowen Seibel and Craig Green's Motion to Stay Proceedings Pending the Outcome of a Petition for Extraordinary Writ Relief on OST, November 10, 2021

12/01/2021 Clerk's Notice of Hearing
[524] Notice of Hearing

12/03/2021 Opposition to Motion
Filed By: Defendant Ramsay, Gordon
[525] Gordon Ramsay's Opposition to The Development Parties Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment on Order Shortening Time

12/03/2021 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[526] Caesars' Opposition to the Development Parties' Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment on Order Shortening Time

12/03/2021 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[527] SEALED PER MINUTE ORDER 12/22/21 [527] Caesars' Opposition to the Development Parties' Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment on Order Shortening Time

12/03/2021 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[528] Motion to Redact Caesars' Opposition to the Development Parties' Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment on Order Shortening Time

12/06/2021 Motion to Seal/Redact Records
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[529] The Development Parties' Motion to Redact Their Reply in Support of Their Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment

12/06/2021 Reply in Support

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[530] The Development Parties' Reply in Support of Their Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment (Redacted)

12/06/2021 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[531] SEALED PER ORDER 2/8/22 [531] The Development Parties' Reply in Support of Their Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment FILED UNDER SEAL

12/06/2021 Clerk's Notice of Hearing
[532] Notice of Hearing

12/07/2021 Notice of Change of Hearing
[533] Notice of Change of Hearing

12/07/2021 Clerk's Notice of Hearing
[534] Notice of Hearing

12/14/2021 Receipt
[535] Receipt of In Camera Documents

12/27/2021 Order Granting Motion
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[536] Order Granting the Development Parties' Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment

12/27/2021 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[537] Notice of Entry of Order Granting the Development Parties' Motion for Leave to File a Supplement to their Oppositions to Motions for Summary Judgment

12/29/2021 Stipulation and Order
[538] Stipulation and Order to Reschedule Hearing on Motions and Status Check

12/30/2021 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ

Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[539] Notice of Entry of Stipulation and Order to Reschedule Hearing on Motions and Status Check

12/30/2021 Supplement to Opposition
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[540] The Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment filed by Caesars and Ramsay

01/03/2022 Order Granting Motion
Filed By: Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party PHWLV LLC; Consolidated Case Party Boardwalk Regency Corporation
[541] Order Granting Motion to Redact Replies in Support of Caesarsf Motion for Summary Judgment No1 and Motion for Summary Judgment No 2 and to Seal Exhibits 82, 84-87, 90, 92,99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars' Replies in Support of its Motion for Summary Judgment

01/04/2022 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[542] 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, 92, 99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars' Replies in Support of Its Motions for Summary Judgment

01/12/2022 Recorders Transcript of Hearing
[543] Transcript of Proceedings: All Pending Motions, December 6, 2021

01/13/2022 Reply
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[544] Caesars' Reply to the Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment Filed by Caesars and Ramsay

01/13/2022 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[545] Motion to Redact Caesars' Reply to the Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment Filed by Caesars and Ramsay and Seal Exhibit 115 Thereto

01/13/2022 Objection
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[546] Objection to Exhibits Offered in Support of Plaintiffs' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment

01/13/2022 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[547] SEALED PER ORDER 5/31/22 [547] Caesars' Reply to the Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment Filed by Caesars and Ramsay

01/13/2022 Reply
Filed by: Defendant Ramsay, Gordon
[548] Gordon Ramsay's Reply to Development Entities' Omnibus Supplement to Summary Judgment Briefing

01/27/2022 Clerk's Notice of Hearing
[549] Clerk's Notice of Hearing

01/28/2022 Order Granting Motion
Filed By: Consolidated Case Party Desert Palace Inc
[550] Order Granting Motion to Redact Caesars' Motions for Summary Judgment No. 1 and No. 2 and Seal Certain Exhibits to the Appendix in Support Thereof

01/28/2022 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[551] 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

02/01/2022 Recorders Transcript of Hearing
[552] Recorder's Transcript of Hearing: Gordon Ramsay's Motion for Summary Judgment, Thursday January 20, 2022

02/08/2022 Order
[553] Omnibus Order Granting the Development Parties' Motions to Seal and Redact

02/09/2022 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[554] Notice of Entry of Order

03/21/2022 Order Scheduling Status Check
[555] Order Scheduling Status Check

04/08/2022 Stipulation and Order
Filed by: Consolidated Case Party Desert Palace Inc
[556] Stipulation and Order Regarding Deadlines to File Motions for Summary Judgment and Motions in Limine

04/08/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case

Party Boardwalk Regency Corporation
[557] Notice of Entry of Stipulation and Order Regarding Deadlines to File Motions for Summary Judgment and Motions in Limine

05/25/2022 Findings of Fact, Conclusions of Law and Judgment
Filed by: Defendant Ramsay, Gordon
[558] Findings of Fact Conclusions of Law and Order Granting Gordon Ramsay's Motion for Summary Judgment

05/31/2022 Findings of Fact, Conclusions of Law and Order
[559] Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1

05/31/2022 Order to Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[560] Order Granting Motion to Redact Caesars' Reply to Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment and Seal Exhibit 115 Thereto

05/31/2022 Findings of Fact, Conclusions of Law and Order
Filed By: Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[561] Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2

05/31/2022 Memorandum
Filed By: Defendant Ramsay, Gordon
[562] Gordon Ramsay's Memorandum of Costs and Disbursements

05/31/2022 Appendix
Filed By: Defendant Ramsay, Gordon
[563] Appendix to Gordon Ramsay's Memorandum of Costs and Disbursements

06/02/2022 Notice of Appearance
Party: Defendant Ramsay, Gordon
[564] Notice of Appearance

06/02/2022 Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Defendant Ramsay, Gordon
[565] Notice of Entry

06/02/2022 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[566] Notice of Entry of Order Granting Motion to Redact Caesars' Reply to Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment Filed by Caesars and Ramsay and Seal Exhibit 115 Thereto

06/02/2022 Stipulation and Order
[567] Stipulation and Order of Dismissal with Prejudice

06/03/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace

Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[568] Notice of Entry of Stipulation and Order of Dismissal with Prejudice

06/03/2022 Motion to Retax
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[569] Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by Gordon Ramsay

06/03/2022 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[570] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1

06/03/2022 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[571] Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2

06/03/2022 Clerk's Notice of Hearing
[572] Notice of Hearing

06/06/2022 Stipulation and Order
[573] Stipulation and Order to Extend Deadline to File Motions for Summary Judgment Related to Counts IV, V, VI, VII, and VIII of the Amended Complaint (First Request)

06/06/2022 Amended Certificate of Service
Party: Defendant Ramsay, Gordon
[574] Amended Certificate of Service

06/06/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC
[575] Notice of Entry of Stipulation and Order to Extend Deadline to File Motions for Summary Judgment Related to Counts IV, V, VI, VII, and VIII of the Amended Complaint (First Request)

06/06/2022 Memorandum of Costs and Disbursements
Filed By: Counter Claimant PHWLV LLC
[576] PHWLV LLC's Memorandum of Costs

06/06/2022 Appendix
Filed By: Counter Claimant PHWLV LLC
[577] Appendix in Support of PHWLV, LLC's Memorandum of Costs

06/09/2022 Motion to Retax
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[578] Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLV

06/10/2022 Clerk's Notice of Hearing
[579] Notice of Hearing

06/16/2022 Supplement
Filed by: Defendant Ramsay, Gordon
[580] Supplement to Gordon Ramsay's Verified Memorandum of Costs and Disbursements

06/16/2022 Appendix
Filed By: Defendant Ramsay, Gordon
[581] Appendix to Supplement to Gordon Ramsay's Verified Memorandum of Costs and Disbursements Volume I of III

06/16/2022 Appendix
Filed By: Defendant Ramsay, Gordon
[582] Appendix to Supplement to Gordon Ramsay's Verified Memorandum of Costs and Disbursements Volume II of III

06/16/2022 Appendix
Filed By: Defendant Ramsay, Gordon
[583] Appendix to Supplement to Gordon Ramsay's Verified Memorandum of Costs and Disbursements Volume III of III

06/17/2022 Motion for Summary Judgment
Filed By: Defendant Green, Craig
[584] Craig Green's Motion for Summary Judgment

06/17/2022 Motion to Seal/Redact Records
Filed By: Defendant Green, Craig
[585] Craig Green's Motion to Seal Exhibits 1-6 and 9-11 to His Motion for Summary Judgment

06/17/2022 Appendix
Filed By: Defendant Green, Craig
[586] Appendix of Exhibits to Craig Green's Motion for Summary Judgment

06/17/2022 Filed Under Seal
Filed By: Defendant Green, Craig
[587] SEALED PER ORDER 8/15/22 [587] Appendix of Exhibits to Craig Green's Motion for Summary Judgment FILED UNDER SEAL

06/17/2022 Clerk's Notice of Hearing
[588] Notice of Hearing

06/17/2022 Clerk's Notice of Hearing
[589] Notice of Hearing

06/17/2022 Clerk's Notice of Hearing
[590] Notice of Hearing

06/17/2022 Opposition to Motion
Filed By: Defendant Ramsay, Gordon
[591] Opposition to Rowen Seibel and GR Burger, LLC's Motion to Retax and Settle the Costs Claimed by Gordon Ramsay

06/20/2022 Stipulation and Order
[592] Stipulation and Order to Extend Deadline to File Motions for Summary Judgment Related to Counts IV, V, VI, VII and VIII of the Amended Complaint (Second Request)

06/21/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[593] Notice of Entry of Stipulation and Order to Extend Deadline to File Motions for Summary Judgment Related to Counts IV, V, VI, VII, and VIII of the Amended Complaint (Second Request)

06/23/2022 Opposition
Filed By: Counter Claimant PHWLV LLC
[594] Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC

06/23/2022 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC
[595] Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto

06/23/2022 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC
[596] SEALED PER MINUTE ORDER 9/20/22 [596] Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC

06/23/2022 Filed Under Seal
Filed By: Defendant Ramsay, Gordon
[597] SEALED PER MINUTE ORDER 9/20/22 [597] Motion to Redact Gordon Ramsey's Motion for Attorneys' Fees and Seal Exhibit A

06/23/2022 Motion for Attorney Fees
Filed By: Defendant Ramsay, Gordon
[598] Gordon Ramsey's Motion for Attorneys' Fees

06/23/2022 Appendix
Filed By: Defendant Ramsay, Gordon
[599] Appendix I of II

06/23/2022 Appendix
Filed By: Defendant Ramsay, Gordon
[600] Appendix II of II

06/24/2022 Clerk's Notice of Hearing
[601] Notice of Hearing

06/24/2022 Clerk's Notice of Hearing
[602] Notice of Hearing

06/24/2022 Notice of Appeal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[603] Notice of Appeal

06/24/2022 Case Appeal Statement
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[604] Case Appeal Statement

06/24/2022 Appendix

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[605] Appendix of Exhibits to: (1) Case Appeal Statement; and (2) Notice of Appeal

06/24/2022 Notice of Filing Cost Bond
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[606] Rowen Seibel and GR Burgr, LLC's Notice of Filing Cost Bond

06/24/2022 Motion for Attorney Fees
Filed By: Counter Claimant PHWLV LLC
[607] PHWLV, LLC's Motion for Attorneys' Fees

06/24/2022 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC
[608] Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto

06/25/2022 Appendix
Filed By: Counter Claimant PHWLV LLC
[609] Appendix in Support of PHWLV, LLC's Motion for Attorneys' Fees vol. 1

06/25/2022 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC
[610] SEALED PER MINUTE ORDER 9/21/22 [610] PHWLV, LLC's Motion for Attorneys' Fees

06/25/2022 Appendix
Filed By: Counter Claimant PHWLV LLC
[611] Appendix in Support of PHWLV, LLC's Motion for Attorneys' Fees vol. 2

06/25/2022 Appendix
Filed By: Counter Claimant PHWLV LLC
[612] Appendix in Support of PHWLV, LLC's Motion for Attorneys' Fees vol. 3

06/27/2022 Clerk's Notice of Hearing
[613] Notice of Hearing

06/27/2022 Clerk's Notice of Hearing
[614] Notice of Hearing

06/29/2022 Stipulation and Order
[615] Stipulation and Order to Reschedule Hearing on Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed By Gordon Ramsay

06/29/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[616] Notice of Entry of Stipulation and Order to Reschedule Hearing on Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by Gordon Ramsay

07/05/2022 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[617] Stipulation and Order to Extend Deadline to File Opposition to Craig Green's Motion for Summary Judgment (First Request)

07/05/2022

Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[618] Notice of Entry of Stipulation and Order to Extend Deadline to File Opposition to Craig Green's Motion for Summary Judgment (First Request)

07/06/2022 Stipulation and Order
[619] Stipulation and Order to Extend Deadlines for Oppositions to (I) Gordon Ramsay's Motion for Attorneys' Fees and (II) PHWLV, LLC's Motion for Attorneys' Fees

07/07/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[620] Notice of Entry of Stipulation and Order to Extend Deadlines for Oppositions to (i) Gordon Ramsay's Motion for Attorneys' Fees and (ii) PHWLV, LLC's Motion for Attorneys' Fees

07/12/2022 Stipulation and Order
Filed by: Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[621] Stipulation and Order to Extend Deadline to File Opposition to Craig Green's Motion for Summary Judgment and Motions for Summary Judgment (Second Request)

07/13/2022 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[622] Reply in Support of Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC

07/13/2022 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[623] Reply in Support of Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by Gordon Ramsay

07/13/2022 Notice of Intent
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[624] Notice of Intent to Appear by Simultaneous Audiovisual Transmission Equipment

07/14/2022 Motion to Seal/Redact Records
Filed By: Consolidated Case Party Desert Palace Inc
[625] Motion to Redact Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 2-13, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto

07/14/2022 Objection
Filed By: Consolidated Case Party Desert Palace Inc
[626] Objection to Exhibits Offered in Support of Craig Green's Motion for Summary Judgment

07/14/2022 Filed Under Seal
Filed By: Consolidated Case Party Desert Palace Inc

[627] SEALED PER MINUTE ORDER 9/21/22 [627] Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

07/14/2022 Filed Under Seal
Filed By: Consolidated Case Party Desert Palace Inc
[628] SEALED PER MINUTE ORDER 9/21/22 [628] Appendix in Support of Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) (Part 1 of 2)

07/14/2022 Filed Under Seal
Filed By: Consolidated Case Party Desert Palace Inc
[629] SEALED PER MINUTE ORDER 9/21/22 [629] Appendix in Support of Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) (Part 2 of 2)

07/14/2022 Clerk's Notice of Hearing
[630] Notice of Hearing

07/14/2022 Opposition and Countermotion
Filed By: Consolidated Case Party Desert Palace Inc
[631] Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

07/14/2022 Appendix
Filed By: Consolidated Case Party Desert Palace Inc
[632] Appendix in Support of Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

07/14/2022 Declaration
Filed By: Consolidated Case Party Desert Palace Inc
[633] Declaration of M. Magali Mercera, Esq. in Support of Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

07/14/2022 Request for Judicial Notice
Filed By: Consolidated Case Party Desert Palace Inc
[634] Request for Judicial Notice of Exhibit 30 in Appendix of Exhibits in Support of Caesars' Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

07/14/2022 Notice of Rescheduling of Hearing
[635] Notice of Rescheduling Hearings

07/19/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace

Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[636] Notice of Entry of Stipulation and Order to Extend Deadline to File Opposition to Craig Green's Motion for Summary Judgment and Motions for Summary Judgment Related to Counts IV, V, VI, VII, and VIII of the Amended Complaint (Second Request)

07/26/2022 Stipulation and Order
[637] SAO Continue Hearing on PHWLV's Motion for Attorneys' Fees - Submitted 07.25.22

07/26/2022 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[638] Order Granting Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment

07/26/2022 Stipulation and Order
[639] Order Granting Motion to Redact Caesars' Response to Objections to Evidence Offered in Support in Support of MOtions for Summary Judgment

07/26/2022 Order Granting Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[640] Order Granting Motion to Redact Caesars' Opposition to Motion for Leave to File Supplement to Their Oppositions to Motions for Summary Judgment on Order Shortening Time

07/26/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[641] Notice of Entry of Stipulation and Order to Continue Hearing on PHWLV, LLC's Motion for Attorneys' Fees

07/26/2022 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[642] Notice of Entry of Order Granting Motion to Redact Caesars' Opposition to the Development Parties' Motion for Leave to File a Supplement to their Oppositions to Motions for Summary Judgment on Order Shortening Time

07/26/2022 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[643] Notice of Entry of Order Granting Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment

08/01/2022 Stipulation and Order to Extend Discovery Deadlines
Filed By: Counter Defendant Seibel, Rowen; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[644] Stipulation and Order to Extend Deadlines and Hearing Regarding (1) Craig Green's Motion for Summary Judgment;; (2) Caesars' Counter-Motion for Summary Judgment against Green; and (3) Caesars Cross-Motion for Summary Judgment Against Rowen Seibel & the

Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

08/02/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[645] Notice of Entry of Stipulation and Order to Extend Deadlines and Hearing Re (i) Green's MSJ; (II) Caesars' Counter-Motion for SJ against Green; and (iii) Caesars' Cross-Motion for SJ against Seibel & Seibel Affiliated Entities (re Counts 4-8 of 1st Am. Complaint)

08/10/2022 Audiovisual Transmission Equipment Appearance Request
Party: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[646] Notice of Intent to Appear by Simultaneous Audiovisual Transmission Equipment

08/10/2022 Audiovisual Transmission Equipment Appearance Request
Party: Defendant Ramsay, Gordon
[647] Notice of Intent to Appear by Simultaneous Audio/Visual Transmission Equipment

08/15/2022 Order to Seal
[648] Order Granting Craig Green's Motion to Seal Exhibits 1-6 and 9-11 to his Motion for Summary Judgment

08/16/2022 Notice of Entry of Order
Filed By: Defendant Green, Craig
[649] Notice of Entry of Order Granting Craig Green's Motion to Seal Exhibits 1-6 and 9-11 to his Motion for Summary Judgment

08/17/2022 Opposition to Motion
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[650] Rowen Seibel and GR Burgr, LLC's (i) Opposition to Gordon Ramsay's Motion for Attorneys' Fees; and (ii) Countermotion to Defer a Ruling on Gordon Ramsay's Motion for Attorneys' Fees Pending Outcome of Appeal from District Court's Findings of Fact, Conclusions of Law, and Order Granting Gordon Ramsay's Motion for Summary Judgment

08/17/2022 Opposition to Motion
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[651] Rowen Seibel and GR Burgr, LLC's (i) Opposition to PHWLV, LLC's Motion for Attorneys' Fees; and (ii) Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending Outcome of Appeal from District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2

08/29/2022 Stipulation and Order
Filed by: Counter Defendant Seibel, Rowen; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC
[652] Stipulation and Order to Extend Deadline for Filing Oppositions to 1-Caesars' Countermotion for Summary Judgment Against Craig Green and 2-Caesars' Cross-Motion for Summary Judgment Against Rowen Seibel, and the Seibel Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

08/29/2022 Notice of Entry of Stipulation and Order

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig

[653] Notice of Entry of Stipulation and Order to Extend Deadline for Filing Oppositions to (1) Caesars' Counter-Motion for Summary Judgment Against Craig Green; and (II) Caesars' Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

08/31/2022 Response

Filed by: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig

[654] Response to Objections to Evidence Offered by Caesars in Support of Its Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

08/31/2022 Objection

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig

[655] Objections to Evidence Offered by Caesars in Support of Its Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

08/31/2022 Motion to Seal/Redact Records

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig

[656] The Development Parties' Motion to Redact Their Oppositions to the Counter-Motion and Cross-Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I-N to the Appendix of Exhibits Supporting the Oppositions

08/31/2022 Opposition to Motion

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig

[657] Craig Green's Opposition to Caesars' Counter-Motion for Summary Judgment

08/31/2022 Filed Under Seal

Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI

Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[658] SEALED PER MINUTE ORDER 9/21/22 [658] Craig Green's Opposition to Caesars' Counter-Motion for Summary Judgment

08/31/2022 Opposition to Motion
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[659] Rowen Seibel and the Development Entities' Opposition to Caesars' Cross-Motion for Summary Judgment

08/31/2022 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[660] SEALED PER MINUTE ORDER 9/21/22 [660] Rowen Seibel and the Development Entities' Opposition to Caesars' Cross-Motion for Summary Judgment

08/31/2022 Appendix
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[661] Appendix of Exhibits to (I) Craig Green's Opposition to Caesars' Counter-Motion for Summary Judgment and (II) Rowen Seibel and the Development Entities' Opposition to Caesars' Cross Motion for Summary Judgment

08/31/2022 Filed Under Seal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[662] SEALED PER MINUTE ORDER 9/21/22 [662] Appendix of Exhibits to (I) Craig Green's Opposition to Caesars' Counter-Motion for Summary Judgment and (II) Rowen Seibel and the Development Entities' Opposition to Caesars' Cross Motion for Summary Judgment

09/01/2022 Stipulation and Order to Extend Discovery Deadlines
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[663] Stipulation and Order to Extend Deadline to File Opposition to (1) Countermotion to Defer a Ruling on PHWLV LLC's Motion for Attorney's Fees Pending the OUtcome of the Appeal From the District Court's Findings of Fact, Conclusions of Law and Order Granting Caesars' Motion for Summary Judgment No 2; and (2) Countermotion to Defer a Ruling on Gordon Ramsay's Motion for Attorneys ' Fees Pending the Outcome of the Appeal From the District Court's Findings of Fact, Conclusions of Law, and Order Granting Gordon Ramsay's Motion for Summary Judgment (First Request)

09/02/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace

Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[664] Notice of Entry of Stipulation and Order to Extend Deadline to File Oppositions to (1) Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2; and (2) Countermotion to Defer a Ruling on Gordon Ramsay's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Gordon Ramsay's Motion for Summary Judgment (First Request)

09/04/2022 Clerk's Notice of Hearing
Party: Counter Defendant Seibel, Rowen
[665] Notice of Hearing

09/21/2022 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[666] Stipulation and Order to Extend Briefing Schedule and Continue Hearings on September 28, 2022

09/21/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[667] Notice of Entry of Stipulation and Order to Extend Briefing Schedule and Continue Hearings on September 28, 2022

09/23/2022 Opposition
Filed By: Defendant Ramsay, Gordon
[668] Gordon Ramsay's Opposition to Rowen Seibel and GR Burgr, LLC's Countermotion to Defer a Ruling on Motion for Attorneys' Fees

09/23/2022 Opposition to Motion
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[669] Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2

09/23/2022 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[670] Motion to Redact Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2 and Seal Exhibit A Thereto

09/23/2022 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[671] SEALED PER MINUTE ORDER 10/10/22 [671] Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2

09/27/2022 Clerk's Notice of Hearing
[672] Notice of Hearing

10/03/2022 Stipulation and Order
Filed by: Counter Defendant Seibel, Rowen; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[673] Stipulation and Order to Extend Deadline for Filing Replies in Support of Motions for Summary Judgment

10/03/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[674] Notice of Entry of Stipulation and Order to Extend Deadline for Filing Replies in Support of Motions for Summary Judgment

10/07/2022 Stipulation and Order
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[675] Stipulation and Order to Set Motion in Limine Briefing Schedule and Hearing

10/10/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[676] Notice of Entry of Stipulation and Order to Set Motion in Limine Briefing Schedule and Hearing

10/12/2022 Reply in Support
Filed By: Defendant Green, Craig
[677] Reply in Support of Craig Green's Motion for Summary Judgment

10/12/2022 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[678] Rowen Seibel and GR Burgr, LLC's Reply in Support of Their Countermotion to Defer a Ruling on Gordon Ramsay's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Gordon Ramsay's Motion for Summary Judgment

10/12/2022 Reply in Support
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[679] Rowen Seibel and GR Burgr, LLC's Reply in Support of Their Countermotion to Defer a Ruling on PHWLV, LLCs Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars Motion for Summary Judgment No. 2

10/12/2022 Motion to Seal/Redact Records
Filed By: Defendant Ramsay, Gordon
[680] Gordon Ramsay's Motion to Redact Gordon Ramsay's Reply in Support of Motion for Attorneys' Fees

10/12/2022 Reply in Support
Filed By: Defendant Ramsay, Gordon
[681] Gordon Ramsay's Reply in Support of Motion for Attorneys' Fees

10/12/2022 Reply in Support
Filed By: Counter Claimant PHWLV LLC
[682] Reply in Support of PHWLV, LLC's Motion for Attorneys' Fees

10/12/2022 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC
[683] SEALED PER MINUTE ORDER 11/8/22 [683] Reply in Support of PHWLV, LLC's Motion for Attorneys' Fees

10/12/2022 Reply in Support
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[684] Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

10/12/2022 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[685] Appendix of Exhibits to Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

10/12/2022 Response
Filed by: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[686] Response to Objections to Evidence Offered by Caesars in Support of Its Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

10/12/2022 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[687] Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 Thereto

10/12/2022 Declaration
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[688] Declaration of M. Magali Mercera, Esq. in Support of Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

10/12/2022

Objection
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[689] Objections to Exhibits Offered in Support of Craig Green's Opposition to Caesars' Counter-Motion for Summary Judgment and Rowen Seibel and the Development Entities' Opposition to Caesars' Cross Motion for Summary Judgment

10/12/2022 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[690] SEALED PER MINUTE ORDER 11/8/22 [690] Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

10/12/2022 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[691] SEALED PER MINUTE ORDER 11/8/22 [691] Exhibits 39-43 and 45-47 to the Appendix of Exhibits to Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

10/17/2022 Clerk's Notice of Hearing
[692] Notice of Hearing

10/17/2022 Clerk's Notice of Hearing
[693] Notice of Hearing

10/18/2022 Stipulation and Order
[694] Stipulation and Order to Continue Hearings Currently Set for October 19, 2022

10/19/2022 Notice of Entry of Stipulation and Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[695] Notice of Entry of Stipulation and Order to Continue Hearings Currently Set for October 19, 2022 (First Request)

10/26/2022 Order Granting Motion
[696] Order Granting Motion to Redact Opposition to Countermotion to Defer Ruling on Motion for Attorney's Fees and Seal Exhibit A Thereto

10/26/2022 Order Granting Motion
[697] Order Granting The Development Parties' Motion to Redact their Oppositions to the Counter-Motion and Cross-Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I -N to Appendix of Exhibits Supporting the Oppositions

10/27/2022 Notice of Entry of Order
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig

[698] Notice of Entry of Order Granting The Development Parties Motion to Redact their Oppositions to the Counter-Motion and Cross-Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I-N to the Appendix of Exhibits Supporting the Oppositions

10/27/2022 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC
[699] Notice of Entry of Order Granting Motion to Redact Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2 and Seal Exhibit A Thereto

11/10/2022 Request
Filed by: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC
[700] Request for Transcript Order Form for May 17, 2017 Motion Hearing

11/10/2022 Request
Filed by: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[701] Request for Transcript Order Form for December 14, 2020 Motion Hearing

11/14/2022 Order Granting Motion
[702] Order Granting Gordon Ramsay's Motion to Redact Reply in Support of Motion for Attorney's Fees

11/18/2022 Notice of Intent
Filed By: Defendant Ramsay, Gordon
[703] Notice of Intent to Appear by Simultaneous Audio/Visual Transmission Equipment

12/07/2022 Recorders Transcript of Hearing
[704] Transcript of Proceedings Re: All Pending Motions, November 22, 2022

12/07/2022 Court Recorders Invoice for Transcript
[705] (For Pisanelli, Bice, PLLC)

12/07/2022 Court Recorders Invoice for Transcript
[706] (For Fennemore, Craig, P.C.)

12/29/2022 Recorders Transcript of Hearing
[707] Recorders Transcript of Hearing Re:

01/30/2023 Transcript of Proceedings
[708] Court Reporters transcript of Proceedings (Civil) 12-14-2020

03/06/2023 Findings of Fact, Conclusions of Law and Order
[709] Findings of Fact Conclusions of Law and Order Granting Gordon Ramsay's Motion for Attorney's Fees and Costs; Denying Rowen Seibel's Motion to Retax; and Denying Rowen Seibel's Countermotion to Defer a Ruling on Ramsay's Motio for Attorney's Fees Pending

Outcome of Appeal

03/06/2023 Findings of Fact, Conclusions of Law and Order
[710] Order Granting Motion for Attorneys' Fees and Denying Motion to Retax - FINAL

03/07/2023 Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Defendant Ramsay, Gordon
[711] Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Gordon Ramsay's Motion for Attorneys' Fees and Costs

03/07/2023 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[712] Notice of Entry of Findings of Fact, Conclusions of Law, and Order: (1) Granting, in Part, and Denying in Part, PHWLV, LLC's Motion for Attorneys' Fees; (2) Denying Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC; and (3) Denying Rowen Seibel and GR Burgr, LLC's Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2

03/16/2023 Order Granting Motion
[713] Order Granting Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto

03/16/2023 Order Granting Motion
[714] Order Granting Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto

03/16/2023 Order Granting Motion
[715] Order Granting Motion to Redact Opposition to Craig Green's Motion for Summary Judgement; Countermotion for Summary Judgement Against Craig Green; and Cross-Motion for Summary Judgement Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV- VIII of the First Amended Complaint) and Seal Echibits 2-13, 15-18,21 ,23-28, 31 and 33 in Appendix Thereto

03/16/2023 Order Granting Motion
[716] Order Granting Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgement Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Feeds and to Seal Exhibit 4 Thereto

03/17/2023 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[717] Notice of Entry of Order Granting Motion to Redact Opposition to Craig Green's Motion for Summary Judgment; Countermotion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 2-13, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto

03/17/2023 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation

[718] Notice of Entry of Order Granting Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto

03/17/2023 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[719] Notice of Entry of Order Granting Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counter IV-VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 Thereto

03/17/2023 Notice of Entry of Order
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[720] Notice of Entry of Order Granting Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto

03/21/2023 Judgment
[721] Judgment

03/22/2023 Notice of Entry of Judgment
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[722] Notice of Entry of Judgment

03/22/2023 Findings of Fact, Conclusions of Law and Order
[723] Findings of Fact, Conclusions of Law, and Order: Denying Green Motion for Summary Judgment and Granting Caesars' Cross and Counter Motions for Summary Judgment

03/23/2023 Judgment
[724] Judgment on Order Granting Gordon Ramsay's Motion for Attorney's Fees and Costs

03/24/2023 Notice of Entry of Order
Filed By: Defendant Ramsay, Gordon
[725] Notice of Entry of Judgment

03/27/2023 Memorandum of Costs and Disbursements
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[726] Caesars' Memorandum of Costs

03/27/2023 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[727] Appendix in Support of Caesars' Memorandum of Costs

03/27/2023 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case

Party Boardwalk Regency Corporation
[728] Motion to Seal Exhibit 10 to the Appendix in Support of Caesars' Memorandum of Costs

03/27/2023 Filed Under Seal
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[729] (Sealed per Minute Order 04/14/2023) Exhibit 10 of Appendix in Support of Caesars' Memorandum of Costs (Filed under Seal)

03/28/2023 Clerk's Notice of Hearing
[730] Notice of Hearing

03/28/2023 Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[731] Notice of Entry of Findings of Fact, Conclusions of Law, and Order: (1) Denying Craig Green's Motion for Summary Judgment; (2) Granting Caesars' Counter-Motion for Summary Judgment Against Craig Green; and (3) Granting Caesars' Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)

03/30/2023 Motion to Retax
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Counter Claimant R Squared Global Solutions, LLC; Defendant Green, Craig
[732] Rowen Seibel, Craig Green, and The Development Entities' Motion to Retax and Settle the Costs Claimed by Caesars

03/31/2023 Notice of Appeal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[733] Notice of Appeal

03/31/2023 Case Appeal Statement
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[734] Case Appeal Statement

03/31/2023 Appendix
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[735] Appendix of Exhibits to: (1) Case Appeal Statement; and (2) Notice of Appeal

03/31/2023 Notice of Filing Cost Bond
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[736] Rowen Seibel and GR Burgr, LLC's Notice of Filing Cost Bond

04/03/2023 Clerk's Notice of Hearing
Party: Counter Defendant Seibel, Rowen
[737] Notice of Hearing

04/03/2023 Amended Notice of Appeal
Party: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[738] Amended Notice of Appeal

04/03/2023 Amended Case Appeal Statement
Party: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[739] Amended Case Appeal Statement

04/03/2023 Appendix
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC
[740] Appendix of Exhibits to: (1) Amended Case Appeal Statement; and (2) Amended Notice of Appeal

04/18/2023 Motion for Attorney Fees
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[741] Caesars' Motion for Attorneys' Fees

04/18/2023 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[742] Appendix in Support of Caesars' Motion for Attorneys' Fees

04/18/2023 Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[743] Plaintiffs' Motion to Redact Caesars' Motion for Attorneys' Fees and Seal Exhibits 1-6 in the Appendix in Support of Caesars' Motion for Attorneys' Fees

04/18/2023 Temporary Seal Pending Court Approval
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[744] Caesars' Motion for Attorneys' Fees

04/19/2023 Clerk's Notice of Hearing
Party: Counter Claimant PHWLV LLC
[745] Notice of Hearing

04/19/2023 Clerk's Notice of Hearing
Party: Counter Claimant PHWLV LLC
[746] Notice of Hearing

04/19/2023 Opposition
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[747] Caesars' Opposition to Rowen Seibel, Craig Green, and the Development Entities' Motion to Retax the Costs Claimed by Caesars

04/19/2023 Appendix
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[748] Appendix in Support of Caesars' Opposition to Rowen Seibel, Craig Green, and the Development Entities' Motion to Retax the Costs Claimed by Caesars

04/19/2023

Motion to Seal/Redact Records
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[749] Motion to Redact Caesars' Opposition to Rowen Seibel, Craig Green, and the Development Entities' Motion to Retax the Costs Claimed by Caesars and Seal Exhibits 1-6, and 14 to the Appendix of Exhibits in Support of Caesars' Opposition to Rowen Seibel, Craig Green, and the Development Entities' Motion to Retax the Costs Claimed by Caesars

04/19/2023 Temporary Seal Pending Court Approval
Filed By: Counter Claimant PHWLV LLC; Consolidated Case Party Desert Palace Inc; Consolidated Case Party Paris Las Vegas Operating Company LLC; Consolidated Case Party Boardwalk Regency Corporation
[750] Caesars' Opposition to Rowen Seibel, Craig Green, and the Development Entities' Motion to Retax the Costs Claimed by Caesars

04/20/2023 Clerk's Notice of Hearing
[751] Notice of Hearing

04/21/2023 Notice of Appeal
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Defendant Green, Craig
[752] Notice of Appeal

04/21/2023 Case Appeal Statement
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Defendant Green, Craig
[753] Case Appeal Statement

04/21/2023 Appendix
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Defendant Green, Craig
[754] Appendix of Exhibits to: (1) Case Appeal Statement; and (2) Notice of Appeal

04/21/2023 Notice of Filing Cost Bond
Filed By: Counter Defendant Seibel, Rowen; Other Plaintiff GR BURGR LLC; Defendant TPOV Enterprises, LLC; Defendant TPOV Enterprises 16, LLC; Defendant LLTQ Enterprises, LLC; Defendant LLTQ Enterprises 16, LLC; Defendant FERG, LLC; Defendant FERG 16, LLC; Defendant DNT Acquisition LLC; Defendant MOTI Partners LLC; Defendant MOTI Partners 16 LLC; Defendant Green, Craig
[755] Appellants' Notice of Filing Cost Bond

DISPOSITIONS

06/15/2017 **Order of Dismissal Without Prejudice** (Judicial Officer: Hardy, Joe)
Debtors: Rowen Seibel (Plaintiff), GR BURGR LLC (Plaintiff)
Creditors: PHWLV LLC (Defendant)
Judgment: 06/15/2017, Docketed: 06/15/2017
Comment: Certain Claims

05/25/2022

Summary Judgment (Judicial Officer: Williams, Timothy C.)
Debtors: Rowen Seibel (Plaintiff)
Creditors: Gordon Ramsay (Defendant)
Judgment: 05/25/2022, Docketed: 05/26/2022

06/02/2022 **Order of Dismissal With Prejudice** (Judicial Officer: Williams, Timothy C.)
Debtors: Original Homestead Restaurant Inc (Intervenor Plaintiff)
Creditors: Desert Palace Inc (Intervenor Defendant)
Judgment: 06/02/2022, Docketed: 06/03/2022

03/21/2023 **Judgment Plus Interest** (Judicial Officer: Williams, Timothy C.)
Debtors: Rowen Seibel (Counter Defendant, Plaintiff)
Creditors: PHWLV LLC (Counter Claimant, Defendant)
Judgment: 03/21/2023, Docketed: 03/22/2023
Total Judgment: 3,928,813.13

03/21/2023 **Judgment Plus Interest** (Judicial Officer: Williams, Timothy C.)

03/23/2023 **Judgment Plus Legal Interest** (Judicial Officer: Williams, Timothy C.)
Debtors: Rowen Seibel (Counter Defendant, Plaintiff)
Creditors: Gordon Ramsay (Defendant)
Judgment: 03/23/2023, Docketed: 03/24/2023
Total Judgment: 2,173,164.89

HEARINGS

03/22/2017 **Motion for Preliminary Injunction** (9:00 AM) (Judicial Officer: Hardy, Joe)
Plaintiff Rowen Seibel's Motion for Preliminary Injunction on Order Shortening Time
Denied Without Prejudice;
Journal Entry Details:
Also present: Paul Sweeney, Esq., who would be filing to associate in as Pro Hac Vice counsel for Plaintiffs. Mr. McNutt argued in support of the Motion, stating that no valid termination had taken place; however, if the Court found there was a valid termination, Defendant PHWLV, LLC should be enjoined from using any general GR BURGER materials in any rebranded restaurants. Additionally, Mr. McNutt argued that, pursuant to provision 14.01.2 of the agreement, no bond should be required for a Preliminary Injunction. Mr. Pisanelli argued in opposition, stating that a new operation had been opened in the location of the previous restaurant, and there was no invalid termination of the agreement. Mr. Wilt joined Mr. Pisanelli's arguments, stating that there was nothing in the agreement prohibiting Gordon Ramsay, as an individual, from developing a new space. COURT ORDERED Motion DENIED WITHOUT PREJUDICE, FINDING the following: (1) the instant hearing was not an Evidentiary Hearing, and had not been consolidated with a trial on the merits; (2) Plaintiffs failed to meet their burden of proof as to demonstrating irreparable harm and a likelihood of success on the merits; (3) Plaintiffs also failed to meet their burden as to demonstrating a balance of hardships that would favor the Plaintiffs, or demonstrating that public policy would favor Plaintiffs' request; (4) the money that was allegedly owed, even if it was owed, did not support a finding of irreparable harm; (5) as the Defendants argued, despite the language in the contract, the Court must still find irreparable harm in order to grant a Preliminary Injunction; and (6) as to the request to enjoin the future use of general Gordon Ramsey materials, the burden of showing the appropriateness of said injunction had not been met by the Plaintiff. Mr. Pisanelli to prepare the Order and forward it to opposing counsel for approval as to form and content.;

05/17/2017 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Hardy, Joe)
Planet Hollywood's Motion to Dismiss Plaintiff's Claims

MINUTES

Granted in Part;
Journal Entry Details:

Mr. Pisanelli argued in support of the Motion, stating that there was no breach of contract; therefore, there could not be a civil conspiracy claim. Mr. Wilt, having filed a Joinder on behalf of Defendant Gordon Ramsey, argued in support of the Motion, stating that there was

no provision in the contract stating that Planet Hollywood could not conduct any business with Gordon Ramsey; if such a provision did exist, then it would be restrictive. Mr. McNutt argued in opposition, stating that the post-termination contract had resulted in a breach of agreement. Additionally, Mr. McNutt argued that there was nothing that allowed Gordon Ramsey to direct Planet Hollywood to pay him a portion of the monies due and owing to GR Burgr, LLC. COURT ORDERED the instant Motion was hereby GRANTED IN PART WITHOUT PREJUDICE / DENIED IN PART WITHOUT PREJUDICE. COURT FURTHER ORDERED the Joinder was DENIED WITHOUT PREJUDICE. The COURT FOUND the following: (1) on the Breach of Contract, particularly paragraph 68 of the Complaint, the Motion was GRANTED as to subsections a), f), and h); (2) the plain language and clear reading of the operating agreement, precluded those subsections from being breaches of contract; (3) subsection e) was questionable; however, the Court accepted all facts as true as pleaded in the Complaint; (4) even on a Motion to Dismiss standard, it was appropriate to consider the parties' written agreement that the Complaint relied upon; (5) there was no dispute that the contract was entered into, and existed; (6) it was appropriate to DENY the remainder of the Motion, as claims upon which relief could be granted under Nevada law had been stated; (7) the applied covenant of good faith and fair dealing, did allege - at least on its face - the extra contractual duties and breaches that would be appropriate for that type of claim; (8) regarding unjust enrichment, there was an operating agreement, and there was no dispute that it was entered into; however, Nevada law allowed alternative theories of relief, and alternative causes of action; (9) regarding civil conspiracy and declaratory relief, causes of action had been pled upon which relief could be granted under Nevada law; (10) the breach of contract claims against Defendant Gordon Ramsey differed from the ones asserted against Defendant Planet Hollywood, and they did state claims upon which relief could be granted under Nevada law. Mr. Pisanelli to prepare the Order and forward it to opposing counsel for approval as to form and content.;

08/28/2017

Mandatory Rule 16 Conference (10:30 AM) (Judicial Officer: Hardy, Joe)
Matter Heard;
Journal Entry Details:

Upon Court's inquiry, counsel indicated the parties had exchanged their lists of documents and witnesses. Regarding the scheduling of discovery, Mr. McNutt stated that the parties had not discussed discovery yet, due to recent events that may affect the instant case. Mr. Wilt made the following representations: (1) Mr. Wilt's client had recently filed for dissolution of GR BURGR, LLC in a Delaware Court; (2) on August 25, 2017, an decision was reached by the Delaware Court on the Motion for Judgment on the Pleadings; (3) the Delaware Court Ordered the judicial dissolution of GR BURGR, LLC; (4) as part of the Delaware Court's Order, the parties were directed to submit an Implementing Order for Dissolution, and also directed the parties to agree upon and appoint a Liquidating Trustee; and (5) the Liquidating Trustee would be responsible for making the decision as to whether to proceed with the claims in the instant case, as well as whether to proceed on similar claims in the Delaware Court. As a result of the decision regarding dissolution, Mr. Wilt stated that Mr. Seibel no longer had standing to assert the claims in the instant case, nor did he have standing to assert derivative claims on behalf of GR BURGR, LLC. Ms. Mercera advised that she did not believe the affirmative Counter Claims asserted against Mr. Seibel were affected by the dissolution decision; therefore, discovery should proceed on those Counter Claims. Mr. McNutt represented that the Order from the Delaware Court was not a final Order, the Plaintiffs would be appealing it, and there would a Motion for Stay filed in the instant case. COURT ORDERED that it was not inclined to stay the instant case presently; however, if either of the parties wished for the case to be stayed, they could file the appropriate written Motion. The Court noted for the record that it had received a copy of the Delaware Court's Order, and would be reviewing it. Given the issues in the case, Mr. McNutt suggested a nine month discovery period; Ms. Mercera and Mr. Wilt suggested a six month discovery period. COURT ORDERED the CLOSE of DISCOVERY would be May 23, 2018, and the DISPOSITIVE MOTION DEADLINE would be June 22, 2018. Mr. McNutt noted that he would be discussing phased discovery with the parties, and if the parties could come to an agreement, a Stipulation and Order would be submitted to the Court. COURT ORDERED, subsequent to the parties' discussions regarding phased discovery, they were to FILE a Joint Case Conference Report (JCCR); if the parties were unable to agree upon a JCCR, they could raise any issues they were having with the Court. COURT FURTHER ORDERED a Status Check regarding the filing of the JCCR was hereby SET on the Department's Chambers Calendar. Regarding ESI Protocol, Mr. McNutt advised that the parties had received an ESI Protocol from the Federal Court, and that same Protocol could be utilized in the instant case. Upon Court's inquiry, counsel stated that neither a Special Master, nor a Receiver, was necessary at this juncture. Upon Court's inquiry, counsel advised that they did not feel a settlement conference would be beneficial at this time. COURT ORDERED a trial date was hereby SET. A Trial Order shall

issue. 9/11/17 (CHAMBERS) STATUS CHECK: FILING OF JCCR 8/13/18 8:30 AM PRE TRIAL CONFERENCE 8/29/18 8:30 AM CALENDAR CALL 9//18 10:30 AM JURY TRIAL ;

09/11/2017

Status Check (3:00 AM) (Judicial Officer: Hardy, Joe)
Status Check: Filing of the JCCR
Minute Order - No Hearing Held;
Journal Entry Details:
Court staff verified that the joint case conference report has been filed. CLERK'S NOTE: A copy of this minute order was e-mailed to: Daniel R. McNutt, Esq. [drm@cmlawnv.com], Matthew C. Wolf, Esq. [mcw@cmlawnv.com], Allen J. Wilt, Esq. [awilt@fclaw.com], and John D. Tennert, Esq. [jtennert@fclaw.com]. (KD 9/19/17);

09/25/2017

Motion to Associate Counsel (3:00 AM) (Judicial Officer: Hardy, Joe)
Plaintiff/Counter-Defendant, Rowen Seibel's Motion to Associate Counsel
Minute Order - No Hearing Held;
Journal Entry Details:
COURT ORDERED, Plaintiff s Motion to Associate Counsel (Paul Sweeney, Esq.) is hereby GRANTED as unopposed, pursuant to EDCR 2.20(e), and is GRANTED on the merits, pursuant to Rule 42 of the Supreme Court Rules. CLERK'S NOTE: A copy of this minute order was e-mailed to: Daniel R. McNutt, Esq. [drm@cmlawnv.com], Matthew C. Wolf, Esq. [mcw@cmlawnv.com], James Pisanelli, Esq. [jjp@pisanellibice.com], Debra Spinelli, Esq. [dls@pisanellibice.com], Brittnie Watkins, Esq. [btw@pisanellibice.com], Allen Wilt, Esq. [awilt@fclaw.com], and John Tennert, Esq. [jtennert@fclaw.com]. (KD 9/27/17);

11/07/2017

Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Hardy, Joe)
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
Vacate;
Journal Entry Details:
The Court noted that it had reviewed the Motion for Partial Summary Judgment, as well as the Opposition and Reply, and requested that the parties address whether the best course of action would be to wait and see what actions the liquidating trustee took. Mr. Sweeney argued in support of the Motion, stating that Plaintiff was seeking the enforcement of section 14.21 of the development agreement. Regarding the Court's concerns pertaining to the liquidating trustee, Mr. Sweeney represented that the liquidating trustee had not yet accepted the appointment, and was hesitant to do so due to the lack of money in the entity. Mr. Wilt stated that it was Defendant's position that the ruling on the instant Motion be deferred, as the initial order of dissolution expressly provided that the trustee shall have exclusive authority to prosecute or defend. COURT ORDERED the instant Motion was hereby VACATED, FINDING the following: (1) there were concerns regarding Rowan Seibel's ability to prosecute the claims on behalf of GR BURGR, LLC; (2) although the liquidating trustee had been appointed, the trustee had not yet accepted the appointment; and (3) the Court's reading of the Delaware Court's Order was that the trustee was given the authority and ability to review such issues as those raised in the instant Motion, and then had the ability and authority to determine whether to prosecute them or not. Mr. Pisanelli suggested that a status check be set in approximately thirty (30) days, to determine the course of the case. Mr. Sweeney and Mr. Wilt indicated there was no opposition to Pisanelli's suggestion. COURT ORDERED a status check was hereby SET. 12/5/17 9:00 AM STATUS CHECK: STATUS OF CASE / DELAWARE PROCEEDINGS;

12/05/2017

Status Check (9:00 AM) (Judicial Officer: Hardy, Joe)
12/05/2017, 01/09/2018, 02/06/2018, 04/12/2018, 05/01/2018
Status Check: Status of Case / Delaware Proceedings

04/03/2018	*Continued to 04/04/2018 - Stipulation and Order - PHWLV LLC; Seibel, Rowen; GR BURGR LLC; Ramsay, Gordon; DNT ACQUISITION LLC; TPOV Enterprises, LLC; TPOV Enterprises 16, LLC; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; DNT Acquisition LLC; DNT ACQUISITION LLC; MOTI Partners LLC; MOTI PARTNERS, LLC; LLTQ Enterprises, LLC; LLTQ Enterprises, LLC; MOTI PARTNERS, LLC; LLTQ Enterprises, LLC; MOTI PARTNERS, LLC; MOTI Partners 16 LLC; LLTQ Enterprises, LLC; Frederick, J. Jeffrey*

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

Continued;
Matter Heard;
Journal Entry Details:
Present via CourtCall: Paul B. Sweeney, Esq. on behalf of Plaintiff / Counter Defendant Rowen Seibel; James Wilt, Esq. on behalf of Defendant Gordon Ramsay; and Kurt Heyman, Liquidating Trustee for GR BURGR, LLC. Ms. Mercera stated that the parties were attempting to consolidate another case with the instant case; however, one half of a party had not agreed to sign the Stipulation and Order to Consolidate, which the other parties had already signed. Upon Court's inquiry, Ms. Mercera advised that the half of the entity refusing to sign, had not yet filed an Answer, and had only retained New York counsel as of the instant hearing. Upon Court's inquiry, counsel indicated there was no objection to the consolidation. COURT ORDERED the parties to provide it with the Stipulation and Order, including the signatures of all parties who had appeared in the case thus far. Regarding moving forward with the case, Mr. Heyman represented that he had initial discussions with Caesar's regarding a potential resolution of the case, and would be having similar discussions with counsel for Defendant Ramsay and Plaintiff Seibel. Additionally, Mr. Heyman stated that he had been given an informal extension to February 15, 2018, for the filing of the Report and Recommendations, and to report back to the Delaware Court of Chancery; however, additional time may be required to complete those tasks. Colloquy regarding whether an additional status check should be set. Mr. McNutt advised that Motions to Dismiss would be filed subsequent to the consolidation of the cases, and the scheduling issues could be addressed during those Motion hearings. The Court noted that it appeared, given the circumstances of the case, that the current trial and discovery schedule would not work; however, it would leave the issue to counsel to work through. COURT ORDERED the status check was hereby CONTINUED. CONTINUED TO: 4/3/18 9:00 AM;
Continued;
Continued;
Continued;

Continued;
Matter Heard;
Journal Entry Details:
Present via CourtCall: Paul B. Sweeney, Esq. on behalf of Plaintiff / Other Plaintiff GRBURGR, LLC and Defendant / Counter Claimant PHWLV, LLC; Allen J. Wilt, Esq. on behalf of Defendant Gordon Ramsay. The Court noted that the Trustee attempted to appear via CourtCall, but did not set up the service in a timely manner. The COURT DIRECTED counsel to inform the Trustee that he would be permitted to appear via CourtCall, but would need to set that up at least a day prior to whichever hearing he would be appearing for. Mr. McNutt stated that the Liquidating Trustee had been appointed and had accepted the appointment. Mr. McNutt requested a continuance of thirty (30) days to allow the Trustee to review all pertinent information, and to determine whether he wished to move forward with litigation. Ms. Mercera and Mr. Wilt affirmed Mr. McNutt's statements. Mr. Wilt represented that Defendant Siebel's Motion to Certify the Dissolution Order as a Certified Final Judgment had recently been denied by the Delaware Court. COURT ORDERED the instant matter was hereby CONTINUED, noting that the parties could submit a Stipulation and Order if the Trustee required more than thirty (30) days. Colloquy regarding the consolidation of the instant case with related omnibus case. Ms. Mercera noted that the parties were preparing a Stipulation and Order regarding the consolidation, but would need the approval of the Trustee before it could be submitted to the Court. Mr. McNutt requested that the Court approve the consolidation without the Stipulation and Order. The COURT DIRECTED the parties to submit the Stipulation and Order to the Court, and to file the appropriate Motion if the parties could not reach an agreement. CONTINUED TO: 2/6/18 9:00 AM;

Continued;
Continued;
Continued;

Continued;
Matter Heard;
Journal Entry Details:
Present via CourtCall: Paul B. Sweeney, Esq. on behalf of Plaintiff / Other Plaintiff GR BURGR, LLC and Defendant / Counter Claimant PHWLV, LLC; Allen J. Wilt, Esq. on behalf of Gordon Ramsay. The Court noted that the instant hearing had been set to determine what was taking place in Delaware. Mr. McNutt advised that a liquidating trustee had not yet been appointed, and requested that the status check be continued approximately thirty (30) days. Mr. Wilt represented that the trustee candidate, Mr. Hammond, was hesitant to accept the appointment due to concerns that there were no funds in the GR BURGR, LLC entity with which to compensate him; however, Delaware counsel had recently proposed that both parties contribute funds to the GR BURGR, LLC entity, so that the trustee could accept appointment. Due to the funds being advanced to GR BURGR, LLC, Mr. Hammond had agreed to accept the appointment, and a proposed Order would be signed and circulated within one to two weeks. COURT ORDERED the instant matter was hereby CONTINUED. CONTINUED TO: 1/9/18 9:00 AM;

04/12/2018 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Hardy, Joe)
04/12/2018, 05/01/2018
Defendant's Motion to Dismiss or in the Alternative, to Stay Claims Asserted Against Defendant DNT Acquisition, LLC
Continued;
Denied Without Prejudice;
Continued;
Denied Without Prejudice;

04/12/2018 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Hardy, Joe)
04/12/2018, 05/01/2018
Defendant Rowen Seibel's Motion to Dismiss Plaintiffs' Claims
Continued;
Denied Without Prejudice;
Continued;
Denied Without Prejudice;

04/12/2018 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Hardy, Joe)
04/12/2018, 05/01/2018
Defendants TPOV Enterprises and TPOV Enterprises 16's Motion to Dismiss Plaintiff's Claims
Continued;
Denied Without Prejudice;
Continued;
Denied Without Prejudice;

04/12/2018 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Hardy, Joe)
04/12/2018, 05/01/2018
Defendants' Amended Motion to Dismiss or in the Alternative , To Stay Claims Asserted Against LLTQ/FERG Defendants
Continued;
Denied Without Prejudice;
Continued;
Denied Without Prejudice;

04/12/2018 **Motion to Dismiss** (9:00 AM) (Judicial Officer: Hardy, Joe)
04/12/2018, 05/01/2018
Defendants' Amended Motion to Dismiss or in the Alternative , To Stay Claims Asserted Against MOTI Defendants
Continued;
Denied Without Prejudice;
Continued;

Denied Without Prejudice;

04/12/2018 **All Pending Motions** (9:00 AM) (Judicial Officer: Hardy, Joe)
Matter Heard;
Journal Entry Details:
DEFENDANTS' AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST MOTI DEFENDANTS...DEFENDANT'S MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST DEFENDANT DNT ACQUISITION, LLC...DEFENDANT ROWEN SEIBEL'S MOTION TO DISMISS PLAINTIFFS' CLAIMS...STATUS CHECK: STATUS OF CASE / DELAWARE PROCEEDINGS...DEFENDANTS TPOV ENTERPRISES AND TPOV ENTERPRISES 16'S MOTION TO DISMISS PLAINTIFF'S CLAIMS...DEFENDANTS' AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST LLTQ / FERG DEFENDANTS The Court noted that it had e-mailed the parties in order to determine a continuance date that worked for all parties. Ms. Mercera stated that the parties were attempting to coordinate dates, and would notify the Court once they had decided upon a date. COURT ORDERED the instant Motions were hereby CONTINUED, date to be determined.;

04/23/2018 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Hardy, Joe)
Plaintiffs' Motion to Associate Counsel Jeffrey John Zeiger, Esq.; Ex Parte Application for Order Shortening Time
Motion Granted;
Journal Entry Details:
There being no Opposition, COURT ORDERED the instant Motion was hereby GRANTED. Ms. Mercera to prepare the Order, and submit it directly to the Court.;

04/30/2018 **Motion to Associate Counsel** (3:00 AM) (Judicial Officer: Hardy, Joe)
Defendants' Motion to Associate Counsel
Minute Order - No Hearing Held;
Journal Entry Details:
COURT ORDERED, Defendants Motion to Associate Counsel (Nathan Rugg, Esq.) is hereby GRANTED as unopposed, pursuant to EDCR 2.20(e), and is GRANTED on the merits, pursuant to Rule 42 of the Supreme Court Rules. CLERK'S NOTE: A copy of this minute order was e-mailed to: Daniel R. McNutt, Esq. [drm@mcnuttlawfirm.com], Matthew C. Wolf, Esq. [mcw@mcnuttlawfirm.com], James Pisanelli, Esq. [jjp@pisanellibice.com], Debra Spinelli, Esq. [dls@pisanellibice.com], Brittnie Watkins, Esq. [btw@pisanellibice.com], Allen Wilt, Esq. [awilt@fclaw.com], John Tennert, Esq. [jtennert@fclaw.com], Robert E. Atkinson, Esq. [robert@nv-lawfirm.com]. (KD 4/30/18);

04/30/2018 **Motion to Associate Counsel** (3:00 AM) (Judicial Officer: Hardy, Joe)
Defendants' Motion to Associate Steven Chaiken
Minute Order - No Hearing Held;
Journal Entry Details:
COURT ORDERED, Defendants Motion to Associate Counsel (Steven Chaiken, Esq.) is hereby GRANTED as unopposed, pursuant to EDCR 2.20(e), and is GRANTED on the merits, pursuant to Rule 42 of the Supreme Court Rules. CLERK'S NOTE: A copy of this minute order was e-mailed to: Danie R. McNutt, Esq. [drm@mcnuttlawfirm.com], Matthew C. Wolf, Esq. [mcw@mcnuttlawfirm.com], James Pisanelli, Esq. [jjp@pisanellibice.com], Debra Spinelli, Esq. [dls@pisanellibice.com], Brittnie Watkins, Esq. [btw@pisanellibice.com], Allen Wilt, Esq. [awilt@fclaw.com], John Tennert, Esq. [jtennert@fclaw.com], Robert E. Atkinson, Esq. [robert@nv-lawfirm.com]. (KD 4/30/18);

05/01/2018 **All Pending Motions** (9:00 AM) (Judicial Officer: Hardy, Joe)
Matter Heard;
Journal Entry Details:

Also present: Jeffrey Zeiger, Esq. on behalf of PHWLV, LLC, Desert Palace, Inc., Boardwalk Regency Corporation, and Paris Las Vegas Operating Company, LLC; and Nathan Rugg, Esq. on behalf of the MOTI, FERG, and LLTQ entities. STATUS CHECK: STATUS OF CASE / DELAWARE PROCEEDINGS Mr. Sweeney represented that the Trustee had discussions with Gordon Ramsey's counsel, and they had reached an agreement in principal on a settlement in the Delaware action; however, the settlement had not yet been finalized. Mr. Zeiger affirmed

Mr. Sweeney's representations. Upon Court's inquiry, counsel stated that there was nothing further for the Court to address (related to the Delaware proceedings) at this time. DEFENDANT'S MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST DEFENDANT DNT ACQUISITION, LLC...DEFENDANT ROWEN SEIBEL'S MOTION TO DISMISS PLAINTIFFS' CLAIMS...DEFENDANTS TPOV ENTERPRISES AND TPOV ENTERPRISES 16'S MOTION TO DISMISS PLAINTIFF'S CLAIMS...DEFENDANTS' AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST LLTQ/FERG DEFENDANTS...DEFENDANTS' AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST MOTI DEFENDANTS Mr. Pisanelli noted that one Opposition had been filed in response to all of the pending Motions to Dismiss, and he wished to allow of Defendants' counsel to argue their respective Motions, prior to arguing in Opposition. Arguments by Mr. Rugg, Mr. McNutt, and Mr. Sweeney in support of their respective Motions. Arguments in opposition by Mr. Pisanelli. COURT ORDERED all of the pending Motions to Dismiss were hereby DENIED WITHOUT PREJUDICE, FINDING the following: (1) the first to file doctrine was a doctrine of discretion, and under the totality of the circumstances in the instant case, it made sense for the Court to exercise its discretion in not deferring to the first to file doctrine; (2) comity supported the denial of the Motions, as pointed out by Judge Davis's Order regarding why the proceedings should go forward in State Court; (3) the Court's decision was made under the Motion to Dismiss standard, under which the Court must assume that pleadings being alleged were true; (4) the instant Motions were not Summary Judgment Motions; (5) the Court did consider the subject contracts; because, even though the instant Motions were Motions to Dismiss, the contracts referred to/attached to the pleadings, could be considered by the Court under the Motion to Dismiss standard; (6) the Court agreed with Caesar's arguments that the actions involved in the various cases, involved suitability questions related to Rowen Seibel, before and after the contracts; (7) there was great potential for inconsistent rulings amongst the different actions, and keeping before this Court would hopefully alleviate some of that potential; (8) the subject contracts had nearly identical suitability provisions, which supported the denial of the instant Motions; (9) the instant action was the most comprehensive action, and the most efficient; (10) the determination on the issues in the instant case, may be binding on all parties in front of this Court, and the repercussions of the determinations on the contracts may be litigated elsewhere; however, it made sense under the totality of the circumstances to keep, what the Court would characterize as a determination on a key issue, before this Court; (11) this Court, in rendering its ruling, was not attempting to tell any other Court what they should do; (12) the request for a STAY was DENIED WITHOUT PREJUDICE, as the case needed to move forward, and be decided on its merits; (13) any discovery taken in any other actions, could presumably be used in the instant case; however, if any of the parties felt otherwise, the Court would address those objections once they were properly raised; (14) the FERG entities were in a somewhat unique position compared to the other Defendants, given FERG's contract, and the forum selection clause contained therein; (15) ordinarily the Court would defer to a forum selection clause; however, the FERG entities, whether they were doing so voluntarily or not, were already litigating in a forum that was not New Jersey; (16) there has been no indication that the merits were reached in any of the other cases; (17) while the Court appreciated the comments by the Judge in one of the other cases regarding the merits, those comments were not an actual determination on the merits; (18) this Court had subject matter jurisdiction over the Defendants, including the FERG entities; and (19) the Court disagreed with Caesar's interpretation of the 14.10(c) contract provision, where they attempted to argue that it only applied to arbitration, and not to litigation; the Court felt that the provision's language was clear, and that it did apply to litigation. Mr. Pisanelli to prepare one Order for all of the Motions to Dismiss, and forward it to opposing counsel for approval as to form and content.;

05/14/2018 **Motion to Associate Counsel** (3:00 AM) (Judicial Officer: Hardy, Joe)
Plaintiffs' Motion to Associate Counsel William Edward Arnault, IV, Esq.
Minute Order - No Hearing Held;
Journal Entry Details:

COURT ORDERED, Plaintiffs Motion to Associate Counsel (William Edward Arnault, IV, Esq.) is hereby GRANTED as unopposed, pursuant to EDCR 2.20(e), and is GRANTED on the merits, pursuant to Rule 42 of the Supreme Court Rules. IT IS FURTHER ORDERED that by accepting this admission, Counsel agrees to submit to the Court s jurisdiction and appear without subpoena for any proceedings required by the Court which relate to Counsel s conduct in this matter including motions, depositions, and evidentiary hearings, whether or not Counsel has withdrawn from representing any party pursuant to Supreme Court Rule 42(13)(a). Plaintiff s counsel is to prepare the written order, submit it to Defendants counsel for review and approval, and then submit the order to Department 15 s chambers within 10 days of this minute order pursuant to EDCR 7.21. CLERK'S NOTE: A copy of this minute order was e-

mailed to: James J. Pisanelli, Esq. [jjp@pisanellibice.com], Debra L. Spinelli, Esq. [dls@pisanellibice.com], M. Magali Mercera, Esq. [mmm@pisanellibice.com], Brittnie T. Watkins, Esq. [btw@pisanellibice.com], Daniel R. McNutt, Esq. [DRM@mcnuttlawfirm.com], Matthew C. Wolf, Esq. [MCW@mcnuttlawfirm.com], Allen Wilt, Esq. [awilt@fclaw.com], and Robert Atkinson, Esq. [robert@nv-lawfirm.com]. (KD 5/14/18);

07/16/2018 *CANCELED* **Status Check** (9:30 AM) (Judicial Officer: Hardy, Joe)
Vacated - per Stipulation and Order

08/07/2018 **Motion to Stay** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Defendants Motion To Stay All Proceedings In The District Court Pending A Decision On Their Petition For A Writ Of Mandamus Or Prohibition

MINUTES

Motion Denied;
Journal Entry Details:
Mr. McNutt provided a procedural summary of the case; stated Judge Hardy denied the Petition and an action was filed with the Nevada Supreme Court; discussed irreparable harm. Court inquired how much discovery would need to be conducted and criminal issues regarding taxes. Mr. McNutt requested this matter be stayed. Mr. Pisanelli argued regarding public policy; stated nothing new is being agreed upon today; stated Nevada is the place for the declatory relief action to be decided; requested the earlier ruling of Judge Hardy be followed. Arguments by counsel. Court stated findings, and ORDERED, Motion DENIED. Mr. Pisanelli to prepare the Order, if parties cannot agree, to prepare and submit competing orders.;

08/13/2018 *CANCELED* **Pre Trial Conference** (8:30 AM) (Judicial Officer: Hardy, Joe)
Vacated - per Stipulation and Order

08/29/2018 *CANCELED* **Calendar Call** (8:30 AM) (Judicial Officer: Hardy, Joe)
Vacated - per Stipulation and Order

09/04/2018 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Hardy, Joe)
Vacated - per Stipulation and Order

10/23/2018 **Motion to Intervene** (10:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion Granted;

10/23/2018 **Motion to Associate Counsel** (10:00 AM) (Judicial Officer: Williams, Timothy C.)
Proposed Plaintiff in Intervention The Original Homestead Restaurant, Inc. d/b/a The Old Homestead Steakhouse's Motion to Associate Counsel on an Order Shortening Time
Motion Granted;

10/23/2018 **All Pending Motions** (10:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
PROPOSED PLAINTIFF IN INTERVENTION THE ORIGINAL HOMESTEAD RESTAURANT, INC. D/B/A THE OLD HOMESTEAD STEAKHOUSE'S MOTION TO ASSOCIATE COUNSEL ON AN ORDER SHORTENING TIME...MOTION TO INTERVENE There being no opposition, COURT ORDERED, Motions GRANTED. Orders presented and signed IN OPEN COURT. MANDATORY RULE 16 CONFERENCE Court reviewed history of case. Colloquy regarding discovery and trial timeframes needed. Further colloquy regarding setting status check matter for trial protocol and electronically stored information, and possibility of depositions exceeding 7 hours. COURT ORDERED, Trial dates SET; Status Check SET; Close of Discovery 5/6/19. Department to issue scheduling order. 2/28/19 9:00 AM STATUS CHECK: STATUS OF CASE...PROPOSED TRIAL PROTOCOL...ELECTRONICALLY STORED INFORMATION 10/3/19 10:30 AM PRETRIAL/CALENDAR CALL 10/14/19 9:30 AM JURY TRIAL;

10/23/2018 **Mandatory Rule 16 Conference** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;

02/28/2019 **Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Status Check: Status of Case...Proposed Trial Protocol...Electronically Stored Information
Matter Heard;
Journal Entry Details:
APPEARANCES CONTINUED: Kevin Sutehall, Esq. present via CourtCall for Original Homestead Restaurant. Colloquy regarding issue proceeding with a confidentiality agreement and ESI due to level of participation by Trustee of GRB. Further colloquy as to appropriate course to resolve same. COURT ORDERED, Order to Show Cause to issue from Caesar's Entities by Mr. Pisanelli as discussed; date for Notice SET. 3/27/19 9:00 AM SHOW CAUSE HEARING CLERK S NOTE: In absence of issuance of Order to Show Cause, Department hereby vacates date previously provided for same. This Minute Order has been electronically served to the parties through Odyssey eFile.;

03/12/2019 **Motion to Extend Discovery** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion for an Extension of Discovery Deadlines on Order Shortening Time
Motion Granted;

03/12/2019 **Joinder** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Joinder to Caesars Limited Opposition to Plaintiff's Motion for Extension of Discovery Deadlines on Order Shortening Time
Motion Granted;

03/12/2019 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
APPEARANCES CONTINUED: Alan Lebensfeld, Esq. present via CourtCall for Original Homestead Restaurant. MOTION FOR AN EXTENSION OF DISCOVERY DEADLINES ON ORDER SHORTENING TIME JOINDER TO CAESARS LIMITED OPPOSITION TO PLAINTIFF'S MOTION FOR EXTENSION OF DISCOVERY DEADLINES ON ORDER SHORTENING TIME Arguments by counsel. Colloquy regarding staggered deadlines and update as to prior issue with signatures on confidentiality agreement and ESI protocol documents. COURT ORDERED, Motion for Extension of Discovery GRANTED; deadlines to be used are those designated in the Motion with exception to Dispositive Motions DUE 10/4/19 and Motions in Limine DUE 11/4/19. Court directed Mr. McNutt to prepare the order. FURTHER ORDERED, Trial dates VACATED and RESET; Department to issue an amended trial order. Ms. Mercera presented for Court's review documents pertaining to Stipulated Confidentiality Agreement and Protective Order and Electronically Stored Information; same signed IN OPEN COURT. 1/9/20 10:30 AM PRETRIAL/CALENDAR CALL 1/27/20 9:30 AM JURY TRIAL;

03/27/2019 *CANCELED* **Show Cause Hearing** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Judge

05/02/2019 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Associate Joshua Feldman
Motion Granted;
Journal Entry Details:
Matter of Motion to Associate Joshua Feldman. Matter submitted. COURT ORDERED, Motion regarding counsel Joshua Feldman GRANTED. Order regarding same presented to Court and signed IN OPEN COURT. Mr. Wolf requested submission of Motion to Associate Nicole Milone at this time. COURT FURTHER ORDERED, Motion regarding attorney Nicole Milone ADVANCED from 5/8/19 to today and GRANTED. Prevailing party to submit the order.;

05/02/2019 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Associate Nicole Milone
See 5/2/19 Minutes
Motion Granted; See 5/2/19 Minutes re: Joshua Feldman

05/23/2019 **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Barack Ferrazzano's Motion to Withdraw as Counsel of Record
Motion Granted;

05/23/2019 **Motion** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Certilman Balin's Motion to Withdraw and Motion for Stay of Discovery on Order Shorting Time
Motion Granted;

05/23/2019 **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Adelman & Gettleman's Motion to Withdraw on Order Shortening Time
Motion Granted;

05/23/2019 **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
McNutt Law Firm's Motion to Withdraw as Counsel
See 5/23/19 Minutes
Motion Granted;

05/23/2019 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
APPEARANCES CONTINUED: Nathan Rugg, Pro Hac Vice attorney, present for LLTQ Enterprises. Steven Chaiken, Esq. present via CourtCall for PHWLV. BARACK FERRAZZANO'S MOTION TO WITHDRAW AS COUNSEL OF RECORD...CERTILMAN BALIN'S MOTION TO WITHDRAW AND MOTION FOR STAY OF DISCOVERY ON ORDER SHORTING TIME...ADELMAN & GETTLEMAN'S MOTION TO WITHDRAW ON ORDER SHORTENING TIME Mr. McNutt requested his Motion to Withdraw as Counsel scheduled 6/12/19 be heard today as well; COURT SO ORDERED. Arguments by counsel. COURT FURTHER ORDERED, Motions to Withdraw GRANTED; Stay of case in effect for two weeks; Status Check SET in two weeks regarding obtaining counsel; Trial STANDS. Colloquy regarding pending discovery and motion practice for same. Court directed possible motion as to discovery issues be held until time of Status Check. Court directed prevailing parties submit their orders for today's Motions and Ms. Mercera to prepare order as to the stay. 6/6/19 9:00 AM STATUS CHECK: OBTAINING COUNSEL;

06/06/2019 **Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Status Check: Obtaining Counsel
Matter Heard;
Journal Entry Details:
APPEARANCES CONTINUED: Steven Bennett, Pro Hac Attorney, present for Defense. Alan Lebensfeld, Esq. present via CourtCall for Original Homestead Restaurant. Matter of Status Check regarding Obtaining Counsel. As to Mr. Bennett, Mr. Carroll advised his Pro Hac is pending and intends to speak today. Mr. Pisanelli advise no objection to Mr. Bennett participation. Mr. Bennett advised now have Notice of Appearance from Mr. Carroll and his firm as local counsel for corporate entities and Mr. Seibel as well as anticipates Pro Hac for himself and member of his firm. Court stated will sign order shortening time to expedite counsel and will entertain adjusting trial. Colloquy regarding case management scheduling including outstanding disputes, status of stay, and expert disclosures due today. COURT ORDERED, stay is lifted. Court directed stipulation discussed also include expert disclosures issue. Mr. Wilt advised settlement regarding Gordan Ramsey portion of case is still going forward, documentation close, and anticipates requesting of Court that related liens be adjudicated. Court so noted.;

07/24/2019 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Pltfs' Motion to Associate Counsel Daniel Brooks, Esq.
Motion Granted;

07/24/2019 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Pltfs' Motion to Associate Counsel Steven Bennett, Esq.
Motion Granted;

07/24/2019 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
APPEARANCES CONTINUED: Allen Wilt, Esq. present via CourtCall for Deft. Ramsey.

PTLFS' MOTION TO ASSOCIATE COUNSEL DANIEL BROOKS, ESQ...PTLFS' MOTION TO ASSOCIATE COUNSEL STEVEN BENNETT, ESQ. There being no opposition, COURT ORDERED, Motions GRANTED. Mr. Carroll advised will prepare the orders.;

09/17/2019 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Gordon Ramsay's Motion to Seal Motion for Protective Order and Certain Supporting Exhibits on Order Shortening Time
Motion Granted;
Journal Entry Details:
Matter of Gordon Ramsay's Motion to Seal Motion for Protective Order and Certain Supporting Exhibits on Order Shortening Time. Upon Court's inquiry, Mr. Tennert advised documents at issue have not been lodged. There being no opposition, COURT ORDERED, Motion to Seal GRANTED; order signed IN OPEN COURT. COURT FURTHER ORDERED, Motion for Protective Order on Order Shortening Time TO BE SET 9/26/19. Upon Court's inquiry as to trial setting, Ms. Mercera advised parties contemplate extension of discovery one month for depositions. Court stated parties may submit stipulation for same.;

09/25/2019 *CANCELED* **Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

09/26/2019 **Motion for Protective Order** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Gordon Ramsay's Motion for Protective Order Regarding Siebel's Requests for Admission on Order Shortening Time
Motion Granted;
Journal Entry Details:
APPEARANCES CONTINUED: Steven Bennett, Esq. present via CourtCall for Defts. Matter of Gordon Ramsay's Motion for Protective Order Regarding Siebel's Requests for Admission on Order Shortening Time. Mr. Carroll requested pending Motion to Seal decided. There being no objection, COURT ORDERED, pending Motion to Seal Certain Exhibits to Plaintiff's Opposition to Motion for Protective Order ADVANCED from 10/30/19 and GRANTED. Court directed Mr. Carroll to prepare the order. Arguments by counsel regarding Motion for Protective Order. Court FINDS the marital affair not relevant; therefore, FURTHER ORDERED, Motion for Protective Order GRANTED; Countermotion to Compel DENIED. Court directed Mr. Wilt to prepare the order; if parties cannot agree on form and content, may submit competing orders.;

10/01/2019 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Judge

10/11/2019 *CANCELED* **Telephonic Conference** (4:00 PM) (Judicial Officer: Williams, Timothy C.)
Vacated - Moot
Telephonic Conference re: Deposition

10/14/2019 *CANCELED* **Jury Trial** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Judge

10/30/2019 *CANCELED* **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Judge
Motion to Seal Certain Exhibits to Plaintiff's Opposition to Motion of Gordon Ramsay for Protective Order Regarding Seibel Requests for Admissions, and Countermotion for Determination of Sufficiency of Answers and Objections

11/06/2019 **Motion to Amend Answer** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims
Motion Denied;
Journal Entry Details:
APPEARANCES CONTINUED: Daniel Brooks, Esq. present via CourtCall for Defts. Arguments by Mr. Brooks and Ms. Mercera. Court FINDS good cause not shown under facts of this case; therefore, ORDERED, Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims DENIED. Court directed Ms. Mercera to prepare the

order.;

11/13/2019 **Motion to Associate Counsel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Intervenor Plaintiff's Motion to Associate Counsel-Lawrence J. Sharon
Motion Granted;
Journal Entry Details:
APPEARANCES CONTINUED: Lucy Crow, Esq. present for Intervenor Pltf. Original Homestead Restaurant. There being no opposition, COURT ORDERED, Intervenor Pltf's Motion to Associate Counsel - Lawrence J. Sharon GRANTED; order signed IN OPEN COURT.;

01/09/2020 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

01/22/2020 *CANCELED* **Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order
Status Check re Trial Readiness

01/27/2020 *CANCELED* **Jury Trial** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

02/12/2020 **Motion for Leave** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Caesars' Motion for Leave to File First Amended Complaint; and Ex Parte Application for Order Shortening Time
Motion Granted;

02/12/2020 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Seal Certain Exhibits to Opposition to Caesars' Motion for Leave to File First Amended Complaint
Motion Granted;

02/12/2020 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
CAESARS' MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT; AND EX PARTE APPLICATION FOR ORDER SHORTENING TIME...MOTION TO SEAL CERTAIN EXHIBITS TO OPPOSITION TO CAESARS' MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT Arguments by Mr. Pisanelli and Mr. Brooks. Court reviewed Nutton case factors. Court stated ITS FINDINGS and ORDERED, Motion for Leave GRANTED. Court directed Mr. Pisanelli prepare the order with Nutton factors as discussed. Upon Court's inquiry with respect to sealing, Ms. Mercera advised parties discussed de-designation. Mr. Brooks advised parties discussed withdrawal of confidentiality. COURT FURTHER ORDERED, Motion to Seal GRANTED. Court stated parties may de-designate at their discretion.;

03/12/2020 **Minute Order** (3:21 PM) (Judicial Officer: Williams, Timothy C.)
re: 3/18/20 Hearing
Minute Order - No Hearing Held;
Journal Entry Details:
As a precautionary measure in light of public health concerns with respect to Coronavirus CoVID-19, this Court orders that any party intending to appear before Department 16 for law and motion matters between now and April 30, 2020 do so by Court-approved telephonic means only. As a result, your matter scheduled Tuesday, March 18, 2020 in this case will be held telephonically via CourtCall. You are hereby requested to make arrangements with CourtCall if you intend to participate that day. Please refer to Department 16's guidelines with regard to CourtCall scheduling: "Department 16 utilizes CourtCall for telephonic appearances. Please contact CourtCall for approved appearances and to schedule. They can be reached toll-free at 1-888-882-6878 and/or on-line at www.courtcall.com no later than one judicial day preceding your hearing date. Please note, all witnesses appearing telephonically must have ... court-approved notary and/or official present on their end to swear them in." If you have questions or concerns with respect to your matter and this interim telephonic requirement, please contact JEA Lynn Berkheimer. CLERK'S NOTE: This Minute Order has

been electronically served to the parties through Odyssey eFile.;

03/18/2020 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Seal Exhibits 23 to Caesars' Reply in Support of Its Motion for Leave to File First Amended Complaint
Motion Granted;
Journal Entry Details:
APPEARANCES CONTINUED: Paul Williams, Esq. present via CourtCall for Pltf. Rowan Seibel. John Tennert, Esq. present via CourtCall for Deft. Gordon Ramsey. Maria Mercera, Esq. present via CourtCall for Movant PHWLV. Upon Court's inquiry, Ms. Mercera advised matter unopposed. COURT ORDERED, Motion to Seal GRANTED. Court stated electronic submission of proposed order allowed. Colloquy regarding possible continuance of case deadlines in light of recent public health concern. Court stated parties may coordinate with Department JEA for possible trial continuance and deadlines.;

03/19/2020 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

04/06/2020 *CANCELED* **Jury Trial** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

04/29/2020 **Status Check: Status of Case** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
Counsel present telephonically. Colloquy regarding stipulated stay expiring 5/22/20 with respect to both written discovery and deposition issues and whether derivative claims issue as to GRB party impacted by 6/26/20 Delaware Court hearing. Court noted complaint in this case filed 2/28/17 and without agreed extension as to 5-year rule, case to proceed timely. COURT ORDERED, status check SET at time of 5/20/20 Motion to Dismiss to consider outstanding discovery other than depositions, as discussed; parties afforded last meet and confer opportunity and Court may direct motion filing and briefing schedule if not resolved. Court stated Mr. Pisanelli not precluded from filing motion on the GRB issue. Court further stated Delaware action and Trustee report will have no impact on proceeding; however, parties may include exhibit and explanation regarding same action. 5/20/20 9:30 AM STATUS CHECK: OUTSTANDING DISCOVERY (OTHER THAN DEPOSITIONS)...MOTION TO DISMISS COUNTS IV, V, VI, VII, AND VIII OF CAESARS' FIRST AMENDED COMPLAINT;

05/06/2020 *CANCELED* **Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

05/12/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
re: 5/20/20 Hearing
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 767 346 530 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;

05/20/2020 **Motion to Dismiss** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Rowen Seibel, The Development Entities, and Craig Green's Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint
Motion Denied;

05/20/2020 **Status Check** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Status Check: Outstanding Discovery (other than Depositions)
Matter Heard;

05/20/2020 **All Pending Motions** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
ROWEN SEIBEL, THE DEVELOPMENT ENTITIES, AND CRAIG GREEN'S MOTION TO DISMISS COUNTS IV, V, VI, VII, AND VIII OF CAESARS' FIRST AMENDED COMPLAINT...STATUS CHECK: OUTSTANDING DISCOVERY (OTHER THAN DEPOSITIONS) Counsel present telephonically. Arguments by Mr. Gilmore and Mr. Pisanelli. Court FINDS first amended complaint withstands Rule 65 challenge; therefore, ORDERED, Motion to Dismiss DENIED. Court directed Mr. Pisanelli to prepare the order and circulate; if parties cannot agree on form and content, may submit competing orders. As to today's status check, Ms. Mercera advised parties are working to resolve some issues and other issues will be brought by motion practice. Court so noted. Colloquy regarding possible omnibus answer and counterclaim and related issues.;

05/29/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 6/10/20 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 948 657 904 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile. ;

06/01/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 6/3/20 at 1:30 p.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 948 657 904 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile. ;

06/03/2020 **Status Check** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Per 5/29/20 SAO by counsel requesting Status Check
Matter Heard;
Journal Entry Details:
Counsel present telephonically. Mr. Pisanelli advised certain letter by adverse counsel sent to this Court and Delaware Court; Mr. Pisanelli inquired as to whether to file curative motion. Court stated ex-parte communications not reviewed and improper. Mr. Pisanelli requested clarification as to permission of subpoenas in light of recent Court administrative order. Court stated until administrative order retracted, counsel are to submit subpoenas before this Court as opposed to Discovery Commissioner as it is a business court case.;

06/10/2020 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Motion to Redact Caesars' Opposition to Rowen Seibel, The Development Entities, and Craig Green's Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint and Seal Exhibit 2 Thereto
Motion Granted;

06/10/2020 **Motion to Extend Discovery** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
The Development Entities, Rowen Seibel, and Craig Green's Motion to Extend Discovery Deadlines and Continue Trial on OST (8th Request)
Granted in Part;

06/10/2020 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
MOTION TO REDACT CAESARS' OPPOSITION TO ROWEN SEIBEL, THE DEVELOPMENT ENTITIES, AND CRAIG GREEN'S MOTION TO DISMISS COUNTS IV, V, VI, VII, AND VIII OF CAESARS' FIRST AMENDED COMPLAINT AND SEAL EXHIBIT 2 THERETO...THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO EXTEND DISCOVERY DEADLINES AND CONTINUE TRIAL ON OST (8TH REQUEST) All counsel present telephonically. Ms. Mercera advised no opposition to Motion to Redact. In light of no opposition, COURT ORDERED, Motion to Redact GRANTED. Court directed Ms. Mercera to prepare the order. Arguments by counsel regarding Motion to Extend. Court stated ITS FINDINGS and ORDERED, Motion GRANTED IN PART; 90-day extension as follows: Close of Discovery 10/19/20; Dispositive Motions 11/18/20; Trial 2/22/21. Court directed Mr. Gilmore to prepare the motion order. Department to issue amended trial order. 2/11/21 10:30 AM PRETRIAL/CALENDAR CALL 2/22/21 9:30 AM JURY TRIAL;

07/06/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 7/15/20 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 979 480 011 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;

07/09/2020 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

07/15/2020 **Motion to Compel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Caesars' Motion to Compel Responses to Requests for Production of Documents
Motion Granted;

07/15/2020 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Defendant's Motion to Redact Caesars' Motion to Compel Responses to Requests for Production of Documents and Seal Exhibits 1 and 18 Thereto
Motion Granted; See 7/27/20 Order Granting Motion to Redact

07/15/2020 **Opposition and Countermotion** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
(1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order
Motion Denied;

07/15/2020 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;

Journal Entry Details:
APPEARANCES CONTINUED: Wade Beavers, Esq. present for Gordon Ramsay. CAESARS' MOTION TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS...(1) ROWEN SEIBEL'S OPPOSITION TO CAESARS' MOTION TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS; AND (2) THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S COUNTERMOTION FOR A PROTECTIVE ORDER Counsel present telephonically. Arguments by Mr. Pisanelli and Mr. Gilmore. Court stated ITS FINDINGS and ORDERED, Motion GRANTED; Countermotion DENIED. Mr. Pisanelli requested time restriction on production. Colloquy regarding same. COURT FURTHER ORDERED, loan documents production DUE within 14 days and engagement letter DUE within 7 days. Court directed Mr. Pisanelli to prepare and circulate the order based on the record; if parties cannot agree on form and content, may submit competing orders. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us. DEFENDANT'S MOTION TO REDACT CAESARS' MOTION TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS AND SEAL EXHIBITS 1 AND 18 THERETO Court stated will review matter and issue decision. Mr. Gilmore requested 7/29/20 Motion to Seal matter advanced for consideration as well. Ms. Mercera requested same; COURT SO ORDERED. Decision forthcoming.;

07/20/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 7/29/20 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 979 480 011 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;

07/21/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Motion to Seal Exhibits 1 and 3 to (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order
Minute Order - No Hearing Held;
Journal Entry Details:
Having examined Motion to Seal Exhibits 1 and 3 to (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order filed on June 23, 2020, noting that service was effectuated upon the parties, no timely opposition was filed thereto, and there being good cause, this Court ORDERS the Motion is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for July 29, 2020 is VACATED pursuant to EDCR 2.23. Counsel is to prepare and submit a proposed Order to the Court within fourteen (14) days of this Minute Order pursuant to EDCR 7.21. Pursuant to AO 20-10, these must be submitted electronically to DC16Inbox@clarkcountycourts.us. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;

07/27/2020 *CANCELED* **Jury Trial** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

07/29/2020 *CANCELED* **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Motion to Seal Exhibits 1 and 3 to (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order

08/03/2020 *CANCELED* **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Vacated - Set in Error
Minute Order re: Hearing on 8/11/20 at 9:00 a.m.

08/04/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Motion to Redact Caesars' Reply in Support of Motion to Compel Responses
Minute Order - No Hearing Held;
Journal Entry Details:
Having examined Motion to Redact Caesars' Reply in Support of Motion to Compel Responses filed on July 8, 2020, noting that service was effectuated upon the parties, no opposition was filed thereto, and there being good cause, this Court ORDERS the Motion is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for August 11, 2020 is VACATED pursuant to EDCR 2.23. Counsel is to prepare and submit a proposed Order to the Court within fourteen (14) days of this Minute Order pursuant to EDCR 7.21. Pursuant to AO 20-10, these must be submitted electronically to DC16Inbox@clarkcountycourts.us. CLERK'S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile. CLERK'S NOTE: Minutes amended to correct the document filed date of 7/9/20; the correct filed date is 7/8/20, as reflected above. /cd 6-7-21/;

08/11/2020 *CANCELED* **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Motion to Redact Caesars' Reply in Support of Motion to Compel Responses to Requests for Production of Documents and Opposition to Countermotion for a Protective Order and Exhibit 20 and Seal Exhibit 23 Thereto

08/12/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 8/19/20 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile and by mail to Myestee [3111 Bel Air Drive #14F, Las Vegas, NV 89109]. Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 301 745 453 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;

09/09/2020 *CANCELED* **Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

09/16/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 9/23/20 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 261 117 825 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served through Odyssey eFile to all parties with an email address on record.;

09/23/2020 **Motion to Strike** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss
Per 8/18/20 Email from Counsel
Motion Granted; See 11/23/20 Minute Order

09/23/2020 **Motion to Compel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
09/23/2020, 10/22/2020, 12/03/2020
The Development Entities and Rowen Seibel's Motion to Compel Production of Financial Records Related to Gordon Ramsay Steak Atlantic City
Matter Continued;
Matter Continued;
Withdrawn;
Journal Entry Details:
No parties present. Court noted Motion to Compel withdrawn.;
Matter Continued;
Matter Continued;
Withdrawn;
Journal Entry Details:
Hearing held telephonically. Mr. Williams requested matter trailed another 30 days and advised pending decision on Motion to Strike will impact the Motion to Compel. Ms. Mercera advised the representation is correct and the Motion is to be heard after pending decision. There being agreement, COURT ORDERED, Motion to Compel CONTINUED to 12/3/20. CONTINUED TO: 12/3/20 9:30 AM THE DEVELOPMENT ENTITIES AND ROWEN SEIBIEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY;
Matter Continued;
Matter Continued;
Withdrawn;

09/23/2020 **Opposition and Countermotion** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Opposition to the Development Entities and Rowen Seibel's Motion to Compel Production of Financial Records Related to Gordon Ramsay Steak Atlantic City and Countermotion for Protective Order
Matter Continued;

09/23/2020 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:

CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS Hearing held telephonically. Arguments by Mr. Pisanelli and Mr. Bailey. Colloquy regarding whether or not to additionally brief factors in Nutton case. Matter submitted. Court stated will review pleading record and prior decisions including the amendment and counterclaims, and perform Rule 16 analysis to make good cause determination; minute order decision forthcoming. THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY...OPPOSITION TO THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY AND COUNTERMOTION FOR PROTECTIVE ORDER Mr. Pisanelli advised this matter centers on the pending ruling on Motion to Strike and requested to trail. Mr. Bailey requested same. COURT ORDERED, Motion to Compel and Countermotion for Protective Order CONTINUED to 10/22/20. Mr. Bailey advised parties discussed 30-day extension of discovery and it would require moving trial date. Court stated parties may submit stipulation to that effect and contact Court JEA or Court Clerk for trial stack information. Mr. Pisanelli advised will coordinate with counsel as to proposed extension. Court directed parties consider current February 2021 jury trial stack not viable in light of current public health pandemic and trial continuance alone would not extend discovery unless parties agree. CONTINUED TO: 10/22/20 9:00 AM THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY...OPPOSITION TO THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL

RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY AND COUNTERMOTION FOR PROTECTIVE ORDER;

10/15/2020 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

10/16/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 10/22/20 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 458 575 421 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

11/04/2020 *CANCELED* **Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated

11/04/2020 *CANCELED* **Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

11/09/2020 *CANCELED* **Jury Trial** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

11/23/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order: Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss
Minute Order - No Hearing Held;
Journal Entry Details:

*After review and consideration of the points and authorities on file herein and oral argument of counsel, the Court determined as follows: There are three Nevada Rules of Civil Procedure (NRCP) that are implicated by the instant motion: Rule 12(f), which governs motions to strike, Rule 15(a), which governs amendments to pleadings, and former Rule 13(f), which governed the addition of omitted counterclaims. The 2019 Amendments to the NRCP changed Rule 15(a) and abrogated Rule 13(f). (consistent with the Federal Rules of Civil Procedure). The Nevada Supreme Court has not addressed whether counterclaims filed in response to an amended complaint under NRCP 15 must be permitted as of right. Therefore, all parties have turned to federal case law addressing the analgous FRCP, specifically Rule 15. The three approaches have been characterized as narrow, permissive, and moderate. Courts applying the narrow approach held that an amended answer must be explicitly confined to the amendments to the complaint. On the other end of the spectrum, Courts applying the permissive view had that the defendant is allowed to plead anew to the amended complaint as though it were the original complaint. The moderate approach held that the breadth of the amended response's changes must reflect the breadth of the changes in the amended complaint. The abrogation of FRCP 13 (f) in 2009; and consequently NRCP 13(f) in 2019 would su persede cases following the narrow approach. See Sierra Dev. Co. v. Chartwell Advisory Grp. Ltd., No. 13cv602 BEN (VPC), 2016 U.S. Dist. LEXIS 160308, at *11 (D. Nev. Nov. 18, 2016). The permissive approach deprives the Court of the ability to manage litigation. See i d. Under Nevada law, the permissive approach would contradict NRCP Rule 16, which the Supreme Court implemented to ensure trial judges actively managed their cases in an orderly manner. Under the moderate approach, the amended counterclaims would not be permitted because the breadth of the changes in the new counterclaims do not reflect the breadth of the changes to Casear s First Amended Complaint (i.e. the kick back scheme). Instead the amended counterclaims relate to Ceasar s*

termination of the Seibel Agreements. Moreover, this Court already rejected Defendants efforts to amend similar counterclaims for failing to show good cause after the deadline to amend expired. Nev. R. Civ. P. 15(a), a party should be granted leave to amend a pleading when justice so requires, and the proposed amendment is not futile. However, when a party seeks to amend a pleading after the deadline previously set for seeking such amendment has expired, Nev. R. Civ. P. 16(b) requires a showing of "good cause" for missing the deadline. See Nutton v. Sunset Station, 131 Nev. 279, 357 P.3d 966, 131 Nev. Adv. Rep. 34 (2015). Accordingly, this Court has considered the three approaches; however, this Court will follow the NRCP 16 mandate which specifically requires a showing of good cause to amend the pleadings after the timer period set forth in the court s scheduling order expired. Consequently, the amended counterclaims are time-barred by this Court's prior scheduling order and the previous denial of the LTTQ/FERG Defendants' Motion to Amend. Caesars' first amended complaint did not open the door for the Seibel-Affiliated Entities to expand the scope of the litigation beyond its current parameters. Thus, the Seibel-Affiliated Entities' new counterclaims must be stricken. Accordingly, this Court hereby GRANTS Caesar's Motion to Strike the Seibel-Affiliated Entities' Counterclaims. Counsel for the DEFENDANT, Caesars shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

11/25/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 12/3/20 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 458 575 421 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

12/01/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 12/8/20 at 1:30 p.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 458 575 421 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

12/08/2020 **Motion** (1:30 PM) (Judicial Officer: Williams, Timothy C.)

12/08/2020, 12/14/2020
The Development Entities, Rowen Seibel, and Craig Green's Motion: (1) For Leave To Take Caesars NRCP 30(B)(6) Depositions; and (2) To Compel Responses to Written Discovery On Order Shortening Time
Matter Continued;
Decision Made;

Journal Entry Details:
Hearing held telephonically. Arguments by Mr. Williams and Mr. Pisanelli. COURT ORDERED, Motion to Compel DENIED as pertains to benefits as there is distinction with regard to rebates or gratuities and is not relevant; as to proportionality and set-offs, not relevant; as to gaming employees, not relevant or germane; as to common interest privilege, will use 8/19/2016 as controlling date which was asserted by Caesar s; will permit the limited Rule 30(b)(6) deposition of Mr. Green. Mr. Williams requested clarification with respect to certain categories and whether Caesar will produce in light of Close of Discovery this Friday. Court stated will honor an agreement by the parties. Mr. Pisanelli advised he will coordinate with Ms. Mercera regarding what was agreed to and respond to Mr. Williams. Court directed Mr. Pisanelli to prepare an order from today with specific findings based upon hearing record as well as points and authorities on file. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us. ;
Matter Continued;
Decision Made;
Journal Entry Details:
Hearing held telephonically. Colloquy regarding resetting matter in light of recent briefing, the potential impact of decision, conflict with scheduled deposition, and whether or not extension by the parties possible. COURT ORDERED, matter CONTINUED to 12/14/20 at 9:30 a.m. CONTINUED TO: 12/14/20 9:30 AM THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN S MOTION: (1) FOR LEAVE TO TAKE CAESARS NRCP 30 (B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME CLERK'S NOTE: Minutes corrected. /cd 12-9-20/;

12/11/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 12/14/20 at 9:30 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 458 575 421 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

12/21/2020 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 1/6/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

01/06/2021 **Motion for Leave** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
The Development Entities, Rowen Seibel, and Craig Green's Motion for Leave to File Oversized Brief
Motion Granted;

01/06/2021 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Motion to Redact Their Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery; and to Seal Exhs. 49-57 to the Appendix of Exhibits Related Thereto
Motion Granted;

01/06/2021 **Opposition and Countermotion** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green
Motion Granted;

01/06/2021 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Redact Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green and Seal Exhibits 3-6, 8-11, 13, 15, and 16 Thereto
Motion Granted;

01/06/2021 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
The Development Entities, Rowen Seibel, and Craig Green's Motion to Seal Volume 5 of the Appendix to Their Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery
Motion Granted;

01/06/2021 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION FOR LEAVE TO FILE OVERSIZED BRIEF MOTION TO REDACT THEIR MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY; AND TO SEAL EXHS. 49-57 TO THE APPENDIX OF EXHIBITS RELATED THERETO MOTION TO REDACT CAESARS' OPPOSITION TO THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN AND SEAL EXHIBITS 3-6, 8-11, 13, 15, AND 16 THERETO CAESARS' OPPOSITION TO THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO SEAL VOLUME 5 OF THE APPENDIX TO THEIR MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY Hearing held telephonically. Upon Court s inquiry, Ms. Mercera advised no timely oppositions. There being no further objection, COURT ORDERED, instant Motions GRANTED. Prevailing party to prepare respective orders. Mr. Williams advised possible issue with dispositive motion deadline on February 18th with regard to filing certain motion to dismiss in light of competing proposed orders being submitted. Court so noted. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.;

01/07/2021 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated

01/19/2021 *CANCELED* **Jury Trial** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Vacated

01/25/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 2/3/21 at 9:00 a.m.
Minute Order - No Hearing Held;

Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

01/28/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 2/10/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

02/03/2021 **Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
Hearing held telephonically. Mr. Bailey reviewed status of deadlines in this case and advised parties are addressing discovery issues. Mr. Bailey further advised he intends to file writ petition after certain order is finalized and requested status check in 60 days in that regard. Mr. Pisanelli advised case is ready for trial and there is no motion for stay pending. Court stated it anticipates return of signed orders by end of this week. Upon Court s inquiry, Mr. Pisanelli advised no objection to the status check discussed. COURT ORDERED, status check SET in 60 days regarding potential adjustment of scheduling order upon stipulation of the parties. Court stated a motion to address the matter may be filed on order shortening time. 4/7/21 9:00 AM STATUS CHECK: POTENTIAL ADJUSTMENT TO SCHEDULING ORDER UPON STIPULATION ;

02/10/2021 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Redact Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception and Seal Exhibits 1, 3, 4, 5, 8, 12, and 16-21 Thereto
Motion Granted;

02/10/2021 **Motion to Compel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception
Motion Granted; See 4/12/21 Minute Order

02/10/2021 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
MOTION TO REDACT CAESARS' MOTION TO COMPEL DOCUMENTS WITHHELD ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE PURSUANT TO THE CRIME-FRAUD

EXCEPTION AND SEAL EXHIBITS 1, 3, 4, 5, 8, 12, AND 16-21 THERETO Hearing held telephonically. Ms. Mercera advised no opposition. COURT ORDERED, Motion GRANTED. Prevailing party to prepare the order. CAESARS' MOTION TO COMPEL DOCUMENTS WITHHELD ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE PURSUANT TO THE CRIME-FRAUD EXCEPTION Arguments by Ms. Mercera and Mr. Gilmore. Court stated will review issues discussed; decision forthcoming.;

02/11/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 2/17/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

02/11/2021 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

02/17/2021 **Motion For Stay** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
The Development Entities' Motion for a Limited Stay of Proceedings Pending Their Petition for Extraordinary Writ Relief
Motion Denied;
Journal Entry Details:
Hearing held telephonically. Arguments by counsel. Court stated ITS FINDINGS and ORDERED, Motion for Limited Stay DENIED. Court directed Ms. Mercera to prepare and circulate the order. Court stated circulated order to counsel to be returned within 3 days; if parties cannot agree on form and content, may submit competing orders. Mr. Pisanelli inquired regarding availability of trial at convention center venue. Court stated venue only available until end of March. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us. ;

02/18/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 2/24/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

02/22/2021 *CANCELED* **Jury Trial** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

02/24/2021 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

The Development Entities, Rowen Seibel, and Craig Green's Motion to Redact Their Opposition to Caesars' Motion to Compel Documents Withheld on the Basis of Atty-Client Privilege Pursuant to the Crime-Fraud Exception; and to Seal Exs. 2-20, 22-23, 26-36, 38-60, 62-69, and 71 to the Appendix of Exhibits Related Thereto
Motion Granted;

02/24/2021 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Defendant's Motion to Redact Reply in Support of Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception and Seal Exhibits 23, 24, 27, 30-32, and 34 Thereto
Motion Granted;

02/24/2021 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO REDACT THEIR OPPOSITION TO CAESARS' MOTION TO COMPEL DOCUMENTS WITHHELD ON THE BASIS OF ATTY-CLIENT PRIVILEGE PURSUANT TO THE CRIME-FRAUD EXCEPTION; AND TO SEAL EXS. 2-20, 22-23, 26-36, 38-60, 62-69, AND 71 TO THE APPENDIX OF EXHIBITS RELATED THERETO...DEFENDANT'S MOTION TO REDACT REPLY IN SUPPORT OF CAESARS' MOTION TO COMPEL DOCUMENTS WITHHELD ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE PURSUANT TO THE CRIME-FRAUD EXCEPTION AND SEAL EXHIBITS 23, 24, 27, 30-32, AND 34 THERETO Hearing held telephonically. Mr. Williams advised there were no oppositions. COURT ORDERED, Motions to Redact GRANTED. Court directed each prevailing party prepare respective order. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us. ;

03/10/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 3/17/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 Online: https://bluejeans.com/552243859 To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

03/31/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 4/7/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 Online: https://bluejeans.com/552243859 To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been

electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

04/01/2021 *CANCELED* **Motion for Summary Judgment** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - Duplicate Entry
Caesars' Motion for Summary Judgment No. 1

04/07/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 4/14/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 Online: https://bluejeans.com/552243859 To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

04/07/2021 **Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Status Check: Potential Adjustment to Scheduling Order Upon Stipulation
Matter Heard;
Journal Entry Details:
Hearing held by BlueJeans remote conferencing. Ms. Mercera advised parties discussed the scheduling order. Ms. Mercera requested modification of filing deadline for motions in limine from 4/23/21 to 5/12/21; COURT SO ORDERED. Mr. Williams inquired regarding current trial viability and alternate Convention Center venue. Court stated only fall 2021 jury trial appears viable. COURT ORDERED, Status Check re: Trial Readiness SET 5/19/21. Court stated parties may submit stipulation regarding these issues for review and signature. 5/19/21 9:00 AM STATUS CHECK: TRIAL READINESS;

04/09/2021 **Motion to Seal/Redact Records** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
The Development Entities, Rowen Seibel, and Craig Green's Motion to Seal Exhibits 2-3 and 5-6 to Their Motion to Compel "Confidential" Designation of Caesars' Financial Documents
Granted;

04/09/2021 **Motion to Seal/Redact Records** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Redact Caesars' Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order and Seal Exhibits 1, 2, 4, 7, 9-18, 20, 22, and 26-30 Thereto
Granted;

04/09/2021 **All Pending Motions** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order - No Hearing Held;
Journal Entry Details:

THE DEVELOPMENT ENTITIES, ROWEN SEIBEL AND CRAIG GREEN'S MOTION TO SEAL EXHIBITS 2-3 AND 5-6 TO THEIR MOTION TO COMPEL "CONFIDENTIAL" DESIGNATION OF CAESARS' FINANCIAL DOCUMENTS: Having examined The Development Entities, Rowen Seibel, and Craig Green s Motion to Seal Exhibits 2-3 and 5-6 to Their Motion to Compel Confidential Designation of Caesars Financial Documents, filed on February 9, 2021, noting that the opposing party did not file an opposition to it, and there being good cause, COURT ORDERED, Motion GRANTED pursuant to EDCR 2.20(e); FURTHER ORDERED, the matter scheduled for Wednesday, April 14, 2021, at 9:00 a.m. is

VACATED pursuant to EDCR 2.23. Counsel is to prepare and submit a proposed Order to the Court within ten (10) days of this Minute Order, pursuant to EDCR 7.21. MOTION TO REDACT CAESARS' OPPOSITION TO THE DEVELOPMENT ENTITIES, ROWEN SEIBEL AND CRAIG GREEN'S MOTION TO COMPEL "CONFIDENTIAL" DESIGNATION OF CAESARS' FINANCIAL DOCUMENTS AND COUNTERMOTION FOR PROTECTIVE ORDER AND SEAL EXHIBITS 1, 2, 4, 7, 9-18, 20, 22, AND 26-30 THERETO: Having examined Motion to Redact Caesars Opposition to the Development Entities, Rowen Seibel, and Craig Green s Motion to Compel Confidential Designation of Caesars Financial Documents and Countermotion for Protective Order and Seal Exhibits 1, 2, 4, 7, 9-18, 20, 22, and 26-30 Thereto, filed on March 4, 2021, noting that the opposing party did not file an opposition to it, and there being good cause, COURT ORDERED, motion GRANTED pursuant to EDCR 2.20(e), FURTHER ORDERED, the matter scheduled for Wednesday, April 14, 2021, at 9:00 a.m. is VACATED pursuant to EDCR 2.23. Counsel is to prepare and submit a proposed Order to the Court within ten (10) days of this Minute Order, pursuant to EDCR 7.21. CLERK S NOTE: A copy of the foregoing minute order was distributed to the registered service recipients via Odyssey eFileNV E-Service (4/9/21 kb).;

04/12/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception

Minute Order - No Hearing Held;

Journal Entry Details:

After review and consideration of the points and authorities on file herein, and oral argument of counsel, the Court determined as follows: The Court has determined that Caesars has met its initial burden of proof by establishing that Plaintiff Seibel's representations as to the independence of the Seibel Family 2016 Trust were unfounded, and Plaintiff Seibel could continue to benefit from the agreements despite unsuitability to conduct business with a gaming licensee. Also, an issue exists as to the effect of Plaintiff Seibel's prenuptial agreement with his wife and the interplay with the trust. Therefore, Defendant Caesars' Motion to Compel shall be GRANTED, and this Court shall examine in camera the requested documents to determine that the attorney-client communications for which production is sought are sufficiently related to and were made in furtherance of intended or continued illegality. Counsel on behalf of Defendant Caesars' shall prepare a Findings of Fact, Conclusions of Law and Order based not only on the court's minute order but the pleadings on file herein, argument of counsel, and the entire record. Lastly, counsel is to circulate the order prior to submission to the Court to adverse counsel. If the counsel can't agree on the contents, the parties are to submit competing orders. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

04/19/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 4/28/21 at 1:30 p.m.

Minute Order - No Hearing Held;

Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 Online: https://bluejeans.com/552243859 To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

04/28/2021 **Motion to Compel** (1:30 PM) (Judicial Officer: Williams, Timothy C.)

The Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents

Motion Denied; See 8/5/21 Minute Order

04/28/2021 **Countermotion** (1:30 PM) (Judicial Officer: Williams, Timothy C.)

Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order

Motion Granted; See 8/5/21 Minute Order

04/28/2021 *CANCELED* **Motion for Leave** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order
Rowen Seibel, GR Burgr, LLC, and The Development Entities' Omnibus Motion for Leave to File Oversized Briefs

04/28/2021 **Motion to Seal/Redact Records** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Motion to Redact Portions of Caesars' Reply in Support of Its Countermotion for Protective Order, and Seal Exhibits 31 through 33 Thereto
Motion Granted;

04/28/2021 **All Pending Motions** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO COMPEL "CONFIDENTIAL" DESIGNATION OF CAESARS' FINANCIAL DOCUMENTS...OPPOSITION TO THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO COMPEL "CONFIDENTIAL" DESIGNATION OF CAESARS' FINANCIAL DOCUMENTS AND COUNTERMOTION FOR PROTECTIVE ORDER Hearing held by BlueJeans remote conferencing. Arguments by Ms. Glantz and Ms. Mercera. Court stated will review matters; decision forthcoming. Ms. Mercera advised Motion to Redact set 5/19/21 is unopposed. COURT ORDERED, Motion to Redact Portions of Caesars' Reply in Support of Its Countermotion for Protective Order, and Seal Exhibits 31 through 33 Thereto GRANTED. Ms. Mercera advised she will prepare and circulate the order. Court noted case stay in place. Ms. Mercera advised the partial stay is pursuant to stipulation and order, pertains to non-discovery related matter, and trial was to be vacated. There being agreement, COURT FURTHER ORDERED, status check SET in 90 days regarding the stay. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us. 7/28/21 9:00 AM STATUS CHECK: STATUS OF STAY;

05/19/2021 *CANCELED* **Status Check: Trial Readiness** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

06/15/2021 **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 6/24/21 at 9:05 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Remotely Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 Online: https://bluejeans.com/552243859 To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. ;

06/24/2021 **Motion to Stay** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
The Development Entities, Rowen Seibel, and Craig Green's Motion to Stay Compliance with the Court's June 8, 2021 Order Pending Petition for Extraordinary Writ Relief on Order Shortening Time
Moot;

Journal Entry Details:
Hearing held by BlueJeans remote conferencing. Ms. Glantz advised writ rejected, now awaiting this Court's decision on pending matter, and may renew writ. Upon Court's inquiry, Ms. Mercera advised matter moot. Ms. Mercera further advised there would be further objection to stay of proceedings. Court so noted.;

06/29/2021 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

07/12/2021 *CANCELED* **Jury Trial** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order

07/22/2021 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 7/28/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Online: https://bluejeans.com/305354001/2258 To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

07/28/2021 **Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
07/28/2021, 10/27/2021
Status Check: Status of Stay (Resetting SJ Motions previously set on 4/28/21?)
Matter Continued;
Matter Heard;
Journal Entry Details:
Hearing held by BlueJeans remote conferencing. Mr. Williams reviewed status of Nevada Supreme Court order on petition and that stay was vacated. Colloquy regarding potential writ petition and seeking stay including scope, issue with findings in certain proposed order, and resetting pending matters. COURT ORDERED, filing of motion for stay DUE 11/17/21 and may be submitted on an order shortening time; pending motions for summary judgment and motions to seal SET 12/6/21 at 1:15 p.m. COURT FURTHER ORDERED, pending motion regarding oversized briefs GRANTED. Prevailing party to prepare the order. Proposed order (s) to be submitted to DC16Inbox@clarkcountycourts.us. 12/6/21 1:15 PM CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1...CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 2...GORDAN RAMSAY'S MOTION FOR SUMMARY JUDGMENT...THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO REDACT THEIR OPPOSITIONS TO THE MOTIONS FOR SUMMARY JUDGMENT AND TO SEAL EXHIBITS 526 THROUGH 647 TO THE APPENDIX OF EXHIBITS THERETO...GORDON RAMSAY'S MOTION TO REDACT GORDON RAMSAY'S MOTION FOR SUMMARY JUDGMENT AND SEAL EXHIBITS 2-3, 5-25, 27, 28, 30, 32-35, 37, 38, 42 IN APPENDIX TO RAMSAY'S MOTION FOR SUMMARY JUDGMENT...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;
Matter Continued;
Matter Heard;
Journal Entry Details:

Hearing held by BlueJeans remote conferencing. Ms. Mercera advised writ petition matter fully briefed and awaiting oral argument setting or other instruction. Ms. Glantz advised the characterization is correct. There being agreement, COURT ORDERED, matter CONTINUED

90 days. Ms. Mercera advised a status report can be provided when writ petition information received. Court stated report unnecessary and will provide notice/setting when it receives the same information. Court stated in camera review of documents underway in this case and decision to issue shortly. Ms. Glantz advised decision on prior Motion to Compel is still outstanding. Colloquy regarding 6/8/21 Findings of Facts and Conclusions of Law and whether matter addressed within. COURT FURTHER ORDERED, Status Check SET 8/4/21 regarding whether Motion to Compel was fully addressed. Court stated the status check will be heard first on calendar. 8/4/21 9:00 AM STATUS CHECK: WHETHER MOTION TO COMPEL UNDER ADVISEMENT WAS ADDRESSED BY 6/8/21 ORDER CONTINUED TO: 10/27/21 9:00 AM STATUS CHECK: STATUS OF STAY (RESETTING SJ MOTIONS PREVIOUSLY SET ON 4/28/21?);

08/03/2021

Minute Order (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 8/4/21 at 9:00 a.m.

Minute Order - No Hearing Held;

Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Online: https://bluejeans.com/305354001/2258 To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

08/04/2021

Status Check (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Status Check: Whether Motion to Compel Under Advisement was Addressed by 6/8/21 Order

Matter Heard;

Journal Entry Details:

Hearing held by BlueJeans remote conferencing. Court stated documents for review were received, decision delayed due to priority bench trial decision, and will issue decision in this case this week. Ms. Glantz advised there were two separate motions to compel and motion as regards confidential designations from 4/28/21 hearing is outstanding. Ms. Mercera advised she agrees; reviewed matter history with respect to what has been produced and objections. Court stated will review the record for decision.;

08/05/2021

Minute Order (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: [387] The Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents...[423] Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order

Minute Order - No Hearing Held;

Journal Entry Details:

After review and consideration of the points and authorities on file herein and oral argument of counsel, the Court determined as follows: Upon consideration of the Stipulated Protective Order, specifically the 90 day deadline to object to the designation of Highly Confidential information, and the applicable Venetian factors, the Court finds that designation of Caesars financial information as Highly Confidential is proper. The Seibel Parties did not challenge Caesars Highly Confidential designation of financial documents within the 90 days required by the Stipulated Protective Order, thus the Seibel Parties effectively waived their right to challenge the designation of the Highly Confidential Information. Furthermore, after review of the applicable Venetian factors, there appears to be good cause for a protective order as well as maintaining designation of Caesars financial information as Highly Confidential. As Defendants note, Caesars interests in protecting its information must be balanced against the Seibel Parties rather than the public s interest in disclosure. Based on that balancing test the factors weigh in favor of Caesars and the designation of their financial documents as Highly Confidential. Based on the foregoing, The Development Entities, Rowen Seibel, and Craig Greens Motion to Compel Confidential Designation of Caesar s Financial Documents shall be

DENIED. Additionally, Defendants Countermotion for Protective Order is GRANTED. Counsel for Defendants shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

08/18/2021 **Decision** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Chambers Decision: [351] Caesars' Motion to Compel Documents Withheld on the Basis of Attorney-Client Privilege Pursuant to the Crime-Fraud Exception (Issue: In camera, determine whether documents are sufficiently related to and were made in furtherance of intended or continued illegality and, thus, whether the same must be produced to Caesars; see 6/8/21 FFCL)
Minute Order - No Hearing Held;

08/18/2021 *CANCELED* **Decision** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - Set in Error
Chambers Decision: Opposition to the Development Entities, Rowen Seibel, and Craig Green's Motion to Compel "Confidential" Designation of Caesars' Financial Documents and Countermotion for Protective Order (Decision for in camera review of documents from privelege log; see 6/8/21 FFCL)

09/08/2021 *CANCELED* **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - Duplicate Entry
Minute Order re: Hearing on 9/15/21 at 9:30 a.m.

09/15/2021 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 9/22/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
*Department 16 Formal Request to Appear Remotely Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters be heard remotely. The court utilizes BlueJeans for remote conferencing wherein you appear and participate by phone or through an internet enabled device. Please be sure to check in with the Courtroom Clerk at 8:55 a.m. on the date of your hearing. The call-in number or website to connect is: Telephone: Dial: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Smartphone/Computer: Website: https://bluejeans.com/305354001/2258 If you appear by phone, please bear in mind: first, dial the telephone number, then meeting ID followed by #, and finally the participate passcode followed by #; secondly, dial *4 to unmute when you are ready to do so. If you appear by smartphone or computer, please bear in mind: enter the website address in your device s browser exactly as show above and follow the instructions on screen; optionally, download the BlueJeans app as indicated on this same website. If you wish to test your audio/video in advance of the hearing, please visit https://bluejeans.com/111. Protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Wait for the line to clear before speaking as the conference audio is one-way. Be mindful of background noises and echoing from using multiple devices. BlueJeans chat will not be available while court is in session. If you need to report an issue affecting your ability to appear, please send an email marked urgent to the following addresses: JEA, Lynn Berkheimer [Dept16EA@clarkcountycourts.us]; Law Clerk, Michael Holthus [Dept16LC@clarkcountycourts.us]; Court Clerk, Chris CJ Darling [DarlingC@clarkcountycourts.us] CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;*

09/22/2021 **Motion to Compel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
The Development Entities, Rowen Seibel, And Craig Green s Motion To Compel The Return, Destruction, Or Sequestering Of The Court s August 19, 2021 Minute Order Containing Privileged Attorney-client Communications On Order Shortening Time
Granted in Part;
Journal Entry Details:

Hearing held by BlueJeans remote conferencing. Arguments by counsel. Court stated ITS FINDINGS and ORDERED, Motion to Compel GRANTED IN PART and DENIED IN PART; will slightly change the order in this regard with spirit of protective order in place: if Caesars has to respond to writ petition without seeking relief from Nevada Supreme Court, they can rely on decision made in this case; they cannot use it for other purposes in this case until ultimate decision of the Nevada Supreme Court; Caesars may use the minute order for appellate and/or appellate review purposes for now. Court directed Mr. Kennedy to prepare the order. Ms. Mercera inquired regarding preparation of proposed order. COURT FURTHER ORDERED, minute order usage limited for now to the opposition to the writ petition; documents will not be turned over; findings of facts and conclusions of law may be submitted and incorporate for reference the minute order. Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.;

09/22/2021 *CANCELED* **Motion to Compel** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - On in Error
Motion to Compel the Return, Destruction or Sequestering of the Courts August 19 2021 Minute Order

10/20/2021 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 10/27/21 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
*Department 16 Formal Request to Appear Remotely Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters be heard remotely. The court utilizes BlueJeans for remote conferencing wherein you appear and participate by phone or through an internet enabled device. Please be sure to check in with the Courtroom Clerk at 8:55 a.m. on the date of your hearing. The call-in number or website to connect is: Telephone: Dial: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Smartphone/Computer: Website: https://bluejeans.com/305354001/2258 If you appear by phone, please bear in mind: first, dial the telephone number, then meeting ID followed by #, and finally the participate passcode followed by #; secondly, dial *4 to unmute when you are ready to do so. If you appear by smartphone or computer, please bear in mind: enter the website address in your device s browser exactly as show above and follow the instructions on screen; optionally, download the BlueJeans app as indicated on this same website. If you wish to test your audio/video in advance of the hearing, please visit https://bluejeans.com/111. Protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Wait for the line to clear before speaking as the conference audio is one-way. Be mindful of background noises and echoing from using multiple devices. BlueJeans chat will not be available while court is in session. If you need to report an issue affecting your ability to appear, please send an email marked urgent to the following addresses: JEA, Lynn Berkheimer [Dept16EA@clarkcountycourts.us]; Law Clerk, Michael Holthus [Dept16LC@clarkcountycourts.us]; Court Clerk, Chris CJ Darling [DarlingC@clarkcountycourts.us] CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;*

11/10/2021 **Motion to Stay** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
The Development Entities, Rowen Seibel, and Craig Green's Motion to Stay Proceedings Pending the Outcome of a Petition for Extraordinary Writ Relief on OST
Denied in Part;
Journal Entry Details:
Hearing held by BlueJeans remote conferencing. Arguments by counsel. Colloquy regarding necessity of trial date. COURT ORDERED, Motion to Stay Proceedings Pending the Outcome of a Petition for Extraordinary Writ Relief DENIED; however, will delay the production until close of business at 5:00 p.m. on November 19, 2021. Mr. Pisanelli advised he will prepare the order. COURT FURTHER ORDERED, status check SET 12/6/21 regarding setting trial date in this case. Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us. 12/6/21 1:15 PM STATUS CHECK: TRIAL SETTING;

11/29/2021 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 12/6/21 at 1:15 p.m.

Minute Order - No Hearing Held;
Journal Entry Details:
*Department 16 Formal Request to Appear Remotely Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters be heard remotely. The court utilizes BlueJeans for remote conferencing wherein you appear and participate by phone or through an internet enabled device. The call-in number or website to connect is: Telephone: Dial: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Smartphone/Computer: Website: https://bluejeans.com/305354001/2258 If you appear by phone, please bear in mind: first, dial the telephone number, then meeting ID followed by #, and finally the participate passcode followed by #; secondly, dial *4 to unmute when you are ready to do so. If you appear by smartphone or computer, please bear in mind: enter the website address in your device s browser exactly as show above and follow the instructions on screen; optionally, download the BlueJeans app as indicated on this same website. If you wish to test your audio/video in advance of the hearing, please visit https://bluejeans.com/111. Protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Wait for the line to clear before speaking as the conference audio is one-way. Be mindful of background noises and echoing from using multiple devices. BlueJeans chat will not be available while court is in session. If you need to report an issue affecting your ability to appear, please send an email marked urgent to the following addresses: JEA, Lynn Berkheimer [Dept16EA@clarkcountycourts.us]; Law Clerk, Michael Holthus [Dept16LC@clarkcountycourts.us]; Court Clerk, Chris CJ Darling [DarlingC@clarkcountycourts.us] CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;*

12/06/2021 **Motion for Summary Judgment** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
Caesars' Motion for Summary Judgment No. 1
SAO 3/9
Motion Granted; See 1/31/22 Minute Order

12/06/2021 **Motion for Summary Judgment** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
Caesars' Motion for Summary Judgment No. 2
SAO 3/9
Motion Granted; See 1/31/22 Minute Order

12/06/2021 **Motion to Seal/Redact Records** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
12/06/2021, 01/20/2022
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
SAO 3/9
Matter Continued;
Motion Granted;
SAO 3/9
Matter Continued;
Motion Granted;

12/06/2021 **Motion for Summary Judgment** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
12/06/2021, 01/20/2022
Gordan Ramsay's Motion for Summary Judgment
Matter Continued;
Motion Granted;
Matter Continued;
Motion Granted;

12/06/2021 **Motion to Seal/Redact Records** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
12/06/2021, 01/20/2022
Gordon Ramsay's Motion to Redact Gordon Ramsay's Motion for Summary Judgment and Seal Exhibits 2-3, 5-25, 27, 28, 30, 32-35, 37, 38, 42 in Appendix to Ramsay's Motion for Summary Judgment
Matter Continued;

Motion Granted;
Matter Continued;
Motion Granted;

12/06/2021 **Motion to Seal/Redact Records** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
12/06/2021, 01/20/2022
The Development Entities and Rowen Seibel's Motion to Redact Their Oppositions to the Motions for Summary Judgment and to Seal Exhibits 526 through 647 to the Appendix of Exhibits Thereto
Matter Continued;
Motion Granted;
Matter Continued;
Motion Granted;

12/06/2021 **Status Check: Trial Setting** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
12/06/2021, 01/20/2022, 03/09/2022
Matter Continued;
Matter Continued;
Trial Date Set;
Matter Continued;
Matter Continued;
Trial Date Set;
Matter Continued;
Matter Continued;
Trial Date Set;

12/06/2021 **Motion for Leave** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
The Development Parties' Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment on OST
Motion Granted;

12/06/2021 **All Pending Motions** (1:15 PM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
Hearing held by BlueJeans remote conferencing. THE DEVELOPMENT PARTIES' MOTION FOR LEAVE TO FILE A SUPPLEMENT TO THEIR OPPOSITIONS TO MOTIONS FOR SUMMARY JUDGMENT ON OST Arguments by Mr. Gilmore and Ms. Mercera. COURT ORDERED, Motion GRANTED. Prevailing party to prepare the order. CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1...CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 2 Arguments by Mr. Pisanelli and Mr. Gilmore. Court stated will review matters; decision forthcoming. Colloquy regarding time remaining today and resetting matters to an appropriate session. COURT FURTHER ORDERED, pending matters CONTINUED to 1/3/22 at 1:30 p.m. CONTINUED TO: 1/3/22 1:30 PM GORDAN RAMSAY'S MOTION FOR SUMMARY JUDGMENT...THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO REDACT THEIR OPPOSITIONS TO THE MOTIONS FOR SUMMARY JUDGMENT AND TO SEAL EXHIBITS 526 THROUGH 647 TO THE APPENDIX OF EXHIBITS THERETO...GORDON RAMSAY'S MOTION TO REDACT GORDON RAMSAY'S MOTION FOR SUMMARY JUDGMENT AND SEAL EXHIBITS 2-3, 5-25, 27, 28, 30, 32-35, 37, 38, 42 IN APPENDIX TO RAMSAY'S MOTION FOR SUMMARY JUDGMENT...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...STATUS CHECK: TRIAL SETTING;

12/22/2021 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order: Pending Motions to Seal/Redact
Minute Order - No Hearing Held;
Journal Entry Details:
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, 92, 99-100, AND 109-112 TO THE APPENDIX OF EXHIBITS IN SUPPORT OF CAESARS' REPLIES IN SUPPORT OF ITS MOTIONS FOR SUMMARY

JUDGMENT FILED ON NOVEMBER 30, 2021. DEFENDANT'S MOTION TO REDACT CAESARS' RESPONSE TO OBJECTIONS TO EVIDENCE OFFERED IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT FILED ON NOVEMBER 30, 2021 DEFENDANT'S MOTION TO REDACT CAESARS' OPPOSITION TO THE DEVELOPMENT PARTIES' MOTION FOR LEAVE TO FILE A SUPPLEMENT TO THEIR OPPOSITIONS TO MOTIONS FOR SUMMARY JUDGMENT ON ORDER SHORTENING TIME FILED ON DECEMBER 3, 2021. THE DEVELOPMENT PARTIES MOTION TO REDACT THEIR REPLY IN SUPPORT OF THEIR MOTION FOR LEAVE TO FILE A SUPPLEMENT TO THEIR OPPOSITIONS TO MOTIONS FOR SUMMARY JUDGMENT FILED ON DECEMBER 6, 2021. Having examined the above matters, noted that the matters were electronically served upon the parties, no Oppositions were filed thereto, and there is good cause therefore, COURT ORDERS the above matters are GRANTED pursuant to EDCR 2.20(e). The matters scheduled for January 12, 2022 at 9:00 a.m. are VACATED pursuant to EDCR 2.23. Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. ;

12/27/2021

Minute Order (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 1/3/22 at 1:30 p.m.

Minute Order - No Hearing Held;

Journal Entry Details:

*Department 16 Formal Request to Appear Remotely Effective December 20, 2021, Department 16 has relocated to Courtroom 16C. The court utilizes BlueJeans for remote conferencing on all status checks, Rule 16 conferences, and unopposed motions wherein you participate by phone or through an internet enabled device. Live appearances will only be authorized for opposed motions. Counsel may still appear via BlueJeans audio/video for opposed motions. The call-in number or website to connect is: Telephone: Dial: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Smartphone/Computer: Website: https://bluejeans.com/305354001/2258 If you appear by phone, please bear in mind: first, dial the telephone number, then meeting ID followed by #, and finally the participate passcode followed by #; secondly, dial *4 to unmute when you are ready to do so. If you appear by smartphone or computer, please bear in mind: enter the website address in your device s browser exactly as show above and follow the instructions on screen; optionally, download the BlueJeans app as indicated on this same website. If you wish to test your audio/video in advance of the hearing, please visit https://bluejeans.com/111. Protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Wait for the line to clear before speaking as the conference audio is one-way. Be mindful of background noises and echoing from using multiple devices. BlueJeans chat will not be available while court is in session. If you need to report an issue affecting your ability to appear, please send an email marked urgent to the following addresses: JEA, Lynn Berkheimer [Dept16EA@clarkcountycourts.us]; Law Clerk, Michael Holthus [Dept16LC@clarkcountycourts.us]; Court Clerk, Chris CJ Darling [DarlingC@clarkcountycourts.us] CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;*

01/12/2022

CANCELED **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Vacated

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, 92, 99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars' Replies in Support of Its Motions for Summary Judgment

01/12/2022

CANCELED **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Vacated

Defendant's Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment

01/12/2022 *CANCELED* **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Defendant's Motion to Redact Caesars' Opposition to the Development Parties' Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment on Order Shortening Time

01/12/2022 *CANCELED* **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
The Development Parties' Motion to Redact Their Reply in Support of Their Motion for Leave to File a Supplement to Their Oppositions to Motions for Summary Judgment

01/13/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order re: Hearing on 1/20/22 at 1:30 p.m.
Minute Order - No Hearing Held;
Journal Entry Details:
*Department 16 Formal Request to Appear Remotely Effective December 20, 2021, Department 16 has relocated to Courtroom 16C. The court utilizes BlueJeans for remote conferencing on all status checks, Rule 16 conferences, and unopposed motions wherein you participate by phone or through an internet enabled device. Live appearances for OPPOSED motions will only be authorized if approval from the Court is obtained at least 48 hours prior to the hearing. Counsel may still appear via BlueJeans audio/video for opposed motions. The call-in number or website to connect is: Telephone: Dial: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Smartphone/Computer: Website: https://bluejeans.com/305354001/2258 If you appear by phone, please bear in mind: first, dial the telephone number, then meeting ID followed by #, and finally the participate passcode followed by #; secondly, dial *4 to unmute when you are ready to do so. If you appear by smartphone or computer, please bear in mind: enter the website address in your device s browser exactly as show above and follow the instructions on screen; optionally, download the BlueJeans app as indicated on this same website. If you wish to test your audio/video in advance of the hearing, please visit https://bluejeans.com/111. Protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Wait for the line to clear before speaking as the conference audio is one-way. Be mindful of background noises and echoing from using multiple devices. BlueJeans chat will not be available while court is in session. If you need to report an issue affecting your ability to appear, please send an email marked urgent to the following addresses: JEA, Lynn Berkheimer [Dept16EA@clarkcountycourts.us]; Law Clerk, Michael Holthus [Dept16LC@clarkcountycourts.us]; Court Clerk, Chris CJ Darling [DarlingC@clarkcountycourts.us] CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;*

01/20/2022 **All Pending Motions** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:

Hearing held by BlueJeans remote conferencing. GORDAN RAMSAY'S MOTION FOR SUMMARY JUDGMENT Arguments by Mr. Tennert and Mr. Williams. Court stated ITS FINDINGS and ORDERED, Motion GRANTED; also, analysis of section 4.21 of the development agreement by counsel is correct. Court directed Mr. Tennert to prepare and circulate findings of fact and conclusions of law which rely upon the points and authorities and the record; if parties cannot agree on form and content, may submit competing orders. GORDON RAMSAY'S MOTION TO REDACT GORDON RAMSAY'S MOTION FOR SUMMARY JUDGMENT AND SEAL EXHIBITS 2-3, 5-25, 27, 28, 30, 32-35, 37, 38, 42 IN APPENDIX TO RAMSAY'S MOTION FOR SUMMARY JUDGMENT...THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO REDACT THEIR OPPOSITIONS TO THE MOTIONS FOR SUMMARY JUDGMENT AND TO SEAL EXHIBITS 526 THROUGH 647 TO THE APPENDIX OF EXHIBITS THERETO...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 Ms. Mercera advised matters unopposed and no oppositions filed. Therefore, COURT ORDERED, Motions GRANTED. Court directed Ms. Mercera to prepare the order including findings with respect to Appellate Rule 3. STATUS CHECK: TRIAL SETTING Court noted no trial date set. There being agreement, COURT ORDERED, status check CONTINUED to 3/9/22. Court stated the pending decision in this case is anticipated before the next hearing. Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us. CONTINUED TO: 3/9/22 9:00 AM STATUS CHECK: TRIAL SETTING;

01/31/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Caesars' Motion for Summary Judgment No. 1
Minute Order - No Hearing Held;
Journal Entry Details:
After review and consideration of the points and authorities on file herein, supplemental briefing, and oral argument of counsel, the Court determined as follows: It is uncontroverted that Caesars is a gaming licensee and part of a highly regulated industry. As a result, Caesars, both through its contracts and by law, was entitled to self-police its business and business relationships with unsuitable individuals and/or entities. Based upon its series of contracts with Seibel and Seibel-Affiliated Entities, Caesars memorialized the duty of candor and transparency as a requirement under its contracts. Moreover, in its sole discretion, Caesars had the contractual right to terminate contractual relationships with individuals deemed unsuitable. Focusing on the uncontroverted facts, Seibel s own conduct resulted in a felony conviction for violations of federal tax laws. Consequently, upon discovering Seibel s convictions, Caesars exercised its rights under the controlling contracts to disassociate from Seibel and Seibel-Affiliated Entities. Based on the current procedural posture of this matter, Caesars Motion for Summary Judgment No. 1 as to Count I, Count II, and Count III of the First Amended Complaint, which seeks declaratory judgments against Seibel and the Seibel-Affiliated Entities, is hereby GRANTED. Counsel on behalf of Caesars shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

01/31/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: Caesars Motion for Summary Judgment 2
Minute Order - No Hearing Held;
Journal Entry Details:
After review and consideration of the points and authorities on file herein, supplemental briefing, and oral argument of counsel, the Court determined as follows: As to Caesars Motion for Summary Judgment No. 2 regarding GR Burgr LLC s (GRB) claims against Caesars, the Court relies on GRB s admissions made in Delaware Court that it had no affirmative claims to pursue and/or the failure to prosecute its claims in this action. Therefore, GRB s claims based on wrongful termination of the GRB Agreement, GRB s claims based on ouster and conspiracy, and GRB s claims that Caesars breached Section 14.21 of the GRB Agreement shall be dismissed. Further, summary judgment is appropriate for Caesars fraudulent concealment and civil conspiracy claims based on Seibel's concealment of material facts regarding his federal prosecution and conviction. Additionally, summary judgment is appropriate based on want of prosecution and/or the failure of GRB to actively prosecute its claims for relief for four (4) years. Consequently, Caesars Motion for Summary Judgment No. 2 shall be GRANTED. Counsel on behalf of Caesars shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. ;

03/02/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 3/9/22 at 9:00 a.m.
Minute Order - No Hearing Held;
Journal Entry Details:
Department 16 Formal Request to Appear Remotely Effective December 20, 2021, Department 16 has relocated to Courtroom 16C. The court utilizes and prefers BlueJeans for remote

*conferencing on all status checks, Rule 16 conferences, and unopposed motions wherein you participate by phone or through an internet enabled device. Live appearances for OPPOSED motions are now allowed. Counsel may still appear via BlueJeans audio/video for opposed motions if they prefer. Please be sure to check in with the Courtroom Clerk at 8:55 a.m. on the date of your hearing. The call-in number or website to connect is: Telephone: Dial: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Smartphone/Computer: Website: https://bluejeans.com/305354001/2258 If you appear by phone, please bear in mind: first, dial the telephone number, then meeting ID followed by #, and finally the participate passcode followed by #; secondly, dial *4 to unmute when you are ready to do so. If you appear by smartphone or computer, please bear in mind: enter the website address in your device s browser exactly as show above and follow the instructions on screen; optionally, download the BlueJeans app as indicated on this same website. If you wish to test your audio/video in advance of the hearing, please visit https://bluejeans.com/111. Protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Wait for the line to clear before speaking as the conference audio is one-way. Be mindful of background noises and echoing from using multiple devices. BlueJeans chat will not be available while court is in session. If you need to report an issue affecting your ability to appear, please send an email marked urgent to the following addresses: JEA, Lynn Berkheimer [Dept16EA@clarkcountycourts.us]; Law Clerk, Michael Holthus [Dept16LC@clarkcountycourts.us]; Court Clerk, Chris CJ Darling [DarlingC@clarkcountycourts.us] CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;*

03/09/2022 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion to Redact Caesars' Reply to the Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment Filed by Caesars and Ramsay and Seal Exhibit 115 Thereto
Motion Granted;

03/09/2022 **Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Gordon Ramsay's Motion to Redact: i) Gordon Ramsay's Reply in Support of Motion for Summary Judgment, and ii) Gordon Ramsay's Response to Rowen Seibel and GR Burgr, LLC's Objections to Evidence
Motion Granted;

03/09/2022 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
Hearing held live and by BlueJeans remote conferencing. MOTION TO REDACT CAESARS' REPLY TO THE DEVELOPMENT PARTIES' OMNIBUS SUPPLEMENT TO THEIR OPPOSITIONS TO MOTIONS FOR SUMMARY JUDGMENT FILED BY CAESARS AND RAMSAY AND SEAL EXHIBIT 115 THERETO...GORDON RAMSAY'S MOTION TO REDACT: I) GORDON RAMSAY'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT, AND II) GORDON RAMSAY'S RESPONSE TO ROWEN SEIBEL AND GR BURGR, LLC'S OBJECTIONS TO EVIDENCE Ms. Mercera advised both instant Motion to Redact and 3/23/22 Motion to Redact are unopposed. There being no objection, COURT ORDERED, instant Motion GRANTED; 3/23/22 Motion to Redact ADVANCED and GRANTED. Prevailing party to prepare the order. STATUS CHECK: TRIAL SETTING Ms. Mercera advised certain motions anticipated with respect to summary judgment claims and, in light of stay being lifted, motions and trial date will need to be set. Mr. Gilmore advised he agrees for need to set dispositive motions and suggested 30-45 days from today to file. Colloquy regarding setting trial date. There being agreement, COURT ORDERED, Trial SET 1/9/23. Upon Court's inquiry, Ms. Mercera advised she will prepare a written order in that regard and include proposed deadlines. Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us. 12/15/22 10:30 AM PRETRIAL/CALENDAR CALL 1/9/23 9:30 AM;

04/13/2022 *CANCELED* **Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Status Check re submission of Order from 3/9-22 hearing (trial setting)

08/03/2022 **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Craig Green's Motion to Seal Exhibits 1-6 and 9-11 to His Motion for Summary Judgment
Motion Granted;
Journal Entry Details:
Hearing held in-person and by BlueJeans remote conferencing. Ms. Mercera advised no opposition. COURT ORDERED, Craig Green's Motion to Seal Exhibits GRANTED. Court directed Ms. Mercera to notify counsel for Mr. Green to prepare findings of fact and conclusions of law. Department Guideline: Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.;

08/17/2022 **Motion to Retax** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
08/17/2022, 11/22/2022
Events: 06/03/2022 Motion to Retax
Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by Gordon Ramsay
Matter Continued;
Decision Made; See 11/28/22 Minute Order
Matter Continued;
Decision Made; See 11/28/22 Minute Order

08/17/2022 **Motion to Retax** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
08/17/2022, 11/22/2022
Events: 06/09/2022 Motion to Retax
Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLV
Matter Continued;
Decision Made; See 11/28/22 Minute Order
Matter Continued;
Decision Made; See 11/28/22 Minute Order

08/17/2022 **All Pending Motions** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY GORDON RAMSAY...ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY PHWLV, LLV Hearing held in-person and by BlueJeans remote conferencing. Arguments by counsel. Colloquy regarding continuance in light of 10/19/22 Motions for Attorneys' Fees. There being agreement, COURT ORDERED, matters CONTINUED to 10/19/22. CONTINUED TO: 10/19/22 9:05 AM ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY GORDON RAMSAY...ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY PHWLV, LLV;

09/20/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order: Defendant PHWLV, LLC's Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto
Minute Order - No Hearing Held;
Journal Entry Details:

Having examined Defendant PHWLV, LLC's Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto, filed on June 23, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Defendant PHWLV, LLC's Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto, filed on June 23, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for September 21, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23. Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order

or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

09/21/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto

Minute Order - No Hearing Held;

Journal Entry Details:

Having examined Defendant s Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto, filed on June 23, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Defendant s Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto, filed on June 23, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for September 28, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23. Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

09/21/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: Motion to Redact Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 2-13, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto

Minute Order - No Hearing Held;

Journal Entry Details:

Having examined Defendant s Motion to Redact Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 2-13, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto, filed on July 14, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Defendant s Motion to Redact Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 2-13, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto, filed on July 14, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for September 28, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23. Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

09/21/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: The Development Parties' Motion to Redact Their Oppositions to the Counter-Motion and Cross-Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I-N to the Appendix of Exhibits Supporting the Oppositions

Minute Order - No Hearing Held;

Journal Entry Details:

Having examined The Development Parties' Motion to Redact Their Oppositions to the Counter-Motion and Cross-Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I-N to the Appendix of Exhibits Supporting the Oppositions, filed on August 31, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS The Development Parties' Motion to Redact Their Oppositions to the Counter-Motion and Cross-

Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I-N to the Appendix of Exhibits Supporting the Oppositions, filed on August 31, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for November 2, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23. Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

09/21/2022 *CANCELED* **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Defendant PHWLV, LLC's Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto

09/28/2022 *CANCELED* **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto

09/28/2022 *CANCELED* **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Motion to Redact Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 2-13, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto

10/10/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order: Motion to Seal/Redact Records
Minute Order - No Hearing Held;
Journal Entry Details:
Having examined PHWLV, LLC's Motion to Redact Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2 and Seal Exhibit A Thereto, filed on September 23, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS PHWLV, LLC's Motion to Redact Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2 and Seal Exhibit A Thereto, filed on September 23, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for November 1, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23. Counsel on behalf of the moving party shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /nm/;

11/01/2022 *CANCELED* **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Motion to Redact Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2 and Seal Exhibit A Thereto

11/02/2022 *CANCELED* **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
The Development Parties' Motion to Redact Their Oppositions to the Counter-Motion and Cross-Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I-N to the Appendix of Exhibits Supporting the Oppositions

11/08/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order: Gordon Ramsay's Motion to Redact Gordon Ramsay's Reply in Support of Motion for Attorneys' Fees
Minute Order - No Hearing Held;
Journal Entry Details:
Having examined Gordon Ramsay s Motion to Redact Gordon Ramsay's Reply in Support of Motion for Attorneys' Fees, filed on October 12, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Gordon Ramsay s Motion to Redact Gordon Ramsay's Reply in Support of Motion for Attorneys' Fees, filed on October 12, 2022, is GRANTED pursuant to EDCR 2.20 (e). The matter scheduled for January 4, 2023, at 9:05 a.m. is VACATED pursuant to EDCR 2.23. Counsel on behalf of the moving party shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /cd;

11/08/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order: Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 Thereto
Minute Order - No Hearing Held;
Journal Entry Details:
Having examined The Caesars Parties Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 Thereto, filed on October 12, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS The Caesars Parties Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 Thereto, filed on October 12, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for January 4, 2023, at 9:05 a.m. is VACATED pursuant to EDCR 2.23. Counsel on behalf of the moving party shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /cd;

11/22/2022 **Motion for Summary Judgment** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Craig Green's Motion for Summary Judgment
Clerical Error

Decision Made; See 11/28/22 Minute Order

11/22/2022 **Motion for Attorney Fees** (1:30 PM) (Judicial Officer: Williams, Timothy C.)

Events: 06/23/2022 Motion for Attorney Fees
Gordon Ramsey's Motion for Attorneys' Fees
Decision Made; See 11/28/22 Minute Order

11/22/2022 **Motion for Attorney Fees** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
PHWLV, LLC's Motion for Attorneys' Fees
Decision Made; See 11/28/22 Minute Order

11/22/2022 **Opposition and Countermotion** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Defendant's Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)
Decision Made; See 11/28/22 Minute Order

11/22/2022 **Opposition and Countermotion** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Rowen Seibel and GR Burgr, LLC's (i) Opposition to Gordon Ramsay's Motion for Attorneys' Fees; and (ii) Countermotion to Defer a Ruling on Gordon Ramsay's Motion for Attorneys' Fees Pending Outcome of Appeal from District Court's Findings of Fact, Conclusions of Law, and Order Granting Gordon Ramsay's Motion for Summary Judgment
Denied;

11/22/2022 **Opposition and Countermotion** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Rowen Seibel and GR Burgr, LLC's (i) Opposition to PHWLV, LLC's Motion for Attorneys' Fees; and (ii) Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending Outcome of Appeal from District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2
Denied;

11/22/2022 **All Pending Motions** (1:30 PM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
Hearing held in-person and by BlueJeans remote conferencing. CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT...DEFENDANT'S OPPOSITION TO CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT; COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND CROSS-MOTION FOR SUMMARY JUDGMENT AGAINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT) Arguments made by counsel. COURT ORDERED, Motion UNDER ADVISEMENT. PHWLV, LLC'S MOTION FOR ATTORNEYS' FEES Arguments made by counsel. COURT ORDERED, Motion UNDER ADVISEMENT. Court stated decision will be made after Motion for Summary Judgment decision is issued. GORDON RAMSEY'S MOTION FOR ATTORNEYS' FEES Arguments made by counsel. COURT stated its FINDINGS and ORDERED, Motion GRANTED in part and DENIED in part. COURT will not be awarding attorney's fees to attorneys out of the country; costs under review. ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY GORDON RAMSAY Arguments made by counsel. COURT ORDERED, Motion UNDER ADVISEMENT. ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY PHWLV, LLV Arguments made by counsel. COURT ORDERED, Motion UNDER ADVISEMENT. ROWEN SEIBEL AND GR BURGR, LLC'S (I) OPPOSITION TO GORDON RAMSAY'S MOTION FOR ATTORNEYS' FEES; AND (II) COUNTERMOTION TO DEFER A RULING ON GORDON RAMSAY'S MOTION FOR ATTORNEYS' FEES PENDING OUTCOME OF APPEAL FROM DISTRICT COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING GORDON RAMSAY'S MOTION FOR SUMMARY JUDGMENT Arguments made by counsel. COURT stated its FINDINGS and ORDERED, Motion DENIED. ROWEN SEIBEL AND GR BURGR, LLC'S (I) OPPOSITION TO PHWLV, LLC'S MOTION FOR ATTORNEYS' FEES; AND (II) COUNTERMOTION TO DEFER A RULING ON PHWLV, LLC'S MOTION FOR ATTORNEYS' FEES PENDING OUTCOME OF APPEAL FROM DISTRICT COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 2 Arguments made by counsel. COURT stated its FINDINGS and ORDERED, Motion DENIED. Prevailing party to prepare the order. Colloquy regarding deadline to file motions in limine. COURT ORDERED, status check regarding motions in limine SET. 11/30/22 AT 9:00 AM STATUS CHECK RE: MOTIONS IN LIMINE Department Guideline: Proposed order(s) to be submitted to

DC16Inbox@clarkcountycourts.us CLERK S NOTE: Minutes corrected to reflect the 11/30/22 status check set as related on the record. A copy of this minute order was distributed via Odyssey File and Serve./ vm (11-29-22);

11/28/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: Pending Summary Judgment Matters
Minute Order - No Hearing Held;
Journal Entry Details:
After review and consideration of the points and authorities on file herein, supplemental briefing, and oral argument of counsel, the Court determined as follows: The opposing parties move for summary judgment on multiple theories. First, the Court finds, as a matter of law, that Mr. Green did have a duty towards Caesars and fraudulently concealed the rebate business model from Caesars. The Court also finds that Mr. Green did unjustly enrich himself; Green interfered with Caesars contractual relationships; and Green conspired with Mr. Seibel to deceptively obtain funds from vendors. As a result, Defendant s Counter-Motion for Summary Judgment Against Craig Green shall be granted. Consequently, the Court denies Craig Green's Motion for Summary Judgment. Further, the Court finds that, as a matter of law, Mr. Seibel and the Seibel-related entities committed civil conspiracy, breach of the implied covenant of good faith, unjust enrichment, intentional interference, and fraudulent concealment. The Court finds that payments pursuant to the Seibel business model were being paid to entities that should not have been receiving rebate funds. There is substantial evidence that vendors made payments to Seibel entities without Caesars consent. Consequently, Defendant s Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) shall be granted. Based on the foregoing, Craig Green's Motion for Summary Judgment is DENIED; Defendant s Counter-Motion for Summary Judgment Against Craig Green is GRANTED; and Defendant s Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) is GRANTED. Counsel on behalf of Defendant PHWLV, LLC shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /cd;

11/28/2022 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order: Attorney Fees and Retax Matters
Minute Order - No Hearing Held;
Journal Entry Details:
After review and consideration of the points and authorities on file herein, supplemental briefing, and oral argument of counsel, the Court determined as follows: Having granted in part, and denied in part, Gordon Ramsey's Motion for Attorneys' Fees, the Court finds that an award of costs is appropriate. As a result, Gordon Ramsey's Motion for Attorneys' Fees is GRANTED as to costs, as well. The Court further finds that an award of costs, in favor of PHWLV, LLC, is appropriate. The Court also finds that an award of fees for local counsel is appropriate. However, the Court does not find the out-of-state counsel s fees are reasonable. The Court therefore grants in part and denies in part an award of out-of-state attorney s fees. The out-of-state fees are granted up to rates consistent with the rates of local counsel, but the fees are denied as to any and all fees in excess of the local counsel s rates. The Court finds that the calculation of fees shall begin in 2017. As a result, PHWLV, LLC's Motion for Attorneys' Fees is GRANTED in part, DENIED in part. Finally, the Court finds that retaxing the costs at issue is inappropriate. As a result, Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLV is DENIED. Similarly, Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by Gordon Ramsay is DENIED. Counsel on behalf of Defendant PHWLV, LLC shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature. CLERK'S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /cd;

11/30/2022 **Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Status Check Re: Motions in Limine
Moot;
Journal Entry Details:
Hearing held in-person and by BlueJeans remote conferencing. Ms. Mercera advised the status of the case; including, per the decision for Craig Green's Motion for Summary Judgment being made, motions in limine are now moot; further advised, trial can be vacated. COURT SO NOTED.;

12/15/2022 *CANCELED* **Pretrial/Calendar Call** (10:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated

01/04/2023 *CANCELED* **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Gordon Ramsay's Motion to Redact Gordon Ramsay's Reply in Support of Motion for Attorneys' Fees

01/04/2023 *CANCELED* **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 Thereto

01/09/2023 *CANCELED* **Jury Trial** (9:30 AM) (Judicial Officer: Williams, Timothy C.)
Vacated

04/14/2023 **Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)
Minute Order - No Hearing Held;
Journal Entry Details:
Having examined Motion to Seal Exhibit 10 to the Appendix in Support of Caesars' Memorandum of Costs, filed on March 27, 2023, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Motion to Seal Exhibit 10 to the Appendix in Support of Caesars' Memorandum of Costs, filed on March 27, 2023, is GRANTED pursuant to EDCR 2.20(e). Doc. No. 729 is SEALED pursuant to EDCR 8.09. The matter scheduled for May 3, 2023, at 9:05 a.m. is VACATED pursuant to EDCR 2.23. Counsel on behalf of the moving party shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK S NOTE: A copy of this minute order was distributed via Odyssey File and Serve /vm (04-14-23)/ ;

05/03/2023 *CANCELED* **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Vacated
Defendants' Motion to Seal Exhibit 10 to the Appendix in Support of Caesars' Memorandum of Costs

05/10/2023 **Motion to Retax** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Events: 03/30/2023 Motion to Retax
Rowen Seibel, Craig Green, and The Development Entities' Motion to Retax and Settle the Costs Claimed by Caesars

05/31/2023 **Motion for Attorney Fees** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Events: 04/18/2023 Motion for Attorney Fees
Caesars' Motion for Attorneys' Fees

06/07/2023 **Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.)
Events: 04/18/2023 Motion to Seal/Redact Records

	Plaintiffs' Motion to Redact Caesars' Motion for Attorneys' Fees and Seal Exhibits 1-6 in the Appendix in Support of Caesars' Motion for Attorneys' Fees
06/14/2023	**Motion to Seal/Redact Records** (9:05 AM) (Judicial Officer: Williams, Timothy C.) Events: 04/19/2023 Motion to Seal/Redact Records *Defendants' Motion to Redact Caesars' Opposition to Rowen Seibel, Craig Green, and the Development Entities' Motion to Retax the Costs Claimed by Caesars and Seal Exhibits 1-6, and 14 to the Appendix of Exhibits in Support of Caesars' Opposition to Rowen Seibel, Craig Green, and the Development Entities' Motion to Retax the Costs Claimed by Caesars*

DATE	FINANCIAL INFORMATION	
	Intervenor Plaintiff Original Homestead Restaurant Inc	
	Total Charges	1,483.00
	Total Payments and Credits	1,483.00
	Balance Due as of 4/25/2023	**0.00**
	Consolidated Case Party Desert Palace Inc	
	Total Charges	200.00
	Total Payments and Credits	200.00
	Balance Due as of 4/25/2023	**0.00**
	Defendant Green, Craig	
	Total Charges	200.00
	Total Payments and Credits	200.00
	Balance Due as of 4/25/2023	**0.00**
	Counter Claimant PHWLV LLC	
	Total Charges	2,413.00
	Total Payments and Credits	2,413.00
	Balance Due as of 4/25/2023	**0.00**
	Defendant Ramsay, Gordon	
	Total Charges	1,784.00
	Total Payments and Credits	1,784.00
	Balance Due as of 4/25/2023	**0.00**
	Defendant TPOV Enterprises, LLC	
	Total Charges	1,723.00
	Total Payments and Credits	1,723.00
	Balance Due as of 4/25/2023	**0.00**
	Other Public Copy Request	
	Total Charges	189.00
	Total Payments and Credits	189.00
	Balance Due as of 4/25/2023	**0.00**
	Other Plaintiff GR BURGR LLC	
	Total Charges	1,513.00
	Total Payments and Credits	1,513.00
	Balance Due as of 4/25/2023	**0.00**
	Counter Defendant Seibel, Rowen	
	Total Charges	3,287.00
	Total Payments and Credits	3,287.00
	Balance Due as of 4/25/2023	**0.00**
	Counter Defendant Seibel, Rowen	
	Appeal Bond Balance as of 4/25/2023	**1,000.00**
	Counter Defendant Seibel, Rowen	
	Appeal Bond Balance as of 4/25/2023	**500.00**

A- 17- 751759- B

BUSINESS COURT CIVIL COVER SHEET

XV

County, Nevada

Case No.
(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
ROWEN SEIBEL, an individual and citizen of New York,	PHWLV, LLC, a Nevada limited liability company;
derivatively on behalf of Real Party in Interest GR BURGR LLC, a Delaware limited liability company,	GORDON RAMSAY, an individual;
	DOES I through X; ROE CORPORATIONS I through X,
Attorney (name/address/phone):	Attorney (name/address/phone):
Dan McNutt	
Carbajal & McNutt, LLP	
625 S. 8th Street	
Las Vegas, NV 89101	

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

Real Property

Landlord/Tenant
- ☐ Unlawful Detainer
- ☐ Other Landlord/Tenant

Title to Property
- ☐ Judicial Foreclosure
- ☐ Other Title to Property

Other Real Property
- ☐ Condemnation/Eminent Domain
- ☐ Other Real Property

Construction Defect & Contract

Construction Defect
- ☐ Chapter 40
- ☐ Other Construction Defect

Contract Case
- ☐ Uniform Commercial Code
- ☐ Building and Construction
- ☐ Insurance Carrier
- ☐ Commercial Instrument
- ☐ Collection of Accounts
- ☐ Employment Contract
- ☐ Other Contract

Torts

Negligence
- ☐ Auto
- ☐ Premises Liability
- ☐ Other Negligence

Malpractice
- ☐ Medical/Dental
- ☐ Legal
- ☐ Accounting
- ☐ Other Malpractice

Other Torts
- ☐ Product Liability
- ☐ Intentional Misconduct
- ☐ Employment Tort
- ☐ Insurance Tort
- ☐ Other Tort

Civil Writs
- ☐ Writ of Habeas Corpus
- ☐ Writ of Mandamus
- ☐ Writ of Quo Warrant
- ☐ Writ of Prohibition
- ☐ Other Civil Writ

Judicial Review/Appeal/Other Civil Filing

Judicial Review
- ☐ Foreclosure Mediation Case

Appeal Other
- ☐ Appeal from Lower Court

Other Civil Filing
- ☐ Foreign Judgment
- ■ Other Civil Matters

Business Court Filing Types

CLARK COUNTY BUSINESS COURT
- ☐ NRS Chapters 78-89
- ☐ Commodities (NRS 91)
- ☐ Securities (NRS 90)
- ☐ Mergers (NRS 92A)
- ☐ Uniform Commercial Code (NRS 104)
- ☐ Purchase/Sale of Stock, Assets, or Real Estate
- ☐ Trademark or Trade Name (NRS 600)
- ☐ Enhanced Case Management
- ■ Other Business Court Matters

WASHOE COUNTY BUSINESS COURT
- ☐ NRS Chapters 78-88
- ☐ Commodities (NRS 91)
- ☐ Securities (NRS 90)
- ☐ Investments (NRS 104 Art.8)
- ☐ Deceptive Trade Practices (NRS 598)
- ☐ Trademark/Trade Name (NRS 600)
- ☐ Trade Secrets (NRS 600A)
- ☐ Enhanced Case Management
- ☐ Other Business Court Matters

02.28.17
Date

Signature of Initiating party or representative

Electronically Filed
03/22/2023 5:37 PM
CLERK OF THE COURT

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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.

AND ALL RELATED MATTERS

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

Consolidated with A-17-760537-B

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER:

(1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT;

(2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND

(1) GRANTING CAESARS' CROSS-MOTION FOR SUMMARY JUDGMENT AGAINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT)

Date of Hearing: November 22, 2022

Time of Hearing: 1:30 p.m.

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LAS VEGAS, NEVADA 89101

Craig Green's ("Green") *Motion for Summary Judgment* (the "Green Motion for Summary Judgment"), filed on June 17, 2022; PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("Caesars Atlantic City," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Counter-Motion for Summary Judgment Against Craig Green* (the "Counter-Motion for Summary Judgment"), filed on July 14, 2022; and Caesars' *Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)* (the "Cross-Motion for Summary Judgment"), filed on July 14, 2022, came before this Court for hearing on November 22, 2022, at 1:30 p.m.

James J. Pisanelli, Esq., and M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared on behalf of Caesars. Joshua P. Gilmore, Esq., and Paul C. Williams, Esq., of the law firm BAILEY KENNEDY, appeared on behalf of TPOV Enterprises, LLC ("TPOV"), LLTQ Enterprises, LLC ("LLTQ"), FERG, LLC ("FERG"), MOTI Partners, LLC ("MOTI"), GR Burgr, LLC ("GRB"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared") (collectively the "Seibel-Affiliated Entities"), Rowen Seibel ("Seibel"), and Green.[1]

The Court having considered the Green Motion for Summary Judgment, the Counter-Motion for Summary Judgment, the Cross-Motion for Summary Judgment, the oppositions and replies thereto, as well as argument of counsel presented at the hearing, taken the matter under advisement, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

/ / /

[1] Seibel, Green, and the Seibel-Affiliated Entities are collectively referred to herein as the "Seibel Parties."

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LAS VEGAS, NEVADA 89101

FINDINGS OF FACT[2]

The Court HEREBY FINDS AS FOLLOWS:

1. Caesars and its affiliates hold gaming licenses in Nevada and other jurisdictions across the country.

2. These gaming licenses are not a right, but rather a privilege that Caesars must earn and continually show it remains suitable to hold.

3. Nevada's gaming regulations make clear that a gaming license will not be awarded unless the Nevada Gaming Commission is satisfied that the gaming license applicant (a) is "of good character, honesty, and integrity" (b) with "background, reputation and associations [that] will not result in adverse publicity for the State of Nevada and its gaming industry; and" (c) someone who "[h]as adequate business competence and experience for the role or position for which application is made." Nev. Gaming Regul. 3.090(1).

4. As a result, Caesars is required to self-police and ensure it is not engaged in unsuitable practices or doing business with unsuitable persons.

5. To ensure it is upholding the standards expected of a gaming licensee, Caesars maintains an Ethics and Compliance Program (the "Compliance Plan").

6. Under the express and unequivocal terms of its Compliance Plan, Caesars' employees are instructed "to avoid acts and situations that are improper, might give an appearance of impropriety, or might impair their good judgment when acting on behalf of" Caesars. The Compliance Plan also explicitly states that "[b]ribes, influence payments or kickbacks may never be provided to or accepted from any Person, including in the form of gifts, hospitality, or similar benefits."

7. Importantly, Caesars' Compliance Plan requires that, "[a]ll vendors, suppliers, tenants, business partners, independent agents/junket representatives, lobbyists, and consultants

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2 Any stated findings of fact which constitute conclusions of law shall be treated as conclusions of law, and any conclusions of law which constitute findings of fact shall be treated as findings of fact.

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who represent or have relationships with [Caesars] or any of its Affiliates must agree to meet the standards, business ethics, and principles that govern the [Caesars'] Employees."

8. Thus, Caesars' vendors are prohibited from engaging in illegal conduct, including, but not limited to, the procurement or acceptance of kickbacks.

9. Beginning in 2009, Caesars began entering into contracts with Seibel and the Seibel-Affiliated Entities relating to the development, creation, and operation of various restaurants at Caesars properties in Las Vegas and Atlantic City.

10. In total, Caesars and the Seibel-Affiliated Entities entered into six agreements as follows:

(1) A Development, Operation and License Agreement between MOTI Partners, LLC and Desert Palace, Inc. dated March 2009 related to the Serendipity restaurant in Las Vegas (the "MOTI Agreement");

(2) A Development, Operation and License Agreement between DNT Acquisition, LLC, the Original Homestead Restaurant, Inc., and Desert Palace, Inc., dated June 21, 2011, dated June 21, 2011 related to the Original Homestead Restaurant in Las Vegas (the "DNT Agreement");

(3) A Development and Operation Agreement between TPOV and Paris dated November 2011 related to the Gordon Ramsay Steak restaurant at the Paris Las Vegas (the "TPOV Agreement");

(4) A Development and Operation Agreement between LLTQ Enterprises, LLC and Desert Palace, Inc. dated April 4, 2012 related to the Gordon Ramsay Pub & Grill at Caesars Palace in La Vegas (the "LLTQ Agreement");

(5) A Development, Operation and License Agreement between PHW Las Vegas, LLC dba Planet Hollywood by its manager, PHW Manager, LLC, GR BURGR, LLC, and Gordon Ramsay, dated December 13, 2012 related to the GR Burgr restaurant at Planet Hollywood in Las Vegas (the "GRB Agreement"); and

(6) A Consulting Agreement between FERG, LLC and Boardwalk Regency Corporation dba Caesars Atlantic City, dated May 16, 2014 related to the Gordon Ramsay Pub & Grill at Caesars Atlantic City (the "FERG Agreement").

11. Each of the agreements (collectively the "Seibel Agreements") required the Seibel-Affiliated Entities to acknowledge that Caesars' properties were "exclusive first-class resort hotels casinos" and each of the restaurants governed by the agreements would be "an exclusive first-class restaurant."

12. Caesars' reputation and the goodwill of its guests and invitees were of the utmost importance and, as such, each of the Seibel-Affiliated Entities agreed to conduct themselves "with

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the highest standards of honesty, integrity, quality and courtesy so as to maintain and enhance the reputation and goodwill of" Caesars.

13. Under each of the Seibel Agreements, Caesars was solely responsible for the day-to-day operations of the restaurants, which included purchasing necessary items for the establishments.

14. Further, the Seibel Agreements provide that any rebates obtained be appropriately accounted for in the restaurants' financials for the benefit of the operations.

15. Importantly, under the Seibel Agreements, an "Unsuitable Person" is defined to include:

> Any Person (a) whose association with Caesars could be anticipated to result in a disciplinary action relating to, or the loss of, inability to reinstate or failure to obtain, any registration, application or license or any other rights or entitlements held or required to be held by Caesars or any of its Affiliates under any United States, state, local or foreign laws, rules or regulations relating to gaming or the sale of alcohol, (b) whose association or relationship with Caesars or its Affiliates could be anticipated to violate any United States, state, local or foreign laws, rules or regulations relating to gaming or the sale of alcohol to which Caesars or its Affiliates are subject, (c) who is or might be engaged or about to be engaged in any activity which could adversely impact the business or reputation of Caesars or its Affiliates, or (d) who is required to be licensed, registered, qualified or found suitable under any United States, state, local, or foreign laws, rules or regulations relating to gaming or the sale of alcohol under which Caesars or any of its Affiliates is licensed, registered, qualified or found suitable, and such Person is not or does not remain so licensed, registered, qualified or found suitable.

16. Unbeknownst to Caesars at the time, the Seibel Parties developed a scheme to undermine the Seibel Agreements in order to reap kickbacks, for their own benefit.

17. Specifically, Green and Seibel secretly contacted Caesars' vendors and unilaterally extorted kickbacks for items Caesars purchased. They specifically demanded a percentage "reimbursement" for any sales the vendors made to Caesars' restaurants not only for future purchases by Caesars, but also retroactively for product Caesars had previously purchased.

18. Green specifically directed others to seek kickbacks and went as far as to encourage threats against vendors who did not want to pay any kickbacks to the Seibel Parties. If vendors were not willing to engage in the scheme, the Seibel Parties threatened to remove them from the restaurants they were already selling to.

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19. The Seibel Parties admit that the kickback scheme – demanding payment from Caesars' vendors without Caesars' knowledge for product that Caesars purchased – occurred but argue that these "arrangements" were marketing.

20. The Court rejects the Seibel Parties' arguments. There has been no evidence of a marketing agreement, marketing activation, branding, or any marketing deliverables. Further Seibel admits there was no obligation to market nor were any marketing efforts undertaken.

21. The Seibel Parties kept Caesars and their other business partners, like Gordon Ramsay and the Sherry brothers, in the dark about their kickback scheme. In fact, Green explicitly instructed Caesars' vendors not to provide the kickback amounts to Harrah's and directed that they instead go directly to one of his companies.

22. For his part, Green engaged in this kickback scheme in his own capacity. Green was not an employee of Seibel or any of the Seibel-Affiliated Entities and he admits that he provided consulting services to Seibel through Green's company, CBG Hospitality Consulting, LLC., *i.e.*, a separate legal entity. Seibel also describes his relationship with Green as a friendship and business associate, not as an employer-employee.

23. Caesars initiated this litigation in August 2017 seeking declaratory relief from this Court related to Seibel's concealment of his criminal conviction which made him unsuitable to do business with Caesars, a gaming licensee subject to rigorous regulation. (Compl., Aug. 25, 2017, on file).

24. Discovery in the litigation revealed that Seibel was engaged in further criminal activity.

25. Caesars discovered that Seibel and his friend Green engaged in commercial bribery by soliciting and accepting kickbacks from Caesars' vendors and resorted to extortion when vendors attempted to play "hardball."

26. Upon its discovery, Caesars moved to amend its complaint. (Caesars' Mot. for Leave to File 1st Am. Compl.; Ex-Parte Appl. for Order Shortening Time, Dec. 12, 2019, on file).

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27. The Court found that there was good cause to allow Caesars to amend its complaint and granted Caesars' Motion. (Order Granting Caesars' Mot. for Leave to File 1st Am. Compl., Mar. 10, 2020).

28. On March 11, 2020, Caesars amended its complaint to add claims for civil conspiracy, unjust enrichment, intentional interference with contractual relations, and fraudulent concealment against Seibel and Green and a claim for breaches of implied covenants of good faith and fair dealing against the Seibel-Affiliated Entities.

29. In total, discovery revealed that Seibel and Green have solicited and received illegal kickbacks totaling $326,046.87, as follows:

(1) Kickbacks received from Innis & Gunn USA, Inc. in the amount of $25,671.75;

(2) Kickbacks received from LaFrieda Meats in the amount of $278,507.08;

(3) Kickbacks received from Tynant/Sysco in the amount of $11,411.94; and

(4) Kickbacks received from Marathon Enterprises, Inc. in the amount of $10,456.10.

CONCLUSIONS OF LAW

1. Pursuant to Nevada law, "[s]ummary judgment is appropriate and shall be rendered forthwith when the pleadings and other evidence on file demonstrate that no genuine issue as to any material fact [remains] and that the moving party is entitled to a judgment as a matter of law." *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005) (internal quotations omitted); NRCP 56. "The purpose of summary judgment is to avoid unnecessary trials when there is no dispute over the facts before the court." *Winnemucca Farms, Inc. v. Eckersell*, No. 3:05-CV-385-RAM, 2010 WL 1416881, at *2 (D. Nev. Mar. 31, 2010) (citing *Nw. Motorcycle Ass'n v. U.S. Dep't of Agric.*, 18 F.3d 1468, 1471 (9th Cir. 1994)).

2. "The party moving for summary judgment bears the initial burden of production to show the absence of a genuine issue of material fact." *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007) (citation omitted). "If such a showing is made, then the party opposing summary judgment assumes a burden of production to show the existence of a genuine issue of material fact." *Id.*, 172 P.3d at 134. "[T]o defeat summary judgment, the nonmoving party must transcend the pleadings and, by affidavit or other admissible evidence,

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introduce specific facts that show a genuine issue of material fact." *Id.*, 172 P.3d 131, 134 (2007) (citation omitted).

3. "[T]he nonmoving party may not defeat a motion for summary judgment by relying on the gossamer threads of whimsy, speculation and conjecture." *Wood*, 121 Nev. at 731, 121 P.3d at 1030 (internal quotation omitted).

4. "General allegations and conclusory statements do not create genuine issues of fact." *Saticoy Bay LLC Series 9641 Christine View v. Fed. Nat'l Mortg. Ass'n*, 134 Nev. 270, 271, 417 P.3d 363, 366 (2018) (citations omitted).

5. "The substantive law controls which factual disputes are material and will preclude summary judgment; other factual disputes are irrelevant." *Wood*, 121 Nev. at 731, 121 P.3d at 1031.

6. Under Nevada law, "[a]n actionable civil conspiracy is a combination of two or more persons who, by some concerted action, intend to accomplish some unlawful objective for the purpose of harming another which results in damage." *Collins v. Union Fed. Sav. & Loan Ass'n*, 99 Nev. 284, 303, 662 P.2d 610, 622 (1983) (citations omitted).

7. "[A] plaintiff must provide evidence of an explicit or tacit agreement between the alleged conspirators." *Guilfoyle v. Olde Monmouth Stock Transfer Co.*, 130 Nev. 801, 813, 335 P.3d 190, 198 (2014). But, "it has long been the rule that it is not necessary for all joint tortfeasors to be named as defendants in a single lawsuit." *Temple v. Synthes Corp., Ltd.*, 498 U.S. 5, 7 (1990).

8. Generally, "[a]gents and employees of a corporation cannot conspire with their corporate principal or employer where they act in their official capacities on behalf of the corporation and not as individuals for their individual advantage." *Collins*, 99 Nev. at 303, 662 P.2d at 622 (citations omitted). "This limitation, known as the intracorporate conspiracy doctrine, prevents a finding of liability for conspiracy between co-employees without a showing that the employees were acting as individuals and for their individual advantage." *U-Haul Co. of Nev. v. United States*, No. 2:08 CV-729-KJD-RJJ, 2012 WL 3042908, at *2 (D. Nev. July 25, 2012) (citing *Collins*, 99 Nev. at 303, 662 P.2d at 622).

9. However, the intra-corporate conspiracy doctrine does not apply to corporate employees acting outside of the scope of their employment. *See Collins*, 99 Nev. at 303, 662 P.2d

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at 622. Indeed, "employees of a corporation may be deemed to be conspirators with their employer corporation when they act "as individuals for their individual advantage." *Loc. Ad Link, Inc. v. AdzZoo, LLC*, No. 209CV01564RCJLRL, 2009 WL 10694069, at *9 (D. Nev. Dec. 15, 2009) (quoting *Collins*, 99 Nev. at 303, 662 P.2d at 622).

10. Seibel and Green engaged in civil conspiracy against Caesars. The documentary evidence in this case is undisputed and overwhelmingly demonstrates that Seibel and Green entered into agreements with different Caesars' vendors to obtain a percentage kickback of the amounts sold to, or purchased by, Caesars. Each and every communication with the vendors make clear that Seibel and Green were soliciting and coercing kickbacks for their own individual benefits.

11. Specifically, Seibel and Green sought and coerced payment from vendors who had agreements with Caesars for the sale of certain products to Caesars' restaurants. If the vendors refused, they were threatened with having their relationship with Caesars severed. By actively pursuing such arrangements – to Caesars' detriment – Green and Seibel are liable for civil conspiracy.

12. Importantly, separate and apart from any obligation or duty to disclose owed to Caesars, Seibel and Green's conduct was illegal on its own. Indeed, neither Seibel, Green, nor any of their companies purchased any of the goods for which they demanded money. Instead, Seibel and Green sought and/or coerced payment from vendors who had agreements with Caesars for the sale of certain products to Caesars' restaurants. *See, e.g.*, NRS 207.295(1) ("Any person who, with corrupt intent . . .[o]ffers, confers or agrees to confer any benefit upon any employee, agent or fiduciary without the consent of the employer or principal of that employee, agent or fiduciary in order to influence adversely that person's conduct in relation to the commercial affairs of his or her employer or principal . . . commits commercial bribery and is guilty of a misdemeanor.").

13. Further, the intracorporate conspiracy doctrine is inapplicable here as Green was not an employee of Seibel or any of the Seibel-Affiliated Entities.

14. "[U]njust enrichment occurs 'when ever [sic] a person has and retains a benefit which in equity and good conscience belongs to another.'" *Leasepartners Corp. v. Robert L. Brooks Tr.*

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Dated Nov. 12, 1975, 113 Nev. 747, 755, 942 P.2d 182, 187 (1997) (quoting *Unionamerica Mtg. v. McDonald*, 97 Nev. 210, 212, 626 P.2d 1272, 1273 (1981)).

15. "Unjust enrichment exists when the plaintiff confers a benefit on the defendant, the defendant appreciates such benefit, and there is acceptance and retention by the defendant of such benefit under circumstances such that it would be inequitable for him to retain the benefit without payment of the value thereof." *Certified Fire Prot. Inc. v. Precision Constr.*, 128 Nev. 371, 381, 283 P.3d 250, 257 (2012) (internal quotations omitted). "[B]enefit in the unjust enrichment context can include services beneficial to or at the request of the other, denotes any form of advantage, and is not confined to retention of money or property." *Id.* at 382, 283 P.3d at 257 (internal quotations omitted).

16. Seibel and Green individually benefitted and were unjustly enrichment by their kickback scheme. By his own testimony, Green admitted that BR 23 Venture, the entity to which he funneled the kickbacks paid for his health insurance and at one point became part owner of said entity. For his part, Seibel reported BR 23 Venture's income on his tax return demonstrating that he obtained income – a benefit – from the entity and Seibel treated BR 23's Venture's income as his own. Both Seibel and Green are liable for unjust enrichment against Caesars.

17. Under Nevada law, to prove a claim for intentional interference with contractual relations, "a plaintiff must establish (1) a valid and existing contract; (2) the defendant's knowledge of the contract; (3) intentional acts intended or designed to disrupt the contractual relationship; (4) actual disruption of the contract; and (5) resulting damage." *J.J. Indus., LLC v. Bennett*, 119 Nev. 269, 274, 71 P.3d 1264, 1267 (2003) (citations omitted).

18. "[I]n Nevada, a party cannot, as a matter of law, tortiously interfere with his own contract." *Klein v. Freedom Strategic Partners, LLC*, 595 F. Supp. 2d 1152, 1163 (D. Nev. 2009) (internal quotations omitted). However, an "agent may be an interfering third party if the agent was acting outside the scope of the agency, was not acting in the principal's interest, or was motivated by malice towards one or both of the contracting parties." *From the Future, LLC v. Flowers, No. 206CV00203PMPRJJ*, 2009 WL 10709083, at *8 (D. Nev. Apr. 20, 2009). "[A]n agent is privileged to interfere with his principal's contract 'unless the agent acts to serve the agent's own

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interests or for another wrongful purpose.'" *Id.* (quoting Restatement (Third) of Agency § 7.01 cmt. E). Indeed, "[i]f the agent is acting predominantly in his own interest, he effectively exceeds the scope of the agency or he no longer is acting in the principal's interest, and he thus may be liable to a third party for tortious interference with his principal's contract." *Id.*

19. The Seibel Agreements were valid and existing contracts between Caesars and its vendors. Seibel and Green were aware of the Seibel Agreements and that their kickback scheme was designed to disrupt those agreements. Specifically, Green and Seibel were aware that the Seibel Agreements required rebates for items purchased for the restaurants to be accounted for and they nevertheless sought kickbacks from the vendors. The Seibel Agreements were disrupted as amounts that should have been accounted as "rebates" under the Seibel Agreements were instead syphoned to Green and Seibel for their own benefit. Further, by the very act of engaging in a kickback scheme whereby they sought to coerce certain fees from vendors for product they sold to Caesars, Green and Seibel lost the ability to claim that any "agent status" precluded their liability. Seibel and Green are liable for intentional interference with contractual relations.

20. Under Nevada law, to establish a claim for fraudulent concealment, a plaintiff must show "(1) the defendant concealed or suppressed a material fact; (2) the defendant was under a duty to disclose the fact to the plaintiff; (3) the defendant intentionally concealed or suppressed the fact with the intent to defraud the plaintiff; that is, the defendant concealed or suppressed the fact for the purpose of inducing the plaintiff to act differently than she would have if she had known the fact; (4) the plaintiff was unaware of the fact and would have acted differently if she had known of the concealed or suppressed fact; (5) and, as a result of the concealment or suppression of the fact, the plaintiff sustained damages." *Dow Chem. Co. v. Mahlum*, 114 Nev. 1468, 1485, 970 P.2d 98, 110 (1998), *abrogated, in part on other grounds by GES, Inc. v. Corbitt*, 117 Nev. 265, 21 P.3d 11 (2001) (citation omitted).

21. "Nondisclosure will become the equivalent of fraudulent concealment when it becomes the duty of a person to speak in order that the party with whom he is dealing may be placed on an equal footing with him." *Id.* at 1486, 970 P.2d at 110 (quoting *Mackintosh v. Jack Matthews & Co.*, 109 Nev. 628, 634 35, 855 P.2d 549, 553 (1993)).

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22. "Even when the parties are dealing at arm's length, a duty to disclose may arise from 'the existence of material facts peculiarly within the knowledge of the party sought to be charged and not within the fair and reasonable reach of the other party.'" *Id.* at 1486, 970 P.2d at 110 (quoting *Villalon v. Bowen*, 70 Nev. 456, 467-68, 273 P.2d 409, 415 (1954)).

23. "Under such circumstances the general rule is that a deliberate failure to correct an apparent misapprehension or delusion may constitute fraud." *Villalon*, 70 Nev. at 468, 273 P.2d at 415. "This would appear to be particularly so where the false impression deliberately has been created by the party sought to be charged." *Id.*, 273 P.2d at 415.

24. Caesars was unaware that Seibel and Green were engaged in a kickback scheme as the scheme was a scenario entirely of Seibel and Green's own making. Indeed, given all of the safeguards in the Seibel Agreements meant to thwart dishonest or illegal conduct, Caesars cannot be faulted for failing to guess that Green and Seibel were soliciting kickbacks.

25. Neither Seibel nor Green informed Caesars of the kickback scheme and instead actively took steps to conceal it from Caesars.

26. Additionally, the Seibel Agreements further obligated Seibel to disclose the illegal kickback conduct. Under the terms of the Seibel Agreements, the Seibel Affiliates Entities and their Associates – a definition that encompasses Seibel – were obligated to inform Caesars about any events that could threaten Caesars' gaming license within ten days. Thus, Seibel was required to inform Caesars if he became an Unsuitable Person. Separate and apart from his unsuitability as a result of his felony conviction, Seibel also became an Unsuitable Person by engaging in the kickback scheme. The Seibel Agreements define an Unsuitable Person to include "[a]ny person . . . who is or might be engaged or about to be engaged in any activity which could adversely impact the business or reputation of Caesars." The very act of soliciting kickbacks is illegal and thus could unquestionably "adversely impact the business or reputation of Caesars." As a result, Seibel had a duty to disclose his involvement in the kickback scheme to Caesars.

27. Seibel and Green's failure to disclose the kickback scheme to Caesars makes them liable for fraudulent concealment.

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28. "An implied covenant of good faith and fair dealing exists in every Nevada contract and essentially forbids arbitrary, unfair acts by one party that disadvantage the other." *Frantz v. Johnson*, 116 Nev. 455, 465 n.4, 999 P.2d 351, 358 n.4 (2000) (citing *Consol. Generator v. Cummins Engine*, 114 Nev. 1304, 1311, 971 P.2d 1251, 1256 (1998)). "A breach of the [implied] covenant [of good faith and fair dealing] occurs '[w]here the terms of a contract are literally complied with but one party to the contract deliberately contravenes the intention and spirit of the contract. . . . '" *Gamboa v. World Sav. Bank*, FSB, No. 3:10-CV-454-ECR-VPC, 2010 WL 5071166, at *2 (D. Nev. Dec. 6, 2010) (quoting *Hilton Hotels Corp. v. Butch Lewis Prods., Inc.*, 107 Nev. 226, 232, 808 P.2d 919, 922-23 (1991)).

29. "When one party performs a contract in a manner that is unfaithful to the purpose of the contract and the justified expectations of the other party are thus denied, damages may be awarded against the party who does not act in good faith." *Hilton*, 107 Nev. at 234, 808 P.2d at 923 (emphasis added).

30. "Reasonable expectations are to be 'determined by the various factors and special circumstances that shape these expectations.'" *Perry v. Jordan*, 111 Nev. 943, 948, 900 P.2d 335, 338 (1995) (quoting *Hilton*, 107 Nev. at 234, 808 P.2d at 924).

31. The Seibel Agreements were valid and existing contracts. Under the terms of the Seibel Agreements, the Seibel-Affiliated Entities agreed to hold their Associates (which includes Seibel) to the suitability standards of the various agreements. Nevertheless, aware that Seibel was soliciting kickbacks and thus double-dipping in amounts received from vendors, the Seibel-Affiliated Entities did nothing to inform Caesars of the illegal kickback scheme.

32. At no time did any of the Seibel-Affiliated Entities notify any of their business partners that their Associated Persons were engaging in this illegal conduct. By failing to report their conduct, the Seibel Affiliated Entities were also continuing to benefit from the Seibel Agreements which likely would have been terminated had Caesars become aware of the illegal activity at the time. This conduct was not only in bad faith, but also in direct contravention of the spirit, intent, and justified expectations under the Seibel Agreements, which required the Seibel-Affiliated Entities to conduct themselves "with the highest standards of honesty, integrity, quality

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and courtesy so as to maintain and enhance the reputation and goodwill of" Caesars. As a result, the Seibel-Affiliated Entities breached the implied covenant of good faith and fair dealing.

33. Caesars suffered damages as a result of the Seibel Parties' actions totaling $326,046.87.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Green's Motion for Summary Judgment is DENIED;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Counter-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts IV, VI, VII, and VII of Caesars First Amended Complaint against Green;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Cross-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts IV, VI, VII, and VII of Caesars First Amended Complaint against Seibel

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Cross-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on V of Caesars First Amended Complaint against the TPOV Enterprises, LLC, LLTQ Enterprises, LLC, FERG, LLC, MOTI Partners, LLC, GR Burgr, LLC, and DNT Acquisition, LLC; and

/ / /

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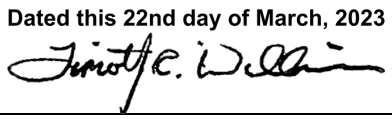
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Caesars and against the Seibel Parties in the amount of $326,046.87 plus pre- and post-judgment interest, with Seibel and Green being jointly and severally liable for the amount awarded to Caesars.

IT IS SO ORDERED.

Dated this 22nd day of March, 2023



5A8 E80 15B3 8074 JM
Timothy C. Williams
District Court Judge

Respectfully submitted by:

DATED: March 21, 2023

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CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Rowen Seibel, Plaintiff(s)	CASE NO: A-17-751759-B
vs.	DEPT. NO. Department 16
PHWLV LLC, Defendant(s)	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Findings of Fact, Conclusions of Law and Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

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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.

AND ALL RELATED MATTERS

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

Consolidated with A-17-760537-B

NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER:

(1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT;

(2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND

(3) GRANTING CAESARS' CROSS-MOTION FOR SUMMARY JUDGMENT AGINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT)

PLEASE TAKE NOTICE that the *Findings of Fact, Conclusions of Law, and Order: (1) Denying Craig Green's Motion for Summary Judgment; (2) Granting Caesars' Counter-Motion for*

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Summary Judgment Against Craig Green; and (3) Granting Caesars' Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) was entered in the above-captioned matter on March 22, 2023, a true and correct copy of which is attached hereto.

DATED this 28th day of March 2023.

PISANELLI BICE PLLC

By: /s/ M. Magali Mercera
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 28th day of March 2023, 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 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER: (1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT; (2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND (3) GRANTING CAESARS' CROSS-MOTION FOR SUMMARY JUDGMENT AGINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT)** to the following:

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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.

AND ALL RELATED MATTERS

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

Consolidated with A-17-760537-B

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER:

(1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT;

(2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND

(1) GRANTING CAESARS' CROSS-MOTION FOR SUMMARY JUDGMENT AGAINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT)

Date of Hearing: November 22, 2022

Time of Hearing: 1:30 p.m.

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Craig Green's ("Green") *Motion for Summary Judgment* (the "Green Motion for Summary Judgment"), filed on June 17, 2022; PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("Caesars Atlantic City," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Counter-Motion for Summary Judgment Against Craig Green* (the "Counter-Motion for Summary Judgment"), filed on July 14, 2022; and Caesars' *Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint)* (the "Cross-Motion for Summary Judgment"), filed on July 14, 2022, came before this Court for hearing on November 22, 2022, at 1:30 p.m.

James J. Pisanelli, Esq., and M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared on behalf of Caesars. Joshua P. Gilmore, Esq., and Paul C. Williams, Esq., of the law firm BAILEY KENNEDY, appeared on behalf of TPOV Enterprises, LLC ("TPOV"), LLTQ Enterprises, LLC ("LLTQ"), FERG, LLC ("FERG"), MOTI Partners, LLC ("MOTI"), GR Burgr, LLC ("GRB"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared") (collectively the "Seibel-Affiliated Entities"), Rowen Seibel ("Seibel"), and Green.[1]

The Court having considered the Green Motion for Summary Judgment, the Counter-Motion for Summary Judgment, the Cross-Motion for Summary Judgment, the oppositions and replies thereto, as well as argument of counsel presented at the hearing, taken the matter under advisement, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

/ / /

[1] Seibel, Green, and the Seibel-Affiliated Entities are collectively referred to herein as the "Seibel Parties."

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FINDINGS OF FACT[2]

The Court HEREBY FINDS AS FOLLOWS:

1. Caesars and its affiliates hold gaming licenses in Nevada and other jurisdictions across the country.

2. These gaming licenses are not a right, but rather a privilege that Caesars must earn and continually show it remains suitable to hold.

3. Nevada's gaming regulations make clear that a gaming license will not be awarded unless the Nevada Gaming Commission is satisfied that the gaming license applicant (a) is "of good character, honesty, and integrity" (b) with "background, reputation and associations [that] will not result in adverse publicity for the State of Nevada and its gaming industry; and" (c) someone who "[h]as adequate business competence and experience for the role or position for which application is made." Nev. Gaming Regul. 3.090(1).

4. As a result, Caesars is required to self-police and ensure it is not engaged in unsuitable practices or doing business with unsuitable persons.

5. To ensure it is upholding the standards expected of a gaming licensee, Caesars maintains an Ethics and Compliance Program (the "Compliance Plan").

6. Under the express and unequivocal terms of its Compliance Plan, Caesars' employees are instructed "to avoid acts and situations that are improper, might give an appearance of impropriety, or might impair their good judgment when acting on behalf of" Caesars. The Compliance Plan also explicitly states that "[b]ribes, influence payments or kickbacks may never be provided to or accepted from any Person, including in the form of gifts, hospitality, or similar benefits."

7. Importantly, Caesars' Compliance Plan requires that, "[a]ll vendors, suppliers, tenants, business partners, independent agents/junket representatives, lobbyists, and consultants

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2 Any stated findings of fact which constitute conclusions of law shall be treated as conclusions of law, and any conclusions of law which constitute findings of fact shall be treated as findings of fact.

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who represent or have relationships with [Caesars] or any of its Affiliates must agree to meet the standards, business ethics, and principles that govern the [Caesars'] Employees."

8. Thus, Caesars' vendors are prohibited from engaging in illegal conduct, including, but not limited to, the procurement or acceptance of kickbacks.

9. Beginning in 2009, Caesars began entering into contracts with Seibel and the Seibel-Affiliated Entities relating to the development, creation, and operation of various restaurants at Caesars properties in Las Vegas and Atlantic City.

10. In total, Caesars and the Seibel-Affiliated Entities entered into six agreements as follows:

(1) A Development, Operation and License Agreement between MOTI Partners, LLC and Desert Palace, Inc. dated March 2009 related to the Serendipity restaurant in Las Vegas (the "MOTI Agreement");

(2) A Development, Operation and License Agreement between DNT Acquisition, LLC, the Original Homestead Restaurant, Inc., and Desert Palace, Inc., dated June 21, 2011, dated June 21, 2011 related to the Original Homestead Restaurant in Las Vegas (the "DNT Agreement");

(3) A Development and Operation Agreement between TPOV and Paris dated November 2011 related to the Gordon Ramsay Steak restaurant at the Paris Las Vegas (the "TPOV Agreement");

(4) A Development and Operation Agreement between LLTQ Enterprises, LLC and Desert Palace, Inc. dated April 4, 2012 related to the Gordon Ramsay Pub & Grill at Caesars Palace in La Vegas (the "LLTQ Agreement");

(5) A Development, Operation and License Agreement between PHW Las Vegas, LLC dba Planet Hollywood by its manager, PHW Manager, LLC, GR BURGR, LLC, and Gordon Ramsay, dated December 13, 2012 related to the GR Burgr restaurant at Planet Hollywood in Las Vegas (the "GRB Agreement"); and

(6) A Consulting Agreement between FERG, LLC and Boardwalk Regency Corporation dba Caesars Atlantic City, dated May 16, 2014 related to the Gordon Ramsay Pub & Grill at Caesars Atlantic City (the "FERG Agreement").

11. Each of the agreements (collectively the "Seibel Agreements") required the Seibel-Affiliated Entities to acknowledge that Caesars' properties were "exclusive first-class resort hotels casinos" and each of the restaurants governed by the agreements would be "an exclusive first-class restaurant."

12. Caesars' reputation and the goodwill of its guests and invitees were of the utmost importance and, as such, each of the Seibel-Affiliated Entities agreed to conduct themselves "with

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the highest standards of honesty, integrity, quality and courtesy so as to maintain and enhance the reputation and goodwill of" Caesars.

13. Under each of the Seibel Agreements, Caesars was solely responsible for the day-to-day operations of the restaurants, which included purchasing necessary items for the establishments.

14. Further, the Seibel Agreements provide that any rebates obtained be appropriately accounted for in the restaurants' financials for the benefit of the operations.

15. Importantly, under the Seibel Agreements, an "Unsuitable Person" is defined to include:

> Any Person (a) whose association with Caesars could be anticipated to result in a disciplinary action relating to, or the loss of, inability to reinstate or failure to obtain, any registration, application or license or any other rights or entitlements held or required to be held by Caesars or any of its Affiliates under any United States, state, local or foreign laws, rules or regulations relating to gaming or the sale of alcohol, (b) whose association or relationship with Caesars or its Affiliates could be anticipated to violate any United States, state, local or foreign laws, rules or regulations relating to gaming or the sale of alcohol to which Caesars or its Affiliates are subject, (c) who is or might be engaged or about to be engaged in any activity which could adversely impact the business or reputation of Caesars or its Affiliates, or (d) who is required to be licensed, registered, qualified or found suitable under any United States, state, local, or foreign laws, rules or regulations relating to gaming or the sale of alcohol under which Caesars or any of its Affiliates is licensed, registered, qualified or found suitable, and such Person is not or does not remain so licensed, registered, qualified or found suitable.

16. Unbeknownst to Caesars at the time, the Seibel Parties developed a scheme to undermine the Seibel Agreements in order to reap kickbacks, for their own benefit.

17. Specifically, Green and Seibel secretly contacted Caesars' vendors and unilaterally extorted kickbacks for items Caesars purchased. They specifically demanded a percentage "reimbursement" for any sales the vendors made to Caesars' restaurants not only for future purchases by Caesars, but also retroactively for product Caesars had previously purchased.

18. Green specifically directed others to seek kickbacks and went as far as to encourage threats against vendors who did not want to pay any kickbacks to the Seibel Parties. If vendors were not willing to engage in the scheme, the Seibel Parties threatened to remove them from the restaurants they were already selling to.

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19. The Seibel Parties admit that the kickback scheme – demanding payment from Caesars' vendors without Caesars' knowledge for product that Caesars purchased – occurred but argue that these "arrangements" were marketing.

20. The Court rejects the Seibel Parties' arguments. There has been no evidence of a marketing agreement, marketing activation, branding, or any marketing deliverables. Further Seibel admits there was no obligation to market nor were any marketing efforts undertaken.

21. The Seibel Parties kept Caesars and their other business partners, like Gordon Ramsay and the Sherry brothers, in the dark about their kickback scheme. In fact, Green explicitly instructed Caesars' vendors not to provide the kickback amounts to Harrah's and directed that they instead go directly to one of his companies.

22. For his part, Green engaged in this kickback scheme in his own capacity. Green was not an employee of Seibel or any of the Seibel-Affiliated Entities and he admits that he provided consulting services to Seibel through Green's company, CBG Hospitality Consulting, LLC., *i.e.*, a separate legal entity. Seibel also describes his relationship with Green as a friendship and business associate, not as an employer-employee.

23. Caesars initiated this litigation in August 2017 seeking declaratory relief from this Court related to Seibel's concealment of his criminal conviction which made him unsuitable to do business with Caesars, a gaming licensee subject to rigorous regulation. (Compl., Aug. 25, 2017, on file).

24. Discovery in the litigation revealed that Seibel was engaged in further criminal activity.

25. Caesars discovered that Seibel and his friend Green engaged in commercial bribery by soliciting and accepting kickbacks from Caesars' vendors and resorted to extortion when vendors attempted to play "hardball."

26. Upon its discovery, Caesars moved to amend its complaint. (Caesars' Mot. for Leave to File 1st Am. Compl.; Ex-Parte Appl. for Order Shortening Time, Dec. 12, 2019, on file).

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27. The Court found that there was good cause to allow Caesars to amend its complaint and granted Caesars' Motion. (Order Granting Caesars' Mot. for Leave to File 1st Am. Compl., Mar. 10, 2020).

28. On March 11, 2020, Caesars amended its complaint to add claims for civil conspiracy, unjust enrichment, intentional interference with contractual relations, and fraudulent concealment against Seibel and Green and a claim for breaches of implied covenants of good faith and fair dealing against the Seibel-Affiliated Entities.

29. In total, discovery revealed that Seibel and Green have solicited and received illegal kickbacks totaling $326,046.87, as follows:

(1) Kickbacks received from Innis & Gunn USA, Inc. in the amount of $25,671.75;

(2) Kickbacks received from LaFrieda Meats in the amount of $278,507.08;

(3) Kickbacks received from Tynant/Sysco in the amount of $11,411.94; and

(4) Kickbacks received from Marathon Enterprises, Inc. in the amount of $10,456.10.

CONCLUSIONS OF LAW

1. Pursuant to Nevada law, "[s]ummary judgment is appropriate and shall be rendered forthwith when the pleadings and other evidence on file demonstrate that no genuine issue as to any material fact [remains] and that the moving party is entitled to a judgment as a matter of law." *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005) (internal quotations omitted); NRCP 56. "The purpose of summary judgment is to avoid unnecessary trials when there is no dispute over the facts before the court." *Winnemucca Farms, Inc. v. Eckersell*, No. 3:05-CV-385-RAM, 2010 WL 1416881, at *2 (D. Nev. Mar. 31, 2010) (citing *Nw. Motorcycle Ass'n v. U.S. Dep't of Agric.*, 18 F.3d 1468, 1471 (9th Cir. 1994)).

2. "The party moving for summary judgment bears the initial burden of production to show the absence of a genuine issue of material fact." *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007) (citation omitted). "If such a showing is made, then the party opposing summary judgment assumes a burden of production to show the existence of a genuine issue of material fact." *Id.*, 172 P.3d at 134. "[T]o defeat summary judgment, the nonmoving party must transcend the pleadings and, by affidavit or other admissible evidence,

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introduce specific facts that show a genuine issue of material fact." *Id.*, 172 P.3d 131, 134 (2007) (citation omitted).

3. "[T]he nonmoving party may not defeat a motion for summary judgment by relying on the gossamer threads of whimsy, speculation and conjecture." *Wood*, 121 Nev. at 731, 121 P.3d at 1030 (internal quotation omitted).

4. "General allegations and conclusory statements do not create genuine issues of fact." *Saticoy Bay LLC Series 9641 Christine View v. Fed. Nat'l Mortg. Ass'n*, 134 Nev. 270, 271, 417 P.3d 363, 366 (2018) (citations omitted).

5. "The substantive law controls which factual disputes are material and will preclude summary judgment; other factual disputes are irrelevant." *Wood*, 121 Nev. at 731, 121 P.3d at 1031.

6. Under Nevada law, "[a]n actionable civil conspiracy is a combination of two or more persons who, by some concerted action, intend to accomplish some unlawful objective for the purpose of harming another which results in damage." *Collins v. Union Fed. Sav. & Loan Ass'n*, 99 Nev. 284, 303, 662 P.2d 610, 622 (1983) (citations omitted).

7. "[A] plaintiff must provide evidence of an explicit or tacit agreement between the alleged conspirators." *Guilfoyle v. Olde Monmouth Stock Transfer Co.*, 130 Nev. 801, 813, 335 P.3d 190, 198 (2014). But, "it has long been the rule that it is not necessary for all joint tortfeasors to be named as defendants in a single lawsuit." *Temple v. Synthes Corp., Ltd.*, 498 U.S. 5, 7 (1990).

8. Generally, "[a]gents and employees of a corporation cannot conspire with their corporate principal or employer where they act in their official capacities on behalf of the corporation and not as individuals for their individual advantage." *Collins*, 99 Nev. at 303, 662 P.2d at 622 (citations omitted). "This limitation, known as the intracorporate conspiracy doctrine, prevents a finding of liability for conspiracy between co-employees without a showing that the employees were acting as individuals and for their individual advantage." *U-Haul Co. of Nev. v. United States*, No. 2:08 CV-729-KJD-RJJ, 2012 WL 3042908, at *2 (D. Nev. July 25, 2012) (citing *Collins*, 99 Nev. at 303, 662 P.2d at 622).

9. However, the intra-corporate conspiracy doctrine does not apply to corporate employees acting outside of the scope of their employment. *See Collins*, 99 Nev. at 303, 662 P.2d

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at 622. Indeed, "employees of a corporation may be deemed to be conspirators with their employer corporation when they act "as individuals for their individual advantage." *Loc. Ad Link, Inc. v. AdzZoo, LLC*, No. 209CV01564RCJLRL, 2009 WL 10694069, at *9 (D. Nev. Dec. 15, 2009) (quoting *Collins*, 99 Nev. at 303, 662 P.2d at 622).

10. Seibel and Green engaged in civil conspiracy against Caesars. The documentary evidence in this case is undisputed and overwhelmingly demonstrates that Seibel and Green entered into agreements with different Caesars' vendors to obtain a percentage kickback of the amounts sold to, or purchased by, Caesars. Each and every communication with the vendors make clear that Seibel and Green were soliciting and coercing kickbacks for their own individual benefits.

11. Specifically, Seibel and Green sought and coerced payment from vendors who had agreements with Caesars for the sale of certain products to Caesars' restaurants. If the vendors refused, they were threatened with having their relationship with Caesars severed. By actively pursuing such arrangements – to Caesars' detriment – Green and Seibel are liable for civil conspiracy.

12. Importantly, separate and apart from any obligation or duty to disclose owed to Caesars, Seibel and Green's conduct was illegal on its own. Indeed, neither Seibel, Green, nor any of their companies purchased any of the goods for which they demanded money. Instead, Seibel and Green sought and/or coerced payment from vendors who had agreements with Caesars for the sale of certain products to Caesars' restaurants. *See, e.g.*, NRS 207.295(1) ("Any person who, with corrupt intent . . .[o]ffers, confers or agrees to confer any benefit upon any employee, agent or fiduciary without the consent of the employer or principal of that employee, agent or fiduciary in order to influence adversely that person's conduct in relation to the commercial affairs of his or her employer or principal . . . commits commercial bribery and is guilty of a misdemeanor.").

13. Further, the intracorporate conspiracy doctrine is inapplicable here as Green was not an employee of Seibel or any of the Seibel-Affiliated Entities.

14. "[U]njust enrichment occurs 'when ever [sic] a person has and retains a benefit which in equity and good conscience belongs to another.'" *Leasepartners Corp. v. Robert L. Brooks Tr.*

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Dated Nov. 12, 1975, 113 Nev. 747, 755, 942 P.2d 182, 187 (1997) (quoting *Unionamerica Mtg. v. McDonald*, 97 Nev. 210, 212, 626 P.2d 1272, 1273 (1981)).

15. "Unjust enrichment exists when the plaintiff confers a benefit on the defendant, the defendant appreciates such benefit, and there is acceptance and retention by the defendant of such benefit under circumstances such that it would be inequitable for him to retain the benefit without payment of the value thereof." *Certified Fire Prot. Inc. v. Precision Constr.*, 128 Nev. 371, 381, 283 P.3d 250, 257 (2012) (internal quotations omitted). "[B]enefit in the unjust enrichment context can include services beneficial to or at the request of the other, denotes any form of advantage, and is not confined to retention of money or property." *Id.* at 382, 283 P.3d at 257 (internal quotations omitted).

16. Seibel and Green individually benefitted and were unjustly enrichment by their kickback scheme. By his own testimony, Green admitted that BR 23 Venture, the entity to which he funneled the kickbacks paid for his health insurance and at one point became part owner of said entity. For his part, Seibel reported BR 23 Venture's income on his tax return demonstrating that he obtained income – a benefit – from the entity and Seibel treated BR 23's Venture's income as his own. Both Seibel and Green are liable for unjust enrichment against Caesars.

17. Under Nevada law, to prove a claim for intentional interference with contractual relations, "a plaintiff must establish (1) a valid and existing contract; (2) the defendant's knowledge of the contract; (3) intentional acts intended or designed to disrupt the contractual relationship; (4) actual disruption of the contract; and (5) resulting damage." *J.J. Indus., LLC v. Bennett*, 119 Nev. 269, 274, 71 P.3d 1264, 1267 (2003) (citations omitted).

18. "[I]n Nevada, a party cannot, as a matter of law, tortiously interfere with his own contract." *Klein v. Freedom Strategic Partners, LLC*, 595 F. Supp. 2d 1152, 1163 (D. Nev. 2009) (internal quotations omitted). However, an "agent may be an interfering third party if the agent was acting outside the scope of the agency, was not acting in the principal's interest, or was motivated by malice towards one or both of the contracting parties." *From the Future, LLC v. Flowers, No. 206CV00203PMPRJJ*, 2009 WL 10709083, at *8 (D. Nev. Apr. 20, 2009). "[A]n agent is privileged to interfere with his principal's contract 'unless the agent acts to serve the agent's own

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interests or for another wrongful purpose.'" *Id.* (quoting Restatement (Third) of Agency § 7.01 cmt. E). Indeed, "[i]f the agent is acting predominantly in his own interest, he effectively exceeds the scope of the agency or he no longer is acting in the principal's interest, and he thus may be liable to a third party for tortious interference with his principal's contract." *Id.*

19. The Seibel Agreements were valid and existing contracts between Caesars and its vendors. Seibel and Green were aware of the Seibel Agreements and that their kickback scheme was designed to disrupt those agreements. Specifically, Green and Seibel were aware that the Seibel Agreements required rebates for items purchased for the restaurants to be accounted for and they nevertheless sought kickbacks from the vendors. The Seibel Agreements were disrupted as amounts that should have been accounted as "rebates" under the Seibel Agreements were instead syphoned to Green and Seibel for their own benefit. Further, by the very act of engaging in a kickback scheme whereby they sought to coerce certain fees from vendors for product they sold to Caesars, Green and Seibel lost the ability to claim that any "agent status" precluded their liability. Seibel and Green are liable for intentional interference with contractual relations.

20. Under Nevada law, to establish a claim for fraudulent concealment, a plaintiff must show "(1) the defendant concealed or suppressed a material fact; (2) the defendant was under a duty to disclose the fact to the plaintiff; (3) the defendant intentionally concealed or suppressed the fact with the intent to defraud the plaintiff; that is, the defendant concealed or suppressed the fact for the purpose of inducing the plaintiff to act differently than she would have if she had known the fact; (4) the plaintiff was unaware of the fact and would have acted differently if she had known of the concealed or suppressed fact; (5) and, as a result of the concealment or suppression of the fact, the plaintiff sustained damages." *Dow Chem. Co. v. Mahlum*, 114 Nev. 1468, 1485, 970 P.2d 98, 110 (1998), *abrogated, in part on other grounds by GES, Inc. v. Corbitt*, 117 Nev. 265, 21 P.3d 11 (2001) (citation omitted).

21. "Nondisclosure will become the equivalent of fraudulent concealment when it becomes the duty of a person to speak in order that the party with whom he is dealing may be placed on an equal footing with him." *Id.* at 1486, 970 P.2d at 110 (quoting *Mackintosh v. Jack Matthews & Co.*, 109 Nev. 628, 634 35, 855 P.2d 549, 553 (1993)).

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22. "Even when the parties are dealing at arm's length, a duty to disclose may arise from 'the existence of material facts peculiarly within the knowledge of the party sought to be charged and not within the fair and reasonable reach of the other party.'" *Id.* at 1486, 970 P.2d at 110 (quoting *Villalon v. Bowen*, 70 Nev. 456, 467-68, 273 P.2d 409, 415 (1954)).

23. "Under such circumstances the general rule is that a deliberate failure to correct an apparent misapprehension or delusion may constitute fraud." *Villalon*, 70 Nev. at 468, 273 P.2d at 415. "This would appear to be particularly so where the false impression deliberately has been created by the party sought to be charged." *Id.*, 273 P.2d at 415.

24. Caesars was unaware that Seibel and Green were engaged in a kickback scheme as the scheme was a scenario entirely of Seibel and Green's own making. Indeed, given all of the safeguards in the Seibel Agreements meant to thwart dishonest or illegal conduct, Caesars cannot be faulted for failing to guess that Green and Seibel were soliciting kickbacks.

25. Neither Seibel nor Green informed Caesars of the kickback scheme and instead actively took steps to conceal it from Caesars.

26. Additionally, the Seibel Agreements further obligated Seibel to disclose the illegal kickback conduct. Under the terms of the Seibel Agreements, the Seibel Affiliates Entities and their Associates – a definition that encompasses Seibel – were obligated to inform Caesars about any events that could threaten Caesars' gaming license within ten days. Thus, Seibel was required to inform Caesars if he became an Unsuitable Person. Separate and apart from his unsuitability as a result of his felony conviction, Seibel also became an Unsuitable Person by engaging in the kickback scheme. The Seibel Agreements define an Unsuitable Person to include "[a]ny person . . . who is or might be engaged or about to be engaged in any activity which could adversely impact the business or reputation of Caesars." The very act of soliciting kickbacks is illegal and thus could unquestionably "adversely impact the business or reputation of Caesars." As a result, Seibel had a duty to disclose his involvement in the kickback scheme to Caesars.

27. Seibel and Green's failure to disclose the kickback scheme to Caesars makes them liable for fraudulent concealment.

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28. "An implied covenant of good faith and fair dealing exists in every Nevada contract and essentially forbids arbitrary, unfair acts by one party that disadvantage the other." *Frantz v. Johnson*, 116 Nev. 455, 465 n.4, 999 P.2d 351, 358 n.4 (2000) (citing *Consol. Generator v. Cummins Engine*, 114 Nev. 1304, 1311, 971 P.2d 1251, 1256 (1998)). "A breach of the [implied] covenant [of good faith and fair dealing] occurs '[w]here the terms of a contract are literally complied with but one party to the contract deliberately contravenes the intention and spirit of the contract. . . . '" *Gamboa v. World Sav. Bank*, FSB, No. 3:10-CV-454-ECR-VPC, 2010 WL 5071166, at *2 (D. Nev. Dec. 6, 2010) (quoting *Hilton Hotels Corp. v. Butch Lewis Prods., Inc.*, 107 Nev. 226, 232, 808 P.2d 919, 922-23 (1991)).

29. "When one party performs a contract in a manner that is unfaithful to the purpose of the contract and the justified expectations of the other party are thus denied, damages may be awarded against the party who does not act in good faith." *Hilton*, 107 Nev. at 234, 808 P.2d at 923 (emphasis added).

30. "Reasonable expectations are to be 'determined by the various factors and special circumstances that shape these expectations.'" *Perry v. Jordan*, 111 Nev. 943, 948, 900 P.2d 335, 338 (1995) (quoting *Hilton*, 107 Nev. at 234, 808 P.2d at 924).

31. The Seibel Agreements were valid and existing contracts. Under the terms of the Seibel Agreements, the Seibel-Affiliated Entities agreed to hold their Associates (which includes Seibel) to the suitability standards of the various agreements. Nevertheless, aware that Seibel was soliciting kickbacks and thus double-dipping in amounts received from vendors, the Seibel-Affiliated Entities did nothing to inform Caesars of the illegal kickback scheme.

32. At no time did any of the Seibel-Affiliated Entities notify any of their business partners that their Associated Persons were engaging in this illegal conduct. By failing to report their conduct, the Seibel Affiliated Entities were also continuing to benefit from the Seibel Agreements which likely would have been terminated had Caesars become aware of the illegal activity at the time. This conduct was not only in bad faith, but also in direct contravention of the spirit, intent, and justified expectations under the Seibel Agreements, which required the Seibel-Affiliated Entities to conduct themselves "with the highest standards of honesty, integrity, quality

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and courtesy so as to maintain and enhance the reputation and goodwill of" Caesars. As a result, the Seibel-Affiliated Entities breached the implied covenant of good faith and fair dealing.

33. Caesars suffered damages as a result of the Seibel Parties' actions totaling $326,046.87.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Green's Motion for Summary Judgment is DENIED;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Counter-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts IV, VI, VII, and VII of Caesars First Amended Complaint against Green;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Cross-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts IV, VI, VII, and VII of Caesars First Amended Complaint against Seibel

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars' Cross-Motion for Summary Judgment shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on V of Caesars First Amended Complaint against the TPOV Enterprises, LLC, LLTQ Enterprises, LLC, FERG, LLC, MOTI Partners, LLC, GR Burgr, LLC, and DNT Acquisition, LLC; and

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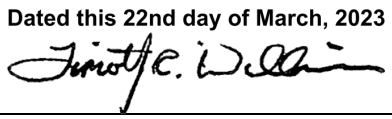
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Caesars and against the Seibel Parties in the amount of $326,046.87 plus pre- and post-judgment interest, with Seibel and Green being jointly and severally liable for the amount awarded to Caesars.

IT IS SO ORDERED.

Dated this 22nd day of March, 2023



5A8 E80 15B3 8074 JM
Timothy C. Williams
District Court Judge

Respectfully submitted by:

DATED: March 21, 2023

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DISTRICT COURT
CLARK COUNTY, NEVADA

Rowen Seibel, Plaintiff(s)	CASE NO: A-17-751759-B
vs.	DEPT. NO. Department 16
PHWLV LLC, Defendant(s)	

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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 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1** Date of Hearing: December 6, 2021 Time of Hearing: 1:30 p.m.
AND ALL RELATED MATTERS	

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PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("Caesars Atlantic City," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Motion for Summary Judgment No. 1* (the "MSJ No. 1"), filed on February 25, 2021, came before this Court for hearing on December 6, 2021, at 1:30 p.m.

James J. Pisanelli, Esq., and M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. Joshua P. Gilmore, Esq., and Paul C. Williams, Esq., of the law firm BAILEY KENNEDY, appeared telephonically on behalf of TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), GR Burgr, LLC ("GRB"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared") (collectively the "Seibel-Affiliated Entities"), Rowen Seibel ("Seibel"), and Craig Green ("Green").[1] John Tennert, Esq., of the law firm FENNEMORE CRAIG, appeared telephonically on behalf of Gordon Ramsay ("Ramsay"). Alan Lebensfeld, of the law firm LEBENSFELD SHARON & SCHWARTZ P.C., appeared telephonically on behalf of The Original Homestead Restaurant.

The Court having considered MSJ No. 1, the opposition thereto, as well as argument of counsel presented at the hearing, taken the matter under advisement, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

The Court HEREBY FINDS AS FOLLOWS:

1. Caesars and its affiliates hold gaming licenses in Nevada and other jurisdictions across the country.

2. Nevada's gaming regulations provide that a gaming license will not be awarded unless the Nevada Gaming Commission is satisfied that the gaming license applicant (a) is "of good character, honesty, and integrity" (b) with "background, reputation and associations [that] will not result in adverse publicity for the State of Nevada and its gaming industry; and" (c) someone who "[h]as adequate business competence and experience for the role or position for which application is made." Nev. Gaming Regul. 3.090(1).

[1] Seibel, Green, and the Seibel-Affiliated Entities are collectively referred to herein as the "Seibel Parties."

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3. Nevada gaming licensees are required to self-police and to act promptly if they learn of derogatory information about their own operations or those of their business associates.

4. Caesars has established and operates an Ethics and Compliance Program (the "Compliance Plan") requiring Caesars to maintain the highest standards of conduct and association and guard its reputation to avoid even the slightest appearance of impropriety. To that end, Caesars is further required to avoid questionable associations with Unsuitable Persons which could tarnish Caesars' image, jeopardize its gaming licenses, or hamper its ability to expand into new markets.

5. Pursuant to Caesars' Compliance Plan, Caesars' vendors, suppliers, and business partners, among others, must agree to abide by the same standards, business ethics, and principles expected of Caesars' employees. To that end, Caesars customarily includes clear and unambiguous language in its contracts with third parties that puts all such parties on notice that Caesars is in a highly regulated business and that such third parties must abide by suitability requirements.

6. Beginning in 2009, Caesars began entering into contracts with Seibel and the Seibel-Affiliated Entities relating to the development, creation, and operation of various restaurants at Caesars properties in Las Vegas and Atlantic City.

7. Caesars Palace and a Seibel-Affiliated Entity, MOTI, entered into an agreement on or about March 2009 relating to the Serendipity 3 restaurant in Las Vegas (the "MOTI Agreement").

8. Caesars Palace and a Seibel-Affiliated Entity, DNT, entered into an agreement on or about June 2011 relating to the Original Homestead Restaurant in Las Vegas (the "DNT Agreement").

9. Paris and a Seibel-Affiliated Entity, TPOV, entered into an agreement on or about November 2011 relating to the Gordon Ramsay Steak restaurant at the Paris Las Vegas (the "TPOV Agreement").

10. Caesars Palace and a Seibel-Affiliated Entity, LLTQ, entered into an agreement on or about April 2012 relating to the Gordon Ramsay Pub & Grill at Caesars Palace in La Vegas (the "LLTQ Agreement").

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11. Section 13.22 of the LLTQ Agreement contemplated potential future restaurants but Caesars Palace and LLTQ did not agree on material terms regarding future restaurants. Specifically, Section 13.22 provided that:

> If Caesars elects under this Agreement to pursue any venture similar to (1) the Restaurant (i.e., any venture generally in the nature of a pub, bar, café, or tavern) or (ii) the "Restaurant" as defined in the development and operation agreement entered into December 5, 2011 between TPOV Enterprises, LLC (an affiliate of LLTQ), on the one hand, and Paris Las Vegas Operating Company, LLC, on the other hand (i.e., any venture generally in the nature of a steak restaurant, fine dining steakhouse or chop house), Caesars and LLTQ shall, or shall cause an Affiliate to, execute a development and operation agreement on the same terms and conditions as this Agreement, subject only to revisions proposed by Caesars or its Affiliate as are necessary to reflect the difference in location between the Restaurant and such other venture (including, for the avoidance of doubt, the Baseline Amount, permitted Operating Expenses and necessary Project Costs).

12. Planet Hollywood and a Seibel-Affiliated Entity, GRB, entered into an agreement on or about December 2012 relating to the GR Burgr restaurant at Planet Hollywood in Las Vegas (the "GRB Agreement").

13. Caesars Atlantic City and a Seibel-Affiliated Entity, FERG, entered into an agreement on or about May 2014 relating to the Gordon Ramsay Pub & Grill at Caesars Atlantic City (the "FERG Agreement").[2]

14. Section 4.1 of the FERG Agreement contemplated potential future restaurants but Caesars Atlantic City and FERG did not agree on material terms regarding future restaurants. Specifically, Section 4.1 provided that:

> In the event, a new agreement is executed between [Caesars Atlantic City] and/or its Affiliate and Gordon Ramsay and/or his Affiliate relative to the Restaurant, or Restaurant Premises, this Agreement shall be in effect and binding on the parties during the term thereof.

15. Each of the Seibel Agreements contained representations, warranties, and conditions to ensure that Caesars was not involved in a business relationship with an unsuitable individual

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[2] The MOTI Agreement, DNT Agreement, TPOV Agreement, LLTQ Agreement, GRB Agreement, and FERG Agreement shall be collectively referred to hereinafter as the "Seibel Agreements."

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and/or entity. Each of the Seibel agreements contained nearly identical language noting that each of the Seibel-Affiliated Entities acknowledged that Caesars and its affiliates were subject to and exists because of privileged licenses "issued U.S., state, local and foreign governmental, regulatory and administrative authorities, agencies, boards and officials (the "Gaming Authorities") responsible for or involved in the administration of application of laws, rules and regulations relating to gaming or gaming activities or the sale, distribution and possession of alcoholic beverages." (*See, e.g.*, Section 10.2 of the TPOV Agreement). The Seibel Agreements further provided that "[t]he Gaming Authorities require [Caesars], and [Caesars] deems it advisable, to have a compliance committee (the "Compliance Committee") that does its own background checks on, and issues approvals of Persons involved with [Caesars] and its Affiliates." (*See, e.g.*, *id.*)

16. Each of the Seibel Agreements provided for severe consequences, up to and including termination of the agreements, if the Seibel-Affiliated Entities failed to abide their suitability obligations.

17. Under each of the Seibel Agreements, Caesars reserved the right in its sole and exclusive judgment to determine whether any Seibel-Affiliated Entity or Associate was an Unsuitable Person.

18. The Seibel Agreements also contained suitability disclosure obligations requiring the Seibel-Affiliated Entities to disclose certain information. Each of the Seibel Agreements contained nearly identical language providing that prior to the execution of the agreement and "on each anniversary of the Opening Date during the Term, (a) [the Seibel-Affiliated Entities] shall provide to [Caesars] written disclosure regarding the [Seibel-Affiliated Entities] Associates, and (b) the Compliance Committee shall have issued approvals of the [Seibel-Affiliated Entities] Associates." (*See, e.g.*, Section 10.2 of the TPOV Agreement). Further, "during the Term, on ten (10) calendar days written request by [Caesars] to [the Seibel-Affiliated Entities], [the Seibel-Affiliated Entities] shall disclose to [Caesars] all [the Seibel-Affiliated Entities] Associates." (*See, e.g.*, *id.*) If any such disclosures became inaccurate, "within ten (10) calendar days from that event, update the prior disclosure without [Caesars] making any further request [the Seibel-Affiliated Entities] shall cause all [the Seibel-Affiliated Entities] Associates to provide all requested

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information and apply for and obtain all necessary approvals required or requested by [Caesars] or the Gaming Authorities." (*See, e.g., id.*)

19. Caesars required that the Seibel-Affiliated Entities complete and submit to Caesars Business Information Forms ("BIFs"). In the BIFs, the Seibel-Affiliated Entities were required to disclose potentially derogatory information about their background and their suitability. Among other things, the BIFs required Seibel and the Seibel-Affiliated Entities to disclose whether any of their associated persons, including Seibel, had been convicted of any crimes, engaged in criminal activity, or were the subject of any criminal investigation.

20. In accordance with the MOTI Agreement, MOTI submitted a BIF (the "MOTI BIF").

21. The MOTI BIF did not disclose any criminal activities by Seibel.

22. In accordance with the DNT Agreement, DNT submitted a BIF (the "DNT BIF"). The DNT BIF did not disclose any criminal activity by Seibel.

23. As set forth in the Seibel Agreements, the suitability disclosures (*e.g.*, the BIFs) were required to be updated. Nevertheless, following submittal of the MOTI BIF and DNT BIF, neither MOTI nor DNT updated their respective BIFs to disclose any criminal activity by Seibel.

24. Neither Seibel nor the Seibel-Affiliated Entities submitted a BIF in connection with the TPOV Agreement, the LLTQ Agreement, the GRB Agreement, or the FERG Agreement. Caesars did not waive, release, or modify the disclosure obligations for any of the Seibel-Affiliated Entities.

25. Pursuant to the Seibel Agreements, if the Seibel-Affiliated Entities failed to comply with their disclosure obligations, Caesars reserved the right, in its sole discretion, to terminate the Seibel Agreements and its relationship with any of the Seibel Affiliated Entities. Specifically, each of the Seibel Agreements contained nearly identical language providing, in pertinent part, that:

> If any [Seibel-Affiliated Entity] Associate fails to satisfy or such requirement, if [Caesars] or any of [Caesars'] Affiliates are directed to cease business with any [Seibel-Affiliated Entity] Associate by any Gaming Authority, or if [Caesars] shall determine, in [Caesars'] sole and exclusive judgment, that any [Seibel-Affiliated Entity]Associate is an Unsuitable Person, whether as a result of a [Seibel-Affiliated Entity] Change of Control or otherwise, then (a) [the Seibel-Affiliated Entity] shall terminate any relationship with the Person who is the source of such issue, (b) [the

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> Seibel-Affiliated Entity] shall cease the activity or relationship creating the issue to [Caesars'] satisfaction, in [Caesars'] sole judgment, or (c) if such activity or relationship is not subject to cure as set forth in the foregoing clauses (a) and (b), as determined by [Caesars] in its sole discretion, [Caesars] shall, without prejudice to any other rights or remedies of [Caesars] including at law or in equity, have the right to terminate th[e] Agreement and its relationship with [the Seibel-Affiliated Entity]. [The Seibel-Affiliated Entity] further acknowledges that [Caesars] shall have the absolute right to terminate this Agreement in the event any Gaming Authority requires [Caesars] or one of its Affiliates to do so. Any termination by [Caesars] pursuant to this Section . . . shall not be subject to dispute by [the Seibel-Affiliated Entity] and shall not be the subject of any proceeding . . . .

26. Per the express language of the Seibel Agreements, Caesars' determination and termination of the Seibel Agreements were not subject to dispute by the Seibel-Affiliated Entities

27. In April 2016, Seibel pleaded guilty to one count of corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws because, in Seibel's own words, he was in fact guilty of the crime.

28. Prior to his guilty plea, and despite a January 2016 tolling agreement with the U.S. government entered into to allow Seibel "to manage his financial affairs in an optimal way prior to entering a guilty plea," neither Seibel nor any of the Seibel-Affiliated Entities notified Caesars of any of the facts underlying the charges against him, or that Seibel planned to plead guilty to a felony. Siebel did not update any of the mandatory suitability disclosures.

29. Rather than disclosing these crimes to Caesars, before pleading guilty, Seibel undertook at scheme to create the appearance of disassociating from certain Seibel Agreements[3] by (1) creating new entities to which he was purportedly assigning the interests in the Seibel Agreements; (2) creating the Seibel Family 2016 Trust to receive the income from said entities; and (3) entering into a prenuptial agreement with his soon to be wife.

30. Seibel, with his attorneys, and Green, created new entities to which he purportedly assigned the Seibel Agreements.

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[3] As set forth in the Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2, Seibel attempted to assign his interest in GRB to The Seibel Family 2016 Trust (the "Trust"). In order to do so, Seibel needed GRUS, the other member of GRB, to consent to such an assignment. However, Seibel did not inform GRUS or Gordon Ramsay that the reason he sought to assign his interest was because he planned to plead guilty to a felony in the coming week and GRUS did not consent to the assignment.

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31. While not mentioning or disclosing his criminal activity or impending guilty plea, Seibel sent letters to Caesars representing that the Seibel Agreements would be assigned to those new entities whose membership interests were mostly owned by the Seibel Family 2016 Trust.

32. Seibel represented to Caesars that the sole beneficiaries of the Seibel Family 2016 Trust were Netty Wachtel Slushny, Bryn Dorfman, and potential descendants of Seibel, and that "[o]ther than the parties described in th[e] letter[s], there [were] no other parties that have any management rights, powers or responsibilities regarding, or equity or financial interests in" the new entities.

33. Those representations were all false and were made with the intent to deceive Caesars.

34. At or around the same time, Seibel negotiated a prenuptial agreement with his soon-to-be wife that would require her to share distributions she received from the Seibel Family 2016 Trust with Seibel and ensure that the entities assigned to the Trust would remain Seibel's separate property. Seibel did not disclose this association with Caesars.

35. On or about August 19, 2016, Seibel was sentenced for his crimes, served time in a federal penitentiary, and was required to pay fines and restitution, and perform community service.

36. At the time Caesars entered into the Seibel Agreements, Seibel did not disclose to Caesars that he had been engaged in criminal activity.

37. At the time Seibel became aware that he was being investigated for crimes related to violations of federal tax laws, Seibel did not disclose to Caesars that he was being investigated for engaging in criminal activity.

38. Seibel did not disclose to Caesars that he pleaded guilty to one count of corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, a Class E Felony.

39. Seibel did not disclose to Caesars that he was sentenced to serve time in federal prison as a result of his guilty plea and conviction for engaging in a corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, a Class E Felony.

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40. Following Seibel's sentencing, Caesars found out through news reports that Seibel pleaded guilty to a felony and was sentenced to serve time in federal prison as a result of his crimes.

41. After learning of Seibel's guilty plea and conviction, Caesars determined that Seibel was unsuitable pursuant to the Seibel Agreements and applicable Nevada gaming laws and regulations.

42. After determining that Seibel was unsuitable, Caesars terminated the Seibel Agreements.

43. Upon discovering Seibel's unsuitability, Caesars self-reported and disclosed the information of Seibel's unsuitability to Nevada gaming regulators, including its termination of the Seibel Agreements and disassociation with an unsuitable person.

44. The Nevada gaming regulators agreed with Caesars' actions, concluding that Caesars appropriately addressed the matter as the Nevada gaming regulators would expect from a gaming licensee.

CONCLUSIONS OF LAW

1. Pursuant to Nevada law, summary judgment is appropriate and shall be rendered when the pleadings and other evidence on file demonstrate that no genuine issue as to any material fact remains and the moving party is entitled to judgment as a matter of law. *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005); NRCP 56(c). "The party moving for summary judgment bears the initial burden of production to show the absence of a genuine issue of material fact." *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007) (citation omitted). "If such a showing is made, then the party opposing summary judgment assumes a burden of production to show the existence of a genuine issue of material fact." *Id.*, 172 P.3d at 134.

2. "[T]o defeat summary judgment, the nonmoving party must transcend the pleadings and, by affidavit or other admissible evidence, introduce specific facts that show a genuine issue of material fact." *Id.*, 172 P.3d 131, 134 (2007) (citation omitted). Importantly, the nonmoving party can no longer merely raise the "slightest doubt" to avoid summary judgment. *Wood*, 121 Nev. at 731, 121 P.3d at 1031. Rather, the nonmoving party must present genuine issues of material fact to

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avoid summary judgment. *Id.*, 121 P.3d at 1031. The nonmoving party cannot merely "build a case on the gossamer threads of whimsy, speculation, and conjecture." *Id.*, 121 P.3d at 1031

3. Under Nevada law, "[a]ny person interested under [a written contract] or whose rights, status or other legal relations are affected by a [contract] may have determined any question of construction or validity arising under the [contract] and obtain a declaration of rights, status or other legal relations thereunder." NRS § 30.040(1). "In the absence of ambiguity or other factual complexities, contract interpretation presents a question of law that the district court may decide on summary judgment." *Galardi v. Naples Polaris, LLC*, 129 Nev. 306, 309, 301 P.3d 364, 366 (2013) (citations omitted). "As a general rule, [courts] construe unambiguous contracts . . . . according to their plain language." *Sheehan & Sheehan v. Nelson Malley & Co.*, 121 Nev. 481, 487–88, 117 P.3d 219, 223–24 (2005).

4. Each of the Seibel Agreements contains valid and enforceable provisions that Caesars reserved the right to terminate the agreements if it found, in its sole and exclusive discretion, that any of the Seibel Affiliated Entities or their associates were an Unsuitable Person.

5. Caesars' determination that the Seibel-Affiliated Entities were unsuitable based on Seibel's admitted criminal activities, *i.e.*, a felony conviction for engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and sentence to serve prison time for the same, was within Caesars' sole discretion under the Seibel Agreements.

6. Caesars properly exercised its discretion in terminating the Seibel Agreements.

7. Caesars did not breach the Seibel Agreements.

8. Seibel and the Seibel entities breached the Seibel Agreements by not disclosing that Seibel had engaged in criminal activities, pleaded guilty to and been convicted of engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and been sentenced to serve prison as a result of that crime.

9. Seibel and the Seibel-Affiliated Entities purported to "cure" the unsuitability through the creation of new entities, but Seibel secretly continued to hold both a beneficial and actual ownership interest in the new entities. However, the Seibel Agreements (1) do not provide Seibel

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or the Seibel-Affiliated Entities with an opportunity to cure; (2) nor do they provide Seibel or a Seibel-Affiliated Entity with a unilateral right to sell Seibel's interests to a third party.

10. Even if the Seibel Agreements provided Seibel or the Seibel-Affiliated Entities a right to cure his unsuitability, which the Court finds it did not, Seibel and the Seibel-Affiliated Entities forfeited any such right through the fraudulent cure scheme and Seibel's continued association with the Seibel-Affiliated Entities.

11. "A breach of the [implied] covenant [of good faith and fair dealing] occurs '[w]here the terms of a contract are literally complied with but one party to the contract deliberately contravenes the intention and spirit of the contract. . . . '" *Gamboa v. World Sav. Bank, FSB*, No. 3:10-CV-454-ECR-VPC, 2010 WL 5071166, at *2 (D. Nev. Dec. 6, 2010) (quoting *Hilton Hotels Corp. v. Butch Lewis Prods., Inc.*, 107 Nev. 226, 232, 808 P.2d 919, 922-23 (1991)). "[W]hen there is no factual basis for concluding that a defendant acted in bad faith, a court may determine the issue of bad faith as a matter of law." *Tennier v. Wells Fargo Bank, N.A.*, No. 3:14-CV-0035-LRH-VPC, 2015 WL 128672, at *7 (D. Nev. Jan. 8, 2015) (*quoting Andrew v. Century Sur. Co.*, No. 2:12–cv–0978, 2014 WL 1764740, at *10 (D. Nev. Apr. 29, 2014).

12. While every agreement has an implied covenant of good faith and fair dealing, that implied covenant generally cannot contradict an *express* contract provision. *See, e.g., Kuiava v. Kwasniewski*, 126 Nev. 731, 367 P.3d 791 (2010) (unpublished disposition), citing with approval *Kucharczyk v. Regents of Univ. of Cal.*, 946 F. Supp. 1419, 1432 (N.D. Cal. 1996) (noting that the implied covenant of good faith and fair dealing may not be used to imply a term that is contradicted by an express term of the contract); *see also Gerdlund v. Elec. Dispensers Int'l*, 235 Cal. Rptr. 279, 286 (Ct. App. 1987) (internal quotations omitted) ("No obligation can be implied, however, which would result in the obliteration of a right expressly given under a written contract.")

13. "There cannot be a valid express contract and an implied contract, each embracing the same subject, but requiring different results." *Gerdlund*, 235 Cal. Rptr. at 286 (internal quotations omitted); *see also Melnick v. State Farm Mut. Auto. Ins. Co.*, 749 P.2d 1105, 1110 (N.M. 1988) ("We cannot change or modify the language of an otherwise legal contract for the benefit of one party and to the detriment of another.").

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14. Moreover, "one generally cannot base a claim for breach of the implied covenant on conduct authorized by the terms of the agreement." *Miller v. FiberLight, LLC*, 808 S.E.2d 75, 87 (Ga. App. Ct. 2017) (quoting *Dunlap v. State Farm Fire & Cas. Co.*, 878 A.2d 434, 441 (Del. 2005)); *see also Vitek v. Bank of Am., N.A.*, No. 8:13-CV-816-JLS ANX, 2014 WL 1042397, at *5 (C.D. Cal. Jan. 23, 2014) (citation omitted) ("In general, acting in accordance with an express contractual provision does not amount to bad faith."). "In other words, 'a party does not act in bad faith by relying on contract provisions for which that party bargained where doing so simply limits advantages to another party.'" *Miller*, 343 Ga. App. at 607–08, 808 S.E.2d at 87 (quoting *Alpha Balanced Fund, LLLP v. Irongate Performance Fund, LLC*, 802 S.E.2d 357 (Ga. 2017)).

15. Importantly, "when there is no factual basis for concluding that a defendant acted in bad faith, a court may determine the issue of bad faith as a matter of law." *Tennier v. Wells Fargo Bank, N.A.*, No. 3:14-CV-0035-LRH-VPC, 2015 WL 128672, at *7 (D. Nev. Jan. 8, 2015) (*quoting Andrew v. Century Sur. Co.*, No. 2:12–cv– 0978, 2014 WL 1764740, at *10 (D. Nev. Apr. 29, 2014)).

16. The "implied promise of good faith and fair dealing is 'reciprocal,' a 'two-way street' which demands mutual compliance from the contracting parties." *Los Angeles Mem'l Coliseum Comm'n v. Nat'l Football League*, 791 F.2d 1356, 1361 (9th Cir. 1986) (citation omitted). Indeed, there is "no justice in permitting a plaintiff to complain of unfair dealing in a [t]ransaction when he himself has not fulfilled in good faith his contractual obligations with regard to that transaction." *Id.* at 1362 (citation omitted).

17. Caesars' termination of the Seibel Agreements after learning that Seibel had engaged in criminal activities, pleaded guilty to and been convicted of engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and been sentenced to serve prison as a result of that crime, does not constitute a breach of the covenant of good faith and fair dealing.

18. In addition, Seibel and the Seibel-Affiliated Entities are barred from arguing Caesars acted in bad faith by their committing the first breach and Seibel's own acts of bad faith, including

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not only the felony conviction and the conduct leading up to it, but also the misrepresentation of purported disassociation through the new entities to which he purported to assign his interests.

19. Finally, Seibel's unsuitability renders the future restaurant provisions void as a result of his unsuitability to do business with a gaming licensee.

20. Under Nevada law, that "[a]n agreement to agree at a future time is nothing and will not support an action for damages." *City of Reno v. Silver State Flying Serv., Inc.*, 84 Nev. 170, 176, 438 P.2d 257, 261 (1968) (quoting *Salomon v. Cooper*, 98 Cal. App. 2d 521, 220 P.2d 774 (1950)). "There is no dispute that neither law nor equity provides a remedy for breach of an agreement to agree in the future." *Autry v. Republic Prods.*, 30 Cal. 2d 144, 151, 180 P.2d 888, 893 (1947). Indeed, "[s]uch a contract cannot be made the basis of a cause of action." *Id.*, 180 P.2d at 893 (citations omitted). "Basic contract principles require, for an enforceable contract, an offer and acceptance, meeting of the minds, and consideration." *May v. Anderson*, 121 Nev. 668, 672, 119 P.3d 1254, 1257 (2005). "With respect to contract formation, preliminary negotiations do not constitute a binding contract unless the parties have agreed to all material terms." *Id.*, 119 P.3d at 1257.

21. Section 13.22 of the LLTQ Agreement has indefinite and open terms and thus is an invalid and unenforceable agreement to agree. As such, this provision fails as a matter of law.

22. Section 4.2 of the FERG Agreement has indefinite and open terms and thus is an invalid and unenforceable agreement to agree. As such, this provision fails as a matter of law.

23. Section 13.22 of the LLTQ Agreement and Section 4.2 of the FERG Agreement are further unenforceable because the Seibel-Affiliated Entities would be unable to comply with the suitability obligations required by contract and gaming regulations rendering them agreements against public policy and void as a matter of law.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Caesars' MSJ No. 1 shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts I. II, and III of Caesars First Amended Complaint.

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IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars is entitled to declarations that:

(1) Caesars Palace properly terminated the MOTI Agreement, the DNT Agreement, and the LLTQ Agreement;

(2) Paris properly terminated the TPOV Agreement;

(3) PHWLV properly terminated the GRB Agreement;

(4) Caesars Atlantic City properly terminated the FERG Agreement;

(5) Caesars does not have any current or future financial obligations or commitments to Seibel or any of the Seibel-Affiliated Entities;

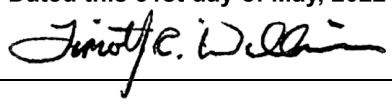
(6) Section 13.22 of the LLTQ Agreement is unenforceable and Caesars does not have any current or future obligations pursuant to that provision or otherwise that would prohibit or limit existing or future restaurant ventures between Caesars and Gordon Ramsay; and

(7) Section 4.1 of the FERG Agreement is unenforceable and Caesars does not have any current or future obligations pursuant to that provision or otherwise that would prohibit or limit existing or future restaurant ventures between Caesars and Gordon Ramsay.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor Caesars on Counts I and II of DNT's counterclaim, and on Counts I, II, III and IV of LLTQ, LLTQ 16, FERG, and FERG 16's counterclaims, which seek an accounting of monies purportedly owed under the DNT, LLTQ, and FERG Agreements and allege breaches of contract related to the ongoing operation of certain restaurants. Because all Seibel Agreements were properly terminated by Caesars as found herein, these counterclaims fail as a matter of law and judgment is appropriate in favor of Caesars.

IT IS SO ORDERED.

Dated this 31st day of May, 2022



MH

2AA A93 02DD E0B1
Timothy C. Williams
District Court Judge

PISANELLI BICE PLLC
400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

Respectfully submitted by:

DATED May 25, 2022

PISANELLI BICE PLLC

By: /s/ M. Magali Mercera
James J. Pisanelli, Esq., Bar No. 4027
Debra L. Spinelli, Esq., Bar No. 9695
M. Magali Mercera, Esq., Bar No. 11742
400 South 7th Street, Suite 300
Las Vegas, NV 89101

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

Approved as to form and content by:

DATED May 25, 2022

LEBENSFELD SHARON & SCHWARTZ P.C.

By: /s/ Alan M. Lebensfeld
Alan M. Lebensfeld, Esq.
(admitted *pro hac vice*)
140 Broad Street
Red Bank, New Jersey 07701

Mark J. Connot, Esq.
Kevin M. Sutehall, Esq.
FOX ROTHSCHILD LLP
1980 Festival Plaza Drive, #700
Las Vegas, NV 89135

Attorneys for The Original Homestead Restaurant

Approved as to form and content by:

DATED May 25, 2022

FENNEMORE CRAIG, P.C.

By: /s/ John D. Tennert
John D. Tennert, Esq. (SBN 11728)
Wade Beavers, Esq. (SBN 13451)
7800 Rancharrah Parkway
Reno, NV 89511
Attorneys for Gordon Ramsay

Cinda C. Towne

From: Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Sent: Wednesday, May 25, 2022 4:36 PM
To: Magali Mercera; Joshua Gilmore; Paul Williams; Tennert, John; Beavers, Wade
Cc: James Pisanelli; Debra Spinelli; Emily A. Buchwald; Cinda C. Towne; Susan Russo
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

CAUTION: This message is from an EXTERNAL SENDER.
You may, thanks

From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, May 25, 2022 5:11 PM
To: Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

Understood, Josh.

John and Alan – We updated our draft proposed findings of fact and conclusions of law to remove Bailey Kennedy from the signature block in light of their objections to the orders and updated the date to May. Please confirm that we may affix your e-signatures to these versions.

Thanks,

M. Magali Mercera
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From: Joshua Gilmore <JGilmore@baileykennedy.com>
Sent: Tuesday, April 26, 2022 2:03 PM
To: Magali Mercera <mmm@pisanellibice.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

CAUTION: This message is from an EXTERNAL SENDER.

Cinda C. Towne

From: Tennert, John <jtennert@fennemorelaw.com>
Sent: Wednesday, May 25, 2022 2:44 PM
To: Magali Mercera; Joshua Gilmore; Paul Williams; Alan Lebensfeld; Beavers, Wade
Cc: James Pisanelli; Debra Spinelli; Emily A. Buchwald; Cinda C. Towne; Susan Russo
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

CAUTION: This message is from an EXTERNAL SENDER.

Hi Magali,

You may affix my e-signature to both proposed orders.

Thanks,
John

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

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From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, May 25, 2022 2:11 PM
To: Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

Understood, Josh.

John and Alan – We updated our draft proposed findings of fact and conclusions of law to remove Bailey Kennedy from the signature block in light of their objections to the orders and updated the date to May. Please confirm that we may affix your e-signatures to these versions.

Thanks,

M. Magali Mercera
PISANELLI BICE, PLLC

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Rowen Seibel, Plaintiff(s)	CASE NO: A-17-751759-B
vs.	DEPT. NO. Department 16
PHWLV LLC, Defendant(s)	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Findings of Fact, Conclusions of Law and Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

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Sarah Hope	shope@fennemorelaw.com

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Steven D. Grierson
CLERK OF THE COURT

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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 **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1**
AND ALL RELATED MATTERS	

PLEASE TAKE NOTICE that a Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1 was entered in the above-captioned

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400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

matter on May 31, 2022, a true and correct copy of which is attached hereto.

DATED this 3rd day of June 2022.

PISANELLI BICE PLLC

By: /s/ M. Magali Mercera
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LAS VEGAS, NEVADA 89101

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 3rd day of June 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 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1** to the following:

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Attorneys for Plaintiff in Intervention The Original Homestead Restaurant, Inc.

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Attorneys for Gordon Ramsay

/s/ Cinda Towne
An employee of PISANELLI BICE PLLC

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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 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1** Date of Hearing: December 6, 2021 Time of Hearing: 1:30 p.m.
AND ALL RELATED MATTERS	

PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("Caesars Atlantic City," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Motion for Summary Judgment No. 1* (the "MSJ No. 1"), filed on February 25, 2021, came before this Court for hearing on December 6, 2021, at 1:30 p.m.

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James J. Pisanelli, Esq., and M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. Joshua P. Gilmore, Esq., and Paul C. Williams, Esq., of the law firm BAILEY KENNEDY, appeared telephonically on behalf of TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), GR Burgr, LLC ("GRB"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared") (collectively the "Seibel-Affiliated Entities"), Rowen Seibel ("Seibel"), and Craig Green ("Green").[1] John Tennert, Esq., of the law firm FENNEMORE CRAIG, appeared telephonically on behalf of Gordon Ramsay ("Ramsay"). Alan Lebensfeld, of the law firm LEBENSFELD SHARON & SCHWARTZ P.C., appeared telephonically on behalf of The Original Homestead Restaurant.

The Court having considered MSJ No. 1, the opposition thereto, as well as argument of counsel presented at the hearing, taken the matter under advisement, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

The Court HEREBY FINDS AS FOLLOWS:

1. Caesars and its affiliates hold gaming licenses in Nevada and other jurisdictions across the country.

2. Nevada's gaming regulations provide that a gaming license will not be awarded unless the Nevada Gaming Commission is satisfied that the gaming license applicant (a) is "of good character, honesty, and integrity" (b) with "background, reputation and associations [that] will not result in adverse publicity for the State of Nevada and its gaming industry; and" (c) someone who "[h]as adequate business competence and experience for the role or position for which application is made." Nev. Gaming Regul. 3.090(1).

[1] Seibel, Green, and the Seibel-Affiliated Entities are collectively referred to herein as the "Seibel Parties."

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3. Nevada gaming licensees are required to self-police and to act promptly if they learn of derogatory information about their own operations or those of their business associates.

4. Caesars has established and operates an Ethics and Compliance Program (the "Compliance Plan") requiring Caesars to maintain the highest standards of conduct and association and guard its reputation to avoid even the slightest appearance of impropriety. To that end, Caesars is further required to avoid questionable associations with Unsuitable Persons which could tarnish Caesars' image, jeopardize its gaming licenses, or hamper its ability to expand into new markets.

5. Pursuant to Caesars' Compliance Plan, Caesars' vendors, suppliers, and business partners, among others, must agree to abide by the same standards, business ethics, and principles expected of Caesars' employees. To that end, Caesars customarily includes clear and unambiguous language in its contracts with third parties that puts all such parties on notice that Caesars is in a highly regulated business and that such third parties must abide by suitability requirements.

6. Beginning in 2009, Caesars began entering into contracts with Seibel and the Seibel-Affiliated Entities relating to the development, creation, and operation of various restaurants at Caesars properties in Las Vegas and Atlantic City.

7. Caesars Palace and a Seibel-Affiliated Entity, MOTI, entered into an agreement on or about March 2009 relating to the Serendipity 3 restaurant in Las Vegas (the "MOTI Agreement").

8. Caesars Palace and a Seibel-Affiliated Entity, DNT, entered into an agreement on or about June 2011 relating to the Original Homestead Restaurant in Las Vegas (the "DNT Agreement").

9. Paris and a Seibel-Affiliated Entity, TPOV, entered into an agreement on or about November 2011 relating to the Gordon Ramsay Steak restaurant at the Paris Las Vegas (the "TPOV Agreement").

10. Caesars Palace and a Seibel-Affiliated Entity, LLTQ, entered into an agreement on or about April 2012 relating to the Gordon Ramsay Pub & Grill at Caesars Palace in La Vegas (the "LLTQ Agreement").

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11. Section 13.22 of the LLTQ Agreement contemplated potential future restaurants but Caesars Palace and LLTQ did not agree on material terms regarding future restaurants. Specifically, Section 13.22 provided that:

> If Caesars elects under this Agreement to pursue any venture similar to (1) the Restaurant (i.e., any venture generally in the nature of a pub, bar, café, or tavern) or (ii) the "Restaurant" as defined in the development and operation agreement entered into December 5, 2011 between TPOV Enterprises, LLC (an affiliate of LLTQ), on the one hand, and Paris Las Vegas Operating Company, LLC, on the other hand (i.e., any venture generally in the nature of a steak restaurant, fine dining steakhouse or chop house), Caesars and LLTQ shall, or shall cause an Affiliate to, execute a development and operation agreement on the same terms and conditions as this Agreement, subject only to revisions proposed by Caesars or its Affiliate as are necessary to reflect the difference in location between the Restaurant and such other venture (including, for the avoidance of doubt, the Baseline Amount, permitted Operating Expenses and necessary Project Costs).

12. Planet Hollywood and a Seibel-Affiliated Entity, GRB, entered into an agreement on or about December 2012 relating to the GR Burgr restaurant at Planet Hollywood in Las Vegas (the "GRB Agreement").

13. Caesars Atlantic City and a Seibel-Affiliated Entity, FERG, entered into an agreement on or about May 2014 relating to the Gordon Ramsay Pub & Grill at Caesars Atlantic City (the "FERG Agreement").[2]

14. Section 4.1 of the FERG Agreement contemplated potential future restaurants but Caesars Atlantic City and FERG did not agree on material terms regarding future restaurants. Specifically, Section 4.1 provided that:

> In the event, a new agreement is executed between [Caesars Atlantic City] and/or its Affiliate and Gordon Ramsay and/or his Affiliate relative to the Restaurant, or Restaurant Premises, this Agreement shall be in effect and binding on the parties during the term thereof.

15. Each of the Seibel Agreements contained representations, warranties, and conditions to ensure that Caesars was not involved in a business relationship with an unsuitable individual

---

[2] The MOTI Agreement, DNT Agreement, TPOV Agreement, LLTQ Agreement, GRB Agreement, and FERG Agreement shall be collectively referred to hereinafter as the "Seibel Agreements."

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and/or entity. Each of the Seibel agreements contained nearly identical language noting that each of the Seibel-Affiliated Entities acknowledged that Caesars and its affiliates were subject to and exists because of privileged licenses "issued U.S., state, local and foreign governmental, regulatory and administrative authorities, agencies, boards and officials (the "Gaming Authorities") responsible for or involved in the administration of application of laws, rules and regulations relating to gaming or gaming activities or the sale, distribution and possession of alcoholic beverages." (*See, e.g.*, Section 10.2 of the TPOV Agreement). The Seibel Agreements further provided that "[t]he Gaming Authorities require [Caesars], and [Caesars] deems it advisable, to have a compliance committee (the "Compliance Committee") that does its own background checks on, and issues approvals of Persons involved with [Caesars] and its Affiliates." (*See, e.g.*, *id.*)

16. Each of the Seibel Agreements provided for severe consequences, up to and including termination of the agreements, if the Seibel-Affiliated Entities failed to abide their suitability obligations.

17. Under each of the Seibel Agreements, Caesars reserved the right in its sole and exclusive judgment to determine whether any Seibel-Affiliated Entity or Associate was an Unsuitable Person.

18. The Seibel Agreements also contained suitability disclosure obligations requiring the Seibel-Affiliated Entities to disclose certain information. Each of the Seibel Agreements contained nearly identical language providing that prior to the execution of the agreement and "on each anniversary of the Opening Date during the Term, (a) [the Seibel-Affiliated Entities] shall provide to [Caesars] written disclosure regarding the [Seibel-Affiliated Entities] Associates, and (b) the Compliance Committee shall have issued approvals of the [Seibel-Affiliated Entities] Associates." (*See, e.g.*, Section 10.2 of the TPOV Agreement). Further, "during the Term, on ten (10) calendar days written request by [Caesars] to [the Seibel-Affiliated Entities], [the Seibel-Affiliated Entities] shall disclose to [Caesars] all [the Seibel-Affiliated Entities] Associates." (*See, e.g.*, *id.*) If any such disclosures became inaccurate, "within ten (10) calendar days from that event, update the prior disclosure without [Caesars] making any further request [the Seibel-Affiliated Entities] shall cause all [the Seibel-Affiliated Entities] Associates to provide all requested

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information and apply for and obtain all necessary approvals required or requested by [Caesars] or the Gaming Authorities." (*See, e.g., id.*)

19. Caesars required that the Seibel-Affiliated Entities complete and submit to Caesars Business Information Forms ("BIFs"). In the BIFs, the Seibel-Affiliated Entities were required to disclose potentially derogatory information about their background and their suitability. Among other things, the BIFs required Seibel and the Seibel-Affiliated Entities to disclose whether any of their associated persons, including Seibel, had been convicted of any crimes, engaged in criminal activity, or were the subject of any criminal investigation.

20. In accordance with the MOTI Agreement, MOTI submitted a BIF (the "MOTI BIF").

21. The MOTI BIF did not disclose any criminal activities by Seibel.

22. In accordance with the DNT Agreement, DNT submitted a BIF (the "DNT BIF"). The DNT BIF did not disclose any criminal activity by Seibel.

23. As set forth in the Seibel Agreements, the suitability disclosures (*e.g.*, the BIFs) were required to be updated. Nevertheless, following submittal of the MOTI BIF and DNT BIF, neither MOTI nor DNT updated their respective BIFs to disclose any criminal activity by Seibel.

24. Neither Seibel nor the Seibel-Affiliated Entities submitted a BIF in connection with the TPOV Agreement, the LLTQ Agreement, the GRB Agreement, or the FERG Agreement. Caesars did not waive, release, or modify the disclosure obligations for any of the Seibel-Affiliated Entities.

25. Pursuant to the Seibel Agreements, if the Seibel-Affiliated Entities failed to comply with their disclosure obligations, Caesars reserved the right, in its sole discretion, to terminate the Seibel Agreements and its relationship with any of the Seibel Affiliated Entities. Specifically, each of the Seibel Agreements contained nearly identical language providing, in pertinent part, that:

> If any [Seibel-Affiliated Entity] Associate fails to satisfy or such requirement, if [Caesars] or any of [Caesars'] Affiliates are directed to cease business with any [Seibel-Affiliated Entity] Associate by any Gaming Authority, or if [Caesars] shall determine, in [Caesars'] sole and exclusive judgment, that any [Seibel-Affiliated Entity]Associate is an Unsuitable Person, whether as a result of a [Seibel-Affiliated Entity] Change of Control or otherwise, then (a) [the Seibel-Affiliated Entity] shall terminate any relationship with the Person who is the source of such issue, (b) [the

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> Seibel-Affiliated Entity] shall cease the activity or relationship creating the issue to [Caesars'] satisfaction, in [Caesars'] sole judgment, or (c) if such activity or relationship is not subject to cure as set forth in the foregoing clauses (a) and (b), as determined by [Caesars] in its sole discretion, [Caesars] shall, without prejudice to any other rights or remedies of [Caesars] including at law or in equity, have the right to terminate th[e] Agreement and its relationship with [the Seibel-Affiliated Entity]. [The Seibel-Affiliated Entity] further acknowledges that [Caesars] shall have the absolute right to terminate this Agreement in the event any Gaming Authority requires [Caesars] or one of its Affiliates to do so. Any termination by [Caesars] pursuant to this Section . . . shall not be subject to dispute by [the Seibel-Affiliated Entity] and shall not be the subject of any proceeding . . . .

26. Per the express language of the Seibel Agreements, Caesars' determination and termination of the Seibel Agreements were not subject to dispute by the Seibel-Affiliated Entities

27. In April 2016, Seibel pleaded guilty to one count of corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws because, in Seibel's own words, he was in fact guilty of the crime.

28. Prior to his guilty plea, and despite a January 2016 tolling agreement with the U.S. government entered into to allow Seibel "to manage his financial affairs in an optimal way prior to entering a guilty plea," neither Seibel nor any of the Seibel-Affiliated Entities notified Caesars of any of the facts underlying the charges against him, or that Seibel planned to plead guilty to a felony. Siebel did not update any of the mandatory suitability disclosures.

29. Rather than disclosing these crimes to Caesars, before pleading guilty, Seibel undertook at scheme to create the appearance of disassociating from certain Seibel Agreements[3] by (1) creating new entities to which he was purportedly assigning the interests in the Seibel Agreements; (2) creating the Seibel Family 2016 Trust to receive the income from said entities; and (3) entering into a prenuptial agreement with his soon to be wife.

30. Seibel, with his attorneys, and Green, created new entities to which he purportedly assigned the Seibel Agreements.

---

[3] As set forth in the Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2, Seibel attempted to assign his interest in GRB to The Seibel Family 2016 Trust (the "Trust"). In order to do so, Seibel needed GRUS, the other member of GRB, to consent to such an assignment. However, Seibel did not inform GRUS or Gordon Ramsay that the reason he sought to assign his interest was because he planned to plead guilty to a felony in the coming week and GRUS did not consent to the assignment.

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31. While not mentioning or disclosing his criminal activity or impending guilty plea, Seibel sent letters to Caesars representing that the Seibel Agreements would be assigned to those new entities whose membership interests were mostly owned by the Seibel Family 2016 Trust.

32. Seibel represented to Caesars that the sole beneficiaries of the Seibel Family 2016 Trust were Netty Wachtel Slushny, Bryn Dorfman, and potential descendants of Seibel, and that "[o]ther than the parties described in th[e] letter[s], there [were] no other parties that have any management rights, powers or responsibilities regarding, or equity or financial interests in" the new entities.

33. Those representations were all false and were made with the intent to deceive Caesars.

34. At or around the same time, Seibel negotiated a prenuptial agreement with his soon-to-be wife that would require her to share distributions she received from the Seibel Family 2016 Trust with Seibel and ensure that the entities assigned to the Trust would remain Seibel's separate property. Seibel did not disclose this association with Caesars.

35. On or about August 19, 2016, Seibel was sentenced for his crimes, served time in a federal penitentiary, and was required to pay fines and restitution, and perform community service.

36. At the time Caesars entered into the Seibel Agreements, Seibel did not disclose to Caesars that he had been engaged in criminal activity.

37. At the time Seibel became aware that he was being investigated for crimes related to violations of federal tax laws, Seibel did not disclose to Caesars that he was being investigated for engaging in criminal activity.

38. Seibel did not disclose to Caesars that he pleaded guilty to one count of corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, a Class E Felony.

39. Seibel did not disclose to Caesars that he was sentenced to serve time in federal prison as a result of his guilty plea and conviction for engaging in a corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, a Class E Felony.

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40. Following Seibel's sentencing, Caesars found out through news reports that Seibel pleaded guilty to a felony and was sentenced to serve time in federal prison as a result of his crimes.

41. After learning of Seibel's guilty plea and conviction, Caesars determined that Seibel was unsuitable pursuant to the Seibel Agreements and applicable Nevada gaming laws and regulations.

42. After determining that Seibel was unsuitable, Caesars terminated the Seibel Agreements.

43. Upon discovering Seibel's unsuitability, Caesars self-reported and disclosed the information of Seibel's unsuitability to Nevada gaming regulators, including its termination of the Seibel Agreements and disassociation with an unsuitable person.

44. The Nevada gaming regulators agreed with Caesars' actions, concluding that Caesars appropriately addressed the matter as the Nevada gaming regulators would expect from a gaming licensee.

CONCLUSIONS OF LAW

1. Pursuant to Nevada law, summary judgment is appropriate and shall be rendered when the pleadings and other evidence on file demonstrate that no genuine issue as to any material fact remains and the moving party is entitled to judgment as a matter of law. *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005); NRCP 56(c). "The party moving for summary judgment bears the initial burden of production to show the absence of a genuine issue of material fact." *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007) (citation omitted). "If such a showing is made, then the party opposing summary judgment assumes a burden of production to show the existence of a genuine issue of material fact." *Id.*, 172 P.3d at 134.

2. "[T]o defeat summary judgment, the nonmoving party must transcend the pleadings and, by affidavit or other admissible evidence, introduce specific facts that show a genuine issue of material fact." *Id.*, 172 P.3d 131, 134 (2007) (citation omitted). Importantly, the nonmoving party can no longer merely raise the "slightest doubt" to avoid summary judgment. *Wood*, 121 Nev. at 731, 121 P.3d at 1031. Rather, the nonmoving party must present genuine issues of material fact to

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avoid summary judgment. *Id.*, 121 P.3d at 1031. The nonmoving party cannot merely "build a case on the gossamer threads of whimsy, speculation, and conjecture." *Id.*, 121 P.3d at 1031

3. Under Nevada law, "[a]ny person interested under [a written contract] or whose rights, status or other legal relations are affected by a [contract] may have determined any question of construction or validity arising under the [contract] and obtain a declaration of rights, status or other legal relations thereunder." NRS § 30.040(1). "In the absence of ambiguity or other factual complexities, contract interpretation presents a question of law that the district court may decide on summary judgment." *Galardi v. Naples Polaris, LLC*, 129 Nev. 306, 309, 301 P.3d 364, 366 (2013) (citations omitted). "As a general rule, [courts] construe unambiguous contracts . . . . according to their plain language." *Sheehan & Sheehan v. Nelson Malley & Co.*, 121 Nev. 481, 487–88, 117 P.3d 219, 223–24 (2005).

4. Each of the Seibel Agreements contains valid and enforceable provisions that Caesars reserved the right to terminate the agreements if it found, in its sole and exclusive discretion, that any of the Seibel Affiliated Entities or their associates were an Unsuitable Person.

5. Caesars' determination that the Seibel-Affiliated Entities were unsuitable based on Seibel's admitted criminal activities, *i.e.*, a felony conviction for engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and sentence to serve prison time for the same, was within Caesars' sole discretion under the Seibel Agreements.

6. Caesars properly exercised its discretion in terminating the Seibel Agreements.

7. Caesars did not breach the Seibel Agreements.

8. Seibel and the Seibel entities breached the Seibel Agreements by not disclosing that Seibel had engaged in criminal activities, pleaded guilty to and been convicted of engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and been sentenced to serve prison as a result of that crime.

9. Seibel and the Seibel-Affiliated Entities purported to "cure" the unsuitability through the creation of new entities, but Seibel secretly continued to hold both a beneficial and actual ownership interest in the new entities. However, the Seibel Agreements (1) do not provide Seibel

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or the Seibel-Affiliated Entities with an opportunity to cure; (2) nor do they provide Seibel or a Seibel-Affiliated Entity with a unilateral right to sell Seibel's interests to a third party.

10. Even if the Seibel Agreements provided Seibel or the Seibel-Affiliated Entities a right to cure his unsuitability, which the Court finds it did not, Seibel and the Seibel-Affiliated Entities forfeited any such right through the fraudulent cure scheme and Seibel's continued association with the Seibel-Affiliated Entities.

11. "A breach of the [implied] covenant [of good faith and fair dealing] occurs '[w]here the terms of a contract are literally complied with but one party to the contract deliberately contravenes the intention and spirit of the contract. . . . '" *Gamboa v. World Sav. Bank, FSB*, No. 3:10-CV-454-ECR-VPC, 2010 WL 5071166, at *2 (D. Nev. Dec. 6, 2010) (quoting *Hilton Hotels Corp. v. Butch Lewis Prods., Inc.*, 107 Nev. 226, 232, 808 P.2d 919, 922-23 (1991)). "[W]hen there is no factual basis for concluding that a defendant acted in bad faith, a court may determine the issue of bad faith as a matter of law." *Tennier v. Wells Fargo Bank, N.A.*, No. 3:14-CV-0035-LRH-VPC, 2015 WL 128672, at *7 (D. Nev. Jan. 8, 2015) (*quoting Andrew v. Century Sur. Co.*, No. 2:12–cv–0978, 2014 WL 1764740, at *10 (D. Nev. Apr. 29, 2014).

12. While every agreement has an implied covenant of good faith and fair dealing, that implied covenant generally cannot contradict an *express* contract provision. *See, e.g., Kuiava v. Kwasniewski*, 126 Nev. 731, 367 P.3d 791 (2010) (unpublished disposition), citing with approval *Kucharczyk v. Regents of Univ. of Cal.*, 946 F. Supp. 1419, 1432 (N.D. Cal. 1996) (noting that the implied covenant of good faith and fair dealing may not be used to imply a term that is contradicted by an express term of the contract); *see also Gerdlund v. Elec. Dispensers Int'l*, 235 Cal. Rptr. 279, 286 (Ct. App. 1987) (internal quotations omitted) ("No obligation can be implied, however, which would result in the obliteration of a right expressly given under a written contract.")

13. "There cannot be a valid express contract and an implied contract, each embracing the same subject, but requiring different results." *Gerdlund*, 235 Cal. Rptr. at 286 (internal quotations omitted); *see also Melnick v. State Farm Mut. Auto. Ins. Co.*, 749 P.2d 1105, 1110 (N.M. 1988) ("We cannot change or modify the language of an otherwise legal contract for the benefit of one party and to the detriment of another.").

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14. Moreover, "one generally cannot base a claim for breach of the implied covenant on conduct authorized by the terms of the agreement." *Miller v. FiberLight, LLC*, 808 S.E.2d 75, 87 (Ga. App. Ct. 2017) (quoting *Dunlap v. State Farm Fire & Cas. Co.*, 878 A.2d 434, 441 (Del. 2005)); *see also Vitek v. Bank of Am., N.A.*, No. 8:13-CV-816-JLS ANX, 2014 WL 1042397, at *5 (C.D. Cal. Jan. 23, 2014) (citation omitted) ("In general, acting in accordance with an express contractual provision does not amount to bad faith."). "In other words, 'a party does not act in bad faith by relying on contract provisions for which that party bargained where doing so simply limits advantages to another party.'" *Miller*, 343 Ga. App. at 607–08, 808 S.E.2d at 87 (quoting *Alpha Balanced Fund, LLLP v. Irongate Performance Fund, LLC*, 802 S.E.2d 357 (Ga. 2017)).

15. Importantly, "when there is no factual basis for concluding that a defendant acted in bad faith, a court may determine the issue of bad faith as a matter of law." *Tennier v. Wells Fargo Bank, N.A.*, No. 3:14-CV-0035-LRH-VPC, 2015 WL 128672, at *7 (D. Nev. Jan. 8, 2015) (*quoting Andrew v. Century Sur. Co.*, No. 2:12–cv– 0978, 2014 WL 1764740, at *10 (D. Nev. Apr. 29, 2014)).

16. The "implied promise of good faith and fair dealing is 'reciprocal,' a 'two-way street' which demands mutual compliance from the contracting parties." *Los Angeles Mem'l Coliseum Comm'n v. Nat'l Football League*, 791 F.2d 1356, 1361 (9th Cir. 1986) (citation omitted). Indeed, there is "no justice in permitting a plaintiff to complain of unfair dealing in a [t]ransaction when he himself has not fulfilled in good faith his contractual obligations with regard to that transaction." *Id.* at 1362 (citation omitted).

17. Caesars' termination of the Seibel Agreements after learning that Seibel had engaged in criminal activities, pleaded guilty to and been convicted of engaging in corrupt endeavor to obstruct and impede the due administration of the Internal Revenue Laws, 26 U.S.C. § 7212, and been sentenced to serve prison as a result of that crime, does not constitute a breach of the covenant of good faith and fair dealing.

18. In addition, Seibel and the Seibel-Affiliated Entities are barred from arguing Caesars acted in bad faith by their committing the first breach and Seibel's own acts of bad faith, including

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not only the felony conviction and the conduct leading up to it, but also the misrepresentation of purported disassociation through the new entities to which he purported to assign his interests.

19. Finally, Seibel's unsuitability renders the future restaurant provisions void as a result of his unsuitability to do business with a gaming licensee.

20. Under Nevada law, that "[a]n agreement to agree at a future time is nothing and will not support an action for damages." *City of Reno v. Silver State Flying Serv., Inc.*, 84 Nev. 170, 176, 438 P.2d 257, 261 (1968) (quoting *Salomon v. Cooper*, 98 Cal. App. 2d 521, 220 P.2d 774 (1950)). "There is no dispute that neither law nor equity provides a remedy for breach of an agreement to agree in the future." *Autry v. Republic Prods.*, 30 Cal. 2d 144, 151, 180 P.2d 888, 893 (1947). Indeed, "[s]uch a contract cannot be made the basis of a cause of action." *Id.*, 180 P.2d at 893 (citations omitted). "Basic contract principles require, for an enforceable contract, an offer and acceptance, meeting of the minds, and consideration." *May v. Anderson*, 121 Nev. 668, 672, 119 P.3d 1254, 1257 (2005). "With respect to contract formation, preliminary negotiations do not constitute a binding contract unless the parties have agreed to all material terms." *Id.*, 119 P.3d at 1257.

21. Section 13.22 of the LLTQ Agreement has indefinite and open terms and thus is an invalid and unenforceable agreement to agree. As such, this provision fails as a matter of law.

22. Section 4.2 of the FERG Agreement has indefinite and open terms and thus is an invalid and unenforceable agreement to agree. As such, this provision fails as a matter of law.

23. Section 13.22 of the LLTQ Agreement and Section 4.2 of the FERG Agreement are further unenforceable because the Seibel-Affiliated Entities would be unable to comply with the suitability obligations required by contract and gaming regulations rendering them agreements against public policy and void as a matter of law.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Caesars' MSJ No. 1 shall be, and hereby is, GRANTED in its entirety and that judgment is entered in favor of Caesars on Counts I. II, and III of Caesars First Amended Complaint.

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IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Caesars is entitled to declarations that:

(1) Caesars Palace properly terminated the MOTI Agreement, the DNT Agreement, and the LLTQ Agreement;

(2) Paris properly terminated the TPOV Agreement;

(3) PHWLV properly terminated the GRB Agreement;

(4) Caesars Atlantic City properly terminated the FERG Agreement;

(5) Caesars does not have any current or future financial obligations or commitments to Seibel or any of the Seibel-Affiliated Entities;

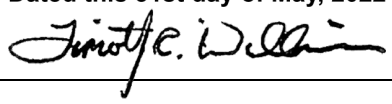
(6) Section 13.22 of the LLTQ Agreement is unenforceable and Caesars does not have any current or future obligations pursuant to that provision or otherwise that would prohibit or limit existing or future restaurant ventures between Caesars and Gordon Ramsay; and

(7) Section 4.1 of the FERG Agreement is unenforceable and Caesars does not have any current or future obligations pursuant to that provision or otherwise that would prohibit or limit existing or future restaurant ventures between Caesars and Gordon Ramsay.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor Caesars on Counts I and II of DNT's counterclaim, and on Counts I, II, III and IV of LLTQ, LLTQ 16, FERG, and FERG 16's counterclaims, which seek an accounting of monies purportedly owed under the DNT, LLTQ, and FERG Agreements and allege breaches of contract related to the ongoing operation of certain restaurants. Because all Seibel Agreements were properly terminated by Caesars as found herein, these counterclaims fail as a matter of law and judgment is appropriate in favor of Caesars.

IT IS SO ORDERED.

Dated this 31st day of May, 2022



MH

2AA A93 02DD E0B1
Timothy C. Williams
District Court Judge

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Respectfully submitted by:

DATED May 25, 2022

PISANELLI BICE PLLC

By: /s/ M. Magali Mercera
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M. Magali Mercera, Esq., Bar No. 11742
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Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation d/b/a Caesars Atlantic City

Approved as to form and content by:

DATED May 25, 2022

LEBENSFELD SHARON & SCHWARTZ P.C.

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Attorneys for The Original Homestead Restaurant

Approved as to form and content by:

DATED May 25, 2022

FENNEMORE CRAIG, P.C.

By: /s/ John D. Tennert
John D. Tennert, Esq. (SBN 11728)
Wade Beavers, Esq. (SBN 13451)
7800 Rancharrah Parkway
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Attorneys for Gordon Ramsay

Cinda C. Towne

From: Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Sent: Wednesday, May 25, 2022 4:36 PM
To: Magali Mercera; Joshua Gilmore; Paul Williams; Tennert, John; Beavers, Wade
Cc: James Pisanelli; Debra Spinelli; Emily A. Buchwald; Cinda C. Towne; Susan Russo
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

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You may, thanks

From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, May 25, 2022 5:11 PM
To: Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

Understood, Josh.

John and Alan – We updated our draft proposed findings of fact and conclusions of law to remove Bailey Kennedy from the signature block in light of their objections to the orders and updated the date to May. Please confirm that we may affix your e-signatures to these versions.

Thanks,

M. Magali Mercera
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From: Joshua Gilmore <JGilmore@baileykennedy.com>
Sent: Tuesday, April 26, 2022 2:03 PM
To: Magali Mercera <mmm@pisanellibice.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

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Cinda C. Towne

From: Tennert, John <jtennert@fennemorelaw.com>
Sent: Wednesday, May 25, 2022 2:44 PM
To: Magali Mercera; Joshua Gilmore; Paul Williams; Alan Lebensfeld; Beavers, Wade
Cc: James Pisanelli; Debra Spinelli; Emily A. Buchwald; Cinda C. Towne; Susan Russo
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

CAUTION: This message is from an EXTERNAL SENDER.

Hi Magali,

You may affix my e-signature to both proposed orders.

Thanks,
John

John D. Tennert III, Director

FENNEMORE.

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From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, May 25, 2022 2:11 PM
To: Joshua Gilmore <JGilmore@baileykennedy.com>; Paul Williams <PWilliams@baileykennedy.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; Tennert, John <jtennert@fennemorelaw.com>; Beavers, Wade <WBeavers@fennemorelaw.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>
Subject: RE: Desert Palace v. Seibel: FFCL Granting Caesars' MSJ No. 1 and MSJ No. 2

Understood, Josh.

John and Alan – We updated our draft proposed findings of fact and conclusions of law to remove Bailey Kennedy from the signature block in light of their objections to the orders and updated the date to May. Please confirm that we may affix your e-signatures to these versions.

Thanks,

M. Magali Mercera
PISANELLI BICE, PLLC

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Rowen Seibel, Plaintiff(s)	CASE NO: A-17-751759-B
vs.	DEPT. NO. Department 16
PHWLV LLC, Defendant(s)	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Findings of Fact, Conclusions of Law and Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 5/31/2022

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

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400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **ORDER (i) DENYING THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND (ii) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN** Date of Hearing: December 14, 2020 Time of Hearing: 9:30 a.m.

The Development Entities,[1] Rowen Seibel ("Seibel"), and Craig Green's ("Green") Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time ("Motion to Compel"), filed on November 20, 2020, and Caesars'[2] Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green ("Countermotion"), filed December 4, 2020, came before this Court for hearing on December 14, 2020, at 9:30 a.m. James J. Pisanelli, Esq. and Brittnie T. Watkins, Esq. of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. Paul C. Williams, Esq. of the law firm BAILEY KENNEDY, appeared telephonically on behalf of the Seibel Parties.[3]

The Court having considered the Motion to Compel, the Countermotion, the Points and Authorities contained therein, and the oppositions and reply thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor,

THE COURT FINDS as follows:

1. The Seibel Parties' requests for production, interrogatories, and NRCP 30(b)(6) topics at issue in their Motion to Compel are not relevant to this case and disproportionate under NRCP 26;

2. There is a distinction between the rebates or gratuities about which the Seibel Parties seek discovery, on the one hand, and the coercive conduct that Caesars alleges the Seibel Parties engaged in, on the other hand;

3. Discovery into the rebates, gratuities, or Caesars' accounting practices related to rebates are not relevant. Additionally, discovery for purposes of a purported set-off is not relevant;

---

[1] TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), and R Squared Global Solutions, LLC ("R Squared"), derivatively on behalf of DNT Acquisition, LLC ("DNT"), are collectively referred to herein as the "Development Entities."

[2] 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") are collectively referred to herein as Caesars.

[3] The Development Entities, Green, and Seibel are collectively referred to herein as the "Seibel Parties."

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LAS VEGAS, NEVADA 89101

4. The discovery sought by the Seibel Parties related to felony convictions of Caesars' employees is not relevant or germane to the case; and

5. Caesars anticipated litigation when it became aware of Seibel's guilty plea on or about August 19, 2016. Therefore, August 19, 2016 is the controlling date for the common-interest privilege between Caesars and Gordon Ramsay.

In light of the foregoing, IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. The Seibel Parties' Motion to Compel shall be, and hereby is, DENIED; and

2. Caesars' Countermotion, shall be, and hereby is, GRANTED.

IT IS SO ORDERED.

February 4, 2021 ZJ

Respectfully submitted by:

DATED February 3, 2021

PISANELLI BICE PLLC

By: /s/ Emily A. Buchwald, Bar #13442
James J. Pisanelli, Esq., Bar No. 4027
Debra L. Spinelli, Esq., Bar No. 9695
M. Magali Mercera, Esq., Bar No. 11742
Brittnie T. Watkins, Esq., Bar No. 13612
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Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation d/b/a Caesars Atlantic City

Approved as to form and content by:

DATED February 1, 2021

BAILEY❖KENNEDY

By: /s/ Paul C. Williams
John R. Bailey (SBN 0137)
Dennis L. Kennedy (SBN 1462)
Joshua P. Gilmore (SBN 11576)
Paul C. Williams (SBN 12524)
Stephanie J. Glantz (SBN 14878)
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148

Attorneys for Rowen Seibel, Craig Green Moti Partners, LLC, Moti Partners 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

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400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

Approved as to form and content by:

DATED February 3, 2021

FENNEMORE CRAIG, P.C.

By: /s/ John D. Tennert
John D. Tennert, Esq. (SBN 11728)
Wade Beavers, Esq. (SBN 13451)
7800 Rancharrah Parkway
Reno, NV 89511

Attorneys for Gordon Ramsay

Approved as to form and content by:

DATED February 3, 2021

LEBENSFELD SHARON & SCHWARTZ P.C.

By: /s/ Alan M. Lebensfeld
Alan M. Lebensfeld, Esq.
(admitted *pro hac* vice)
140 Broad Street
Red Bank, New Jersey 07701

Mark J. Connot, Esq.
Kevin M. Sutehall, Esq.
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1980 Festival Plaza Drive, #700
Las Vegas, NV 89135

Attorneys for The Original Homestead Restaurant, Inc

Approved as to form and content by:

DATED February 3, 2021

NEWMEYER & DILLION LLP

By: /s/ Aaron D. Lovaas
Aaron D. Lovaas, Esq.
3800 Howard Hughes Pkwy, Suite 700
Las Vegas, Nevada 89169

Attorneys for GR Burgr, LLC

Cinda C. Towne

From: Emily A. Buchwald
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

We can accept your revision, and will apply your e-signature. John, Alan, and Aaron, do we have your permission to affix your e-signature to the order?

Emily A. Buchwald
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Tel: (702) 214-2100
Fax: (702) 214-2101
eab@pisanellibice.com | www.pisanellibice.com

From: Paul Williams <PWilliams@baileykennedy.com>
Sent: Monday, February 1, 2021 5:38 PM
To: Emily A. Buchwald <eab@pisanellibice.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; 'jtennert@fclaw.com' <jtennert@fclaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

CAUTION: External Email

Hi Emily,

Attached is a redline with one revision to your last version. The Court did not find that the discovery concerning benefits was irrelevant based on a failure to allege offset as an affirmative defense or counterclaim. Neither Caesars nor the Development Parties had briefed that issue—the Judge raised it as a potential issue sua sponte, though ultimately did not make that particular finding in his decision.

If you are okay with this revision, you may affix my electronic signature and submit it the court.

Thank you,

Paul C. Williams
Bailey Kennedy, LLP
8984 Spanish Ridge Avenue

Cinda C. Towne

From: Tennert, John <jtennert@fennemorelaw.com>
Sent: Wednesday, February 3, 2021 9:28 AM
To: Emily A. Buchwald; Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

CAUTION: External Email

Hi Emily,
You may affix my e-signature.
Thanks,
John

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

Fennemore has expanded to California. Read more here.

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From: Emily A. Buchwald <eab@pisanellibice.com>
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; Tennert, John <jtennert@fennemorelaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

Cinda C. Towne

From: Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Sent: Wednesday, February 3, 2021 9:26 AM
To: Emily A. Buchwald; Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com
Subject: RE: [EXTERNAL]:RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

CAUTION: External Email

You may apply my e-signature.

Aaron D. Lovaas
702.777.7519 | Aaron.Lovaas@ndlf.com
Newmeyer & Dillion LLP

From: Emily A. Buchwald <eab@pisanellibice.com>
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; 'jtennert@fclaw.com' <jtennert@fclaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Subject: [EXTERNAL]:RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

We can accept your revision, and will apply your e-signature. John, Alan, and Aaron, do we have your permission to affix your e-signature to the order?

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From: Paul Williams <PWilliams@baileykennedy.com>
Sent: Monday, February 1, 2021 5:38 PM
To: Emily A. Buchwald <eab@pisanellibice.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; 'jtennert@fclaw.com' <jtennert@fclaw.com>; Alan Lebensfeld

Cinda C. Towne

From: Emily A. Buchwald
Sent: Wednesday, February 3, 2021 10:37 AM
To: Cinda C. Towne
Subject: Fwd: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Begin forwarded message:

From: Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion
Date: February 3, 2021 at 10:29:30 AM PST
To: "Emily A. Buchwald" <eab@pisanellibice.com>

CAUTION: External Email

Yes, thanks.

From: Emily A. Buchwald [mailto:eab@pisanellibice.com]
Sent: Wednesday, February 03, 2021 12:19 PM
To: Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

We can accept your revision, and will apply your e-signature. John, Alan, and Aaron, do we have your permission to affix your e-signature to the order?

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To: Emily A. Buchwald <eab@pisanellibice.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz

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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **NOTICE OF ENTRY OF ORDER (i) DENYING THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND (ii) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN**

PLEASE TAKE NOTICE that an Order (i) Denying the Development Entities, Rowen Seibel, and Craig Green's Motion: (1) for Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time; and (ii) Granting Caesars' Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green was entered in the above-captioned matter on February 4, 2021, a true and correct copy of which is attached hereto.

DATED this 4th day of February 2021.

PISANELLI BICE PLLC

By: /s/ Emily A. Buchwald, Bar #13442
James J. Pisanelli, Esq., #4027
Debra L. Spinelli, Esq., #9695
M. Magali Mercera, Esq., #11742
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LAS VEGAS, NEVADA 89101

PISANELLI BICE
400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 4th day of February 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 **NOTICE OF ENTRY OF ORDER (i) DENYING THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND (ii) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN** to the following:

John R. Bailey, Esq.
Dennis L. Kennedy, Esq.
Joshua P. Gilmore, Esq.
Paul C. Williams, Esq.
Stephanie J. Glantz, Esq.
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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

Alan Lebensfeld, Esq.
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/s/ Cinda Towne
An employee of PISANELLI BICE PLLC

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PHWLV, LLC; and Boardwalk Regency
Corporation d/b/a Caesars Atlantic City

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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **ORDER (i) DENYING THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND (ii) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN** Date of Hearing: December 14, 2020 Time of Hearing: 9:30 a.m.

The Development Entities,[1] Rowen Seibel ("Seibel"), and Craig Green's ("Green") Motion: (1) For Leave to Take Caesars' NRCP 30(b)(6) Depositions; and (2) to Compel Responses to Written Discovery on Order Shortening Time ("Motion to Compel"), filed on November 20, 2020, and Caesars'[2] Countermotion for Protective Order and for Leave to Take Limited Deposition of Craig Green ("Countermotion"), filed December 4, 2020, came before this Court for hearing on December 14, 2020, at 9:30 a.m. James J. Pisanelli, Esq. and Brittnie T. Watkins, Esq. of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. Paul C. Williams, Esq. of the law firm BAILEY KENNEDY, appeared telephonically on behalf of the Seibel Parties.[3]

The Court having considered the Motion to Compel, the Countermotion, the Points and Authorities contained therein, and the oppositions and reply thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor,

THE COURT FINDS as follows:

1. The Seibel Parties' requests for production, interrogatories, and NRCP 30(b)(6) topics at issue in their Motion to Compel are not relevant to this case and disproportionate under NRCP 26;

2. There is a distinction between the rebates or gratuities about which the Seibel Parties seek discovery, on the one hand, and the coercive conduct that Caesars alleges the Seibel Parties engaged in, on the other hand;

3. Discovery into the rebates, gratuities, or Caesars' accounting practices related to rebates are not relevant. Additionally, discovery for purposes of a purported set-off is not relevant;

---

[1] TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), and R Squared Global Solutions, LLC ("R Squared"), derivatively on behalf of DNT Acquisition, LLC ("DNT"), are collectively referred to herein as the "Development Entities."

[2] 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") are collectively referred to herein as Caesars.

[3] The Development Entities, Green, and Seibel are collectively referred to herein as the "Seibel Parties."

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4. The discovery sought by the Seibel Parties related to felony convictions of Caesars' employees is not relevant or germane to the case; and

5. Caesars anticipated litigation when it became aware of Seibel's guilty plea on or about August 19, 2016. Therefore, August 19, 2016 is the controlling date for the common-interest privilege between Caesars and Gordon Ramsay.

In light of the foregoing, IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. The Seibel Parties' Motion to Compel shall be, and hereby is, DENIED; and

2. Caesars' Countermotion, shall be, and hereby is, GRANTED.

IT IS SO ORDERED.

February 4, 2021 ZJ

Respectfully submitted by:

DATED February 3, 2021

PISANELLI BICE PLLC

By: /s/ Emily A. Buchwald, Bar #13442
James J. Pisanelli, Esq., Bar No. 4027
Debra L. Spinelli, Esq., Bar No. 9695
M. Magali Mercera, Esq., Bar No. 11742
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Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation d/b/a Caesars Atlantic City

Approved as to form and content by:

DATED February 1, 2021

BAILEY❖KENNEDY

By: /s/ Paul C. Williams
John R. Bailey (SBN 0137)
Dennis L. Kennedy (SBN 1462)
Joshua P. Gilmore (SBN 11576)
Paul C. Williams (SBN 12524)
Stephanie J. Glantz (SBN 14878)
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Las Vegas, Nevada 89148

Attorneys for Rowen Seibel, Craig Green Moti Partners, LLC, Moti Partners 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

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LAS VEGAS, NEVADA 89101

Approved as to form and content by:

DATED February 3, 2021

FENNEMORE CRAIG, P.C.

By: /s/ John D. Tennert
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Wade Beavers, Esq. (SBN 13451)
7800 Rancharrah Parkway
Reno, NV 89511

Attorneys for Gordon Ramsay

Approved as to form and content by:

DATED February 3, 2021

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By: /s/ Alan M. Lebensfeld
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(admitted *pro hac* vice)
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Attorneys for The Original Homestead Restaurant, Inc

Approved as to form and content by:

DATED February 3, 2021

NEWMEYER & DILLION LLP

By: /s/ Aaron D. Lovaas
Aaron D. Lovaas, Esq.
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Attorneys for GR Burgr, LLC

Cinda C. Towne

From: Emily A. Buchwald
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

We can accept your revision, and will apply your e-signature. John, Alan, and Aaron, do we have your permission to affix your e-signature to the order?

Emily A. Buchwald
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eab@pisanellibice.com | www.pisanellibice.com

From: Paul Williams <PWilliams@baileykennedy.com>
Sent: Monday, February 1, 2021 5:38 PM
To: Emily A. Buchwald <eab@pisanellibice.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; 'jtennert@fclaw.com' <jtennert@fclaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

CAUTION: External Email

Hi Emily,

Attached is a redline with one revision to your last version. The Court did not find that the discovery concerning benefits was irrelevant based on a failure to allege offset as an affirmative defense or counterclaim. Neither Caesars nor the Development Parties had briefed that issue—the Judge raised it as a potential issue sua sponte, though ultimately did not make that particular finding in his decision.

If you are okay with this revision, you may affix my electronic signature and submit it the court.

Thank you,

Paul C. Williams
Bailey Kennedy, LLP
8984 Spanish Ridge Avenue

Cinda C. Towne

From: Tennert, John <jtennert@fennemorelaw.com>
Sent: Wednesday, February 3, 2021 9:28 AM
To: Emily A. Buchwald; Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

CAUTION: External Email

Hi Emily,
You may affix my e-signature.
Thanks,
John

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

Fennemore has expanded to California. Read more here.

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From: Emily A. Buchwald <eab@pisanellibice.com>
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; Tennert, John <jtennert@fennemorelaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

Cinda C. Towne

From: Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Sent: Wednesday, February 3, 2021 9:26 AM
To: Emily A. Buchwald; Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com
Subject: RE: [EXTERNAL]:RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

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You may apply my e-signature.

Aaron D. Lovaas
702.777.7519 | Aaron.Lovaas@ndlf.com
Newmeyer & Dillion LLP

From: Emily A. Buchwald <eab@pisanellibice.com>
Sent: Wednesday, February 3, 2021 9:19 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; 'jtennert@fclaw.com' <jtennert@fclaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Subject: [EXTERNAL]:RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Paul,

We can accept your revision, and will apply your e-signature. John, Alan, and Aaron, do we have your permission to affix your e-signature to the order?

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From: Paul Williams <PWilliams@baileykennedy.com>
Sent: Monday, February 1, 2021 5:38 PM
To: Emily A. Buchwald <eab@pisanellibice.com>
Cc: James Pisanelli <jjp@pisanellibice.com>; Debra Spinelli <dls@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; Cinda C. Towne <cct@pisanellibice.com>; Susan Russo <SRusso@baileykennedy.com>; Magali Mercera <mmm@pisanellibice.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; John Bailey <JBailey@baileykennedy.com>; 'jtennert@fclaw.com' <jtennert@fclaw.com>; Alan Lebensfeld

Cinda C. Towne

From: Emily A. Buchwald
Sent: Wednesday, February 3, 2021 10:37 AM
To: Cinda C. Towne
Subject: Fwd: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

Begin forwarded message:

From: Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion
Date: February 3, 2021 at 10:29:30 AM PST
To: "Emily A. Buchwald" <eab@pisanellibice.com>

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Yes, thanks.

From: Emily A. Buchwald [mailto:eab@pisanellibice.com]
Sent: Wednesday, February 03, 2021 12:19 PM
To: Paul Williams
Cc: James Pisanelli; Debra Spinelli; Robert A. Ryan; Brittnie T. Watkins; Cinda C. Towne; Susan Russo; Magali Mercera; Joshua Gilmore; Stephanie Glantz; John Bailey; 'jtennert@fclaw.com'; Alan Lebensfeld; mconnot@foxrothschild.com; ksutehall@foxrothschild.com; Aaron.Lovaas@ndlf.com
Subject: RE: Desert Palace v. Seibel: Draft Order Denying Motion to Compel and Granting Countermotion

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

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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS** Date of Hearing: September 23, 2020 Time of Hearing: 9:00 a.m.

Case Number: A-17-751759-B

PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("CAC," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss* (the "Motion to Strike"), filed on July 15, 2020, came before this Court for hearing on September 23, 2020, at 9:00 a.m. James J. Pisanelli, Esq., Debra L. Spinelli, Esq., and Brittnie T. Watkins, Esq. of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. John R. Bailey, Esq. and Paul C. Williams, Esq. of the law firm BAILEY KENNEDY, appeared telephonically on behalf of TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared"), (collectively the "Development Entities"), Rowen Seibel ("Seibel"), and Craig Green ("Green").[1] John Tennert, Esq., of the law firm FENNEMORE CRAIG, appeared telephonically on behalf of Gordon Ramsay ("Ramsay"). Aaron D. Lovaas, Esq. of the law firm NEWMEYER & DILLION LLP, appeared telephonically on behalf of GR Burgr, LLC ("GRB").

The Court having considered the Motion to Strike, the opposition thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. THE COURT FINDS THAT, Caesars filed its Complaint in Case No. A-17-760537-B on August 25, 2017 (the "Original Complaint"), setting forth three causes of action against Seibel and the Development Entities relating to the termination of the

[1] Seibel, Green, and the Development Entities are collectively referred to herein as the "Development Parties."

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Development Agreements,[2] including: (1) declaratory judgment declaring that Caesars properly terminated all of the Development Agreements; (2) declaratory judgment declaring that Caesars does not have any current or future obligations to Defendants under the Development Agreements; and (3) declaratory judgment declaring that the Development Agreements do not prohibit or limit existing or future restaurant ventures between Caesars and Ramsay.

2. THE COURT FURTHER FINDS THAT, Case No A-17-760537-B was consolidated with and into Case No. A-17-751759-B on or about February 9, 2018, pursuant to a stipulation and order. (Stipulation & Order to Consolidate Case No. A-17-760537-B with & into Case No. A-17-751759-B, Feb. 9, 2018, on file.)

3. THE COURT FURTHER FINDS THAT, on or about July 6, 2018, LLTQ, LLTQ 16, FERG, FERG 16, and DNT, derivatively by R Squared, filed answers to Caesars' Original Complaint and counterclaims against Caesars. (LLTQ/FERG Defs.' Answer & Affirmative Defenses to Pl.'s Compl. & Countercls., July 6, 2018, on file; Def. DNT's Answer to Pl.'s Compl. & Coutnercls., July 6, 2018, on file.)

4. THE COURT FURTHER FINDS THAT, on or about July 6, 2018, TPOV, TPOV 16, MOTI, and MOTI 16 filed answers only to Caesars' Original Complaint. (MOTI Defs.' Answer & Affirmative Defenses to Pl.'s Compl., July 6, 2018; Defs. TPOV & TPOV 16's Answer to Pl.'s Compl., July 6, 2018, on file.)

5. THE COURT FURTHER FINDS THAT, on or about October 31, 2018, the Court issued a scheduling order setting, among other things, the deadline to amend pleadings or add

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[2] The Development Agreements include: (1) a Development, Operation and License Agreement between MOTI Partners, LLC and Desert Palace, Inc., dated March 2009 (the "MOTI Agreement"); (2) a Development, Operation and License Agreement between DNT Acquisition, LLC, the Original Homestead Restaurant, Inc., and Desert Palace, Inc., dated June 21, 2011 (the "DNT Agreement"); (3) a Development and Operation Agreement between TPOV and Paris, dated November 2011 (the "TPOV Agreement"); (4) a Development and Operation Agreement between LLTQ Enterprises, LLC and Desert Palace, Inc., dated April 4, 2012 (the "LLTQ Agreement"); (5) a Development, Operation and License Agreement between PHW Las Vegas, LLC dba Planet Hollywood by its manager, PHW Manager, LLC, GR BURGR, LLC, and Gordon Ramsay, dated December 13, 2012 (the "GR Burgr Agreement"); and (6) a Consulting Agreement between FERG, LLC and Boardwalk Regency Corporation dba Caesars Atlantic City, dated May 16, 2014 (the "FERG Agreement").

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parties for February 4, 2019. (Business Court Scheduling Order Setting Civil Jury Trial & Pre-Trial Conference Calendar Call, Oct. 31, 2018, on file, at 2:3.)

6. THE COURT FURTHER FINDS THAT, the deadline to amend pleadings or add parties was never extended or otherwise modified beyond February 4, 2019.

7. THE COURT FURTHER FINDS THAT, on or about October 2, 2019, nearly eight months after the deadline to amend pleadings expired, LLTQ, LLTQ 16, FERG, and FERG 16 (the "LLTQ/FERG Defendants") moved this Court for leave to amend their counterclaims to add claims in their counterclaims related to a Gordon Ramsay Steak Restaurant located in Atlantic City as well as additional restaurants in the United States involving Gordon Ramsay and Caesars or its affiliates (Mot. to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses & Countercls., Oct. 2, 2019, on file.)

8. THE COURT FURTHER FINDS THAT, the Court denied the LLTQ/FERG Defendants' request to amend, finding that the LLTQ/FERG Defendants had failed to meet their "burden and ha[d] not demonstrated that good cause exists to permit amendment of their counterclaim." (Order Denying Mot. to Amend LLTQ/FERG Defs.' Answer, Affirmative Defenses, & Countercls., at 3:4-6, Nov. 25, 2019, on file.) The Court specifically held that "[t]he LLTQ/FERG Defendants were aware of the facts they sought to include in their amended counterclaim before the deadline to amend expired and they delayed seeking leave to amend their counterclaim." (*Id.* at 3:6-8.)

9. THE COURT FURTHER FINDS THAT, on or about December 12, 2019, ten months after the deadline to amend pleadings expired, Caesars moved to amend its Original Complaint to add new allegations and claims pertaining to an alleged kickback scheme it claimed to have uncovered following discovery and depositions and to add Green as a defendant. (Caesars' Mot. for Leave to File 1st Am. Compl., Dec. 12, 2019, on file.)

10. THE COURT FURTHER FINDS THAT, on or about March 10, 2020, this Court granted Caesars' motion to amend, finding that "Caesars demonstrated good cause [to permit amendment after the deadline to amend expired] because depositions had to be taken in order to

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understand the documents produced by the parties." (Order Granting Caesars' Mot. for Leave to File 1st Am. Compl., at 3:6-9, Mar. 10, 2020, on file.)

11. THE COURT FURTHER FINDS THAT, on or about March 11, 2020, Caesars filed its First Amended Complaint, asserting five new claims, including (1) civil conspiracy against Seibel and Green, (2) breaches of the implied covenants of good faith and fair dealing against the Development Entities; (3) unjust enrichment against Seibel and Green, (4) intentional interference with contractual relations against Seibel and Green, and (5) fraudulent concealment against Seibel and Green. (First Am. Compl., Mar. 11, 2020, ¶¶ 171-206, on file.)

12. THE COURT FURTHER FINDS THAT, all of Caesars' new allegations and claims were limited to an alleged kickback scheme Caesars claimed to have uncovered in discovery during the litigation.

13. THE COURT FURTHER FINDS THAT, Caesars did not make changes to any of the claims or allegations surrounding Caesars' termination of the Development Agreements as pleaded in the Original Complaint.

14. THE COURT FURTHER FINDS THAT, on or about April 8, 2020, the Development Parties filed a Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint (the "Development Parties' Motion to Dismiss").

15. THE COURT FURTHER FINDS THAT, Caesars' First Amended Complaint withstood the Rule 12(b)(5) challenge and the Development Parties' Motion to Dismiss was denied. (Order Denying without Prejudice Rowen Seibel, the Development Entities, & Craig Green's Motion to Dismiss Counts IV, V, VI, VII, & VIII of Caesars' 1st Am. Compl., May 29, 2020, on file.)

16. THE COURT FURTHER FINDS THAT, on or about June 19, 2020, the Development Parties filed a consolidated Answer to Caesars' First Amended Complaint and Counterclaims. (The Development Entities, Seibel, & Green's Answer to Caesars' 1st Am. Compl. & Countercls., June 19, 2020, on file.)

17. THE COURT FURTHER FINDS THAT, in their counterclaims filed June 19, 2020, all of the Development Entities asserted claims for breach of contract and breach of the implied

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covenant of good faith and fair dealing against Caesars concerning the termination of the Development Agreements as first alleged in Caesars' Original Complaint brought nearly three years prior.

18. THE COURT FURTHER FINDS THAT, the counterclaims filed June 19, 2020 included claims from TPOV, TPOV 16, MOTI, and MOTI 16, entities that did not previously assert any counterclaims in response to Caesars' Original Complaint.

19. THE COURT FURTHER FINDS THAT, none of the Development Entities' counterclaims filed June 19, 2020 pertain to the new claims (the alleged kickback scheme) brought by Caesars in its First Amended Complaint.

20. THE COURT FURTHER FINDS THAT, the Development Entities did not move to amend their initial counterclaims filed July 6, 2018 before filing their counterclaims on June 19, 2020, nor did they seek reconsideration of this Court's prior order denying the LLTQ/FERG Defendants' previous motion to amend.

CONCLUSIONS OF LAW

1. There are three Nevada Rules of Civil Procedure ("NRCP") that are implicated by the instant motion: Rule 12(f), which governs motions to strike, Rule 15(a), which governs amendments to pleadings, and former Rule 13(f), which governed the addition of omitted counterclaims.

2. The 2019 Amendments to the NRCPs changed Rule 15(a) and abrogated Rule 13(f) (consistent with the Federal Rules of Civil Procedure).

3. Pursuant to NRCP 12(f), a "court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." *See also Russell Rd. Food & Beverage, LLC v. Galam*, No. 2:13-CV-0776-JCM-NJK, 2013 WL 6684631, at *1 (D. Nev. Dec. 17, 2013 (internal quotations omitted) ("A motion to strike material from a pleading is made pursuant to Rule 12(f), which allows courts to strike an insufficient defense or any redundant, immaterial, impertinent or scandalous matter.").

4. "The essential function of a Rule 12(f) motion is to 'avoid the expenditure of time and money that may arise from litigating spurious issues by dispensing with those issues prior to

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trial.'" *Russell Rd. Food & Beverage, LLC*, 2013 WL 6684631, at *1 (quoting *Fantasy, Inc. v. Fogerty*, 984 F.2d 1524, 1527 (9th Cir. 1993)); *see also Bolick v. Pasionek*, No. 2:10-CV-00353-KJD, 2011 WL 742237, at *3 (D. Nev. Feb. 24, 2011) (citations omitted) ("The Court is cautious of transparent attempts to prolong litigation, open up spurious discovery issues, or that may unnecessarily waste time, expense, resources or cause undue prejudice.").

5. "In considering a motion to strike, 'the court views the pleadings in the light most favorable to the non-moving party, and resolves any doubt as to the relevance of the challenged allegations or sufficiency of a defense in [non-moving party's] favor.'" *Genlyte Thomas Grp., LLC v. Covelli*, No. 208CV01350KJDPAL, 2009 WL 10709254, at *4 (D. Nev. Aug. 7, 2009) (quoting *State of Cal. Dep't of Toxic Substances Control v. Alco Pac., Inc.*, 217 F. Supp. 2d 1028, 1033 (C.D. Cal. 2002)).

6. There is no Nevada case law directly addressing whether a defendant may file amended counterclaims in response to an amended complaint without leave of court. Therefore, the Court turns to federal case law addressing the analogous Federal Rules of Civil Procedure.

7. Federal case law has recognized three separate approaches, which have been characterized as narrow, permissive, and moderate.

8. Under the narrow approach, "counterclaims as of right are allowed only if they are 'strictly confined to the new issues raised by the amended complaint.'" *Bibb Cnty. Sch. Dist. v. Dallemand*, Civil Action No. 5:26-cv-549, 2019 WL 1519299, at *3 n.6 (M.D. GA Apr. 8, 2019) (quoting *S. New England Tel. Co v. Glob. NAPS, Inc.*, Civil Action No. 3:04–cv–2075 (JCH), 2007 WL 521162, at *2-3 (D. Con. Feb. 14, 2007)). The abrogation of FRCP 13(f) in 2009; and consequently NRCP 13(f) in 2019 would supersede cases following the narrow approach. *See Sierra Dev. Co. v. Chartwell Advisory Grp. Ltd.*, No. 13-cv-602-BEN-VPC, 2016 U.S. Dist. LEXIS 160308, at *11 (D. Nev. Nov. 18, 2016).

9. "Under the 'permissive' approach, "'once a plaintiff amends a complaint, the defendant always has the right to amend to bring new counterclaims, without regard to the scope of the amendments.'" *Cieutat v. HPCSP Invs., LLC*, No. CV 20-0012-WS-B, 2020 WL 4004806, at *3 (S.D. Ala. July 15, 2020) (quoting *Bern Unlimited, Inc. v. Burton Corp.*, 25 F. Supp. 3d 170,

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178 (D. Mass. 2014)). Courts have found that the permissive approach deprives a court of the ability to manage the litigation. *See Sierra Dev. Co.*, 2016 U.S. Dist. LEXIS 160308, at *11. Under Nevada law, the permissive approach would contradict NRCP 16, which the Nevada Supreme Court implemented to ensure trial judges actively managed their cases in an orderly manner.

10. Under the moderate approach, courts have held that the breadth of the amended counterclaim's changes must reflect the breadth of the changes in the amended complaint. Under this approach, the Development Entities' counterclaims would not be permitted because the breadth of the changes in their Amended Counterclaims do not reflect the breadth of the changes in Caesars' First Amended Complaint (*i.e.*, the alleged kick-back scheme). Instead, the Amended Counterclaims relate to Caesars' termination of the Development Agreements. Moreover, this Court already rejected the LLTQ/FERG Defendants' efforts to file similar amended counterclaims, finding that they failed to show good cause after the deadline to amend had expired.

11. Pursuant to NRCP 15(a), a party should be granted leave to amend a pleading when justice so requires, and the proposed amendment is not futile. However, when a party seeks leave to amend a pleading after the deadline previously set for seeking such amendment has expired, NRCP 16(b) requires a showing of "good cause" for missing the deadline. *See Nutton v. Sunset Station*, 131 Nev. 279, 28, 357 P.3d 966, 970-71 (Nev. App. 2015).

12. This Court has considered the three approaches described under federal law; however, this Court will follow the NRCP 16 mandate, which specifically requires a showing of good cause to amend the pleadings after the time for doing so set forth in the court's scheduling order has expired.

13. "Where a scheduling order has been entered, the lenient standard under Rule 15(a), which provides leave to amend 'shall be freely given,' must be balanced against the requirement under Rule 16(b) that the Court's scheduling order shall not be modified except upon a showing of good cause.'" *Nutton*, 131 Nev. at 285, 357 P.3d at 971 (quoting *Grochowski v. Phoenix Constr.*, 318 F.3d 80, 86 (2d Cir. 2003)). "Disregard of the [scheduling] order would undermine the court's ability to control its docket, disrupt the agreed-upon course of the litigation, and reward the indolent

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and the cavalier." *Id.* at 285–86, 357 P.3d at 971 (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992)).

14. Consequently, the Amended Counterclaims are time-barred by this Court's prior scheduling order and the previous denial of the LTTQ/FERG Defendants' Motion to Amend.

15. Caesars' First Amended Complaint did not open the door for the Development Entities to expand the scope of the litigation beyond its current parameters. Thus, the Development Entities' counterclaims filed June 19, 2020 must be stricken.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Motion to Strike shall be, and hereby is, GRANTED.

IT IS HEREBY FURTHER ORDERED that the Development Entities' Amended Counterclaims are STRICKEN in their entirety.

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IT IS HEREBY FURTHER ORDERED that the Development Entities shall file a responsive pleading consistent with this order (as well as any and all applicable prior orders).

IT IS SO ORDERED.

DATED this 3rd day of ~~January~~ February 2021.

ZJ

Respectfully submitted by:

DATED January 27, 2021

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By: /s/ M. Magali Mercera
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Debra L. Spinelli, Esq., Bar No. 9695
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Approved as to form and content by:

DATED January 27, 2021

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Wade Beavers, Esq. (SBN 13451)
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Attorneys for Gordon Ramsay

Approved as to form and content by:

DATED January 27, 2021

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Attorneys for GR Burgr, LLC

Cinda C. Towne

From: Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Sent: Wednesday, January 27, 2021 12:19 PM
To: Magali Mercera; Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Aaron D. Lovaas; Tennert, John; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade
Subject: RE: [EXTERNAL]:RE: Notification of Service for Case: A-17-751759-B, Rowen Seibel, Plaintiff(s) vs.PHWLV LLC, Defendant(s) for filing Service Only, Envelope Number: 6981047 [FC-Email.FID7746767]

CAUTION: External Email

Magali, you have my authority to apply my signature to the Order.

Thank you.

Alan

From: Magali Mercera [mailto:mmm@pisanellibice.com]
Sent: Wednesday, January 27, 2021 2:36 PM
To: Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Aaron D. Lovaas; Tennert, John; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
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Thanks, Paul. As discussed during our meet and confer, we believe that your proposal narrows the court's ruling, which limits any new allegations and counterclaims to the kickback scheme. Since we are at an impasse, we will proceed with submitting competing orders. We will plan to send ours this afternoon and copy counsel on the submission.

John, Alan, and Aaron – I assume we still have your approval to apply your e-signatures to this version. If that is not correct, please let us know promptly.

Once we have final confirmation from John, Alan, and Aaron, we will plan to submit the order and note in the body of the email that a competing version is being submitted by you as well. We would request that you similarly copy us on the submission.

Thanks,

M. Magali Mercera
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Cinda C. Towne

From: Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Sent: Wednesday, January 27, 2021 12:28 PM
To: Magali Mercera; Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Tennert, John; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
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CAUTION: External Email

Confirming my previous authorization to affix my e-signature.

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From: Magali Mercera <mmm@pisanellibice.com>
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To: Paul Williams <PWilliams@baileykennedy.com>
Cc: Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; James Pisanelli <jjp@pisanellibice.com>; Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>; Tennert, John <jtennert@fennemorelaw.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; Sharon Murnane <SMurnane@baileykennedy.com>; Susan Russo <SRusso@baileykennedy.com>; Beavers, Wade <WBeavers@fennemorelaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
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From: Tennert, John <jtennert@fennemorelaw.com>
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To: Magali Mercera; Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Aaron D. Lovaas; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
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CAUTION: External Email

Magali,
Yes, you still have my approval to apply my e-signature to Caesars' version.
Thanks,
John

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To: Paul Williams <PWilliams@baileykennedy.com>
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Thanks,

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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS**

PLEASE TAKE NOTICE that the Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss was entered in the above-captioned matter on February 3, 2021, a true and correct copy of which is attached hereto.

DATED this 3rd day of February 2021.

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By: /s/ M. Magali Mercera
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 3rd day of February 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 **NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS** to the following:

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/s/ Cinda Towne
An employee of PISANELLI BICE PLLC

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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. AND ALL RELATED MATTERS	Case No.: A-17-751759-B Dept. No.: XVI Consolidated with A-17-760537-B **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS** Date of Hearing: September 23, 2020 Time of Hearing: 9:00 a.m.

Case Number: A-17-751759-B

PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City's ("CAC," and collectively, with Caesars Palace, Paris, and Planet Hollywood, "Caesars,") *Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss* (the "Motion to Strike"), filed on July 15, 2020, came before this Court for hearing on September 23, 2020, at 9:00 a.m. James J. Pisanelli, Esq., Debra L. Spinelli, Esq., and Brittnie T. Watkins, Esq. of the law firm PISANELLI BICE PLLC, appeared telephonically on behalf of Caesars. John R. Bailey, Esq. and Paul C. Williams, Esq. of the law firm BAILEY KENNEDY, appeared telephonically on behalf of TPOV Enterprises, LLC ("TPOV"), TPOV Enterprises 16, LLC ("TPOV 16"), LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG, LLC ("FERG"), FERG 16, LLC ("FERG 16"), MOTI Partners, LLC ("MOTI"), MOTI Partners 16, LLC ("MOTI 16"), and DNT Acquisition, LLC ("DNT"), appearing derivatively by and through R Squared Global Solutions, LLC ("R Squared"), (collectively the "Development Entities"), Rowen Seibel ("Seibel"), and Craig Green ("Green").[1] John Tennert, Esq., of the law firm FENNEMORE CRAIG, appeared telephonically on behalf of Gordon Ramsay ("Ramsay"). Aaron D. Lovaas, Esq. of the law firm NEWMEYER & DILLION LLP, appeared telephonically on behalf of GR Burgr, LLC ("GRB").

The Court having considered the Motion to Strike, the opposition thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor, enters the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. THE COURT FINDS THAT, Caesars filed its Complaint in Case No. A-17-760537-B on August 25, 2017 (the "Original Complaint"), setting forth three causes of action against Seibel and the Development Entities relating to the termination of the

[1] Seibel, Green, and the Development Entities are collectively referred to herein as the "Development Parties."

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Development Agreements,[2] including: (1) declaratory judgment declaring that Caesars properly terminated all of the Development Agreements; (2) declaratory judgment declaring that Caesars does not have any current or future obligations to Defendants under the Development Agreements; and (3) declaratory judgment declaring that the Development Agreements do not prohibit or limit existing or future restaurant ventures between Caesars and Ramsay.

2. THE COURT FURTHER FINDS THAT, Case No A-17-760537-B was consolidated with and into Case No. A-17-751759-B on or about February 9, 2018, pursuant to a stipulation and order. (Stipulation & Order to Consolidate Case No. A-17-760537-B with & into Case No. A-17-751759-B, Feb. 9, 2018, on file.)

3. THE COURT FURTHER FINDS THAT, on or about July 6, 2018, LLTQ, LLTQ 16, FERG, FERG 16, and DNT, derivatively by R Squared, filed answers to Caesars' Original Complaint and counterclaims against Caesars. (LLTQ/FERG Defs.' Answer & Affirmative Defenses to Pl.'s Compl. & Countercls., July 6, 2018, on file; Def. DNT's Answer to Pl.'s Compl. & Coutnercls., July 6, 2018, on file.)

4. THE COURT FURTHER FINDS THAT, on or about July 6, 2018, TPOV, TPOV 16, MOTI, and MOTI 16 filed answers only to Caesars' Original Complaint. (MOTI Defs.' Answer & Affirmative Defenses to Pl.'s Compl., July 6, 2018; Defs. TPOV & TPOV 16's Answer to Pl.'s Compl., July 6, 2018, on file.)

5. THE COURT FURTHER FINDS THAT, on or about October 31, 2018, the Court issued a scheduling order setting, among other things, the deadline to amend pleadings or add

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[2] The Development Agreements include: (1) a Development, Operation and License Agreement between MOTI Partners, LLC and Desert Palace, Inc., dated March 2009 (the "MOTI Agreement"); (2) a Development, Operation and License Agreement between DNT Acquisition, LLC, the Original Homestead Restaurant, Inc., and Desert Palace, Inc., dated June 21, 2011 (the "DNT Agreement"); (3) a Development and Operation Agreement between TPOV and Paris, dated November 2011 (the "TPOV Agreement"); (4) a Development and Operation Agreement between LLTQ Enterprises, LLC and Desert Palace, Inc., dated April 4, 2012 (the "LLTQ Agreement"); (5) a Development, Operation and License Agreement between PHW Las Vegas, LLC dba Planet Hollywood by its manager, PHW Manager, LLC, GR BURGR, LLC, and Gordon Ramsay, dated December 13, 2012 (the "GR Burgr Agreement"); and (6) a Consulting Agreement between FERG, LLC and Boardwalk Regency Corporation dba Caesars Atlantic City, dated May 16, 2014 (the "FERG Agreement").

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parties for February 4, 2019. (Business Court Scheduling Order Setting Civil Jury Trial & Pre-Trial Conference Calendar Call, Oct. 31, 2018, on file, at 2:3.)

6. THE COURT FURTHER FINDS THAT, the deadline to amend pleadings or add parties was never extended or otherwise modified beyond February 4, 2019.

7. THE COURT FURTHER FINDS THAT, on or about October 2, 2019, nearly eight months after the deadline to amend pleadings expired, LLTQ, LLTQ 16, FERG, and FERG 16 (the "LLTQ/FERG Defendants") moved this Court for leave to amend their counterclaims to add claims in their counterclaims related to a Gordon Ramsay Steak Restaurant located in Atlantic City as well as additional restaurants in the United States involving Gordon Ramsay and Caesars or its affiliates (Mot. to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses & Countercls., Oct. 2, 2019, on file.)

8. THE COURT FURTHER FINDS THAT, the Court denied the LLTQ/FERG Defendants' request to amend, finding that the LLTQ/FERG Defendants had failed to meet their "burden and ha[d] not demonstrated that good cause exists to permit amendment of their counterclaim." (Order Denying Mot. to Amend LLTQ/FERG Defs.' Answer, Affirmative Defenses, & Countercls., at 3:4-6, Nov. 25, 2019, on file.) The Court specifically held that "[t]he LLTQ/FERG Defendants were aware of the facts they sought to include in their amended counterclaim before the deadline to amend expired and they delayed seeking leave to amend their counterclaim." (*Id.* at 3:6-8.)

9. THE COURT FURTHER FINDS THAT, on or about December 12, 2019, ten months after the deadline to amend pleadings expired, Caesars moved to amend its Original Complaint to add new allegations and claims pertaining to an alleged kickback scheme it claimed to have uncovered following discovery and depositions and to add Green as a defendant. (Caesars' Mot. for Leave to File 1st Am. Compl., Dec. 12, 2019, on file.)

10. THE COURT FURTHER FINDS THAT, on or about March 10, 2020, this Court granted Caesars' motion to amend, finding that "Caesars demonstrated good cause [to permit amendment after the deadline to amend expired] because depositions had to be taken in order to

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understand the documents produced by the parties." (Order Granting Caesars' Mot. for Leave to File 1st Am. Compl., at 3:6-9, Mar. 10, 2020, on file.)

11. THE COURT FURTHER FINDS THAT, on or about March 11, 2020, Caesars filed its First Amended Complaint, asserting five new claims, including (1) civil conspiracy against Seibel and Green, (2) breaches of the implied covenants of good faith and fair dealing against the Development Entities; (3) unjust enrichment against Seibel and Green, (4) intentional interference with contractual relations against Seibel and Green, and (5) fraudulent concealment against Seibel and Green. (First Am. Compl., Mar. 11, 2020, ¶¶ 171-206, on file.)

12. THE COURT FURTHER FINDS THAT, all of Caesars' new allegations and claims were limited to an alleged kickback scheme Caesars claimed to have uncovered in discovery during the litigation.

13. THE COURT FURTHER FINDS THAT, Caesars did not make changes to any of the claims or allegations surrounding Caesars' termination of the Development Agreements as pleaded in the Original Complaint.

14. THE COURT FURTHER FINDS THAT, on or about April 8, 2020, the Development Parties filed a Motion to Dismiss Counts IV, V, VI, VII, and VIII of Caesars' First Amended Complaint (the "Development Parties' Motion to Dismiss").

15. THE COURT FURTHER FINDS THAT, Caesars' First Amended Complaint withstood the Rule 12(b)(5) challenge and the Development Parties' Motion to Dismiss was denied. (Order Denying without Prejudice Rowen Seibel, the Development Entities, & Craig Green's Motion to Dismiss Counts IV, V, VI, VII, & VIII of Caesars' 1st Am. Compl., May 29, 2020, on file.)

16. THE COURT FURTHER FINDS THAT, on or about June 19, 2020, the Development Parties filed a consolidated Answer to Caesars' First Amended Complaint and Counterclaims. (The Development Entities, Seibel, & Green's Answer to Caesars' 1st Am. Compl. & Countercls., June 19, 2020, on file.)

17. THE COURT FURTHER FINDS THAT, in their counterclaims filed June 19, 2020, all of the Development Entities asserted claims for breach of contract and breach of the implied

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covenant of good faith and fair dealing against Caesars concerning the termination of the Development Agreements as first alleged in Caesars' Original Complaint brought nearly three years prior.

18. THE COURT FURTHER FINDS THAT, the counterclaims filed June 19, 2020 included claims from TPOV, TPOV 16, MOTI, and MOTI 16, entities that did not previously assert any counterclaims in response to Caesars' Original Complaint.

19. THE COURT FURTHER FINDS THAT, none of the Development Entities' counterclaims filed June 19, 2020 pertain to the new claims (the alleged kickback scheme) brought by Caesars in its First Amended Complaint.

20. THE COURT FURTHER FINDS THAT, the Development Entities did not move to amend their initial counterclaims filed July 6, 2018 before filing their counterclaims on June 19, 2020, nor did they seek reconsideration of this Court's prior order denying the LLTQ/FERG Defendants' previous motion to amend.

CONCLUSIONS OF LAW

1. There are three Nevada Rules of Civil Procedure ("NRCP") that are implicated by the instant motion: Rule 12(f), which governs motions to strike, Rule 15(a), which governs amendments to pleadings, and former Rule 13(f), which governed the addition of omitted counterclaims.

2. The 2019 Amendments to the NRCPs changed Rule 15(a) and abrogated Rule 13(f) (consistent with the Federal Rules of Civil Procedure).

3. Pursuant to NRCP 12(f), a "court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." *See also Russell Rd. Food & Beverage, LLC v. Galam*, No. 2:13-CV-0776-JCM-NJK, 2013 WL 6684631, at *1 (D. Nev. Dec. 17, 2013 (internal quotations omitted) ("A motion to strike material from a pleading is made pursuant to Rule 12(f), which allows courts to strike an insufficient defense or any redundant, immaterial, impertinent or scandalous matter.").

4. "The essential function of a Rule 12(f) motion is to 'avoid the expenditure of time and money that may arise from litigating spurious issues by dispensing with those issues prior to

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trial.'" *Russell Rd. Food & Beverage, LLC*, 2013 WL 6684631, at *1 (quoting *Fantasy, Inc. v. Fogerty*, 984 F.2d 1524, 1527 (9th Cir. 1993)); *see also Bolick v. Pasionek*, No. 2:10-CV-00353-KJD, 2011 WL 742237, at *3 (D. Nev. Feb. 24, 2011) (citations omitted) ("The Court is cautious of transparent attempts to prolong litigation, open up spurious discovery issues, or that may unnecessarily waste time, expense, resources or cause undue prejudice.").

5. "In considering a motion to strike, 'the court views the pleadings in the light most favorable to the non-moving party, and resolves any doubt as to the relevance of the challenged allegations or sufficiency of a defense in [non-moving party's] favor.'" *Genlyte Thomas Grp., LLC v. Covelli*, No. 208CV01350KJDPAL, 2009 WL 10709254, at *4 (D. Nev. Aug. 7, 2009) (quoting *State of Cal. Dep't of Toxic Substances Control v. Alco Pac., Inc.*, 217 F. Supp. 2d 1028, 1033 (C.D. Cal. 2002)).

6. There is no Nevada case law directly addressing whether a defendant may file amended counterclaims in response to an amended complaint without leave of court. Therefore, the Court turns to federal case law addressing the analogous Federal Rules of Civil Procedure.

7. Federal case law has recognized three separate approaches, which have been characterized as narrow, permissive, and moderate.

8. Under the narrow approach, "counterclaims as of right are allowed only if they are 'strictly confined to the new issues raised by the amended complaint.'" *Bibb Cnty. Sch. Dist. v. Dallemand*, Civil Action No. 5:26-cv-549, 2019 WL 1519299, at *3 n.6 (M.D. GA Apr. 8, 2019) (quoting *S. New England Tel. Co v. Glob. NAPS, Inc.*, Civil Action No. 3:04–cv–2075 (JCH), 2007 WL 521162, at *2-3 (D. Con. Feb. 14, 2007)). The abrogation of FRCP 13(f) in 2009; and consequently NRCP 13(f) in 2019 would supersede cases following the narrow approach. *See Sierra Dev. Co. v. Chartwell Advisory Grp. Ltd.*, No. 13-cv-602-BEN-VPC, 2016 U.S. Dist. LEXIS 160308, at *11 (D. Nev. Nov. 18, 2016).

9. "Under the 'permissive' approach, "'once a plaintiff amends a complaint, the defendant always has the right to amend to bring new counterclaims, without regard to the scope of the amendments.'" *Cieutat v. HPCSP Invs., LLC*, No. CV 20-0012-WS-B, 2020 WL 4004806, at *3 (S.D. Ala. July 15, 2020) (quoting *Bern Unlimited, Inc. v. Burton Corp.*, 25 F. Supp. 3d 170,

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178 (D. Mass. 2014)). Courts have found that the permissive approach deprives a court of the ability to manage the litigation. *See Sierra Dev. Co.*, 2016 U.S. Dist. LEXIS 160308, at *11. Under Nevada law, the permissive approach would contradict NRCP 16, which the Nevada Supreme Court implemented to ensure trial judges actively managed their cases in an orderly manner.

10. Under the moderate approach, courts have held that the breadth of the amended counterclaim's changes must reflect the breadth of the changes in the amended complaint. Under this approach, the Development Entities' counterclaims would not be permitted because the breadth of the changes in their Amended Counterclaims do not reflect the breadth of the changes in Caesars' First Amended Complaint (*i.e.*, the alleged kick-back scheme). Instead, the Amended Counterclaims relate to Caesars' termination of the Development Agreements. Moreover, this Court already rejected the LLTQ/FERG Defendants' efforts to file similar amended counterclaims, finding that they failed to show good cause after the deadline to amend had expired.

11. Pursuant to NRCP 15(a), a party should be granted leave to amend a pleading when justice so requires, and the proposed amendment is not futile. However, when a party seeks leave to amend a pleading after the deadline previously set for seeking such amendment has expired, NRCP 16(b) requires a showing of "good cause" for missing the deadline. *See Nutton v. Sunset Station*, 131 Nev. 279, 28, 357 P.3d 966, 970-71 (Nev. App. 2015).

12. This Court has considered the three approaches described under federal law; however, this Court will follow the NRCP 16 mandate, which specifically requires a showing of good cause to amend the pleadings after the time for doing so set forth in the court's scheduling order has expired.

13. "Where a scheduling order has been entered, the lenient standard under Rule 15(a), which provides leave to amend 'shall be freely given,' must be balanced against the requirement under Rule 16(b) that the Court's scheduling order shall not be modified except upon a showing of good cause.'" *Nutton*, 131 Nev. at 285, 357 P.3d at 971 (quoting *Grochowski v. Phoenix Constr.*, 318 F.3d 80, 86 (2d Cir. 2003)). "Disregard of the [scheduling] order would undermine the court's ability to control its docket, disrupt the agreed-upon course of the litigation, and reward the indolent

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and the cavalier." *Id.* at 285–86, 357 P.3d at 971 (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992)).

14. Consequently, the Amended Counterclaims are time-barred by this Court's prior scheduling order and the previous denial of the LTTQ/FERG Defendants' Motion to Amend.

15. Caesars' First Amended Complaint did not open the door for the Development Entities to expand the scope of the litigation beyond its current parameters. Thus, the Development Entities' counterclaims filed June 19, 2020 must be stricken.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Motion to Strike shall be, and hereby is, GRANTED.

IT IS HEREBY FURTHER ORDERED that the Development Entities' Amended Counterclaims are STRICKEN in their entirety.

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IT IS HEREBY FURTHER ORDERED that the Development Entities shall file a responsive pleading consistent with this order (as well as any and all applicable prior orders).

IT IS SO ORDERED.

DATED this 3rd day of ~~January~~ February 2021.

ZJ

Respectfully submitted by:

DATED January 27, 2021

PISANELLI BICE PLLC

By: /s/ M. Magali Mercera
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Debra L. Spinelli, Esq., Bar No. 9695
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Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, LLC; and Boardwalk Regency Corporation d/b/a Caesars Atlantic City

Approved as to form and content by:

DATED January 27, 2021

FENNEMORE CRAIG, P.C.

By: /s/ John D. Tennert
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Attorneys for Gordon Ramsay

Approved as to form and content by:

DATED January 27, 2021

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Approved as to form and content by:

DATED January 27, 2021

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By: /s/ Aaron D. Lovaas
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Attorneys for GR Burgr, LLC

Cinda C. Towne

From: Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
Sent: Wednesday, January 27, 2021 12:19 PM
To: Magali Mercera; Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Aaron D. Lovaas; Tennert, John; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade
Subject: RE: [EXTERNAL]:RE: Notification of Service for Case: A-17-751759-B, Rowen Seibel, Plaintiff(s) vs.PHWLV LLC, Defendant(s) for filing Service Only, Envelope Number: 6981047 [FC-Email.FID7746767]

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Magali, you have my authority to apply my signature to the Order.

Thank you.

Alan

From: Magali Mercera [mailto:mmm@pisanellibice.com]
Sent: Wednesday, January 27, 2021 2:36 PM
To: Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Aaron D. Lovaas; Tennert, John; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
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Thanks, Paul. As discussed during our meet and confer, we believe that your proposal narrows the court's ruling, which limits any new allegations and counterclaims to the kickback scheme. Since we are at an impasse, we will proceed with submitting competing orders. We will plan to send ours this afternoon and copy counsel on the submission.

John, Alan, and Aaron – I assume we still have your approval to apply your e-signatures to this version. If that is not correct, please let us know promptly.

Once we have final confirmation from John, Alan, and Aaron, we will plan to submit the order and note in the body of the email that a competing version is being submitted by you as well. We would request that you similarly copy us on the submission.

Thanks,

M. Magali Mercera
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Cinda C. Towne

From: Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>
Sent: Wednesday, January 27, 2021 12:28 PM
To: Magali Mercera; Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Tennert, John; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
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CAUTION: External Email

Confirming my previous authorization to affix my e-signature.

Aaron D. Lovaas
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From: Magali Mercera <mmm@pisanellibice.com>
Sent: Wednesday, January 27, 2021 11:36 AM
To: Paul Williams <PWilliams@baileykennedy.com>
Cc: Debra Spinelli <dls@pisanellibice.com>; Emily A. Buchwald <eab@pisanellibice.com>; Robert A. Ryan <RR@pisanellibice.com>; Brittnie T. Watkins <BTW@pisanellibice.com>; James Pisanelli <jjp@pisanellibice.com>; Aaron D. Lovaas <Aaron.Lovaas@ndlf.com>; Tennert, John <jtennert@fennemorelaw.com>; Joshua Gilmore <JGilmore@baileykennedy.com>; Stephanie Glantz <SGlantz@baileykennedy.com>; Sharon Murnane <SMurnane@baileykennedy.com>; Susan Russo <SRusso@baileykennedy.com>; Beavers, Wade <WBeavers@fennemorelaw.com>; Alan Lebensfeld <Alan.Lebensfeld@lsandspc.com>
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To: Magali Mercera; Paul Williams
Cc: Debra Spinelli; Emily A. Buchwald; Robert A. Ryan; Brittnie T. Watkins; James Pisanelli; Aaron D. Lovaas; Joshua Gilmore; Stephanie Glantz; Sharon Murnane; Susan Russo; Beavers, Wade; Alan Lebensfeld
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CAUTION: External Email

Magali,
Yes, you still have my approval to apply my e-signature to Caesars' version.
Thanks,
John

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M. Magali Mercera
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Electronically Filed
11/25/2019 3:30 PM
Steven D. Grierson
CLERK OF THE COURT

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

PISANELLI BICE
400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

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 DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS** Date of Hearing: November 6, 2019 Time of Hearing: 9:00 a.m.
AND ALL RELATED MATTERS	

Defendants LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG LLC ("FERG"), and FERG 16, LLC ("FERG 16") (collectively "LLTQ/FERG Defendants") Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses, and Counterclaims (the "Motion to Amend") came before the Court for hearing on November 6, 2019, at 9:00 a.m. M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared on behalf of PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City ("CAC") and collectively with Caesars Palace, Paris, and Planet Hollywood, "Caesars"). Anthony DiRaimondo, Esq. of the law firm RICE REUTHER SULIVAN & CARROLLC, LLP appeared on behalf of the LLTQ/FERG Defendants. Daniel Brooks, Esq., of SCAROLA ZUBATOV SCHAFFZIN PLLC, appeared telephonically on behalf of the LLTQ/FERG Defendants. Allen Wilt, Esq., of the law firm FENNEMORE CRAIG, appeared on behalf of Gordon Ramsay.

The Court having considered the Motion to Amend and the opposition thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor,

THE COURT FINDS THAT, under Nevada law, "[t]he court should freely give leave [to amend] when justice so requires." NRCP 15(a)(2). However, "'[t]his does not . . . mean that a trial judge may not, in a proper case, deny a motion to amend. If that were the intent, leave of court would not be required.'" *Kantor v. Kantor*, 116 Nev. 886, 891, 8 P.3d 825, 828 (2000) (quoting *Stephens v. So. Nev. Music Co.*, 89 Nev. 104, 105, 507 P.2d 138, 139 (1973)).

THE COURT FURTHER FINDS THAT, "'[w]here a scheduling order has been entered, the lenient standard under Rule 15(a), which provides leave to amend 'shall be freely given,' must be balanced against the requirement under Rule 16(b) that the Court's scheduling order 'shall not be modified except upon a showing of good cause.'" *Nutton v. Sunset Station, Inc.*, 131 Nev. 279, 285, 357 P.3d 966, 971 (Nev. App. 2015) (quoting *Grochowski v. Phoenix Constr.*, 318 F.3d 80, 86 (2d Cir.2003)). "Disregard of the [scheduling] order would undermine the court's ability to control its docket, disrupt the agreed-upon course of the litigation, and reward the indolent and the cavalier." *Id.* at 285-86, 357 P.3d at 971 (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir.1992)).

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THE COURT FURTHER FINDS THAT, the deadline to amend pleadings in this action was February 4, 2019. Accordingly, the LLTQ/FERG Defendants had to demonstrate that good cause exists to allow the amendment of their counterclaim after the deadline had expired.

THE COURT FURTHER FINDS THAT, the LLTQ/FERG Defendants have not met that burden and have not demonstrated that good cause exists to permit amendment of their counterclaim. The LLTQ/FERG Defendants were aware of the facts they sought to include in their amended counterclaim before the deadline to amend expired and they delayed seeking leave to amend their counterclaim.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Motion to Amend is DENIED IN ITS ENTIRETY.

IT IS SO ORDERED.

DATED this 22nd day of November 2019.

THE HONORABLE TIMOTHY C. WILLIAMS
EIGHTH JUDICIAL DISTRICT COURT

Respectfully submitted by:

DATED November 21, 2019

PISANELLI BICE PLLC

By: _____

James J. Pisanelli, Esq., Bar No. 4027
Debra L. Spinelli, Esq., Bar No. 9695
M. Magali Mercera, Esq., Bar No. 11742
Brittnie T. Watkins, Esq., Bar No. 13612
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Chicago, IL 60654

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

Approved as to form and content by:

DATED November 21, 2019

FENNEMORE CRAIG, P.C.

By: /s/ Allen Wilt
Allen Wilt, Esq. (SBN 4798)
John Tennert, Esq. (SBN 11728)
300 East 2nd Street, Suite 1510
Reno, NV 89501

Attorneys for Gordon Ramsay

Approved as to form and content by:

DATED November 21, 2019

RICE REUTHER SULIVAN & CARROLLC, LLP

By: /s/ David A. Carroll
David A. Carroll, Esq.
Anthony J. DiRaimondo, Esq.
Robert E. Opdyke, Esq.
3800 Howard Hughes Pkwy., Suite 1200
Las Vegas, NV 89169

and

Steven C. Bennett, Esq.
Daniel J. Brooks, Esq.
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New York, NY 10019

Attorneys for Plaintiff Rowen Seibel/Defendants Rowen Seibel; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; MOTI Partners, LLC; MOTI Partners 16, LLC; TPOV Enterprises, LLC; and TPOV Enterprises 16, LLC

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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 Dept. No.: XVI Consolidated with A-17-760537-B **NOTICE OF ENTRY OF ORDER DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS**
AND ALL RELATED MATTERS	

PLEASE TAKE NOTICE that an Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims was entered in the above-captioned matter on November 25, 2019, a true and correct copy of which is attached hereto.

DATED this 25th day of November 2019.

PISANELLI BICE PLLC

By: _____

James J. Pisanelli, Esq., #4027
Debra L. Spinelli, Esq., #9695
M. Magali Mercera, Esq., #11742
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300 North LaSalle
Chicago, Illinois 60654

Attorneys for Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC; PHWLV, 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 25th day of November 2019, 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 DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS** to the following:

David A. Carroll, Esq.
Anthony J. DiRaimondo, Esq.
Robert E. Opdyke, Esq.
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Attorneys for Rowen Seibel, DNT Acquisition LLC, Moti Partners, LLC, Moti Partner 16s, LLC, LLTQ Enterprises, LLC, LLTQ Enterprises 16, LLC, TPOV Enterprises, LLC, TPOV Enterprises 16, LLC, FERG, LLC, and FERG 16, LLC

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Attorneys for Gordon Ramsay

Alan Lebensfeld, Esq.
Lawrence J. Sharon, Esq.
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140 Broad Street
Red Bank, NJ 07701

Attorneys for DNT Acquisition LLC

Mark J. Connot, Esq.
Kevin M. Sutehall, Esq.
FOX ROTHSCHILD LLP
1980 Festival Plaza Drive, #700
Las Vegas, NV 89135

Attorneys for Plaintiff in Intervention The Original Homestead Restaurant, Inc.

VIA U.S. MAIL (pleading only)
Kurt Heyman, Esq.
HEYMAN ENERIO GATTUSO & HIRZEL LLP
300 Delaware Ave., Suite 200
Wilmington, DE 19801

Trustee for GR Burgr LLC

An employee of PISANELLI BICE PLLC

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

PISANELLI BICE
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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 DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS** Date of Hearing: November 6, 2019 Time of Hearing: 9:00 a.m.
AND ALL RELATED MATTERS	

Defendants LLTQ Enterprises, LLC ("LLTQ"), LLTQ Enterprises 16, LLC ("LLTQ 16"), FERG LLC ("FERG"), and FERG 16, LLC ("FERG 16") (collectively "LLTQ/FERG Defendants") Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses, and Counterclaims (the "Motion to Amend") came before the Court for hearing on November 6, 2019, at 9:00 a.m. M. Magali Mercera, Esq., of the law firm PISANELLI BICE PLLC, appeared on behalf of PHWLV, LLC ("Planet Hollywood"), Desert Palace, Inc. ("Caesars Palace"), Paris Las Vegas Operating Company, LLC ("Paris"), and Boardwalk Regency Corporation d/b/a Caesars Atlantic City ("CAC") and collectively with Caesars Palace, Paris, and Planet Hollywood, "Caesars"). Anthony DiRaimondo, Esq. of the law firm RICE REUTHER SULIVAN & CARROLLC, LLP appeared on behalf of the LLTQ/FERG Defendants. Daniel Brooks, Esq., of SCAROLA ZUBATOV SCHAFFZIN PLLC, appeared telephonically on behalf of the LLTQ/FERG Defendants. Allen Wilt, Esq., of the law firm FENNEMORE CRAIG, appeared on behalf of Gordon Ramsay.

The Court having considered the Motion to Amend and the opposition thereto, as well as argument of counsel presented at the hearing, and good cause appearing therefor,

THE COURT FINDS THAT, under Nevada law, "[t]he court should freely give leave [to amend] when justice so requires." NRCP 15(a)(2). However, "'[t]his does not . . . mean that a trial judge may not, in a proper case, deny a motion to amend. If that were the intent, leave of court would not be required.'" *Kantor v. Kantor*, 116 Nev. 886, 891, 8 P.3d 825, 828 (2000) (quoting *Stephens v. So. Nev. Music Co.*, 89 Nev. 104, 105, 507 P.2d 138, 139 (1973)).

THE COURT FURTHER FINDS THAT, "'[w]here a scheduling order has been entered, the lenient standard under Rule 15(a), which provides leave to amend 'shall be freely given,' must be balanced against the requirement under Rule 16(b) that the Court's scheduling order 'shall not be modified except upon a showing of good cause.'" *Nutton v. Sunset Station, Inc.*, 131 Nev. 279, 285, 357 P.3d 966, 971 (Nev. App. 2015) (quoting *Grochowski v. Phoenix Constr.*, 318 F.3d 80, 86 (2d Cir.2003)). "Disregard of the [scheduling] order would undermine the court's ability to control its docket, disrupt the agreed-upon course of the litigation, and reward the indolent and the cavalier." *Id.* at 285-86, 357 P.3d at 971 (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir.1992)).

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LAS VEGAS, NEVADA 89101

THE COURT FURTHER FINDS THAT, the deadline to amend pleadings in this action was February 4, 2019. Accordingly, the LLTQ/FERG Defendants had to demonstrate that good cause exists to allow the amendment of their counterclaim after the deadline had expired.

THE COURT FURTHER FINDS THAT, the LLTQ/FERG Defendants have not met that burden and have not demonstrated that good cause exists to permit amendment of their counterclaim. The LLTQ/FERG Defendants were aware of the facts they sought to include in their amended counterclaim before the deadline to amend expired and they delayed seeking leave to amend their counterclaim.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Motion to Amend is DENIED IN ITS ENTIRETY.

IT IS SO ORDERED.

DATED this 22nd day of November 2019.

THE HONORABLE TIMOTHY C. WILLIAMS
EIGHTH JUDICIAL DISTRICT COURT

Respectfully submitted by:

DATED November 21, 2019

PISANELLI BICE PLLC

By: _____

James J. Pisanelli, Esq., Bar No. 4027
Debra L. Spinelli, Esq., Bar No. 9695
M. Magali Mercera, Esq., Bar No. 11742
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and

Jeffrey J. Zeiger, P.C., Esq.
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Attorneys for Plaintiffs Desert Palace, Inc.; Paris Las Vegas Operating Company, LLC;PHWLV, LLC; and Boardwalk Regency Corporation d/b/a Caesars Atlantic City

Approved as to form and content by:

DATED November 21, 2019

FENNEMORE CRAIG, P.C.

By: /s/ Allen Wilt
Allen Wilt, Esq. (SBN 4798)
John Tennert, Esq. (SBN 11728)
300 East 2nd Street, Suite 1510
Reno, NV 89501

Attorneys for Gordon Ramsay

Approved as to form and content by:

DATED November 21, 2019

RICE REUTHER SULIVAN & CARROLLC, LLP

By: /s/ David A. Carroll
David A. Carroll, Esq.
Anthony J. DiRaimondo, Esq.
Robert E. Opdyke, Esq.
3800 Howard Hughes Pkwy., Suite 1200
Las Vegas, NV 89169

and

Steven C. Bennett, Esq.
Daniel J. Brooks, Esq.
SCAROLA ZUBATOV SCHAFFZIN PLLC 1700
Broadway, 41st Floor
New York, NY 10019

Attorneys for Plaintiff Rowen Seibel/Defendants Rowen Seibel; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; MOTI Partners, LLC; MOTI Partners 16, LLC; TPOV Enterprises, LLC; and TPOV Enterprises 16, LLC

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **March 22, 2017**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

March 22, 2017 **9:00 AM** **Motion for Preliminary Injunction**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Pisanelli, James J	Attorney
Spinelli, Debra L.	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney
Wolf, Matthew C., ESQ	Attorney

JOURNAL ENTRIES

- Also present: Paul Sweeney, Esq., who would be filing to associate in as Pro Hac Vice counsel for Plaintiffs.

Mr. McNutt argued in support of the Motion, stating that no valid termination had taken place; however, if the Court found there was a valid termination, Defendant PHWLV, LLC should be enjoined from using any general GR BURGER materials in any rebranded restaurants. Additionally, Mr. McNutt argued that, pursuant to provision 14.01.2 of the agreement, no bond should be required for a Preliminary Injunction. Mr. Pisanelli argued in opposition, stating that a new operation had been opened in the location of the previous restaurant, and there was no invalid termination of the agreement. Mr. Wilt joined Mr. Pisanelli's arguments, stating that there was nothing in the agreement prohibiting Gordon Ramsay, as an individual, from developing a new space. COURT ORDERED Motion DENIED WITHOUT PREJUDICE, FINDING the following: (1) the instant hearing

was not an Evidentiary Hearing, and had not been consolidated with a trial on the merits; (2) Plaintiffs failed to meet their burden of proof as to demonstrating irreparable harm and a likelihood of success on the merits; (3) Plaintiffs also failed to meet their burden as to demonstrating a balance of hardships that would favor the Plaintiffs, or demonstrating that public policy would favor Plaintiffs' request; (4) the money that was allegedly owed, even if it was owed, did not support a finding of irreparable harm; (5) as the Defendants argued, despite the language in the contract, the Court must still find irreparable harm in order to grant a Preliminary Injunction; and (6) as to the request to enjoin the future use of general Gordon Ramsey materials, the burden of showing the appropriateness of said injunction had not been met by the Plaintiff.

Mr. Pisanelli to prepare the Order and forward it to opposing counsel for approval as to form and content.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **May 17, 2017**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

May 17, 2017 **9:00 AM** **Motion to Dismiss**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Pisanelli, James J	Attorney
Spinelli, Debra L.	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney
Wolf, Matthew C., ESQ	Attorney

JOURNAL ENTRIES

- Mr. Pisanelli argued in support of the Motion, stating that there was no breach of contract; therefore, there could not be a civil conspiracy claim. Mr. Wilt, having filed a Joinder on behalf of Defendant Gordon Ramsey, argued in support of the Motion, stating that there was no provision in the contract stating that Planet Hollywood could not conduct any business with Gordon Ramsey; if such a provision did exist, then it would be restrictive. Mr. McNutt argued in opposition, stating that the post-termination contract had resulted in a breach of agreement. Additionally, Mr. McNutt argued that there was nothing that allowed Gordon Ramsey to direct Planet Hollywood to pay him a portion of the monies due and owing to GR Burgr, LLC. COURT ORDERED the instant Motion was hereby GRANTED IN PART WITHOUT PREJUDICE / DENIED IN PART WITHOUT PREJUDICE. COURT FURTHER ORDERED the Joinder was DENIED WITHOUT PREJUDICE. The COURT FOUND the following: (1) on the Breach of Contract, particularly paragraph 68 of the Complaint, the Motion was GRANTED as to subsections a), f), and h); (2) the plain language and clear reading of the operating agreement, precluded those subsections from being breaches of contract; (3) subsection e) was

questionable; however, the Court accepted all facts as true as pleaded in the Complaint; (4) even on a Motion to Dismiss standard, it was appropriate to consider the parties' written agreement that the Complaint relied upon; (5) there was no dispute that the contract was entered into, and existed; (6) it was appropriate to DENY the remainder of the Motion, as claims upon which relief could be granted under Nevada law had been stated; (7) the applied covenant of good faith and fair dealing, did allege - at least on its face - the extra contractual duties and breaches that would be appropriate for that type of claim; (8) regarding unjust enrichment, there was an operating agreement, and there was no dispute that it was entered into; however, Nevada law allowed alternative theories of relief, and alternative causes of action; (9) regarding civil conspiracy and declaratory relief, causes of action had been pled upon which relief could be granted under Nevada law; (10) the breach of contract claims against Defendant Gordon Ramsey differed from the ones asserted against Defendant Planet Hollywood, and they did state claims upon which relief could be granted under Nevada law. Mr. Pisanelli to prepare the Order and forward it to opposing counsel for approval as to form and content.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 28, 2017**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 28, 2017 **10:30 AM** **Mandatory Rule 16 Conference**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, counsel indicated the parties had exchanged their lists of documents and witnesses. Regarding the scheduling of discovery, Mr. McNutt stated that the parties had not discussed discovery yet, due to recent events that may affect the instant case. Mr. Wilt made the following representations: (1) Mr. Wilt's client had recently filed for dissolution of GR BURGR, LLC in a Delaware Court; (2) on August 25, 2017, an decision was reached by the Delaware Court on the Motion for Judgment on the Pleadings; (3) the Delaware Court Ordered the judicial dissolution of GR BURGR, LLC; (4) as part of the Delaware Court's Order, the parties were directed to submit an Implementing Order for Dissolution, and also directed the parties to agree upon and appoint a Liquidating Trustee; and (5) the Liquidating Trustee would be responsible for making the decision as to whether to proceed with the claims in the instant case, as well as whether to proceed on similar claims in the Delaware Court. As a result of the decision regarding dissolution, Mr. Wilt stated that Mr. Seibel no longer had standing to assert the claims in the instant case, nor did he have standing to assert derivative claims on behalf of GR BURGR, LLC. Ms. Mercera advised that she did not believe the affirmative Counter Claims asserted against Mr. Seibel were affected by the dissolution decision;

therefore, discovery should proceed on those Counter Claims. Mr. McNutt represented that the Order from the Delaware Court was not a final Order, the Plaintiffs would be appealing it, and there would a Motion for Stay filed in the instant case. COURT ORDERED that it was not inclined to stay the instant case presently; however, if either of the parties wished for the case to be stayed, they could file the appropriate written Motion. The Court noted for the record that it had received a copy of the Delaware Court's Order, and would be reviewing it. Given the issues in the case, Mr. McNutt suggested a nine month discovery period; Ms. Mercera and Mr. Wilt suggested a six month discovery period. COURT ORDERED the CLOSE of DISCOVERY would be May 23, 2018, and the DISPOSITIVE MOTION DEADLINE would be June 22, 2018. Mr. McNutt noted that he would be discussing phased discovery with the parties, and if the parties could come to an agreement, a Stipulation and Order would be submitted to the Court. COURT ORDERED, subsequent to the parties' discussions regarding phased discovery, they were to FILE a Joint Case Conference Report (JCCR); if the parties were unable to agree upon a JCCR, they could raise any issues they were having with the Court. COURT FURTHER ORDERED a Status Check regarding the filing of the JCCR was hereby SET on the Department's Chambers Calendar.

Regarding ESI Protocol, Mr. McNutt advised that the parties had received an ESI Protocol from the Federal Court, and that same Protocol could be utilized in the instant case. Upon Court's inquiry, counsel stated that neither a Special Master, nor a Receiver, was necessary at this juncture. Upon Court's inquiry, counsel advised that they did not feel a settlement conference would be beneficial at this time. COURT ORDERED a trial date was hereby SET. A Trial Order shall issue.

9/11/17 (CHAMBERS) STATUS CHECK: FILING OF JCCR

8/13/18 8:30 AM PRE TRIAL CONFERENCE

8/29/18 8:30 AM CALENDAR CALL

9//18 10:30 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters	**COURT MINUTES**	**September 11, 2017**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 11, 2017 **3:00 AM** **Status Check**

HEARD BY: Hardy, Joe **COURTROOM:** Chambers

COURT CLERK: Kristin Duncan

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Court staff verified that the joint case conference report has been filed.

CLERK'S NOTE: A copy of this minute order was e-mailed to: Daniel R. McNutt, Esq. [drm@cmlawnv.com], Matthew C. Wolf, Esq. [mcw@cmlawnv.com], Allen J. Wilt, Esq. [awilt@fclaw.com], and John D. Tennert, Esq. [jtennert@fclaw.com]. (KD 9/19/17)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters	**COURT MINUTES**	**September 25, 2017**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 25, 2017 **3:00 AM** **Motion to Associate Counsel**

HEARD BY: Hardy, Joe **COURTROOM:** Chambers

COURT CLERK: Kristin Duncan

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, Plaintiff s Motion to Associate Counsel (Paul Sweeney, Esq.) is hereby GRANTED as unopposed, pursuant to EDCR 2.20(e), and is GRANTED on the merits, pursuant to Rule 42 of the Supreme Court Rules.

CLERK'S NOTE: A copy of this minute order was e-mailed to: Daniel R. McNutt, Esq. [drm@cmlawnv.com], Matthew C. Wolf, Esq. [mcw@cmlawnv.com], James Pisanelli, Esq. [jjp@pisanellibice.com], Debra Spinelli, Esq. [dls@pisanellibice.com], Brittnie Watkins, Esq. [btw@pisanellibice.com], Allen Wilt, Esq. [awilt@fclaw.com], and John Tennert, Esq. [jtennert@fclaw.com]. (KD 9/27/17)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 07, 2017**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 07, 2017 **9:00 AM** **Motion for Partial Summary Judgment**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Pisanelli, James J	Attorney
Sweeney, Paul B.	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney
Wolf, Matthew C., ESQ	Attorney

JOURNAL ENTRIES

- The Court noted that it had reviewed the Motion for Partial Summary Judgment, as well as the Opposition and Reply, and requested that the parties address whether the best course of action would be to wait and see what actions the liquidating trustee took. Mr. Sweeney argued in support of the Motion, stating that Plaintiff was seeking the enforcement of section 14.21 of the development agreement. Regarding the Court's concerns pertaining to the liquidating trustee, Mr. Sweeney represented that the liquidating trustee had not yet accepted the appointment, and was hesitant to do so due to the lack of money in the entity. Mr. Wilt stated that it was Defendant's position that the ruling on the instant Motion be deferred, as the initial order of dissolution expressly provided that the trustee shall have exclusive authority to prosecute or defend. COURT ORDERED the instant Motion was hereby VACATED, FINDING the following: (1) there were concerns regarding Rowan Seibel's ability to prosecute the claims on behalf of GR BURGR, LLC; (2) although the liquidating trustee had been appointed, the trustee had not yet accepted the appointment; and (3) the Court's reading of the Delaware Court's Order was that the trustee was given the authority and ability to

review such issues as those raised in the instant Motion, and then had the ability and authority to determine whether to prosecute them or not. Mr. Pisanelli suggested that a status check be set in approximately thirty (30) days, to determine the course of the case. Mr. Sweeney and Mr. Wilt indicated there was no opposition to Pisanelli's suggestion. COURT ORDERED a status check was hereby SET.

12/5/17 9:00 AM STATUS CHECK: STATUS OF CASE / DELAWARE PROCEEDINGS

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 05, 2017**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 05, 2017 **9:00 AM** **Status Check**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Watkins, Brittinee T	Attorney

JOURNAL ENTRIES

- Present via CourtCall: Paul B. Sweeney, Esq. on behalf of Plaintiff / Other Plaintiff GR BURGR, LLC and Defendant / Counter Claimant PHWLV, LLC; Allen J. Wilt, Esq. on behalf of Gordon Ramsay.

The Court noted that the instant hearing had been set to determine what was taking place in Delaware. Mr. McNutt advised that a liquidating trustee had not yet been appointed, and requested that the status check be continued approximately thirty (30) days. Mr. Wilt represented that the trustee candidate, Mr. Hammond, was hesitant to accept the appointment due to concerns that there were no funds in the GR BURGR, LLC entity with which to compensate him; however, Delaware counsel had recently proposed that both parties contribute funds to the GR BURGR, LLC entity, so that the trustee could accept appointment. Due to the funds being advanced to GR BURGR, LLC, Mr. Hammond had agreed to accept the appointment, and a proposed Order would be signed and circulated within one to two weeks. COURT ORDERED the instant matter was hereby CONTINUED.

CONTINUED TO: 1/9/18 9:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **January 09, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

January 09, 2018 **9:00 AM** **Status Check**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Watkins, Brittinee T	Attorney

JOURNAL ENTRIES

- Present via CourtCall: Paul B. Sweeney, Esq. on behalf of Plaintiff / Other Plaintiff GRBURGR, LLC and Defendant / Counter Claimant PHWLV, LLC; Allen J. Wilt, Esq. on behalf of Defendant Gordon Ramsay.

The Court noted that the Trustee attempted to appear via CourtCall, but did not set up the service in a timely manner. The COURT DIRECTED counsel to inform the Trustee that he would be permitted to appear via CourtCall, but would need to set that up at least a day prior to whichever hearing he would be appearing for. Mr. McNutt stated that the Liquidating Trustee had been appointed and had accepted the appointment. Mr. McNutt requested a continuance of thirty (30) days to allow the Trustee to review all pertinent information, and to determine whether he wished to move forward with litigation. Ms. Mercera and Mr. Wilt affirmed Mr. McNutt's statements. Mr. Wilt represented that Defendant Siebel's Motion to Certify the Dissolution Order as a Certified Final Judgment had recently been denied by the Delaware Court. COURT ORDERED the instant matter was hereby CONTINUED, noting that the parties could submit a Stipulation and Order if the Trustee required more than thirty (30) days.

Colloquy regarding the consolidation of the instant case with related omnibus case. Ms. Mercera noted that the parties were preparing a Stipulation and Order regarding the consolidation, but would need the approval of the Trustee before it could be submitted to the Court. Mr. McNutt requested that the Court approve the consolidation without the Stipulation and Order. The COURT DIRECTED the parties to submit the Stipulation and Order to the Court, and to file the appropriate Motion if the parties could not reach an agreement.

CONTINUED TO: 2/6/18 9:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 06, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 06, 2018 **9:00 AM** **Status Check**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Watkins, Brittinee T	Attorney

JOURNAL ENTRIES

- Present via CourtCall: Paul B. Sweeney, Esq. on behalf of Plaintiff / Counter Defendant Rowen Seibel; James Wilt, Esq. on behalf of Defendant Gordon Ramsay; and Kurt Heyman, Liquidating Trustee for GR BURGR, LLC.

Ms. Mercera stated that the parties were attempting to consolidate another case with the instant case; however, one half of a party had not agreed to sign the Stipulation and Order to Consolidate, which the other parties had already signed. Upon Court's inquiry, Ms. Mercera advised that the half of the entity refusing to sign, had not yet filed an Answer, and had only retained New York counsel as of the instant hearing. Upon Court's inquiry, counsel indicated there was no objection to the consolidation. COURT ORDERED the parties to provide it with the Stipulation and Order, including the signatures of all parties who had appeared in the case thus far.

Regarding moving forward with the case, Mr. Heyman represented that he had initial discussions with Caesar's regarding a potential resolution of the case, and would be having similar discussions with counsel for Defendant Ramsay and Plaintiff Seibel. Additionally, Mr. Heyman stated that he had been given an informal extension to February 15, 2018, for the filing of the Report and

Recommendations, and to report back to the Delaware Court of Chancery; however, additional time may be required to complete those tasks. Colloquy regarding whether an additional status check should be set. Mr. McNutt advised that Motions to Dismiss would be filed subsequent to the consolidation of the cases, and the scheduling issues could be addressed during those Motion hearings. The Court noted that it appeared, given the circumstances of the case, that the current trial and discovery schedule would not work; however, it would leave the issue to counsel to work through. COURT ORDERED the status check was hereby CONTINUED.

CONTINUED TO: 4/3/18 9:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 12, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 12, 2018 **9:00 AM** **All Pending Motions**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT: Mercera, Maria Magali Attorney

JOURNAL ENTRIES

- DEFENDANTS' AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST MOTI DEFENDANTS...DEFENDANT'S MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST DEFENDANT DNT ACQUISITION, LLC...DEFENDANT ROWEN SEIBEL'S MOTION TO DISMISS PLAINTIFFS' CLAIMS...STATUS CHECK: STATUS OF CASE / DELAWARE PROCEEDINGS...DEFENDANTS TPOV ENTERPRISES AND TPOV ENTERPRISES 16'S MOTION TO DISMISS PLAINTIFF'S CLAIMS...DEFENDANTS' AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST LLTQ / FERG DEFENDANTS

The Court noted that it had e-mailed the parties in order to determine a continuance date that worked for all parties. Ms. Mercera stated that the parties were attempting to coordinate dates, and would notify the Court once they had decided upon a date. COURT ORDERED the instant Motions were hereby CONTINUED, date to be determined.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters	**COURT MINUTES**	**April 23, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 23, 2018 **9:00 AM** **Motion to Associate Counsel**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:
Mercera, Maria Magali Attorney
Watkins, Brittinee T Attorney

JOURNAL ENTRIES

- There being no Opposition, COURT ORDERED the instant Motion was hereby GRANTED. Ms. Mercera to prepare the Order, and submit it directly to the Court.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters	**COURT MINUTES**	**April 30, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 30, 2018 **3:00 AM** **Motion to Associate Counsel**

HEARD BY: Hardy, Joe **COURTROOM:** Chambers

COURT CLERK: Kristin Duncan

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, Defendants Motion to Associate Counsel (Nathan Rugg, Esq.) is hereby GRANTED as unopposed, pursuant to EDCR 2.20(e), and is GRANTED on the merits, pursuant to Rule 42 of the Supreme Court Rules.

CLERK'S NOTE: A copy of this minute order was e-mailed to: Daniel R. McNutt, Esq. [drm@mcnuttlawfirm.com], Matthew C. Wolf, Esq. [mcw@mcnuttlawfirm.com], James Pisanelli, Esq. [jjp@pisanellibice.com], Debra Spinelli, Esq. [dls@pisanellibice.com], Brittnie Watkins, Esq. [btw@pisanellibice.com], Allen Wilt, Esq. [awilt@fclaw.com], John Tennert, Esq. [jtennert@fclaw.com], Robert E. Atkinson, Esq. [robert@nv-lawfirm.com]. (KD 4/30/18)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters	**COURT MINUTES**	**April 30, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 30, 2018 **3:00 AM** **Motion to Associate Counsel**

HEARD BY: Hardy, Joe **COURTROOM:** Chambers

COURT CLERK: Kristin Duncan

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, Defendants Motion to Associate Counsel (Steven Chaiken, Esq.) is hereby GRANTED as unopposed, pursuant to EDCR 2.20(e), and is GRANTED on the merits, pursuant to Rule 42 of the Supreme Court Rules.

CLERK'S NOTE: A copy of this minute order was e-mailed to: Danie R. McNutt, Esq. [drm@mcnuttlawfirm.com], Matthew C. Wolf, Esq. [mcw@mcnuttlawfirm.com], James Pisanelli, Esq. [jjp@pisanellibice.com], Debra Spinelli, Esq. [dls@pisanellibice.com], Brittnie Watkins, Esq. [btw@pisanellibice.com], Allen Wilt, Esq. [awilt@fclaw.com], John Tennert, Esq. [jtennert@fclaw.com], Robert E. Atkinson, Esq. [robert@nv-lawfirm.com]. (KD 4/30/18)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **May 01, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

May 01, 2018 **9:00 AM** **All Pending Motions**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Sweeney, Paul B.	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney
Wolf, Matthew C., ESQ	Attorney

JOURNAL ENTRIES

- Also present: Jeffrey Zeiger, Esq. on behalf of PHWLV, LLC, Desert Palace, Inc., Boardwalk Regency Corporation, and Paris Las Vegas Operating Company, LLC; and Nathan Rugg, Esq. on behalf of the MOTI, FERG, and LLTQ entities.

STATUS CHECK: STATUS OF CASE / DELAWARE PROCEEDINGS

Mr. Sweeney represented that the Trustee had discussions with Gordon Ramsey's counsel, and they had reached an agreement in principal on a settlement in the Delaware action; however, the settlement had not yet been finalized. Mr. Zeiger affirmed Mr. Sweeney's representations. Upon Court's inquiry, counsel stated that there was nothing further for the Court to address (related to the Delaware proceedings) at this time.

DEFENDANT'S MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST DEFENDANT DNT ACQUISITION, LLC...DEFENDANT ROWEN SEIBEL'S MOTION TO DISMISS PLAINTIFFS' CLAIMS...DEFENDANTS TPOV ENTERPRISES AND TPOV ENTERPRISES 16'S MOTION TO DISMISS PLAINTIFF'S CLAIMS...DEFENDANTS' AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST LLTQ/FERG DEFENDANTS...DEFENDANTS' AMENDED MOTION TO DISMISS OR IN THE ALTERNATIVE, TO STAY CLAIMS ASSERTED AGAINST MOTI DEFENDANTS

Mr. Pisanelli noted that one Opposition had been filed in response to all of the pending Motions to Dismiss, and he wished to allow of Defendants' counsel to argue their respective Motions, prior to arguing in Opposition. Arguments by Mr. Rugg, Mr. McNutt, and Mr. Sweeney in support of their respective Motions. Arguments in opposition by Mr. Pisanelli. COURT ORDERED all of the pending Motions to Dismiss were hereby DENIED WITHOUT PREJUDICE, FINDING the following: (1) the first to file doctrine was a doctrine of discretion, and under the totality of the circumstances in the instant case, it made sense for the Court to exercise its discretion in not deferring to the first to file doctrine; (2) comity supported the denial of the Motions, as pointed out by Judge Davis's Order regarding why the proceedings should go forward in State Court; (3) the Court's decision was made under the Motion to Dismiss standard, under which the Court must assume that pleadings being alleged were true; (4) the instant Motions were not Summary Judgment Motions; (5) the Court did consider the subject contracts; because, even though the instant Motions were Motions to Dismiss, the contracts referred to/attached to the pleadings, could be considered by the Court under the Motion to Dismiss standard; (6) the Court agreed with Caesar's arguments that the actions involved in the various cases, involved suitability questions related to Rowen Seibel, before and after the contracts; (7) there was great potential for inconsistent rulings amongst the different actions, and keeping before this Court would hopefully alleviate some of that potential; (8) the subject contracts had nearly identical suitability provisions, which supported the denial of the instant Motions; (9) the instant action was the most comprehensive action, and the most efficient; (10) the determination on the issues in the instant case, may be binding on all parties in front of this Court, and the repercussions of the determinations on the contracts may be litigated elsewhere; however, it made sense under the totality of the circumstances to keep, what the Court would characterize as a determination on a key issue, before this Court; (11) this Court, in rendering its ruling, was not attempting to tell any other Court what they should do; (12) the request for a STAY was DENIED WITHOUT PREJUDICE, as the case needed to move forward, and be decided on its merits; (13) any discovery taken in any other actions, could presumably be used in the instant case; however, if any of the parties felt otherwise, the Court would address those objections once they were properly raised; (14) the FERG entities were in a somewhat unique position compared to the other Defendants, given FERG's contract, and the forum selection clause contained therein; (15) ordinarily the Court would defer to a forum selection clause; however, the FERG entities, whether they were doing so voluntarily or not, were already litigating in a forum that was not New Jersey; (16) there has been no indication that the merits were reached in any of the other cases; (17) while the Court appreciated the comments by the Judge in one of the other cases regarding the merits, those comments were not an actual determination on the merits; (18) this Court had subject matter jurisdiction over the Defendants, including the FERG

entities; and (19) the Court disagreed with Caesar's interpretation of the 14.10(c) contract provision, where they attempted to argue that it only applied to arbitration, and not to litigation; the Court felt that the provision's language was clear, and that it did apply to litigation.

Mr. Pisanelli to prepare one Order for all of the Motions to Dismiss, and forward it to opposing counsel for approval as to form and content.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **May 14, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

May 14, 2018 **3:00 AM** **Motion to Associate Counsel**

HEARD BY: Hardy, Joe **COURTROOM:** Chambers

COURT CLERK: Kristin Duncan

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, Plaintiffs Motion to Associate Counsel (William Edward Arnault, IV, Esq.) is hereby GRANTED as unopposed, pursuant to EDCR 2.20(e), and is GRANTED on the merits, pursuant to Rule 42 of the Supreme Court Rules. IT IS FURTHER ORDERED that by accepting this admission, Counsel agrees to submit to the Court s jurisdiction and appear without subpoena for any proceedings required by the Court which relate to Counsel s conduct in this matter including motions, depositions, and evidentiary hearings, whether or not Counsel has withdrawn from representing any party pursuant to Supreme Court Rule 42(13)(a). Plaintiff s counsel is to prepare the written order, submit it to Defendants counsel for review and approval, and then submit the order to Department 15 s chambers within 10 days of this minute order pursuant to EDCR 7.21.

CLERK'S NOTE: A copy of this minute order was e-mailed to: James J. Pisanelli, Esq. [jjp@pisanellibice.com], Debra L. Spinelli, Esq. [dls@pisanellibice.com], M. Magali Mercera, Esq. [mmm@pisanellibice.com], Brittnie T. Watkins, Esq. [btw@pisanellibice.com], Daniel R. McNutt, Esq. [DRM@mcnuttlawfirm.com], Matthew C. Wolf, Esq. [MCW@mcnuttlawfirm.com], Allen Wilt, Esq. [awilt@fclaw.com], and Robert Atkinson, Esq. [robert@nv-lawfirm.com]. (KD 5/14/18)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 07, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 07, 2018 **9:00 AM** **Motion to Stay**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Elizabeth Vargas

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Arnault, William E.	Attorney
McNutt, Daniel R.	Attorney
Pisanelli, James J	Attorney
Spinelli, Debra L.	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney
Wolf, Matthew C., ESQ	Attorney

JOURNAL ENTRIES

- Mr. McNutt provided a procedural summary of the case; stated Judge Hardy denied the Petition and an action was filed with the Nevada Supreme Court; discussed irreparable harm. Court inquired how much discovery would need to be conducted and criminal issues regarding taxes. Mr. McNutt requested this matter be stayed. Mr. Pisanelli argued regarding public policy; stated nothing new is being agreed upon today; stated Nevada is the place for the declatory relief action to be decided; requested the earlier ruling of Judge Hardy be followed. Arguments by counsel. Court stated findings, and ORDERED, Motion DENIED. Mr. Pisanelli to prepare the Order, if parties cannot agree, to prepare and submit competing orders.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **October 23, 2018**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

October 23, 2018 **10:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Lebensfeld, Alan M.	Attorney
McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Sutehall, Kevin M.	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney

JOURNAL ENTRIES

- PROPOSED PLAINTIFF IN INTERVENTION THE ORIGINAL HOMESTEAD RESTAURANT, INC. D/B/A THE OLD HOMESTEAD STEAKHOUSE'S MOTION TO ASSOCIATE COUNSEL ON AN ORDER SHORTENING TIME...MOTION TO INTERVENE
There being no opposition, COURT ORDERED, Motions GRANTED. Orders presented and signed IN OPEN COURT.

MANDATORY RULE 16 CONFERENCE
Court reviewed history of case. Colloquy regarding discovery and trial timeframes needed. Further colloquy regarding setting status check matter for trial protocol and electronically stored information, and possibility of depositions exceeding 7 hours. COURT ORDERED, Trial dates SET; Status Check SET; Close of Discovery 5/6/19. Department to issue scheduling order.

2/28/19 9:00 AM STATUS CHECK: STATUS OF CASE...PROPOSED TRIAL PROTOCOL...ELECTRONICALLY STORED INFORMATION

10/3/19 10:30 AM PRETRIAL/CALENDAR CALL

10/14/19 9:30 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 28, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 28, 2019 **9:00 AM** **Status Check**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Sutehall, Kevin M.	Attorney
Wilt, Allen J.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Kevin Sutehall, Esq. present via CourtCall for Original Homestead Restaurant.

Colloquy regarding issue proceeding with a confidentiality agreement and ESI due to level of participation by Trustee of GRB. Further colloquy as to appropriate course to resolve same. COURT ORDERED, Order to Show Cause to issue from Caesar's Entities by Mr. Pisanelli as discussed; date for Notice SET.

3/27/19 9:00 AM SHOW CAUSE HEARING

CLERK S NOTE: In absence of issuance of Order to Show Cause, Department hereby vacates date previously provided for same. This Minute Order has been electronically served to the parties through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **March 12, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

March 12, 2019 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Sutehall, Kevin M.	Attorney
Watkins, Brittinee T	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Alan Lebensfeld, Esq. present via CourtCall for Original Homestead Restaurant.

MOTION FOR AN EXTENSION OF DISCOVERY DEADLINES ON ORDER SHORTENING TIME
JOINDER TO CAESARS LIMITED OPPOSITION TO PLAINTIFF'S MOTION FOR EXTENSION OF DISCOVERY DEADLINES ON ORDER SHORTENING TIME

Arguments by counsel. Colloquy regarding staggered deadlines and update as to prior issue with signatures on confidentiality agreement and ESI protocol documents. COURT ORDERED, Motion for Extension of Discovery GRANTED; deadlines to be used are those designated in the Motion with exception to Dispositive Motions DUE 10/4/19 and Motions in Limine DUE 11/4/19. Court directed Mr. McNutt to prepare the order. FURTHER ORDERED, Trial dates VACATED and RESET; Department to issue an amended trial order. Ms. Mercera presented for Court's review documents pertaining to Stipulated Confidentiality Agreement and Protective Order and Electronically Stored

Information; same signed IN OPEN COURT.

1/9/20 10:30 AM PRETRIAL/CALENDAR CALL

1/27/20 9:30 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters	**COURT MINUTES**	**May 02, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

May 02, 2019 **9:00 AM** **Motion to Associate Counsel**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:
Mercera, Maria Magali Attorney
Wolf, Matthew C., ESQ Attorney

JOURNAL ENTRIES

- Matter of Motion to Associate Joshua Feldman. Matter submitted. COURT ORDERED, Motion regarding counsel Joshua Feldman GRANTED. Order regarding same presented to Court and signed IN OPEN COURT. Mr. Wolf requested submission of Motion to Associate Nicole Milone at this time. COURT FURTHER ORDERED, Motion regarding attorney Nicole Milone ADVANCED from 5/8/19 to today and GRANTED. Prevailing party to submit the order.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **May 23, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

May 23, 2019 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

McNutt, Daniel R.	Attorney
Mercera, Maria Magali	Attorney
Sutehall, Kevin M.	Attorney
Sweeney, Paul B.	Attorney
Wilt, Allen J.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Nathan Rugg, Pro Hac Vice attorney, present for LLTQ Enterprises. Steven Chaiken, Esq. present via CourtCall for PHWLV.

BARACK FERRAZZANO'S MOTION TO WITHDRAW AS COUNSEL OF RECORD...CERTILMAN BALIN'S MOTION TO WITHDRAW AND MOTION FOR STAY OF DISCOVERY ON ORDER SHORTING TIME...ADELMAN & GETTLEMAN'S MOTION TO WITHDRAW ON ORDER SHORTENING TIME

Mr. McNutt requested his Motion to Withdraw as Counsel scheduled 6/12/19 be heard today as well; COURT SO ORDERED. Arguments by counsel. COURT FURTHER ORDERED, Motions to Withdraw GRANTED; Stay of case in effect for two weeks; Status Check SET in two weeks regarding obtaining counsel; Trial STANDS. Colloquy regarding pending discovery and motion practice for same. Court directed possible motion as to discovery issues be held until time of Status Check. Court directed prevailing parties submit their orders for today's Motions and Ms. Mercera to prepare order

as to the stay.

6/6/19 9:00 AM STATUS CHECK: OBTAINING COUNSEL

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **June 06, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

June 06, 2019 **9:00 AM** **Status Check**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Atkinson, Robert E.	Attorney
Carroll, David A.	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Sutehall, Kevin M.	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Steven Bennett, Pro Hac Attorney, present for Defense. Alan Lebensfeld, Esq. present via CourtCall for Original Homestead Restaurant.

Matter of Status Check regarding Obtaining Counsel. As to Mr. Bennett, Mr. Carroll advised his Pro Hac is pending and intends to speak today. Mr. Pisanelli advise no objection to Mr. Bennett participation. Mr. Bennett advised now have Notice of Appearance from Mr. Carroll and his firm as local counsel for corporate entities and Mr. Seibel as well as anticipates Pro Hac for himself and member of his firm. Court stated will sign order shortening time to expedite counsel and will entertain adjusting trial. Colloquy regarding case management scheduling including outstanding disputes, status of stay, and expert disclosures due today. COURT ORDERED, stay is lifted. Court directed stipulation discussed also include expert disclosures issue. Mr. Wilt advised settlement regarding Gordan Ramsey portion of case is still going forward, documentation close, and anticipates

requesting of Court that related liens be adjudicated. Court so noted.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **July 24, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

July 24, 2019 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Carroll, David A.	Attorney
Mercera, Maria Magali	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Allen Wilt, Esq. present via CourtCall for Deft. Ramsey.

PTLFS' MOTION TO ASSOCIATE COUNSEL DANIEL BROOKS, ESQ...PTLFS' MOTION TO ASSOCIATE COUNSEL STEVEN BENNETT, ESQ.

There being no opposition, COURT ORDERED, Motions GRANTED. Mr. Carroll advised will prepare the orders.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 17, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 17, 2019 **9:00 AM** **Motion to Seal/Redact Records**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Carroll, David A.	Attorney
Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney

JOURNAL ENTRIES

- Matter of Gordon Ramsay's Motion to Seal Motion for Protective Order and Certain Supporting Exhibits on Order Shortening Time. Upon Court's inquiry, Mr. Tennert advised documents at issue have not been lodged. There being no opposition, COURT ORDERED, Motion to Seal GRANTED; order signed IN OPEN COURT. COURT FURTHER ORDERED, Motion for Protective Order on Order Shortening Time TO BE SET 9/26/19. Upon Court's inquiry as to trial setting, Ms. Mercera advised parties contemplate extension of discovery one month for depositions. Court stated parties may submit stipulation for same.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters	**COURT MINUTES**	**September 26, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 26, 2019 **9:30 AM** **Motion for Protective Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Dana J. Tavaglione

PARTIES PRESENT:

Carroll, David A.	Attorney
Mercera, Maria Magali	Attorney
Wilt, Allen J.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Steven Bennett, Esq. present via CourtCall for Defts.

Matter of Gordon Ramsay's Motion for Protective Order Regarding Siebel's Requests for Admission on Order Shortening Time. Mr. Carroll requested pending Motion to Seal decided. There being no objection, COURT ORDERED, pending Motion to Seal Certain Exhibits to Plaintiff's Opposition to Motion for Protective Order ADVANCED from 10/30/19 and GRANTED. Court directed Mr. Carroll to prepare the order. Arguments by counsel regarding Motion for Protective Order. Court FINDS the marital affair not relevant; therefore, FURTHER ORDERED, Motion for Protective Order GRANTED; Countermotion to Compel DENIED. Court directed Mr. Wilt to prepare the order; if parties cannot agree on form and content, may submit competing orders.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 06, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 06, 2019 **9:00 AM** **Motion to Amend Answer**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

DiRaimondo, Anthony	Attorney
Mercera, Maria Magali	Attorney
Wilt, Allen J.	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Daniel Brooks, Esq. present via CourtCall for Defts.

Arguments by Mr. Brooks and Ms. Mercera. Court FINDS good cause not shown under facts of this case; therefore, ORDERED, Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims DENIED. Court directed Ms. Mercera to prepare the order.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters	**COURT MINUTES**	**November 13, 2019**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 13, 2019 **9:00 AM** **Motion to Associate Counsel**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:
DiRaimondo, Anthony Attorney
Watkins, Brittinee T Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Lucy Crow, Esq. present for Intervenor Pltf. Original Homestead Restaurant.

There being no opposition, COURT ORDERED, Intervenor Pltf's Motion to Associate Counsel - Lawrence J. Sharon GRANTED; order signed IN OPEN COURT.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 12, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 12, 2020 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Brooks, Daniel J.	Attorney
Carroll, David A.	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Watkins, Brittinee T	Attorney
Wilt, Allen J.	Attorney

JOURNAL ENTRIES

- CAESARS' MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT; AND EX PARTE APPLICATION FOR ORDER SHORTENING TIME...MOTION TO SEAL CERTAIN EXHIBITS TO OPPOSITION TO CAESARS' MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

Arguments by Mr. Pisanelli and Mr. Brooks. Court reviewed Nutton case factors. Court stated ITS FINDINGS and ORDERED, Motion for Leave GRANTED. Court directed Mr. Pisanelli prepare the order with Nutton factors as discussed. Upon Court's inquiry with respect to sealing, Ms. Mercera advised parties discussed de-designation. Mr. Brooks advised parties discussed withdrawal of confidentiality. COURT FURTHER ORDERED, Motion to Seal GRANTED. Court stated parties may de-designate at their discretion.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **March 12, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

March 12, 2020 **3:21 PM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- As a precautionary measure in light of public health concerns with respect to Coronavirus CoVID-19, this Court orders that any party intending to appear before Department 16 for law and motion matters between now and April 30, 2020 do so by Court-approved telephonic means only. As a result, your matter scheduled Tuesday, March 18, 2020 in this case will be held telephonically via CourtCall. You are hereby requested to make arrangements with CourtCall if you intend to participate that day. Please refer to Department 16's guidelines with regard to CourtCall scheduling:

"Department 16 utilizes CourtCall for telephonic appearances. Please contact CourtCall for approved appearances and to schedule. They can be reached toll-free at 1-888-882-6878 and/or on-line at www.courtcall.com no later than one judicial day preceding your hearing date. Please note, all witnesses appearing telephonically must have ... court-approved notary and/or official present on their end to swear them in."

If you have questions or concerns with respect to your matter and this interim telephonic requirement, please contact JEA Lynn Berkheimer.

CLERK'S NOTE: This Minute Order has been electronically served to the parties through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **March 18, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

March 18, 2020 **9:00 AM** **Motion to Seal/Redact Records**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Paul Williams, Esq. present via CourtCall for Pltf. Rowan Seibel. John Tennert, Esq. present via CourtCall for Deft. Gordon Ramsey. Maria Mercera, Esq. present via CourtCall for Movant PHWLV.

Upon Court's inquiry, Ms. Mercera advised matter unopposed. COURT ORDERED, Motion to Seal GRANTED. Court stated electronic submission of proposed order allowed. Colloquy regarding possible continuance of case deadlines in light of recent public health concern. Court stated parties may coordinate with Department JEA for possible trial continuance and deadlines.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 29, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 29, 2020 **9:00 AM** **Status Check: Status of Case**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Bailey, John R	Attorney
Gilmore, Joshua P,, ESQ	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney

JOURNAL ENTRIES

- Counsel present telephonically. Colloquy regarding stipulated stay expiring 5/22/20 with respect to both written discovery and deposition issues and whether derivative claims issue as to GRB party impacted by 6/26/20 Delaware Court hearing. Court noted complaint in this case filed 2/28/17 and without agreed extension as to 5-year rule, case to proceed timely. COURT ORDERED, status check SET at time of 5/20/20 Motion to Dismiss to consider outstanding discovery other than depositions, as discussed; parties afforded last meet and confer opportunity and Court may direct motion filing and briefing schedule if not resolved. Court stated Mr. Pisanelli not precluded from filing motion on the GRB issue. Court further stated Delaware action and Trustee report will have no impact on proceeding; however, parties may include exhibit and explanation regarding same action.

5/20/20 9:30 AM STATUS CHECK: OUTSTANDING DISCOVERY (OTHER THAN DEPOSITIONS)...MOTION TO DISMISS COUNTS IV, V, VI, VII, AND VIII OF CAESARS' FIRST AMENDED COMPLAINT

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **May 12, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

May 12, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 767 346 530
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **May 20, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

May 20, 2020 **9:30 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Bailey, John R	Attorney
Gilmore, Joshua P,, ESQ	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- ROWEN SEIBEL, THE DEVELOPMENT ENTITIES, AND CRAIG GREEN'S MOTION TO DISMISS COUNTS IV, V, VI, VII, AND VIII OF CAESARS' FIRST AMENDED COMPLAINT...STATUS CHECK: OUTSTANDING DISCOVERY (OTHER THAN DEPOSITIONS)

Counsel present telephonically. Arguments by Mr. Gilmore and Mr. Pisanelli. Court FINDS first amended complaint withstands Rule 65 challenge; therefore, ORDERED, Motion to Dismiss DENIED. Court directed Mr. Pisanelli to prepare the order and circulate; if parties cannot agree on form and content, may submit competing orders. As to today's status check, Ms. Mercera advised parties are working to resolve some issues and other issues will be brought by motion practice. Court so noted. Colloquy regarding possible omnibus answer and counterclaim and related issues.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **May 29, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

May 29, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 948 657 904
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **June 01, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

June 01, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 948 657 904
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **June 03, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

June 03, 2020 **1:30 PM** **Status Check**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Bailey, John R	Attorney
Gilmore, Joshua P,, ESQ	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney

JOURNAL ENTRIES

- Counsel present telephonically. Mr. Pisanelli advised certain letter by adverse counsel sent to this Court and Delaware Court; Mr. Pisanelli inquired as to whether to file curative motion. Court stated ex-parte communications not reviewed and improper. Mr. Pisanelli requested clarification as to permission of subpoenas in light of recent Court administrative order. Court stated until administrative order retracted, counsel are to submit subpoenas before this Court as opposed to Discovery Commissioner as it is a business court case.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **June 10, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

June 10, 2020 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Bailey, John R	Attorney
Gilmore, Joshua P,, ESQ	Attorney
Lovaas, Aaron D	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- MOTION TO REDACT CAESARS' OPPOSITION TO ROWEN SEIBEL, THE DEVELOPMENT ENTITIES, AND CRAIG GREEN'S MOTION TO DISMISS COUNTS IV, V, VI, VII, AND VIII OF CAESARS' FIRST AMENDED COMPLAINT AND SEAL EXHIBIT 2 THERETO...THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO EXTEND DISCOVERY DEADLINES AND CONTINUE TRIAL ON OST (8TH REQUEST)

All counsel present telephonically. Ms. Mercera advised no opposition to Motion to Redact. In light of no opposition, COURT ORDERED, Motion to Redact GRANTED. Court directed Ms. Mercera to prepare the order. Arguments by counsel regarding Motion to Extend. Court stated ITS FINDINGS and ORDERED, Motion GRANTED IN PART; 90-day extension as follows: Close of Discovery 10/19/20; Dispositive Motions 11/18/20; Trial 2/22/21. Court directed Mr. Gilmore to prepare the

motion order. Department to issue amended trial order.

2/11/21 10:30 AM PRETRIAL/CALENDAR CALL

2/22/21 9:30 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **July 06, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

July 06, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 979 480 011
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **July 15, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

July 15, 2020 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Gilmore, Joshua P,, ESQ	Attorney
Lovaas, Aaron D	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Watkins, Brittinee T	Attorney

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Wade Beavers, Esq. present for Gordon Ramsay.

CAESARS' MOTION TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS...(1) ROWEN SEIBEL'S OPPOSITION TO CAESARS' MOTION TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS; AND (2) THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S COUNTERMOTION FOR A PROTECTIVE ORDER
Counsel present telephonically. Arguments by Mr. Pisanelli and Mr. Gilmore. Court stated ITS FINDINGS and ORDERED, Motion GRANTED; Countermotion DENIED. Mr. Pisanelli requested time restriction on production. Colloquy regarding same. COURT FURTHER ORDERED, loan documents production DUE within 14 days and engagement letter DUE within 7 days. Court directed Mr. Pisanelli to prepare and circulate the order based on the record; if parties cannot agree on form and content, may submit competing orders. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

DEFENDANT'S MOTION TO REDACT CAESARS' MOTION TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS AND SEAL EXHIBITS 1 AND 18 THERETO
Court stated will review matter and issue decision. Mr. Gilmore requested 7/29/20 Motion to Seal matter advanced for consideration as well. Ms. Mercera requested same; COURT SO ORDERED. Decision forthcoming.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **July 20, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

July 20, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 979 480 011
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **July 21, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

July 21, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined Motion to Seal Exhibits 1 and 3 to (1) Rowen Seibel's Opposition to Caesars' Motion to Compel Responses to Requests for Production of Documents; and (2) The Development Entities and Rowen Seibel's Countermotion for a Protective Order filed on June 23, 2020, noting that service was effectuated upon the parties, no timely opposition was filed thereto, and there being good cause, this Court ORDERS the Motion is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for July 29, 2020 is VACATED pursuant to EDCR 2.23. Counsel is to prepare and submit a proposed Order to the Court within fourteen (14) days of this Minute Order pursuant to EDCR 7.21. Pursuant to AO 20-10, these must be submitted electronically to DC16Inbox@clarkcountycourts.us.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 04, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 04, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined Motion to Redact Caesars' Reply in Support of Motion to Compel Responses filed on July 8, 2020, noting that service was effectuated upon the parties, no opposition was filed thereto, and there being good cause, this Court ORDERS the Motion is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for August 11, 2020 is VACATED pursuant to EDCR 2.23. Counsel is to prepare and submit a proposed Order to the Court within fourteen (14) days of this Minute Order pursuant to EDCR 7.21. Pursuant to AO 20-10, these must be submitted electronically to DC16Inbox@clarkcountycourts.us.

CLERK'S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

CLERK'S NOTE: Minutes amended to correct the document filed date of 7/9/20; the correct filed date is 7/8/20, as reflected above. /cd 6-7-21/

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 12, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 12, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile and by mail to Myestee [3111 Bel Air Drive #14F, Las Vegas, NV 89109].

Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 301 745 453
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 16, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 16, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 261 117 825
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served through Odyssey eFile to all parties with an email address on record.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 23, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 23, 2020 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Bailey, John R	Attorney
Lovaas, Aaron D	Attorney
Pisanelli, James J	Attorney
Spinelli, Debra L.	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney

JOURNAL ENTRIES

- CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS
Hearing held telephonically. Arguments by Mr. Pisanelli and Mr. Bailey. Colloquy regarding whether or not to additionally brief factors in Nutton case. Matter submitted. Court stated will review pleading record and prior decisions including the amendment and counterclaims, and perform Rule 16 analysis to make good cause determination; minute order decision forthcoming.

THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY...OPPOSITION TO THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY AND COUNTERMOTION FOR PROTECTIVE ORDER
Mr. Pisanelli advised this matter centers on the pending ruling on Motion to Strike and requested to

trail. Mr. Bailey requested same. COURT ORDERED, Motion to Compel and Countermotion for Protective Order CONTINUED to 10/22/20.

Mr. Bailey advised parties discussed 30-day extension of discovery and it would require moving trial date. Court stated parties may submit stipulation to that effect and contact Court JEA or Court Clerk for trial stack information. Mr. Pisanelli advised will coordinate with counsel as to proposed extension. Court directed parties consider current February 2021 jury trial stack not viable in light of current public health pandemic and trial continuance alone would not extend discovery unless parties agree.

CONTINUED TO: 10/22/20 9:00 AM THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY...OPPOSITION TO THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY AND COUNTERMOTION FOR PROTECTIVE ORDER

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **October 16, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

October 16, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
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Dial the following number: 1-408-419-1715
Meeting ID: 458 575 421
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
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Identify yourself before speaking each and every time as a record is being made.
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CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **October 22, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

October 22, 2020 **9:00 AM** **Motion to Compel**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Lovaas, Aaron D	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held telephonically. Mr. Williams requested matter trailed another 30 days and advised pending decision on Motion to Strike will impact the Motion to Compel. Ms. Mercera advised the representation is correct and the Motion is to be heard after pending decision. There being agreement, COURT ORDERED, Motion to Compel CONTINUED to 12/3/20.

CONTINUED TO: 12/3/20 9:30 AM THE DEVELOPMENT ENTITIES AND ROWEN SEIBIEL'S MOTION TO COMPEL PRODUCTION OF FINANCIAL RECORDS RELATED TO GORDON RAMSAY STEAK ATLANTIC CITY

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 23, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 23, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- After review and consideration of the points and authorities on file herein and oral argument of counsel, the Court determined as follows:
There are three Nevada Rules of Civil Procedure (NRCP) that are implicated by the instant motion: Rule 12(f), which governs motions to strike, Rule 15(a), which governs amendments to pleadings, and former Rule 13(f), which governed the addition of omitted counterclaims. The 2019 Amendments to the NRCP changed Rule 15(a) and abrogated Rule 13(f). (consistent with the Federal Rules of Civil Procedure).
The Nevada Supreme Court has not addressed whether counterclaims filed in response to an amended complaint under NRCP 15 must be permitted as of right. Therefore, all parties have turned to federal case law addressing the analgous FRCP, specifically Rule 15. The three approaches have been characterized as narrow, permissive, and moderate. Courts applying the narrow approach held that an amended answer must be explicitly confined to the amendments to the complaint. On the other end of the spectrum, Courts applying the permissive view had that the defendant is allowed to plead anew to the amended complaint as though it were the original complaint. The moderate approach held that the breadth of the amended response's changes must reflect the breadth of the changes in the amended complaint. The abrogation of FRCP 13(f) in 2009; and consequently NRCP 13(f) in 2019 would su persede cases following the narrow approach. See Sierra Dev. Co. v. Chartwell Advisory Grp. Ltd., No. 13cv602 BEN (VPC), 2016 U.S. Dist. LEXIS 160308, at *11 (D. Nev.

Nov. 18, 2016). The permissive approach deprives the Court of the ability to manage litigation. See i d. Under Nevada law, the permissive approach would contradict NRCP Rule 16, which the Supreme Court implemented to ensure trial judges actively managed their cases in an orderly manner. Under the moderate approach, the amended counterclaims would not be permitted because the breadth of the changes in the new counterclaims do not reflect the breadth of the changes to Casear s First Amended Complaint (i.e. the kick back scheme). Instead the amended counterclaims relate to Ceasar s termination of the Seibel Agreements. Moreover, this Court already rejected Defendants efforts to amend similar counterclaims for failing to show good cause after the deadline to amend expired.
Nev. R. Civ. P. 15(a), a party should be granted leave to amend a pleading when justice so requires, and the proposed amendment is not futile. However, when a party seeks to amend a pleading after the deadline previously set for seeking such amendment has expired, Nev. R. Civ. P. 16(b) requires a showing of "good cause" for missing the deadline. See Nutton v. Sunset Station, 131 Nev. 279, 357 P.3d 966, 131 Nev. Adv. Rep. 34 (2015).
Accordingly, this Court has considered the three approaches; however, this Court will follow the NRCP 16 mandate which specifically requires a showing of good cause to amend the pleadings after the timer period set forth in the court s scheduling order expired. Consequently, the amended counterclaims are time-barred by this Court's prior scheduling order and the previous denial of the LTTQ/FERG Defendants' Motion to Amend. Caesars' first amended complaint did not open the door for the Seibel-Affiliated Entities to expand the scope of the litigation beyond its current parameters. Thus, the Seibel-Affiliated Entities' new counterclaims must be stricken. Accordingly, this Court hereby GRANTS Caesar's Motion to Strike the Seibel-Affiliated Entities' Counterclaims.
Counsel for the DEFENDANT, Caesars shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.
CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 25, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 25, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 458 575 421
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 01, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 01, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
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CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 03, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 03, 2020 **9:00 AM** **Motion to Compel**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- No parties present. Court noted Motion to Compel withdrawn.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 08, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 08, 2020 **1:30 PM** **Motion**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Gilmore, Joshua P,, ESQ	Attorney
Glantz, Stephanie J.	Attorney
Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held telephonically. Colloquy regarding resetting matter in light of recent briefing, the potential impact of decision, conflict with scheduled deposition, and whether or not extension by the parties possible. COURT ORDERED, matter CONTINUED to 12/14/20 at 9:30 a.m.

CONTINUED TO: 12/14/20 9:30 AM THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN S MOTION: (1) FOR LEAVE TO TAKE CAESARS NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME

CLERK'S NOTE: Minutes corrected. /cd 12-9-20/

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 11, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 11, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
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Dial the following number: 1-408-419-1715
Meeting ID: 458 575 421
To connect, dial the telephone number then enter the meeting ID followed by #.
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CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 14, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 14, 2020 **9:30 AM** **Motion**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held telephonically. Arguments by Mr. Williams and Mr. Pisanelli. COURT ORDERED, Motion to Compel DENIED as pertains to benefits as there is distinction with regard to rebates or gratuities and is not relevant; as to proportionality and set-offs, not relevant; as to gaming employees, not relevant or germane; as to common interest privilege, will use 8/19/2016 as controlling date which was asserted by Caesar s; will permit the limited Rule 30(b)(6) deposition of Mr. Green. Mr. Williams requested clarification with respect to certain categories and whether Caesar will produce in light of Close of Discovery this Friday. Court stated will honor an agreement by the parties. Mr. Pisanelli advised he will coordinate with Ms. Mercera regarding what was agreed to and respond to Mr. Williams. Court directed Mr. Pisanelli to prepare an order from today with specific findings based upon hearing record as well as points and authorities on file.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 21, 2020**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 21, 2020 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 552 243 859
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **January 06, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

January 06, 2021 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Mercera, Maria Magali	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION FOR LEAVE TO FILE OVERSIZED BRIEF

MOTION TO REDACT THEIR MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY; AND TO SEAL EXHS. 49-57 TO THE APPENDIX OF EXHIBITS RELATED THERETO

MOTION TO REDACT CAESARS' OPPOSITION TO THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN AND SEAL EXHIBITS 3-6, 8-11, 13, 15, AND 16 THERETO

CAESARS' OPPOSITION TO THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME; AND

COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN

THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO SEAL VOLUME 5 OF THE APPENDIX TO THEIR MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS; AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY

Hearing held telephonically. Upon Court s inquiry, Ms. Mercera advised no timely oppositions. There being no further objection, COURT ORDERED, instant Motions GRANTED. Prevailing party to prepare respective orders. Mr. Williams advised possible issue with dispositive motion deadline on February 18th with regard to filing certain motion to dismiss in light of competing proposed orders being submitted. Court so noted.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **January 25, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

January 25, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 552 243 859
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
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CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **January 28, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

January 28, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 552 243 859
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
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CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 03, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 03, 2021 **9:00 AM** **Status Check: Trial Readiness**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Bailey, John R	Attorney
Gilmore, Joshua P,, ESQ	Attorney
Lovaas, Aaron D	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held telephonically. Mr. Bailey reviewed status of deadlines in this case and advised parties are addressing discovery issues. Mr. Bailey further advised he intends to file writ petition after certain order is finalized and requested status check in 60 days in that regard. Mr. Pisanelli advised case is ready for trial and there is no motion for stay pending. Court stated it anticipates return of signed orders by end of this week. Upon Court s inquiry, Mr. Pisanelli advised no objection to the status check discussed. COURT ORDERED, status check SET in 60 days regarding potential adjustment of scheduling order upon stipulation of the parties. Court stated a motion to address the matter may be filed on order shortening time.

4/7/21 9:00 AM STATUS CHECK: POTENTIAL ADJUSTMENT TO SCHEDULING ORDER UPON

STIPULATION

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 10, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 10, 2021 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Gilmore, Joshua P,, ESQ	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- MOTION TO REDACT CAESARS' MOTION TO COMPEL DOCUMENTS WITHHELD ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE PURSUANT TO THE CRIME-FRAUD EXCEPTION AND SEAL EXHIBITS 1, 3, 4, 5, 8, 12, AND 16-21 THERETO
Hearing held telephonically. Ms. Mercera advised no opposition. COURT ORDERED, Motion GRANTED. Prevailing party to prepare the order.

CAESARS' MOTION TO COMPEL DOCUMENTS WITHHELD ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE PURSUANT TO THE CRIME-FRAUD EXCEPTION
Arguments by Ms. Mercera and Mr. Gilmore. Court stated will review issues discussed; decision forthcoming.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 11, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 11, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is:
Dial the following number: 1-408-419-1715
Meeting ID: 552 243 859
To connect, dial the telephone number then enter the meeting ID followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 17, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 17, 2021 **9:00 AM** **Motion For Stay**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Gilmore, Joshua P,, ESQ	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held telephonically. Arguments by counsel. Court stated ITS FINDINGS and ORDERED, Motion for Limited Stay DENIED. Court directed Ms. Mercera to prepare and circulate the order. Court stated circulated order to counsel to be returned within 3 days; if parties cannot agree on form and content, may submit competing orders. Mr. Pisanelli inquired regarding availability of trial at convention center venue. Court stated venue only available until end of March.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 18, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 18, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is:
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CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **February 24, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

February 24, 2021 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Mercera, Maria Magali	Attorney
Watkins, Brittinee T	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO REDACT THEIR OPPOSITION TO CAESARS' MOTION TO COMPEL DOCUMENTS WITHHELD ON THE BASIS OF ATTY-CLIENT PRIVILEGE PURSUANT TO THE CRIME-FRAUD EXCEPTION; AND TO SEAL EXS. 2-20, 22-23, 26-36, 38-60, 62-69, AND 71 TO THE APPENDIX OF EXHIBITS RELATED THERETO...DEFENDANT'S MOTION TO REDACT REPLY IN SUPPORT OF CAESARS' MOTION TO COMPEL DOCUMENTS WITHHELD ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE PURSUANT TO THE CRIME-FRAUD EXCEPTION AND SEAL EXHIBITS 23, 24, 27, 30-32, AND 34 THERETO

Hearing held telephonically. Mr. Williams advised there were no oppositions. COURT ORDERED, Motions to Redact GRANTED. Court directed each prevailing party prepare respective order.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **March 10, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

March 10, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:
Dial the following number: 1-408-419-1715
Meeting ID: 552 243 859
Online: https://bluejeans.com/552243859
To connect by phone, dial the telephone number, then the meeting ID, followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
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Identify yourself before speaking each and every time as a record is being made.
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CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **March 31, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

March 31, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:
Dial the following number: 1-408-419-1715
Meeting ID: 552 243 859
Online: https://bluejeans.com/552243859
To connect by phone, dial the telephone number, then the meeting ID, followed by #.
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CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 07, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 07, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:
Dial the following number: 1-408-419-1715
Meeting ID: 552 243 859
Online: https://bluejeans.com/552243859
To connect by phone, dial the telephone number, then the meeting ID, followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
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Do not place the conference on hold as it may play wait/hold music to others.
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CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 07, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 07, 2021 **9:00 AM** **Status Check**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Glantz, Stephanie J.	Attorney
Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Ms. Mercera advised parties discussed the scheduling order. Ms. Mercera requested modification of filing deadline for motions in limine from 4/23/21 to 5/12/21; COURT SO ORDERED. Mr. Williams inquired regarding current trial viability and alternate Convention Center venue. Court stated only fall 2021 jury trial appears viable. COURT ORDERED, Status Check re: Trial Readiness SET 5/19/21. Court stated parties may submit stipulation regarding these issues for review and signature.

5/19/21 9:00 AM STATUS CHECK: TRIAL READINESS

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 09, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 09, 2021 **3:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Kristen Brown

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- THE DEVELOPMENT ENTITIES, ROWEN SEIBEL AND CRAIG GREEN'S MOTION TO SEAL EXHIBITS 2-3 AND 5-6 TO THEIR MOTION TO COMPEL "CONFIDENTIAL" DESIGNATION OF CAESARS' FINANCIAL DOCUMENTS: Having examined The Development Entities, Rowen Seibel, and Craig Green s Motion to Seal Exhibits 2-3 and 5-6 to Their Motion to Compel Confidential Designation of Caesars Financial Documents, filed on February 9, 2021, noting that the opposing party did not file an opposition to it, and there being good cause, COURT ORDERED, Motion GRANTED pursuant to EDCR 2.20(e); FURTHER ORDERED, the matter scheduled for Wednesday, April 14, 2021, at 9:00 a.m. is VACATED pursuant to EDCR 2.23. Counsel is to prepare and submit a proposed Order to the Court within ten (10) days of this Minute Order, pursuant to EDCR 7.21.

MOTION TO REDACT CAESARS' OPPOSITION TO THE DEVELOPMENT ENTITIES, ROWEN SEIBEL AND CRAIG GREEN'S MOTION TO COMPEL "CONFIDENTIAL" DESIGNATION OF CAESARS' FINANCIAL DOCUMENTS AND COUNTERMOTION FOR PROTECTIVE ORDER AND SEAL EXHIBITS 1, 2, 4, 7, 9-18, 20, 22, AND 26-30 THERETO: Having examined Motion to Redact Caesars Opposition to the Development Entities, Rowen Seibel, and Craig Green s Motion to Compel Confidential Designation of Caesars Financial Documents and Countermotion for Protective Order and Seal Exhibits 1, 2, 4, 7, 9-18, 20, 22, and 26-30 Thereto, filed on March 4, 2021, noting that the opposing party did not file an opposition to it, and there being good cause, COURT ORDERED,

motion GRANTED pursuant to EDCR 2.20(e), FURTHER ORDERED, the matter scheduled for Wednesday, April 14, 2021, at 9:00 a.m. is VACATED pursuant to EDCR 2.23. Counsel is to prepare and submit a proposed Order to the Court within ten (10) days of this Minute Order, pursuant to EDCR 7.21.

CLERK S NOTE: A copy of the foregoing minute order was distributed to the registered service recipients via Odyssey eFileNV E-Service (4/9/21 kb).

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 12, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 12, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- After review and consideration of the points and authorities on file herein, and oral argument of counsel, the Court determined as follows:

The Court has determined that Caesars has met its initial burden of proof by establishing that Plaintiff Seibel's representations as to the independence of the Seibel Family 2016 Trust were unfounded, and Plaintiff Seibel could continue to benefit from the agreements despite unsuitability to conduct business with a gaming licensee. Also, an issue exists as to the effect of Plaintiff Seibel's prenuptial agreement with his wife and the interplay with the trust. Therefore, Defendant Caesars' Motion to Compel shall be GRANTED, and this Court shall examine in camera the requested documents to determine that the attorney-client communications for which production is sought are sufficiently related to and were made in furtherance of intended or continued illegality.

Counsel on behalf of Defendant Caesars' shall prepare a Findings of Fact, Conclusions of Law and Order based not only on the court's minute order but the pleadings on file herein, argument of counsel, and the entire record. Lastly, counsel is to circulate the order prior to submission to the Court to adverse counsel. If the counsel can't agree on the contents, the parties are to submit competing orders.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 19, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 19, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. The call-in number or website is:
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Meeting ID: 552 243 859
Online: https://bluejeans.com/552243859
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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 28, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 28, 2021 **1:30 PM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Glantz, Stephanie J.	Attorney
Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney

JOURNAL ENTRIES

- THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO COMPEL "CONFIDENTIAL" DESIGNATION OF CAESARS' FINANCIAL DOCUMENTS...OPPOSITION TO THE DEVELOPMENT ENTITIES, ROWEN SEIBEL, AND CRAIG GREEN'S MOTION TO COMPEL "CONFIDENTIAL" DESIGNATION OF CAESARS' FINANCIAL DOCUMENTS AND COUNTERMOTION FOR PROTECTIVE ORDER

Hearing held by BlueJeans remote conferencing. Arguments by Ms. Glantz and Ms. Mercera. Court stated will review matters; decision forthcoming. Ms. Mercera advised Motion to Redact set 5/19/21 is unopposed. COURT ORDERED, Motion to Redact Portions of Caesars' Reply in Support of Its Countermotion for Protective Order, and Seal Exhibits 31 through 33 Thereto GRANTED. Ms. Mercera advised she will prepare and circulate the order. Court noted case stay in place. Ms. Mercera advised the partial stay is pursuant to stipulation and order, pertains to non-discovery related matter, and trial was to be vacated. There being agreement, COURT FURTHER ORDERED, status check SET in 90 days regarding the stay.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

7/28/21 9:00 AM STATUS CHECK: STATUS OF STAY

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **June 15, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

June 15, 2021 **8:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Remotely
Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:
Dial the following number: 1-408-419-1715
Meeting ID: 552 243 859
Online: https://bluejeans.com/552243859
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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **June 24, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

June 24, 2021 **9:00 AM** **Motion to Stay**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Glantz, Stephanie J.	Attorney
Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Ms. Glantz advised writ rejected, now awaiting this Court's decision on pending matter, and may renew writ. Upon Court's inquiry, Ms. Mercera advised matter moot. Ms. Mercera further advised there would be further objection to stay of proceedings. Court so noted.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **July 22, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

July 22, 2021 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:
Dial the following number: 1-408-419-1715
Meeting ID: 305 354 001
Participant Passcode: 2258
Online: https://bluejeans.com/305354001/2258
To connect by phone, dial the telephone number, then the meeting ID, followed by #.
PLEASE NOTE the following protocol each participant will be required to follow:
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this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **July 28, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

July 28, 2021 **9:00 AM** **Status Check**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Glantz, Stephanie J.	Attorney
Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Ms. Mercera advised writ petition matter fully briefed and awaiting oral argument setting or other instruction. Ms. Glantz advised the characterization is correct. There being agreement, COURT ORDERED, matter CONTINUED 90 days. Ms. Mercera advised a status report can be provided when writ petition information received. Court stated report unnecessary and will provide notice/setting when it receives the same information. Court stated in camera review of documents underway in this case and decision to issue shortly. Ms. Glantz advised decision on prior Motion to Compel is still outstanding. Colloquy regarding 6/8/21 Findings of Facts and Conclusions of Law and whether matter addressed within. COURT FURTHER ORDERED, Status Check SET 8/4/21 regarding whether Motion to Compel was fully addressed. Court stated the status check will be heard first on calendar.

8/4/21 9:00 AM STATUS CHECK: WHETHER MOTION TO COMPEL UNDER ADVISEMENT WAS ADDRESSED BY 6/8/21 ORDER

CONTINUED TO: 10/27/21 9:00 AM STATUS CHECK: STATUS OF STAY (RESETTING SJ MOTIONS PREVIOUSLY SET ON 4/28/21?)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 03, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 03, 2021 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Telephonically
Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:
Dial the following number: 1-408-419-1715
Meeting ID: 305 354 001
Participant Passcode: 2258
Online: https://bluejeans.com/305354001/2258
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this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 04, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 04, 2021 **9:00 AM** **Status Check**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

Glantz, Stephanie J.	Attorney
Mercera, Maria Magali	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Court stated documents for review were received, decision delayed due to priority bench trial decision, and will issue decision in this case this week. Ms. Glantz advised there were two separate motions to compel and motion as regards confidential designations from 4/28/21 hearing is outstanding. Ms. Mercera advised she agrees; reviewed matter history with respect to what has been produced and objections. Court stated will review the record for decision.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 05, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 05, 2021 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- After review and consideration of the points and authorities on file herein and oral argument of counsel, the Court determined as follows:

Upon consideration of the Stipulated Protective Order, specifically the 90 day deadline to object to the designation of Highly Confidential information, and the applicable Venetian factors, the Court finds that designation of Caesars financial information as Highly Confidential is proper.

The Seibel Parties did not challenge Caesars Highly Confidential designation of financial documents within the 90 days required by the Stipulated Protective Order, thus the Seibel Parties effectively waived their right to challenge the designation of the Highly Confidential Information.

Furthermore, after review of the applicable Venetian factors, there appears to be good cause for a protective order as well as maintaining designation of Caesars financial information as Highly Confidential. As Defendants note, Caesars interests in protecting its information must be balanced against the Seibel Parties rather than the public s interest in disclosure. Based on that balancing test the factors weigh in favor of Caesars and the designation of their financial documents as Highly Confidential.

Based on the foregoing, The Development Entities, Rowen Seibel, and Craig Greens Motion to Compel Confidential Designation of Caesar s Financial Documents shall be DENIED.

Additionally, Defendants Countermotion for Protective Order is GRANTED.

Counsel for Defendants shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

THE SEALED PORTION
OF THESE MINUTES
WILL FOLLOW VIA
U.S. MAIL.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 15, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 15, 2021 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Remotely

Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters be heard remotely. The court utilizes BlueJeans for remote conferencing wherein you appear and participate by phone or through an internet enabled device. Please be sure to check in with the Courtroom Clerk at 8:55 a.m. on the date of your hearing. The call-in number or website to connect is:
Telephone:
Dial: 1-408-419-1715
Meeting ID: 305 354 001
Participant Passcode: 2258
Smartphone/Computer:
Website: https://bluejeans.com/305354001/2258

If you appear by phone, please bear in mind: first, dial the telephone number, then meeting ID followed by #, and finally the participate passcode followed by #; secondly, dial *4 to unmute when you are ready to do so.

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JEA, Lynn Berkheimer [Dept16EA@clarkcountycourts.us]; Law Clerk, Michael Holthus [Dept16LC@clarkcountycourts.us]; Court Clerk, Chris CJ Darling [DarlingC@clarkcountycourts.us]

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 22, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 22, 2021 9:00 AM Motion to Compel

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Rhonda Aquilina

PARTIES PRESENT:

Kennedy, Dennis L.	Attorney
Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Arguments by counsel. Court stated ITS FINDINGS and ORDERED, Motion to Compel GRANTED IN PART and DENIED IN PART; will slightly change the order in this regard with spirit of protective order in place: if Caesars has to respond to writ petition without seeking relief from Nevada Supreme Court, they can rely on decision made in this case; they cannot use it for other purposes in this case until ultimate decision of the Nevada Supreme Court; Caesars may use the minute order for appellate and/or appellate review purposes for now. Court directed Mr. Kennedy to prepare the order. Ms. Mercera inquired regarding preparation of proposed order. COURT FURTHER ORDERED, minute order usage limited for now to the opposition to the writ petition; documents will not be turned over; findings of facts and conclusions of law may be submitted and incorporate for reference the minute order.

Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **October 20, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

October 20, 2021 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Remotely

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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **October 27, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

October 27, 2021 **9:00 AM** **Status Check**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03C

COURT CLERK: Christopher Darling

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT:

Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Mr. Williams reviewed status of Nevada Supreme Court order on petition and that stay was vacated. Colloquy regarding potential writ petition and seeking stay including scope, issue with findings in certain proposed order, and resetting pending matters. COURT ORDERED, filing of motion for stay DUE 11/17/21 and may be submitted on an order shortening time; pending motions for summary judgment and motions to seal SET 12/6/21 at 1:15 p.m. COURT FURTHER ORDERED, pending motion regarding oversized briefs GRANTED. Prevailing party to prepare the order.

Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.

12/6/21 1:15 PM CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1...CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 2...GORDAN RAMSAY'S MOTION FOR SUMMARY JUDGMENT...THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO REDACT THEIR OPPOSITIONS TO THE MOTIONS FOR SUMMARY JUDGMENT AND TO SEAL EXHIBITS 526 THROUGH 647 TO THE APPENDIX OF EXHIBITS THERETO...GORDON RAMSAY'S MOTION TO REDACT GORDON RAMSAY'S MOTION FOR SUMMARY JUDGMENT AND SEAL EXHIBITS

2-3, 5-25, 27, 28, 30, 32-35, 37, 38, 42 IN APPENDIX TO RAMSAY'S MOTION FOR SUMMARY JUDGMENT...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

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 10, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 10, 2021 9:00 AM Motion to Stay

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT:

Pisanelli, James J	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing. Arguments by counsel. Colloquy regarding necessity of trial date. COURT ORDERED, Motion to Stay Proceedings Pending the Outcome of a Petition for Extraordinary Writ Relief DENIED; however, will delay the production until close of business at 5:00 p.m. on November 19, 2021. Mr. Pisanelli advised he will prepare the order. COURT FURTHER ORDERED, status check SET 12/6/21 regarding setting trial date in this case. Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.

12/6/21 1:15 PM STATUS CHECK: TRIAL SETTING

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 29, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 29, 2021 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Remotely

Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters be heard remotely. The court utilizes BlueJeans for remote conferencing wherein you appear and participate by phone or through an internet enabled device. The call-in number or website to connect is:
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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 06, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 06, 2021 **1:15 PM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling
Maricela Grant

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT:

Beavers, Wade Ellis	Attorney
Gilmore, Joshua P,, ESQ	Attorney
Lebensfeld, Alan M.	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing.

THE DEVELOPMENT PARTIES' MOTION FOR LEAVE TO FILE A SUPPLEMENT TO THEIR OPPOSITIONS TO MOTIONS FOR SUMMARY JUDGMENT ON OST
Arguments by Mr. Gilmore and Ms. Mercera. COURT ORDERED, Motion GRANTED. Prevailing party to prepare the order.

CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1...CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 2
Arguments by Mr. Pisanelli and Mr. Gilmore. Court stated will review matters; decision forthcoming. Colloquy regarding time remaining today and resetting matters to an appropriate session. COURT

FURTHER ORDERED, pending matters CONTINUED to 1/3/22 at 1:30 p.m.

CONTINUED TO: 1/3/22 1:30 PM GORDAN RAMSAY'S MOTION FOR SUMMARY JUDGMENT...THE DEVELOPMENT ENTITIES AND ROWEN SEIBEL'S MOTION TO REDACT THEIR OPPOSITIONS TO THE MOTIONS FOR SUMMARY JUDGMENT AND TO SEAL EXHIBITS 526 THROUGH 647 TO THE APPENDIX OF EXHIBITS THERETO...GORDON RAMSAY'S MOTION TO REDACT GORDON RAMSAY'S MOTION FOR SUMMARY JUDGMENT AND SEAL EXHIBITS 2-3, 5-25, 27, 28, 30, 32-35, 37, 38, 42 IN APPENDIX TO RAMSAY'S MOTION FOR SUMMARY JUDGMENT...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...STATUS CHECK: TRIAL SETTING

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 22, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 22, 2021 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling
Maricela Grant

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- 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, 92, 99-100, AND 109-112 TO THE APPENDIX OF EXHIBITS IN SUPPORT OF CAESARS' REPLIES IN SUPPORT OF ITS MOTIONS FOR SUMMARY JUDGMENT FILED ON NOVEMBER 30, 2021.

DEFENDANT'S MOTION TO REDACT CAESARS' RESPONSE TO OBJECTIONS TO EVIDENCE OFFERED IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT FILED ON NOVEMBER 30, 2021

DEFENDANT'S MOTION TO REDACT CAESARS' OPPOSITION TO THE DEVELOPMENT PARTIES' MOTION FOR LEAVE TO FILE A SUPPLEMENT TO THEIR OPPOSITIONS TO MOTIONS FOR SUMMARY JUDGMENT ON ORDER SHORTENING TIME FILED ON DECEMBER 3, 2021.

THE DEVELOPMENT PARTIES MOTION TO REDACT THEIR REPLY IN SUPPORT OF THEIR MOTION FOR LEAVE TO FILE A SUPPLEMENT TO THEIR OPPOSITIONS TO MOTIONS FOR

SUMMARY JUDGMENT FILED ON DECEMBER 6, 2021.

Having examined the above matters, noted that the matters were electronically served upon the parties, no Oppositions were filed thereto, and there is good cause therefore, COURT ORDERS the above matters are GRANTED pursuant to EDCR 2.20(e). The matters scheduled for January 12, 2022 at 9:00 a.m. are VACATED pursuant to EDCR 2.23.

Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.

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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **December 27, 2021**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

December 27, 2021 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Remotely

Effective December 20, 2021, Department 16 has relocated to Courtroom 16C. The court utilizes BlueJeans for remote conferencing on all status checks, Rule 16 conferences, and unopposed motions wherein you participate by phone or through an internet enabled device. Live appearances will only be authorized for opposed motions. Counsel may still appear via BlueJeans audio/video for opposed motions. The call-in number or website to connect is:
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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **January 13, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

January 13, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Remotely

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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **January 20, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

January 20, 2022 **1:30 PM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Christopher Darling

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT:

Beavers, Wade Ellis	Attorney
Gilmore, Joshua P,, ESQ	Attorney
Lebensfeld, Alan M.	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held by BlueJeans remote conferencing.

GORDAN RAMSAY'S MOTION FOR SUMMARY JUDGMENT
Arguments by Mr. Tennert and Mr. Williams. Court stated ITS FINDINGS and ORDERED, Motion GRANTED; also, analysis of section 4.21 of the development agreement by counsel is correct. Court directed Mr. Tennert to prepare and circulate findings of fact and conclusions of law which rely upon the points and authorities and the record; if parties cannot agree on form and content, may submit competing orders.

GORDON RAMSAY'S MOTION TO REDACT GORDON RAMSAY'S MOTION FOR SUMMARY JUDGMENT AND SEAL EXHIBITS 2-3, 5-25, 27, 28, 30, 32-35, 37, 38, 42 IN APPENDIX TO RAMSAY'S MOTION FOR SUMMARY JUDGMENT...THE DEVELOPMENT ENTITIES AND

ROWEN SEIBEL'S MOTION TO REDACT THEIR OPPOSITIONS TO THE MOTIONS FOR SUMMARY JUDGMENT AND TO SEAL EXHIBITS 526 THROUGH 647 TO THE APPENDIX OF EXHIBITS THERETO...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
Ms. Mercera advised matters unopposed and no oppositions filed. Therefore, COURT ORDERED, Motions GRANTED. Court directed Ms. Mercera to prepare the order including findings with respect to Appellate Rule 3.

STATUS CHECK: TRIAL SETTING
Court noted no trial date set. There being agreement, COURT ORDERED, status check CONTINUED to 3/9/22. Court stated the pending decision in this case is anticipated before the next hearing.

Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.

CONTINUED TO: 3/9/22 9:00 AM STATUS CHECK: TRIAL SETTING

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **January 31, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

January 31, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- After review and consideration of the points and authorities on file herein, supplemental briefing, and oral argument of counsel, the Court determined as follows:

It is uncontroverted that Caesars is a gaming licensee and part of a highly regulated industry. As a result, Caesars, both through its contracts and by law, was entitled to self-police its business and business relationships with unsuitable individuals and/or entities. Based upon its series of contracts with Seibel and Seibel-Affiliated Entities, Caesars memorialized the duty of candor and transparency as a requirement under its contracts. Moreover, in its sole discretion, Caesars had the contractual right to terminate contractual relationships with individuals deemed unsuitable.

Focusing on the uncontroverted facts, Seibel s own conduct resulted in a felony conviction for violations of federal tax laws. Consequently, upon discovering Seibel s convictions, Caesars exercised its rights under the controlling contracts to disassociate from Seibel and Seibel-Affiliated Entities.

Based on the current procedural posture of this matter, Caesars Motion for Summary Judgment No. 1 as to Count I, Count II, and Count III of the First Amended Complaint, which seeks declaratory judgments against Seibel and the Seibel-Affiliated Entities, is hereby GRANTED.

Counsel on behalf of Caesars shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature.

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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **January 31, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

January 31, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- After review and consideration of the points and authorities on file herein, supplemental briefing, and oral argument of counsel, the Court determined as follows:

As to Caesars Motion for Summary Judgment No. 2 regarding GR Burgr LLC s (GRB) claims against Caesars, the Court relies on GRB s admissions made in Delaware Court that it had no affirmative claims to pursue and/or the failure to prosecute its claims in this action. Therefore, GRB s claims based on wrongful termination of the GRB Agreement, GRB s claims based on ouster and conspiracy, and GRB s claims that Caesars breached Section 14.21 of the GRB Agreement shall be dismissed.

Further, summary judgment is appropriate for Caesars fraudulent concealment and civil conspiracy claims based on Seibel's concealment of material facts regarding his federal prosecution and conviction. Additionally, summary judgment is appropriate based on want of prosecution and/or the failure of GRB to actively prosecute its claims for relief for four (4) years. Consequently, Caesars Motion for Summary Judgment No. 2 shall be GRANTED.

Counsel on behalf of Caesars shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be

submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature.

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DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **March 02, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

March 02, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Department 16 Formal Request to Appear Remotely

Effective December 20, 2021, Department 16 has relocated to Courtroom 16C. The court utilizes and prefers BlueJeans for remote conferencing on all status checks, Rule 16 conferences, and unopposed motions wherein you participate by phone or through an internet enabled device. Live appearances for OPPOSED motions are now allowed. Counsel may still appear via BlueJeans audio/video for opposed motions if they prefer. Please be sure to check in with the Courtroom Clerk at 8:55 a.m. on the date of your hearing. The call-in number or website to connect is:

Telephone:
Dial: 1-408-419-1715
Meeting ID: 305 354 001
Participant Passcode: 2258
Smartphone/Computer:
Website: https://bluejeans.com/305354001/2258

If you appear by phone, please bear in mind: first, dial the telephone number, then meeting ID followed by #, and finally the participate passcode followed by #; secondly, dial *4 to unmute when

you are ready to do so.

If you appear by smartphone or computer, please bear in mind: enter the website address in your device s browser exactly as show above and follow the instructions on screen; optionally, download the BlueJeans app as indicated on this same website. If you wish to test your audio/video in advance of the hearing, please visit https://bluejeans.com/111.
Protocol each participant will be required to follow:
Place your telephone on mute while waiting for your matter to be called.
Do not place the conference on hold as it may play wait/hold music to others.
Identify yourself before speaking each and every time as a record is being made.
Wait for the line to clear before speaking as the conference audio is one-way.
Be mindful of background noises and echoing from using multiple devices.

BlueJeans chat will not be available while court is in session. If you need to report an issue affecting your ability to appear, please send an email marked urgent to the following addresses:
JEA, Lynn Berkheimer [Dept16EA@clarkcountycourts.us]; Law Clerk, Michael Holthus [Dept16LC@clarkcountycourts.us]; Court Clerk, Chris CJ Darling [DarlingC@clarkcountycourts.us]

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **March 09, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

March 09, 2022 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Christopher Darling

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT:

Gilmore, Joshua P,, ESQ	Attorney
Mercera, Maria Magali	Attorney
Tennert, John D.	Attorney

JOURNAL ENTRIES

- Hearing held live and by BlueJeans remote conferencing.

MOTION TO REDACT CAESARS' REPLY TO THE DEVELOPMENT PARTIES' OMNIBUS SUPPLEMENT TO THEIR OPPOSITIONS TO MOTIONS FOR SUMMARY JUDGMENT FILED BY CAESARS AND RAMSAY AND SEAL EXHIBIT 115 THERETO...GORDON RAMSAY'S MOTION TO REDACT: I) GORDON RAMSAY'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT, AND II) GORDON RAMSAY'S RESPONSE TO ROWEN SEIBEL AND GR BURGR, LLC'S OBJECTIONS TO EVIDENCE
Ms. Mercera advised both instant Motion to Redact and 3/23/22 Motion to Redact are unopposed. There being no objection, COURT ORDERED, instant Motion GRANTED; 3/23/22 Motion to Redact ADVANCED and GRANTED. Prevailing party to prepare the order.

STATUS CHECK: TRIAL SETTING
Ms. Mercera advised certain motions anticipated with respect to summary judgment claims and, in light of stay being lifted, motions and trial date will need to be set. Mr. Gilmore advised he agrees for need to set dispositive motions and suggested 30-45 days from today to file. Colloquy regarding

setting trial date. There being agreement, COURT ORDERED, Trial SET 1/9/23. Upon Court's inquiry, Ms. Mercera advised she will prepare a written order in that regard and include proposed deadlines.

Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.

12/15/22 10:30 AM PRETRIAL/CALENDAR CALL

1/9/23 9:30 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 03, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 03, 2022 **9:05 AM** **Motion to Seal/Redact Records**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Christopher Darling

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT: Mercera, Maria Magali Attorney

JOURNAL ENTRIES

- Hearing held in-person and by BlueJeans remote conferencing. Ms. Mercera advised no opposition. COURT ORDERED, Craig Green's Motion to Seal Exhibits GRANTED. Court directed Ms. Mercera to notify counsel for Mr. Green to prepare findings of fact and conclusions of law.

Department Guideline: Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **August 17, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

August 17, 2022 **9:05 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Christopher Darling

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT:

Gilmore, Joshua P,, ESQ	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney

JOURNAL ENTRIES

- ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY GORDON RAMSAY...ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY PHWLV, LLV

Hearing held in-person and by BlueJeans remote conferencing. Arguments by counsel. Colloquy regarding continuance in light of 10/19/22 Motions for Attorneys' Fees. There being agreement, COURT ORDERED, matters CONTINUED to 10/19/22.

CONTINUED TO: 10/19/22 9:05 AM ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY GORDON RAMSAY...ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY PHWLV, LLV

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 20, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 20, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined Defendant PHWLV, LLC's Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto, filed on June 23, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Defendant PHWLV, LLC's Motion to Redact Opposition to Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLC and Seal Exhibit C Thereto, filed on June 23, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for September 21, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23.

Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 21, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 21, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined Defendant s Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto, filed on June 23, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Defendant s Motion to Redact PHWLV, LLC's Motion for Attorneys' Fees and Seal Exhibit 1 Thereto, filed on June 23, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for September 28, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23.

Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 21, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 21, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined Defendant s Motion to Redact Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 2-13, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto, filed on July 14, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Defendant s Motion to Redact Opposition to Craig Green's Motion for Summary Judgment; Counter-Motion for Summary Judgment Against Craig Green; and Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 2-13, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto, filed on July 14, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for September 28, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23.

Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **September 21, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

September 21, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined The Development Parties' Motion to Redact Their Oppositions to the Counter-Motion and Cross-Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I-N to the Appendix of Exhibits Supporting the Oppositions, filed on August 31, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS The Development Parties' Motion to Redact Their Oppositions to the Counter-Motion and Cross-Motion for Summary Judgment and to Seal All or Portions of Exhibits A-2, A-3, B, D-F, and I-N to the Appendix of Exhibits Supporting the Oppositions, filed on August 31, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for November 2, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23.

Counsel shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **October 10, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

October 10, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling
Nancy Maldonado

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined PHWLV, LLC's Motion to Redact Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2 and Seal Exhibit A Thereto, filed on September 23, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS PHWLV, LLC's Motion to Redact Opposition to Countermotion to Defer a Ruling on PHWLV, LLC's Motion for Attorneys' Fees Pending the Outcome of the Appeal from the District Court's Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2 and Seal Exhibit A Thereto, filed on September 23, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for November 1, 2022, at 9:05 a.m. is VACATED pursuant to EDCR 2.23.

Counsel on behalf of the moving party shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and

signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /nm/

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 08, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 08, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling
Victoria Mercer

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined Gordon Ramsay s Motion to Redact Gordon Ramsay's Reply in Support of Motion for Attorneys' Fees, filed on October 12, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Gordon Ramsay s Motion to Redact Gordon Ramsay's Reply in Support of Motion for Attorneys' Fees, filed on October 12, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for January 4, 2023, at 9:05 a.m. is VACATED pursuant to EDCR 2.23.

Counsel on behalf of the moving party shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /cd

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 08, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 08, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling
Victoria Mercer

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined The Caesars Parties Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 Thereto, filed on October 12, 2022, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS The Caesars Parties Motion to Redact Caesars' Reply in Support of (1) Counter-Motion for Summary Judgment Against Craig Green and (2) Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLV LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 Thereto, filed on October 12, 2022, is GRANTED pursuant to EDCR 2.20(e). The matter scheduled for January 4, 2023, at 9:05 a.m. is VACATED pursuant to EDCR 2.23.

Counsel on behalf of the moving party shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court

Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /cd

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 22, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 22, 2022 **1:30 PM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Christopher Darling
Victoria Mercer

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT:

Gilmore, Joshua P,, ESQ	Attorney
Mercera, Maria Magali	Attorney
Pisanelli, James J	Attorney
Tennert, John D.	Attorney
Williams, Paul	Attorney

JOURNAL ENTRIES

- Hearing held in-person and by BlueJeans remote conferencing.

CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT...DEFENDANT'S OPPOSITION TO CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT; COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG GREEN; AND CROSS-MOTION FOR SUMMARY JUDGMENT AGAINST ROWEN SEIBEL AND THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT)
Arguments made by counsel. COURT ORDERED, Motion UNDER ADVISEMENT.

PHWLV, LLC'S MOTION FOR ATTORNEYS' FEES
Arguments made by counsel. COURT ORDERED, Motion UNDER ADVISEMENT. Court stated decision will be made after Motion for Summary Judgment decision is issued.

GORDON RAMSEY'S MOTION FOR ATTORNEYS' FEES
Arguments made by counsel. COURT stated its FINDINGS and ORDERED, Motion GRANTED in part and DENIED in part. COURT will not be awarding attorney's fees to attorneys out of the country; costs under review.

ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY GORDON RAMSAY
Arguments made by counsel. COURT ORDERED, Motion UNDER ADVISEMENT.

ROWEN SEIBEL AND GR BURGR, LLC'S MOTION TO RETAX AND SETTLE THE COSTS CLAIMED BY PHWLV, LLV
Arguments made by counsel. COURT ORDERED, Motion UNDER ADVISEMENT.

ROWEN SEIBEL AND GR BURGR, LLC'S (I) OPPOSITION TO GORDON RAMSAY'S MOTION FOR ATTORNEYS' FEES; AND (II) COUNTERMOTION TO DEFER A RULING ON GORDON RAMSAY'S MOTION FOR ATTORNEYS' FEES PENDING OUTCOME OF APPEAL FROM DISTRICT COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING GORDON RAMSAY'S MOTION FOR SUMMARY JUDGMENT
Arguments made by counsel. COURT stated its FINDINGS and ORDERED, Motion DENIED.

ROWEN SEIBEL AND GR BURGR, LLC'S (I) OPPOSITION TO PHWLV, LLC'S MOTION FOR ATTORNEYS' FEES; AND (II) COUNTERMOTION TO DEFER A RULING ON PHWLV, LLC'S MOTION FOR ATTORNEYS' FEES PENDING OUTCOME OF APPEAL FROM DISTRICT COURT'S FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 2
Arguments made by counsel. COURT stated its FINDINGS and ORDERED, Motion DENIED.

Prevailing party to prepare the order.

Colloquy regarding deadline to file motions in limine. COURT ORDERED, status check regarding motions in limine SET.

11/30/22 AT 9:00 AM STATUS CHECK RE: MOTIONS IN LIMINE

Department Guideline: Proposed order(s) to be submitted to DC16Inbox@clarkcountycourts.us

CLERK S NOTE: Minutes corrected to reflect the 11/30/22 status check set as related on the record. A copy of this minute order was distributed via Odyssey File and Serve./ vm (11-29-22)

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 28, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 28, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling
Victoria Mercer

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- After review and consideration of the points and authorities on file herein, supplemental briefing, and oral argument of counsel, the Court determined as follows:

The opposing parties move for summary judgment on multiple theories. First, the Court finds, as a matter of law, that Mr. Green did have a duty towards Caesars and fraudulently concealed the rebate business model from Caesars. The Court also finds that Mr. Green did unjustly enrich himself; Green interfered with Caesars contractual relationships; and Green conspired with Mr. Seibel to deceptively obtain funds from vendors. As a result, Defendant s Counter-Motion for Summary Judgment Against Craig Green shall be granted. Consequently, the Court denies Craig Green's Motion for Summary Judgment.

Further, the Court finds that, as a matter of law, Mr. Seibel and the Seibel-related entities committed civil conspiracy, breach of the implied covenant of good faith, unjust enrichment, intentional interference, and fraudulent concealment. The Court finds that payments pursuant to the Seibel business model were being paid to entities that should not have been receiving rebate funds. There is substantial evidence that vendors made payments to Seibel entities without Caesars consent. Consequently, Defendant s Cross-Motion for Summary Judgment Against Rowen Seibel and the

Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) shall be granted.

Based on the foregoing, Craig Green's Motion for Summary Judgment is DENIED; Defendant s Counter-Motion for Summary Judgment Against Craig Green is GRANTED; and Defendant s Cross-Motion for Summary Judgment Against Rowen Seibel and the Seibel-Affiliated Entities (Related to Counts IV-VIII of the First Amended Complaint) is GRANTED.
Counsel on behalf of Defendant PHWLV, LLC shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /cd

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 28, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 28, 2022 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling
Victoria Mercer

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- After review and consideration of the points and authorities on file herein, supplemental briefing, and oral argument of counsel, the Court determined as follows:

Having granted in part, and denied in part, Gordon Ramsey's Motion for Attorneys' Fees, the Court finds that an award of costs is appropriate. As a result, Gordon Ramsey's Motion for Attorneys' Fees is GRANTED as to costs, as well.

The Court further finds that an award of costs, in favor of PHWLV, LLC, is appropriate. The Court also finds that an award of fees for local counsel is appropriate. However, the Court does not find the out-of-state counsel s fees are reasonable. The Court therefore grants in part and denies in part an award of out-of-state attorney s fees. The out-of-state fees are granted up to rates consistent with the rates of local counsel, but the fees are denied as to any and all fees in excess of the local counsel s rates. The Court finds that the calculation of fees shall begin in 2017. As a result, PHWLV, LLC's Motion for Attorneys' Fees is GRANTED in part, DENIED in part.

Finally, the Court finds that retaxing the costs at issue is inappropriate. As a result, Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by PHWLV, LLV is DENIED.

Similarly, Rowen Seibel and GR Burgr, LLC's Motion to Retax and Settle the Costs Claimed by Gordon Ramsay is DENIED.

Counsel on behalf of Defendant PHWLV, LLC shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections prior to submitting to the Court for review and signature.

CLERK'S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. /cd

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **November 30, 2022**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

November 30, 2022 **9:00 AM** **Status Check**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 16C

COURT CLERK: Christopher Darling
Victoria Mercer

RECORDER: Maria Garibay

REPORTER:

PARTIES PRESENT: Mercera, Maria Magali Attorney

JOURNAL ENTRIES

- Hearing held in-person and by BlueJeans remote conferencing. Ms. Mercera advised the status of the case; including, per the decision for Craig Green's Motion for Summary Judgment being made, motions in limine are now moot; further advised, trial can be vacated. COURT SO NOTED.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Business Court Matters **COURT MINUTES** **April 14, 2023**

A-17-751759-B Rowen Seibel, Plaintiff(s)
vs.
PHWLV LLC, Defendant(s)

April 14, 2023 **3:00 AM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Victoria Mercer

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Having examined Motion to Seal Exhibit 10 to the Appendix in Support of Caesars' Memorandum of Costs, filed on March 27, 2023, noted that the matter was electronically served upon the parties, no Opposition was filed thereto, and there is good cause therefore, COURT ORDERS Motion to Seal Exhibit 10 to the Appendix in Support of Caesars' Memorandum of Costs, filed on March 27, 2023, is GRANTED pursuant to EDCR 2.20(e). Doc. No. 729 is SEALED pursuant to EDCR 8.09. The matter scheduled for May 3, 2023, at 9:05 a.m. is VACATED pursuant to EDCR 2.23.
Counsel on behalf of the moving party shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein, and pertaining to Rule 3 of the Nevada Rules Governing Sealing and Redacting Court Records (SRCR). This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.
CLERK S NOTE: A copy of this minute order was distributed via Odyssey File and Serve /vm (04-14-23)/

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

JOHN R. BAILEY
8984 SPANISH RIDGE AVE.
LAS VEGAS, NV 89148-1302

DATE: April 25, 2023
CASE: A-17-751759-B
C/W A-17-760537-B

RE CASE: ROWEN SEIBEL, an individual and citizen of New York, derivatively and behalf of Real Party in Interest GR BURGER LLC, a Delaware Limited Liability Company vs. PHWLV, LLC; GORDON RAMSAY

NOTICE OF APPEAL FILED: April 21, 2023

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; APPENDIX OF EXHIBITS TO: (1) CASE APPEAL STATEMENT, AND (2) NOTICE OF APPEAL; APPELLANTS' NOTICE OF FILING COST BOND; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER: (1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT, (2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG SHEETS, AND (1) GRANTING CAESARS CROSS-MOTION FOR SUMMARY JUDGMENT AGAINST THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT); NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER: (1) DENYING CRAIG GREEN'S MOTION FOR SUMMARY JUDGMENT, (2) GRANTING CAESARS' COUNTER-MOTION FOR SUMMARY JUDGMENT AGAINST CRAIG SHEETS, AND (1) GRANTING CAESARS CROSS-MOTION FOR SUMMARY JUDGMENT AGAINST THE SEIBEL-AFFILIATED ENTITIES (RELATED TO COUNTS IV-VIII OF THE FIRST AMENDED COMPLAINT); FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION FOR SUMMARY JUDGMENT NO. 1; ORDER (I) DENYING THE DEVELOPMENT ENTITIES ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS, AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME, AND (II) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN; NOTICE OF ENTRY OF ORDER (I) DENYING THE DEVELOPMENT ENTITIES ROWEN SEIBEL, AND CRAIG GREEN'S MOTION: (1) FOR LEAVE TO TAKE CAESARS' NRCP 30(B)(6) DEPOSITIONS, AND (2) TO COMPEL RESPONSES TO WRITTEN DISCOVERY ON ORDER SHORTENING TIME, AND (II) GRANTING CAESARS' COUNTERMOTION FOR PROTECTIVE ORDER AND FOR LEAVE TO TAKE LIMITED DEPOSITION OF CRAIG GREEN; FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS; NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING CAESARS' MOTION TO STRIKE THE SEIBEL-AFFILIATED ENTITIES' COUNTERCLAIMS, AND/OR IN THE ALTERNATIVE, MOTION TO DISMISS; ORDER DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS; NOTICE OF ENTRY OF ORDER DENYING MOTION TO AMEND LLTQ/FERG DEFENDANTS' ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

ROWEN SEIBEL, an individual and citizen of New York, derivatively and behalf of Real Party in Interest GR BURGER LLC, a Delaware Limited Liability Company,	Case No: A-17-751759-B *Consolidated with A-17-760537-B* Dept No: XVI

Plaintiff(s),

vs.

PHWLV, LLC; GORDON RAMSAY,

Defendant(s),

and

GR BURGER LLC,

Nominal Plaintiff(s),

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 25 day of April 2023.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk
A-17-751759-B