

EXECUTIVE COMMITTEE

Jeffrey R. Rodefer*, Chairman
P. Gregory Giordano*, Vice Chairman
Michael J. Bonner | Jennifer Carleton | Lou Dorn | Dennis Gallagher
John A. Godfrey | Sean M. McGuinness | Lars Perry | Scott Scherer
*Co-editors of the Nevada Gaming Lawyer

State Bar of Nevada GAMING LAW SECTION



MINUTES September 4, 2012

Attendance. After being duly noticed, the following members of the Executive Committee (Committee), constituting a quorum pursuant to Section 4.5 of the Amended Bylaws (as approved May 9, 2001, and amended October 18, 2006), participated in a meeting at 9:00 a.m. on September 4, 2012 at the law offices of Greenberg Traurig, LLP, 3773 Howard Hughes Parkway, Suite 400 North, Las Vegas, Nevada 89169: Jeffrey R. Rodefer, Chairman; P. Gregory Giordano, Vice Chairman; Michael J. Bonner; Jennifer Carleton; *Lou Dorn; *Dennis Gallagher; *John A. Godfrey; *Sean McGuinness; *Lars Perry; and *Scott Scherer. Also in attendance, *Lori Wolk, Programs & Services Coordinator for the State Bar of Nevada.

*Via Telephone.

ITEMS DISCUSSED.

1. Welcome Jennifer Carleton. The Committee congratulated Jennifer on her appointment and welcomed her as the newest member of the Committee.
2. Approved the Minutes May 7, 2012. Upon a motion duly made and seconded, the Committee unanimously approved the minutes of May 7, 2012.
3. Review and Approve 2013 Budget. The Committee reviewed and unanimously approved the 2013 budget.
4. Nevada Gaming Law Practice & Procedure Manual. Jeff reminded the Committee that the pending offer from the State Bar of Nevada to publish the *Manual* would be on an 80-20 revenue split with the State Bar keeping 80% of the revenues after publication expenses had been covered. The State Bar's proposal of 80% was deemed excessive by the Committee given that it was essentially performing nothing more than two rounds of edits. All other costs associated with outsourcing the *Manual* to the William S. Boyd Law School



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students to perform cite checks and shepardizing, creation of an index and printing would be recouped through sales revenues. Jeff stated that LexisNexis had offered to produce the *Manual* on a 70-30 split if printed in hardcopy format with a CD version (similar to the State Bar's offer) or may be closer to a 50-50 split if it was only published in a e-format. The Committee felt the State Bar's offer was unfair given that the Gaming Law Section created the *Manual* and it was not a joint project with the State Bar. Lori indicated that the State Bar would reconsider its proposal. Several members of the Committee noted that there were only three viable options regarding this project, either to use the State Bar to publish it, use a third party to produce the *Manual* (in which case the *Manual* would have to be a compilation from the various authors, rather than a Gaming Law Section project) or simply cancel the project in its entirety.

Greg indicated that 17 of the 18 chapters had been assigned to various individuals to write. He stated that Chapter 15 concerning "Accounting and Audits" was not assigned. The Committee discussed former Nevada Gaming Control Board Chairmen, Dennis Neilander or Mark Lipparelli as possible authors or co-authors with someone else. Greg further indicated that he expected to receive first drafts of most of the assigned chapters by the end of September 2012.

5. Pro Bono Work Card Program. Scott was unable to attend the meeting. No further updates were provided. Jeff did indicate that there were 19 lawyers who agreed to be listed for assignment of a pro bono gaming employee registration appeal. Moreover, the Legal Aid Clinic of Southern Nevada was trying to assign the first case to Maren Parry, who was conflicted from the representation.

6. Amicus Brief Standing Committee. Jeff advised the Committee that there were 12 individuals who had responded to the Listserve.com message expressing an interest in serving on this standing committee. Jennifer stated that some bylaws or procedures be created for this standing committee. Greg advised that he would contact Dan Reaser about his interest in serving on the standing committee. Jeff stated that he would draft some procedures for the Committee to discuss.

7. Transitioning Into Practice (TIP) Kickoff Events. Lars and Jennifer represented the Gaming Law Section at the TIP kickoff events in Reno and Las Vegas on August 1st and 6th, respectively. Both indicated the events were well attended, but not much interest was expressed by new attorneys in the area of gaming law.

8. Nevada Gaming Lawyer (September 2012). Jeff indicated that the magazine should be arriving in everyone's mailbox that day or the next. He provided that the magazine, for the first time in its seven-year history was in the black and generated a profit of \$3,423.29 to the Gaming Law Section.

9. 2012 Gaming Law Conference (Friday, November 16, 2012 at The Orleans Hotel and Casino). Jeff indicated that the keynote luncheon speaker, U.S. Senator Dean Heller was not fully confirmed. Per Scott, Senator Heller has indicated that he may not be available to speak if required to be in Washington DC for votes during the lame duck session of Congress and/or he failed to be elected. As such, the Committee determined that the backup speaker should be secured in the event that Senator

Heller was unavailable. The Committee suggested that Jeff contact former U.S. Senator Richard Bryan regarding his interest and availability to be the backup speaker.

10. Initial Discussion – Nevada Gaming Lawyer (September 2013). Jeff suggested that the Nevada Gaming Commission Chairman, Peter C. Bernhard be contacted to write the foreword and to be featured on the cover. The Committee agreed and also suggested the following possible articles:

- Anti-Money Laundering by Jeffrey Setness at Lewis Brisbois
- Indian Gaming by Jennifer Carleton
- 2013 Legislative Update
- Review of Live Entertainment Tax or its possible 2013 Amendment
- Look at Multi-Jurisdictional Issues: Nevada vs. Other Jurisdictions
- Service Provider
- Online Gaming – Federal Update by Mike Bonner

11. Initial Discussion – 2013 Gaming Law Conference. Jeff indicated that the conference would probably take place on Friday, November 8, 2013. He stated that Suncoast would probably be available, but indicated attendance would be better if held on or near the Strip. In addition, to the one-hour "Regulators Roundtable" and two-hours of ethics, the Committee also briefly discussed the following as possible one-hour panels:

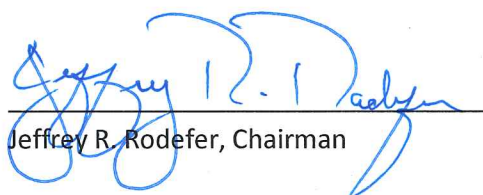
- Anti-Money Laundering
- Suitability/Licensing Procedures
- Third Party Responsibility

11. Any Other Items of Interest. Jennifer stated that Andy Moore of her law firm, Brownstein Hyatt Faber Schreck was interested in overseeing and coordinating the golf tournament. Jeff stated that no further word has been received from the UNLV Law Alumni Association regarding its interest in doing the tournament. Greg, Lou and Jeff discussed doing a scaled down version of the tournament with less sponsors, at a nicer course and possibly benefiting a different cause than scholarships at the William S. Boyd School of Law. Jennifer stated she would coordinate a lunch meeting with Andy to discuss the tournament further. Greg, Lou and Jeff indicated they would attend.

With no further business to discuss, the meeting was adjourned.

Dated 5th day of March 2013.

State Bar of Nevada-Gaming Law Section


Jeffrey R. Rodefer, Chairman