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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

11 SLEP-TONE ENTERTAINMENT  
CORPORATION,

12 Plaintiffs,

13 v.

14 ELLIS ISLAND CASINO & BREWERY;  
15 FAME OPERATING COMPANY, INC.;  
16 HOT SHOTS BAR AND GRILL (a/k/a  
KELLEY'S PUB); THE PUB, LLC; JOE;  
17 DAN; BIG NAILS, LLC; BEAUTY BAR;  
CAFÉ MODA; CAFÉ MODA, LLC;  
18 WILLIAM CARNEY; LAS VEGAS DJ  
SERVICE; JOHNNY VALENTI; E  
19 STRING GRILL & POKER BAR; PCA  
TRAUTH, LLC; KARAOKE LAS  
20 VEGAS; JACK GREENBACK; BILL'S  
GAMBLIN' HALL & SALOON;  
21 CORNER INVESTMENT COMPANY,  
LLC; IMPERIAL PALACE HOTEL &  
CASINO; HARRAH'S IMPERIAL  
22 PALACE CORPORATION; ROLL 'N'  
MOBILE DJ'S AND KARAOKE TOO;  
23 KENNY ANGEL; PT'S PLACE;  
GOLDEN-PT'S PUB CHEYENNE-  
24 NELLIS 5, LLC; PT'S PUB; GOLDEN-  
PT'S PUB WEST SAHARA 8, LLC; PT'S  
25 GOLD; GOLDEN-PT'S PUB  
CENTENNIAL 32, LLC; GOLDEN-PT'S  
26 PUB STEWART-NELLIS 2, LLC;  
GOLDEN TAVERN GROUP, LLC;  
27 STEVE & RAY KARAOKE; STEVE  
RAY; LEGENDS CASINO;  
28 PUGDAWGS, LLC; STARMAKER

CASE NO.: 2:12-cv-00239-KJD-RJJ

**DEFENDANTS GILLEY'S LAS VEGAS  
AND TREASURE ISLAND, LLC'S  
OPPOSITION TO PLAINTIFF'S MOTION  
TO RECONSIDER ORDERS GRANTING  
DEFENDANTS' MOTIONS TO DISMISS  
AND TO ENLARGE TIME FOR FILING  
RESPONSES TO MOTIONS**

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1 KARAOKA; DEBBIE HARMS;  
 2 DECATUR RESTAURANT & TAVERN;  
 3 DDRT, LLC; PUTTERS;  
 4 LISA/CARRISON LTD.; DJ TARA KING  
 5 PRODUCTIONS; TARA KING; KIXX  
 6 BAR; BOULDER STATION CASINO;  
 7 NP BOULDER, LLC; NPPALACE, LLC;  
 8 PALACE STATION; DANSING  
 9 KARAOKE; KIRK; GILLEY'S LAS  
 10 VEGAS; TREASURE ISLAND;  
 11 TREASURE ISLAND, LLC; HALF  
 12 SHELL SEAFOOD AND GAMING;  
 13 HALF SHELL, LLC; JAMES BELLAMY;  
 14 MEGA-MUSIC PRODUCTIONS; MR.  
 15 D'S SPORTS BAR; SPORTS BAR, LLC;  
 16 RICK DOMINGUEZ; SOUND SELECT;  
 17 ISLAND GRILL; OFFICE 7 LOUNGE &  
 18 RESTAURANT, INC.; JAKE'S BAR;  
 19 DOC, G. & G., INC.; MIKE CORRAL;  
 20 DAVE CORRAL; SHOWTYME  
 21 KARAOKE & DJ; CALICO JACK'S  
 22 SALOON; MIKE R. GORDON; RED  
 23 LABEL LOUNGE; RED LABEL BAR,  
 24 INC.; TERRY CICCI; TERRY-OKE  
 25 KARAOKE; KJ'S BAR & GRILL; L.T.  
 26 BOND, INC.; TIM MILLER; VISION &  
 27 SOUND ENTERTAINMENT;  
 28 THUNDERBIRD LOUNGE AND BAR;  
 ARUBA HOTEL AND SPA;  
 IRVINGTON PROPERTIES, LLC;  
 THUNDERBIRD BAR & LOUNGE, LLC;  
 AUDIO THERAPY DJ; MATTE  
 McNULTY (a/k/a "DJ Matte"); AUDIO  
 THERAPY; GSTI HOLDINGS, LLC;  
 GOLD SPIKE HOTEL & CASINO;  
 GOLD SPIKE HOLDINGS, LLC; MARDI  
 GRAS LOUNGE – BEST WESTERN;  
 THE NEVADIAN, LLC; BEST  
 WESTERN MARDI GRAS INN; J.P.P.J.  
 OF NEVADA, INC.; HARRAH'S LAS  
 VEGAS; CAESAR'S ENTERTAINMENT  
 CORPORATION; TJ'S ALL-STAR  
 KARAOKE; JOHN MENNITI; and JOHN  
 DOES NOS. 1-10 INCLUSIVE,  
 IDENTITIES UNKNOWN,

Defendants.

**I. INTRODUCTION**

Too little, too late. Plaintiff Slep-Tone Entertainment Corporation ("Plaintiff") presents no reason – much less a valid one – for the Court to set aside its previous decision. Plaintiff's

1 Motion to Reconsider Orders Granting Defendants' Motions to Dismiss and to Enlarge Time for  
 2 Filing Responses to Motions (Doc. 85) ("Motion to Reconsider") presents the Court with no valid  
 3 reason to reconsider and vacate its Order (Doc. 73) ("Dismissal Order") granting Defendants  
 4 Gilley's Las Vegas and Treasure Island, LLC's<sup>1</sup> (collectively, the "Treasure Island Defendants")  
 5 Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) (Doc. 35) ("Motion to Dismiss"). Nor  
 6 does Plaintiff present the Court with any basis to extend its deadline to file a response to the  
 7 Motion to Dismiss, particularly when a response is already on file.

8 Specifically, Plaintiff presents no viable excuse for its failure to respond to the Motion to  
 9 Dismiss. While Plaintiff attempts to blame its dilatory conduct on its former attorney, Donna  
 10 Boris, Plaintiff has no excuse for its own failure to take action once it was on notice of Boris'  
 11 alleged neglect.<sup>2</sup> Plaintiff's Motion to Reconsider does not even present the Court with a uniform  
 12 argument, because it purports to be made pursuant to one rule and yet presents argument under a  
 13 wholly different standard. Most importantly, the Motion to Reconsider does not and cannot  
 14 present this Court with new law, new facts, or any other reason why the Court should reconsider  
 15 its ruling, given the meritorious arguments presented in the Motion to Dismiss. For all of these  
 16 reasons, the Motion to Reconsider should be denied in every respect.

## 17 **II. BACKGROUND**

18 As the Court is by now well aware, Plaintiff named an astounding *ninety-five* defendants  
 19 in this action for alleged trademark infringement, including the two Treasure Island Defendants.  
 20 *See* Complaint (Doc. 1). Yet, Plaintiff failed in its Complaint to articulate each defendant's  
 21 allegedly infringing conduct or give any indication as to how the defendants' alleged conduct is  
 22 related. *Id.* That is, Plaintiff rested upon blanket allegations that a number of unaffiliated  
 23 "karaoke DJs" infringe upon its trademark SOUND CHOICE, which Plaintiff uses in connection  
 24 with its manufacture of karaoke discs while performing at various unrelated venues. *Id.* This

25 \_\_\_\_\_  
 26 <sup>1</sup> "Treasure Island", referenced in the Complaint, is not an entity. Treasure Island, LLC is  
 the corporate party properly named in the Complaint.

27 <sup>2</sup> Notably, while Plaintiff maligns the efforts of its *pro hac vice* counsel Donna Boris,  
 28 Plaintiff's Nevada counsel, Kerry Faughnan, has represented Plaintiff throughout this action and  
 continues to do so with no objection from Plaintiff.

1 type of pleading is consistent with the agenda of an intellectual property "troll" who, having weak  
2 or unprofitable claims, files a single suit against an army of defendants in an attempt to elicit  
3 quick settlements and avoid paying the filing fees necessary to state separate claims against each  
4 set of defendants. It is an improper joinder of numerous parties, and, because it fails to put the  
5 defendants on notice of the claims against them, also fails to state claims for relief.

6 Plaintiff filed its Complaint against those ninety-five defendants on February 15, 2012.  
7 The Treasure Island Defendants filed their Motion to Dismiss on March 30, 2012. In that Motion  
8 to Dismiss, the Treasure Island Defendants argued that Plaintiff's Complaint should be dismissed  
9 because (1) it failed to state a claim under the Lanham Act, for either direct, contributory, or  
10 vicarious infringement; (2) its request for counterfeiting damages failed as a matter of law; and,  
11 perhaps most importantly, (3) Plaintiff had improperly joined unrelated defendants whose alleged  
12 infringement did not arise out of the same transaction/occurrence or series of  
13 transactions/occurrences.

14 On April 17, 2012, at Plaintiff's request, the parties filed a first stipulation (Doc. 49) to,  
15 among other things, give Plaintiff additional time to file an opposition to the Motion to Dismiss.  
16 On May 4, 2012, again at Plaintiff's request, the parties filed a second stipulation (Doc. 57),  
17 which was granted on May 8, 2012 (Doc. 59), again providing Plaintiff additional time to respond  
18 to the Motion to Dismiss. Having not received any opposition to the Motion to Dismiss by the  
19 twice-extended deadline, the Treasure Island Defendants filed their Notice of Non-Opposition  
20 (Doc. 66) on May 11, 2012. This Court granted the Motion to Dismiss in its Dismissal Order  
21 dated May 21, 2012. That same day, however, Plaintiff finally did file its Opposition (Doc. 70) to  
22 the Motion to Dismiss – but it was too little, too late.

23 As the Court noted in its Dismissal Order, with *fifty-two days* to respond to the Motion to  
24 Dismiss, and after two stipulated extensions of time requested by Plaintiff, Plaintiff nevertheless  
25 failed to timely respond. That failure lies with Plaintiff, and Plaintiff alone. And, nothing in the  
26 Motion to Reconsider changes the fact that Plaintiff has still utterly failed to state a viable claim  
27 for relief against the Treasure Island Defendants. As such, reconsideration of the Dismissal Order  
28 is altogether unwarranted.

1 **III. ARGUMENT**

2 A. Standard On Requests To Reconsider.

3 In its Motion to Reconsider, Plaintiff erroneously cites Rule 54(b) as the basis for its  
4 motion. Motion to Reconsider, 1:22. The Federal Rules of Civil Procedure provide no  
5 mechanism for a motion for reconsideration; however, historically, motions for reconsideration  
6 have been allowed in the federal courts pursuant to Rules 59(e) and 60(b). Since no Rule  
7 expressly provides for a motion to reconsider, it is within the Court's sound discretion whether to  
8 entertain such a motion. *See Martella v. Marine Cooks & Stewards Union*, 448 F.2d 729, 730  
9 (9th Cir. 1971) (noting that motions to reconsider "are addressed to the sound discretion of the  
10 district court.").

11 "A motion to reconsider must provide a court with valid grounds for reconsideration by:  
12 (1) showing some valid reason why the court should reconsider its prior decision, and (2) setting  
13 forth facts or law *of a strongly convincing nature* to persuade the court to reverse its prior  
14 decision." *Frasure v. United States*, 256 F.Supp.2d 1180, 1183 (D. Nev. 2003) (emphasis  
15 supplied). Motions to reconsider are properly denied where the movant fails to establish a reason  
16 justifying the relief sought. *Backlund v. Barnhart*, 778 F.2d 1386, 1388 (9th Cir. 1985) (holding  
17 that the district court properly denied a motion for reconsideration in which the movant presented  
18 no new substantive arguments). Importantly, a motion for reconsideration should not be granted  
19 "absent highly unusual circumstances, unless the district court is presented with newly discovered  
20 evidence, committed clear error, or if there is an intervening change in the controlling law."  
21 *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co.*, 571 F.3d 873, 880 (9th Cir. 2009).

22 B. Plaintiff Has Not Shown Any Valid Reason Why the Court Should Reconsider.

23 Plaintiff's entire Motion to Reconsider is predicated on its allegations that the "neglect" of  
24 its previous counsel "led to the [Dismissal Order]." Motion to Reconsider, 4:17-18. Arguing  
25 under Rule 60(b)(1), while simultaneously disclaiming that Rule's application, Plaintiff then  
26 asserts that, at least as to Plaintiff, any neglect of the instant case was "excusable". *Id.* However,  
27 it has long been the law of this Circuit and others that, "[n]either ignorance nor carelessness on  
28 the part of the litigant or his attorney provide grounds for [reconsideration] relief under Rule

1 60(b)(1)." *Engelson v. Burlington Northern Railroad Co.*, 972 F.2d 1038, 1043 (9th Cir. 1992)  
2 (quoting *Kagan v. Caterpillar Tractor Co.*, 795 F.2d 601, 607 (7th Cir. 1986)). Further,  
3 reconsideration is unwarranted inasmuch as an attorney's alleged neglect does not amount to the  
4 requisite "highly unusual circumstances, . . . newly discovered evidence, . . . clear error, or . . .  
5 intervening change in . . . law." *Marlyn Nutraceuticals*, 571 F.3d at 880. An attorney's  
6 carelessness is not a "valid reason" for reconsideration. As Plaintiff provides no other reason,  
7 valid or otherwise, why the Court should reconsider the Dismissal Order, the Motion to  
8 Reconsider should be denied.

9 C. The Motion to Reconsider Contains No "Strongly Convincing" New Facts or Law.

10 Plaintiff admits in its Motion to Reconsider that, as early as April 3, 2012, or four days  
11 following the filing of the Treasure Island Defendants' Motion to Dismiss, Plaintiff's owner Kurt  
12 Slep, "discovered" that Plaintiff's former counsel was missing deadlines. Motion to Reconsider,  
13 2:6-8. Plaintiff further admits that its previous counsel's deadline to respond to the Motion to  
14 Dismiss had to be "twice extended by stipulation and order". *Id.*, 2:25. Plaintiff further admits  
15 that its previous counsel did not file any response at all to the Motion to Dismiss until *fifty-two*  
16 *days* after the Motion to Dismiss was filed, "12 days after the twice-extended deadline, and  
17 without a further extension of time." *Id.*, 2:27-28. And, though unacknowledged by Plaintiff in  
18 the Motion to Reconsider, it is also worth noting that Plaintiff waited *another thirty-six days* after  
19 the Dismissal Order was entered before filing even the Motion to Reconsider.

20 Plaintiff's own allegations and admissions in the Motion to Reconsider hardly amount to  
21 the required "facts or law of a strongly convincing nature to persuade the court to reverse its prior  
22 decision." *Frasure*, 256 F.Supp.2d at 1183. Rather, the Motion to Reconsider itself demonstrates  
23 that, despite being given every opportunity to appropriately respond to the Motion to Dismiss,  
24 and despite having ample information suggesting its previous counsel had timeliness issues,  
25 Plaintiff nevertheless failed to oppose the Motion to Dismiss in a timely fashion. Pursuant to  
26 District of Nevada Local Rule 7-2(d), this Court properly attributed Plaintiff's consent to granting  
27 the Motion to Dismiss, and reconsideration of the Dismissal Order is therefore entirely  
28 unwarranted.

1 D. Plaintiff Has Plainly Disobeyed the Applicable Rules.

2 As noted above, a motion for reconsideration should be denied "absent highly unusual  
3 circumstances." *Marlyn Nutraceuticals*, 571 F.3d at 880. That is, in application, a grant of a  
4 motion to reconsider should be a rare occurrence. Plaintiff now argues that, "the equities of this  
5 matter justify the setting aside of the [Dismissal Order]." Motion to Reconsider, 4:15-16.  
6 However, regardless of who was at fault for Plaintiff's failure to respond to the Motion to  
7 Dismiss, there are no "equities" at stake here for Plaintiff.

8 In the context of requests to revisit a previous decision, "[t]here must be some obedience  
9 to the rules of court; and some respect shown to the convenience and rights of other counsel,  
10 litigants, and the court itself." *Smith v. Stone*, 308 F.2d 15, 18 (9th Cir. 1962). In the instant case,  
11 Plaintiff failed to obey the rules of the Court, and its last-ditch Motion to Reconsider shows  
12 disrespect to the Treasure Island Defendants, their undersigned counsel, and this Court. The  
13 Treasure Island Defendants were dismissed from this action months ago. Plaintiff should not be  
14 afforded an opportunity to simply lay its failures at the feet of its previous *pro hac vice* counsel –  
15 despite continuing to be represented by the same local counsel – and then reopen its attack on the  
16 Treasure Island Defendants without consequence. The Motion to Reconsider should be denied.

17 E. The Dismissal Order Was Warranted In Any Event.

18 Even leaving aside for a moment the egregious failure to timely respond to the Motion to  
19 Dismiss, the Dismissal Order was warranted in any event, further underscoring that there is no  
20 need for its reconsideration. In their Motion to Dismiss, the Treasure Island Defendants laid out a  
21 host of grounds – other than failure to oppose – upon which Plaintiff's Complaint should have  
22 been dismissed. Importantly, in its Complaint, Plaintiff failed to allege *any* conduct that  
23 connected *any* karaoke DJ to the Treasure Island Defendants. Plaintiff inappropriately  
24 aggregated all the named defendants' conduct into generalities, and the Federal Rules of Civil  
25 Procedure clearly bar such tactics. *Twombly*, 550 U.S. at 555 (holding that "a plaintiff's  
26 obligation to provide the 'grounds' of his 'entitlement to relief' requires more than labels and  
27 conclusions"); *see also Jackson v. Nelson*, 405 F.2d 872, 873 (9th Cir. 1968) (affirming dismissal  
28 where the complaint did not specify which defendants took which actions); *Lincoln v. Silverstein*,

1 No. SACV 09-1072 DOC EX, 2011 WL 318318, at \*2 (C.D. Cal. Jan. 27, 2011) (holding that,  
2 where a complaint implicates multiple defendants, a plaintiff fails to meet the pleading standard  
3 of Rule 8(a) where the allegations are "directed to all defendants generally and thus fail to give  
4 each defendant fair notice of the claims asserted against him") (citing *Twombly*, 127 S. Ct. at  
5 1968); *Tompkins v. Bank of Am. Nat'l Ass'n*, No. CV-09-2014-PHX-GMS, 2010 WL 396367, at  
6 \*6 (D. Ariz. Jan. 28, 2010) ("The Complaint generally refers to '[d]efendants' in all allegations,  
7 but this general allegation is insufficient to put *each [d]efendant* on notice of the particular claims  
8 against it.") (emphasis in original).

9 Without restating the entire contents of the Motion to Dismiss here, the Treasure Island  
10 Defendants respectfully remind the Court that they substantively and compellingly argued in the  
11 Motion to Dismiss that Plaintiff's Complaint was subject to dismissal under Rule 12(b)(6)  
12 because (1) it failed to state a claim under the Lanham Act, for either direct, contributory, or  
13 vicarious infringement; (2) its request for counterfeiting damages failed as a matter of law; and  
14 (3) Plaintiff had improperly joined unrelated defendants whose alleged infringement did not arise  
15 out of the same transaction/occurrence or series of transactions/occurrences. For any one of these  
16 reasons alone, Plaintiff's Complaint was properly subject to dismissal, even had Plaintiff timely  
17 opposed the Motion to Dismiss.

18 Specifically, Plaintiff's gross misjoinder of a fleet of defendants in its Complaint  
19 absolutely would not have survived the Motion to Dismiss, whether or not Plaintiff had missed its  
20 deadline to respond. Federal Rule of Civil Procedure 20(a)(2) allows a plaintiff to join multiple  
21 defendants in one action if two conditions are met: (1) plaintiff asserts a right to relief against the  
22 defendants "jointly, severally, or in the alternative with respect to or arising out of the same  
23 transaction, occurrence, or series of transactions or occurrences[.]" and (2) "any question of law  
24 or fact common to all defendants will arise in the action." Fed. R. Civ. P. 20(a)(2). However,  
25 where a plaintiff haphazardly joins defendants, unrelated both in terms of identity and conduct, in  
26 flagrant violation of Rule 20, it is appropriate to order the institution of "separate actions in  
27 conformity with the Federal Rules." *Bravado Int'l Group v. Cha*, No. 09-9066, 2010 WL  
28 2650432, at \*6 (C.D. Cal. June 30, 2010); see *Arista Records LLC v. Does 1-4*, 589 F. Supp. 2d



1 151, 155 (D. Conn. 2008) (addressing the joinder issue in the context of pseudonymous  
2 defendants and concluding that, absent allegations of conspiracy or joint action, commission of  
3 copyright infringement using the same Internet service provider was insufficient to satisfy Rule  
4 20). To hold otherwise would allow plaintiffs to avoid paying filings fees for separate actions  
5 against each of the improperly joined defendants. *Id.*

6 Here, no common "transaction, occurrence, or series of transactions or occurrences"  
7 existed upon which Plaintiff could have based the joinder of the ninety-five named defendants.  
8 Fed. R. Civ. P. 20(a)(2). Accordingly, as more fully discussed in the Motion to Dismiss, the  
9 Treasure Island Defendants requested that the Court dismiss them from this action without  
10 prejudice. That request was granted pursuant to District of Nevada Local Rule 7-2(d), but it just  
11 as easily would have been granted on the merits. Reconsideration of the Dismissal Order is  
12 unwarranted.

13 F. Plaintiff Has Presented No Meritorious Defense to the Motion to Dismiss.

14 While Plaintiff purports to rely on Rule 54(b) as the basis for its Motion to Reconsider,  
15 Plaintiff argues primarily with cases concerning the application of Rule 60(b)(1). In the context  
16 of a Rule 60 motion, a court must consider whether, together with a compelling motion for relief  
17 from a previous ruling, the movant has also demonstrated "a meritorious defense" to the claims  
18 giving rise to that previous ruling. *TCI Group Life Ins. Plan v. Knoebber*, 244 F.3d 691, 696 (9th  
19 Cir. 2001). Nowhere in its Motion to Reconsider, nor in the affidavit that accompanied it, does  
20 Plaintiff even attempt to present a meritorious defense to the Motion to Dismiss. Instead, in the  
21 event the Motion to Reconsider were to be granted, Plaintiff requests an extension of time, of at  
22 least *fourteen days* beyond the date of the order granting the Motion to Reconsider, in which to  
23 respond to the Motion to Dismiss that led to the Dismissal Order. Motion to Reconsider, 6:9-12.  
24 In other words, after two extensions and fifty-two days between the filing of the Motion to  
25 Dismiss and the Dismissal Order, and after at least as many additional days between the filing of  
26 the Motion to Reconsider and this Court's favorable ruling thereon, Plaintiff would still request  
27 *another two weeks* to respond to the Motion to Dismiss. Plaintiff's complete failure to present a  
28

1 meritorious defense to the Motion to Dismiss, either within or concurrently with the Motion to  
2 Reconsider, weighs in favor of denying the Motion to Reconsider.

3 **IV. CONCLUSION**

4 For the foregoing reasons, the Treasure Island Defendants respectfully urge the Court to  
5 deny Plaintiff's Motion to Reconsider.

6 DATED this 13th day of July, 2012.

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**CERTIFICATE OF SERVICE**

Pursuant to Fed.R.Civ.P.5(b), and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of Brownstein Hyatt Farber Schreck, LLP, and that a true and correct copy of the DEFENDANTS GILLEY'S LAS VEGAS AND TREASURE ISLAND, LLC'S OPPOSITION TO PLAINTIFF'S MOTION TO RECONSIDER ORDERS GRANTING DEFENDANTS' MOTIONS TO DISMISS AND TO ENLARGE TIME FOR FILING RESPONSES TO MOTIONS was served via electronic service, via CM/ECF, on this 13<sup>th</sup> day of July, 2012 and to the address(es) shown below:

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20 I further certify that I am familiar with the firm's practice of collection and processing  
21 documents for mailing; that in accordance therewith, I caused DEFENDANTS GILLEY'S LAS  
22 VEGAS AND TREASURE ISLAND, LLC'S OPPOSITION TO PLAINTIFF'S MOTION TO  
23 RECONSIDER ORDERS GRANTING DEFENDANTS' MOTIONS TO DISMISS AND TO  
24 ENLARGE TIME FOR FILING RESPONSES TO MOTIONS to be deposited with the U.S.  
25 Postal Service at Las Vegas, Nevada, in a sealed envelope, with first-class postage prepaid, on  
26 this 13<sup>th</sup> day of July, 2012 and to the address(es) shown below:

27 Tara King  
28 DJ Tara King Productions  
1904 Chavez Ct.  
North Las Vegas, NV 89031  
*Defendant in Proper Person*

/s/ Erin Parcels  
Employee of Brownstein Hyatt Farber Schreck, LLP