

CASE NO. 86462

IN THE SUPREME COURT OF NEVADA

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,

Appellants,

vs.

DESERT PALACE, INC.; PARIS LAS VEGAS OPERATING COMPANY, LLC; PHWLTV, LLC; and BOARDWALK REGENCY CORPORATION,

Respondents.

District Court Case No. A-17-760537-B

APPENDIX OF EXHIBITS TO APPELLANT'S OPENING BRIEF

VOLUME 32 OF 42

Electronically Filed
Sep 27 2023 02:42 PM
Elizabeth A. Brown
Clerk of Supreme Court

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

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

Attorneys for Appellants

APPENDIX OF EXHIBITS TO APPELLANTS' OPENING BRIEF

VOLUME 32 OF 42

TABLE OF CONTENTS

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits in Support of Caesars' Replies in Support of its Motions for Summary Judgment, filed November 30, 2021 – Part 2 of 2 - FILED UNDER SEAL	32	112	AA06676- AA06792
Declaration of M. Magali Mercera, Esq. in Support of Appendix of Exhibits in Support of Caesars' Replies in Support of its Motions for Summary Judgment, filed November 30, 2021	32	113	AA06793- AA06800
Objections to Exhibits Offered in Support of the Seibel Parties' Oppositions to Caesars' Motions for Summary Judgment, filed November 30, 2021	32	114	AA06801- AA06808
Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment, filed November 30, 2021 – FILED UNDER SEAL	32	115	AA06809- AA06819

INDEX

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
2 nd Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed August 19, 2019	2	35	AA00475- AA00480
3 rd Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed October 15, 2019	3	40	AA00705- AA00710
4 th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed January 10, 2020	5	48	AA01010- AA01015
5 th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed April 17, 2020	5	58	AA01163- AA01168
6 th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed June 18, 2020	6	61	AA01225- AA01230
7 th Amended Order Setting Civil Jury Trial, Pre-Trial, Calendar Call, and Deadlines for Motions; Amended Discovery Scheduling Order Call, filed October 15, 2020	7	68	AA01463- AA01466
Acceptance of Service (Craig Green), filed March 13, 2020	5	54	AA01148- AA01149

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Acceptance of Service (DNT Acquisition, LLC), filed March 17, 2020	5	55	AA01150- AA01151
Acceptance of Service of Complaint in Intervention (Desert Palace, Inc.), filed November 2, 2018	2	30	AA00412- AA00413
Acceptances of Service (Rowen Seibel; Moti Partners, LLC; Moti Partners 16, LLC; TPOV Enterprises, LLC; TPOV Enterprises 16, LLC; FERG, LLC; FERG 16, LLC; LLTQ Enterprises, LLC; LLTQ Enterprises 16, LLC), filed October 4, 2017	1	15	AA00196- AA00213
Affidavit of Service (DNT Acquisition, LLC), filed September 14, 2017	1	12	AA00179
Affidavit of Service (GR Burger, LLC), filed September 12, 2017	1	11	AA00178
Affidavit of Service (J. Jeffrey Frederick), filed September 28, 2017	1	13	AA00180
Amended Order Setting Civil Jury Trial, Pre-Trial/Calendar Call, filed March 13, 2019	2	34	AA00470- AA00474
Answer to Complaint in Intervention, filed November 27, 2018	2	31	AA00414- AA00422
Answer to First Amended Complaint and Counterclaim, filed July 21, 2017	1	6	AA00098- AA00122

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix in Support of Caesars’ Motion for Leave to File First Amended Complaint; and Ex Parte Application for Order Shortening Time, filed December 12, 2019 – FILED UNDER SEAL	4	46	AA00787-AA00934
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, filed December 4, 2020 – FILED UNDER SEAL	12	77	AA02291-AA02459
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), filed July 14, 2022 – Part 1 of 3 – FILED UNDER SEAL	35	141	AA07485-AA07544
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), filed July 14, 2022 – Part 2 of 3 – FILED UNDER SEAL	36	141	AA07545-AA07793

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
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), filed July 14, 2022 – Part 3 of 3 – FILED UNDER SEAL	37	141	AA07794-AA08033
Appendix of Exhibits in Support of Caesars’ Motions for Summary Judgment – Volume 1 of 5, filed February 25, 2021- FILED UNDER SEAL	14	90	AA02727-AA02893
Appendix of Exhibits in Support of Caesars’ Motions for Summary Judgment – Volume 2 of 5, filed February 25, 2021- FILED UNDER SEAL	15	91	AA02894-AA03095
Appendix of Exhibits in Support of Caesars’ Motions for Summary Judgment – Volume 3 of 5, filed February 25, 2021- FILED UNDER SEAL	16	92	AA03096-AA03332
Appendix of Exhibits in Support of Caesars’ Motions for Summary Judgment – Volume 4 of 5, filed February 25, 2021- Part 1 of 2 - FILED UNDER SEAL	17	93	AA03333-AA03582
Appendix of Exhibits in Support of Caesars’ Motions for Summary Judgment – Volume 4 of 5, filed February 25, 2021 - Part 2 of 2 - FILED UNDER SEAL	18	93	AA03583-AA03803

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits in Support of Caesars’ Motions for Summary Judgment – Volume 5 of 5, filed February 25, 2021 - FILED UNDER SEAL	19	94	AA03804-AA04049
Appendix of Exhibits in Support of Caesars’ Replies in Support of its Motions for Summary Judgment, filed November 30, 2021 – Part 1 of 2 - FILED UNDER SEAL	31	112	AA06477-AA06675
Appendix of Exhibits in Support of Caesars’ Replies in Support of its Motions for Summary Judgment, filed November 30, 2021 – Part 2 of 2 - FILED UNDER SEAL	32	112	AA06676-AA06792
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel’s Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars’ Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – Volume 1 of 9	21	100	AA04176-AA04380
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel’s Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars’ Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – Volume 2 of 9 - Part 1 of 2 FILED UNDER SEAL	22	101	AA04381-AA04535

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel’s Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars’ Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – Volume 2 of 9 - Part 2 of 2 FILED UNDER SEAL	23	101	AA04536-AA04637
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel’s Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars’ Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – Volume 3 of 9 - Part 1 of 2 FILED UNDER SEAL	23	102	AA04638-AA04771
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel’s Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars’ Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – Volume 3 of 9 - Part 2 of 2 FILED UNDER SEAL	24	102	AA04772-AA04898

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 4 of 9 – Part 1 of 2 FILED UNDER SEAL	24	103	AA04899-AA05021
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 4 of 9 – Part 2 of 2 FILED UNDER SEAL	25	103	AA05022-AA05158
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 5 of 9 – Part 1 of 2 - FILED UNDER SEAL	25	104	AA05159-AA05263

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 5 of 9 – Part 2 of 2 - FILED UNDER SEAL	26	104	AA05264-AA05430
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 6 of 9 – Part 1 of 2 - FILED UNDER SEAL	26	105	AA05431-AA05469
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 6 of 9 – Part 2 of 2 - FILED UNDER SEAL	27	105	AA05470-AA05691

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 7 of 9 – FILED UNDER SEAL	28	106	AA05692-AA05939
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 8 of 9 – Part 1 of 2 - FILED UNDER SEAL	29	107	AA05940-AA06174
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel's Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars' Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay's Motion for Summary Judgment, filed March 30, 2021 – Volume 8 of 9 – Part 2 of 2 - FILED UNDER SEAL	30	107	AA06175-AA06196

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits to (1) The Development Entities and Rowen Seibel’s Opposition to Caesars Motion for Summary Judgment No. 1; (2) Opposition to Caesars’ Motion for Summary Judgment No. 2; and (3) Opposition to Gordon Ramsay’s Motion for Summary Judgment, filed March 30, 2021 – Volume 9 of 9 – FILED UNDER SEAL	30	108	AA06197-AA06425
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, filed August 31, 2022 – Part 1 of 2 – FILED UNDER SEAL	38	154	AA08155-AA08276
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, filed August 31, 2022 – Part 2 of 2 – FILED UNDER SEAL	39	154	AA08277-AA08410
Appendix of Exhibits to Craig Green’s Motion for Summary Judgment, filed June 17, 2022 – Part 1 of 2 - FILED UNDER SEAL	34	138	AA07189-AA07296
Appendix of Exhibits to Craig Green’s Motion for Summary Judgment, filed June 17, 2022 – Part 2 of 2 - FILED UNDER SEAL	35	138	AA07297-AA07449

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
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), filed October 12, 2022 – Part 1 of 2 – FILED UNDER SEAL	40	160	AA08458-AA08707
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), filed October 12, 2022 – Part 2 of 2 – FILED UNDER SEAL	41	160	AA08708-AA08861
Appendix of Exhibits 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, filed November 20, 2020 – Volume 1 of 4 – Part 1 of 2	7	72	AA01592-AA01639
Appendix of Exhibits 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, filed November 20, 2020 – Volume 1 of 4 – Part 2 of 2	8	72	AA01640-AA01876

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Appendix of Exhibits 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, filed November 20, 2020 – Volume 2 of 4	9	73	AA01877-AA02007
Appendix of Exhibits 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, filed November 20, 2020 – Volume 3 of 4	10	74	AA02008-AA02176
Appendix of Exhibits 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, filed November 20, 2020 – Volume 4 of 4 – FILED UNDER SEAL	11	75	AA02177-AA02273
Appendix of Exhibits 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, filed December 7, 2020 – Volume 5 – FILED UNDER SEAL	12	79	AA02470-AA02497
Business Court Order, filed August 16, 2018	2	25	AA00375-AA00380

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Business Court Order, filed July 28, 2017	1	7	AA00123- AA00127
Business Court Scheduling Order and Order Setting Civil Jury Trial, Pre-Trial Conference and Conference Call, filed September 1, 2017	1	10	AA00174- AA00177
Business Court Scheduling Order Setting Civil Jury Trial and Pre-Trial Conference/Calendar Call, filed October 31, 2018	2	29	AA00406- AA00411
Caesars' Motion for Leave to File First Amended Complaint; and Ex Parte Application for Order Shortening Time, filed December 12, 2019 – FILED UNDER SEAL	4	45	AA00770- AA00786
Caesars' Motion for Summary Judgment No. 1, filed February 25, 2021- FILED UNDER SEAL	13	89	AA02701- AA02726
Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss, filed July 15, 2020	6	64	AA01303- AA01315
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, filed December 4, 2020 – FILED UNDER SEAL	11	76	AA02274- AA02290

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Caesars' Reply in Support of its Motion for Leave to File First Amended Complaint, filed February 5, 2020 – FILED UNDER SEAL	5	49	AA01016-AA01059
Caesars' Reply in Support of Motion for Summary Judgment No. 1, filed November 30, 2021 – FILED UNDER SEAL	31	111	AA06453-AA06476
Caesars' Reply in Support of Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss, filed August 12, 2020	6	66	AA01374-AA01388
Caesars' Reply to the Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment filed by Caesars and Ramsay, filed January 13, 2022 – FILED UNDER SEAL	33	122	AA06993-AA07002
Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment, filed November 30, 2021 – FILED UNDER SEAL	32	115	AA06809-AA06819
Complaint in Intervention, filed October 24, 2018	2	28	AA00389-AA00405
Complaint, filed August 25, 2017	1	8	AA00128-AA00167
Craig Green's Motion for Summary Judgment, filed June 17, 2022	34	137	AA07174-AA07188
Craig Green's Opposition to Caesars' Countermotion for Summary Judgment, filed August 31, 2022 – FILED UNDER SEAL	38	150	AA08101-AA08122

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Declaration of M. Magali Mercera, Esq. in Support of Appendix of Exhibits in Support of Caesars' Replies in Support of its Motions for Summary Judgment, filed November 30, 2021	32	113	AA06793-AA06800
Declaration of M. Magali Mercera, Esq. in Support of Caesars' Motions for Summary Judgment, filed February 25, 2021	20	95	AA04062-AA04075
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), filed July 14, 2022	35	140	AA07476-AA07484
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), filed October 12, 2022	39	159	AA08453-AA08457
Defendant DNT Acquisition, LLC's Answer to Plaintiffs' Complaint and Counterclaims, filed July 6, 2018	2	21	AA00283-AA00306
Defendant Gordon Ramsay's Answer and Affirmative Defenses to First Amended Verified Complaint, filed July 21, 2017	1	5	AA00076-AA00097

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Defendant J. Jeffrey Frederick's Answer to Plaintiff's Complaint, filed September 29, 2017	1	14	AA00181-AA00195
Defendant Rowen Seibel's Answer to Plaintiffs' Complaint, filed July 3, 2018	1	18	AA00225-AA00245
Defendants TPOV Enterprises, LLC and TPOV Enterprises 16, LLC's Answer to Plaintiffs' Complaint, filed July 6, 2018	2	20	AA00264-AA00282
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	13	83	AA02626-AA02639
Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1, filed on May 31, 2022	34	129	AA07052-AA07071
Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2, filed on May 31, 2022	34	130	AA07072-AA07091
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	42	168	AA09066-AA09083

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
First Amended Complaint, filed March 11, 2020	5	53	AA01101- AA01147
First Amended Verified Complaint, filed June 28, 2017	1	4	AA00041- AA00075
Initial Appearance Fee Disclosure (PHWLV, LLC), filed March 20, 2017	1	3	AA00040
Initial Appearance Fee Disclosure (Ramsay), filed March 17, 2017	1	2	AA00037- AA00039
LLTQ/FERG Defendants' Answer and Affirmative Defenses to Plaintiffs' Complaint and Counterclaims, filed July 6, 2018	2	22	AA00307- AA00338
Minute Order Re: Sealing Motions, filed March 9, 2022	33	128	AA07051
Minute Order Re: Status Check, filed April 29, 2020	5	59	AA01169
Moti Defendants' Answer and Affirmative Defenses to Plaintiff's Complaint, filed July 6, 2018	2	19	AA00246- AA00263
Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses, and Counterclaims, filed October 2, 2019	3	38	AA00488- AA00604
Nominal Plaintiff, GR Burgr, LLC's Answer to First Amended Complaint, filed June 19, 2020	6	63	AA01282- AA01302
Notice of Appeal, filed April 21, 2023	42	170	AA09105- AA09108

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion to Strike the Seibel-Affiliated Entities' Counterclaims, and/or in the Alternative, Motion to Dismiss, filed February 3, 2021	13	84	AA02640-AA02656
Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 1, filed June 3, 2022	34	134	AA07119-AA07141
Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Caesars' Motion for Summary Judgment No. 2, filed June 3, 2022	34	135	AA07142-AA07164
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	42	169	AA09084-AA09104
Notice of Entry of Omnibus Order Granting the Development Entities, Rowen Seibel, and Craig Green's Motions to Seal and Redact, filed May 27, 2021	31	110	AA06438-AA06452

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
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	13	86	AA02665-AA02675
Notice of Entry of Order (Omnibus Order Granting the Development Parties' Motions to Seal and Redact), filed February 9, 2022	33	127	AA07039-AA07050
Notice of Entry of Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims, filed November 25, 2019	4	44	AA00763-AA00769
Notice of Entry of Order Granting Craig Green's Motion to Seal Exhibits 1-6 and 9-11 to His Motion for Summary Judgment, filed August 16, 2022	38	149	AA08091-AA08100
Notice of Entry of Order Granting Motion to Redact Caesars' Motion for Summary Judgment No. 1 and Motion for Summary Judgment No. 2 and to Seal Exhibits 1-36, 38, 40-42, 45-46, 48, 50, 66-67, 73, and 76-80 to the Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment, filed January 28, 2022	33	125	AA07017-AA07029

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Notice of Entry of Order Granting Motion to Redact Caesars' 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, 14, and 16 Thereto, filed February 3, 2021	13	82	AA02612-AA02625
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, filed July 26, 2022	38	147	AA08072-AA08083
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, filed June 2, 2022	34	132	AA07101-AA07112

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Notice of Entry of Order Granting Motion to Redact Caesars' 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 PHWLTV, LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 thereto, filed March 17, 2023	42	167	AA09054-AA09065
Notice of Entry of Order Granting Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment, filed July 26, 2022	38	145	AA08051-AA08062
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 2-3, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto, filed March 17, 2023	42	166	AA09042-AA09053

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Notice of Entry of Order Granting Motion to Redact Replies in Support of Caesars’ Motion for Summary Judgment No. 1 and Motion for Summary Judgment No. 2 and to Seal Exhibits 82, 84-87, 90, 82, 99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars’ Replies in Support of its Motions for Summary Judgment, filed January 4, 2022	33	121	AA06980-AA06992
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, filed April 13, 2020	5	57	AA01156-AA01162
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, filed October 23, 2018	2	27	AA00383-AA00388
Notice of Entry of Order Granting the Development Parties’ Motion for Leave to File a Supplement to Their Opposition to Motions for Summary Judgment, filed December 27, 2021	33	118	AA06945-AA06956
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, filed October 27, 2022	41	162	AA08869-AA08878

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Notice of Entry of Stipulated Confidentiality Agreement and Protective Order, filed March 12, 2019	2	33	AA00445-AA00469
Notice of Entry of Stipulation and Order for a Limited Extension of the Dispositive Motion Deadline, filed February 18, 2021	13	88	AA02687-AA02700
Notice of Entry of Stipulation and Order of Dismissal of J. Jeffrey Frederick With Prejudice, filed August 28, 2019	2	37	AA00483-AA00487
Notice of Entry of Stipulation and Order of Dismissal With Prejudice, filed June 3, 2022	34	136	AA07165-AA07173
Notice of Entry of Stipulation and Order to Consolidate Case No. A-17-760537-B with and into Case No. A-17-751759-B, filed February 13, 2018	1	17	AA00218-AA00224
Notice of Entry of Stipulation and Proposed Order to Extend Discovery Deadlines (Ninth Request), filed October 19, 2020	7	70	AA01494-AA01523
Notice of Order Granting Caesars' Motion for Leave to File First Amended Complaint, filed March 11, 2020	5	52	AA01093-AA01100
Objections to Evidence Offered by Caesars in Support of its Motions for Summary Judgment, filed March 30, 2021	20	98	AA04118-AA04125

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
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-VII of the First Amended Complaint), filed August 31, 2022	38	153	AA08151-AA08154
Objections to Exhibits Offered in Support of Craig Green’s Motion for Summary Judgment, filed July 14, 2022	37	142	AA08034-AA08037
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, filed October 12, 2022	39	157	AA08432-AA08435
Objections to Exhibits Offered in Support of Plaintiffs’ Omnibus Supplement to Their Oppositions to Motions For Summary Judgment, filed January 13, 2022	33	123	AA07003-AA07006
Objections to Exhibits Offered in Support of the Seibel Parties’ Oppositions to Caesars’ Motions for Summary Judgment, filed November 30, 2021	32	114	AA06801-AA06808
Omnibus Order Granting the Development Entities, Rowen Seibel, and Craig Green’s Motions to Seal and Redact, filed May 26, 2021	31	109	AA06426-AA06437

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Omnibus Order Granting the Development Parties' Motions to Seal and Redact, filed February 8, 2022	33	126	AA07030-AA07038
Opposition to Caesars Motion for Leave to File First Amended Complaint, filed December 23, 2019 – FILED UNDER SEAL	5	47	AA00935-AA01009
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), filed July 14, 2022 – FILED UNDER SEAL	35	139	AA07450-AA07475
Opposition to Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims, filed on October 14, 2019	3	39	AA00605-AA00704
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	13	85	AA02657-AA02664
Order Denying Motion to Amend LLTQ/FERG Defendants' Answer, Affirmative Defenses and Counterclaims, filed on November 25, 2019	4	43	AA00759-AA00762

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Order Granting Caesars' Motion for Leave to File First Amended Complaint, filed March 10, 2020	5	51	AA01088-AA01092
Order Granting Craig Green's Motion to Seal Exhibits 1-6 and 9-11 to His Motion for Summary Judgment, filed August 15, 2022	38	148	AA08084-AA08090
Order Granting Motion to Redact Caesars' Motion for Summary Judgment No. 1 and Motion for Summary Judgment No. 2 and to Seal Exhibits 1-36, 38, 40-42, 45-46, 48, 50, 66-67, 73, and 76-80 to the Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment, filed January 28, 2022	33	124	AA07007-AA07016
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, 14, and 16 Thereto, filed February 2, 2021	13	81	AA02601-AA02611
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, filed July 26, 2022	38	146	AA08063-AA08071

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
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 Counts IV – VIII of the First Amended Complaint) and Seal Exhibits 39-43 and 45-47 Thereto; and to Redact Reply in Support of PHWLTV, LLC's Motion for Attorneys' Fees and to Seal Exhibit 4 thereto, filed March 16, 2023	42	165	AA09033-AA09041
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, filed May 31, 2022	34	131	AA07092-AA07100
Order Granting Motion to Redact Caesars' Response to Objections to Evidence Offered in Support of Motions for Summary Judgment, filed July 26, 2022	38	144	AA08042-AA08050
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 2-3, 15-18, 21, 23-28, 31 and 33 in Appendix Thereto, filed March 16, 2023	42	164	AA09024-AA09032

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Order Granting Motion to Redact Replies in Support of Caesars' Motion for Summary Judgment No. 1 and Motion for Summary Judgment No. 2 and to Seal Exhibits 82, 84-87, 90, 82, 99-100, and 109-112 to the Appendix of Exhibits in Support of Caesars' Replies in Support of its Motions for Summary Judgment, filed January 3, 2022	33	120	AA06970-AA06979
Order Granting Motion to Seal Exhibit 23 to Caesars' Reply in Support of its Motion for Leave to File First Amended Complaint, filed April 13, 2020	5	56	AA01152-AA01155
Order Granting Proposed Plaintiff in Intervention The Original Homestead Restaurant, Inc. d/b/a The Old Homestead Steakhouse's Motion to Intervene, filed October 23, 2018	2	26	AA00381-AA00382
Order Granting the Development Parties' Motion for Leave to File a Supplement to Their Opposition to Motions for Summary Judgment, filed December 27, 2021	33	117	AA06936-AA06944
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, filed October 26, 2022	41	161	AA08862-AA08868
Plaintiff's Reply to Defendant PHWLTV, LLC's Counterclaims, filed August 25, 2017	1	9	AA00168-AA00173

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
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), filed October 12, 2022 – FILED UNDER SEAL	39	158	AA08436-AA08452
Reply in Support of Craig Green’s Motion for Summary Judgment, filed October 12, 2022	39	155	AA08411-AA08422
Reply in Support of Motion to Amend LLTQ/FERG Defendants’ Answer, Affirmative Defenses and Counterclaims, filed on October 17, 2019	3	41	AA00711-AA00726
Reply to DNT Acquisition, LLC’s Counterclaims, filed July 25, 2018	2	23	AA00339-AA00350
Reply to LLTQ/FERG Defendants’ Counterclaims, filed July 25, 2018	2	24	AA00351-AA00374
Reporter’s Transcript, taken December 14, 2020	13	80	AA02498-AA02600
Reporter’s Transcript, taken December 6, 2021	33	116	AA06820-AA06935
Reporter’s Transcript, taken February 12, 2020	5	50	AA01060-AA01087
Reporter’s Transcript, taken May 20, 2020	6	60	AA01170-AA01224
Reporter’s Transcript, taken November 22, 2022	42	163	AA08879-AA09023

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Reporter's Transcript, taken November 6, 2019	4	42	AA00727- AA00758
Reporter's Transcript, taken September 23, 2020	7	67	AA01389- AA01462
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), filed July 14, 2022	37	143	AA08038- AA08041
Request for Judicial Notice of Exhibits 39, 59, and 62 in Appendix of Exhibits in Support of Caesars' Motions for Summary Judgment, filed February 25, 2021	20	96	AA04076- AA04079
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-VII of the First Amended Complaint), filed August 31, 2022	38	152	AA08146- AA08150

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
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), filed October 12, 2022	39	156	AA08423-AA08431
Rowen Seibel and the Development Entities’ Opposition to Caesars’ Cross-Motion for Summary Judgment, filed August 31, 2022 – FILED UNDER SEAL	38	151	AA08123-AA08145
Stipulated Confidentiality Agreement and Protective Order, filed March 12, 2019	2	32	AA00423-AA00444
Stipulation and Order for a Limited Extension of the Dispositive Motion Deadline, filed February 17, 2021	13	87	AA02676-AA02686
Stipulation and Order of Dismissal of J. Jeffrey Frederick With Prejudice, filed August 28, 2019	2	36	AA00481-AA00482
Stipulation and Order of Dismissal With Prejudice, filed June 2, 2022	34	133	AA07113-AA07118
Stipulation and Order to Consolidate Case No. A-17-760537-B with and into Case No. A-17-751759-B, filed February 9, 2018	1	16	AA00214-AA00217
Stipulation and Proposed Order to Extend Discovery Deadlines (Ninth Request), filed October 15, 2020	7	69	AA01467-AA01493

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
Substitution of Attorneys for GR Burger, LLC, filed March 17, 2021	20	97	AA04080-AA04417
The Development Entities and Rowen Seibel's Opposition to Caesars' Motion for Summary Judgment No. 1, filed March 30, 2021 – FILED UNDER SEAL	20	99	AA04126-AA04175
The Development Entities, Rowen Seibel, and Craig Green's Answer to Caesars' First Amended Complaint and Counterclaims, filed June 19, 2020	6	62	AA01231-AA01281
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, filed November 20, 2020 – FILED UNDER SEAL	7	71	AA01524-AA01591
The Development Entities, Rowen Seibel, and Craig Green's: (1) Reply in Support of Motion For Leave/ To Compel; (2) Opposition to Caesars' Countermotion for Protective Order; and (3) Opposition to Motion to Compel Deposition of Craig Green, filed December 7, 2020	12	78	AA02460-AA02469
The Development Entities' Opposition to Caesars' Motion to Strike Counterclaims, and/or in the Alternative, Motion to Dismiss, filed August 3, 2020	6	65	AA01316-AA01373

<u>Document Title:</u>	<u>Vol. No.:</u>	<u>Tab No.:</u>	<u>Page Nos.:</u>
The Development Parties' Omnibus Supplement to Their Oppositions to Motions for Summary Judgment Filed by Caesars and Ramsay, filed December 30, 2021	33	119	AA06957-AA06969
Verified Complaint and Demand for Jury Trial, filed February 28, 2017	1	1	AA00001-AA00036

CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY ❖ KENNEDY and that on the 27th day of September, 2023, service of the foregoing was made by mandatory electronic service through the Nevada Supreme 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 Respondents, Desert Palace, Inc.;
Paris Las Vegas Operating Company, LLC;
PHWLV, LLC; and Boardwalk Regency
Corporation*

/s/ Susan Russo

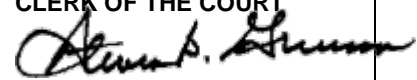
Employee of BAILEY ❖ KENNEDY

TAB 112

Part 2 of 2

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

TAB 113



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

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

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

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

Plaintiff,

v.

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

Defendants,

and

GR BURGR LLC, a Delaware limited liability
company,

Nominal Plaintiff.

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

Consolidated with A-17-760537-B

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

AND ALL RELATED MATTERS

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

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

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

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

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

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

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

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

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

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

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

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

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

26 11. Attached to the Appendix as Exhibit 90 is a true and correct copy of transcript
27 excerpts from the deposition of Tom Jenkin that took place on September 16, 2019 at the offices
28

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 25. Attached to the Appendix as Exhibit 105 is a true and correct copy of MOTI
27 Partners 16, LLC's Responses to Desert Palace, Inc.'s First Set of Requests for Admission dated
28

November 18, 2020, which were produced by MOTI Partners 16, LLC to Caesars during discovery. *Orr*, 285 F.3d at 777 n.20.

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

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

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

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

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

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

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

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

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

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

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

7 /s/ M. Magali Mercera
8 M. MAGALI MERCERA, ESQ.
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

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

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

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

John D. Tennert, Esq.
Wade Beavers, Esq.
FENNEMORE CRAIG, P.C.
7800 Rancharra Parkway
Reno, NV 89511
jtennert@fclaw.com
wbeavers@fclaw.com

Attorneys for Gordon Ramsay

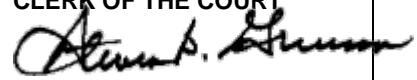
Alan Lebensfeld, Esq.
LEBENSFELD SHARON &
SCHWARTZ, P.C.
140 Broad Street
Red Bank, NJ 07701
alan.lebensfeld@lsandspc.com

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

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

/s/ Cinda townie
An employee of PISANELLI BICE PLLC

TAB 114



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

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

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

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

Plaintiff,

v.

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

Defendants,

and

GR BURGR LLC, a Delaware limited liability
company,

Nominal Plaintiff.

AND ALL RELATED MATTERS.

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

Consolidated with A-17-760537-B

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 DATED this 30th day of November 2021.

12 PISANELLI BICE PLLC

13 By: /s/ M. Magali Mercera
14 James J. Pisanelli, Esq., Bar No. 4027
15 Debra L. Spinelli, Esq., Bar No. 9695
16 M. Magali Mercera, Esq., Bar No. 11742
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

17 *Attorneys for Desert Palace, Inc.;*
18 *Paris Las Vegas Operating Company, LLC;*
19 *PHWLV, LLC; and Boardwalk Regency*
20 *Corporation d/b/a Caesars Atlantic City*
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

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

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

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

John D. Tennert, Esq.
Wade Beavers, Esq.
FENNEMORE CRAIG, P.C.
7800 Rancharra Parkway
Reno, NV 89511
jtennert@fclaw.com
wbeavers@fclaw.com

Attorneys for Gordon Ramsay

Alan Lebensfeld, Esq.
LEBENSFELD SHARON &
SCHWARTZ, P.C.
140 Broad Street
Red Bank, NJ 07701
alan.lebensfeld@lsandspc.com

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

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

/s/ Cinda Towne
An employee of PISANELLI BICE PLLC

TAB 115

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