

By Jeff Rodefer, Chairman, Gaming Law Section

The Executive Committee of the Gaming Law Section (GLS) continues to endeavor with several projects. As such, I would like to take a moment to highlight a few of these for you.

Last November, the *2012 Gaming Law Conference* was held at The Orleans Hotel and Casino in Las Vegas. Although United States Senator Dean Heller (R-NV) was slated as the keynote lunch speaker, his schedule in Washington D.C. and the final days of his successful election campaign prevented him from attending. In turn, Senator Richard Bryan (D-NV, ret.) of the law firm, Lionel Sawyer & Collins agreed to “pinch hit” at the last minute and gave an entertaining and insightful keynote address. As many longtime GLS members will recall, it was Senator Bryan who was instrumental in helping to revive the GLS in 2000 after several years of being dormant. While still a member of the United States Senate, he gave a “Congressional Update on Gaming” to a pack room of several hundred at a luncheon on August 4, 2000 at Paris-Las Vegas Hotel & Casino. The 2012 conference also featured a *Federal*

Legislative Update from David O. Stewart, Esq. of the Washington D.C. law firm of Ropes & Gray, LLP, *Ethics Considerations in Fee Arrangements, Billing, Conflict Waivers and an Attorney’s Obligation of Truthfulness and Diligence Pursuant to NGC Regulation 10* with Paul A. Bible, Esq. moderating a panel discussion with John A. Godfrey, Executive Vice President, Secretary and General Counsel for Pinnacle Entertainment, Inc. (a member of the GLS Executive Committee) and Lynda A. Shely, Esq. of The Shely Law, PC in Scottsdale, Arizona, and the always popular and very enjoyable *Regulator Roundtable* with Peter C. Bernhard, Chairman of the Nevada Gaming Commission and newly appointment Chairman of the Nevada State Gaming Control Board (Board), A.G. Burnett. Additionally, Scott Scherer, Shareholder with Holland & Hart, LLP (a member of the GLS Executive Committee) moderated a panel discussion on *Employee Registration Appeals* with Melanie Kushnir, Esq., Pro Bono Project Director, Legal Aid Center of Southern Nevada, Richard A. DeGuise, Jr., Hearing Examiner for the Board and Board Member Shawn Reid. The conference concluded with Bill Lerner of Union Gaming Group talking about the *Gaming Industry, Wall Street’s View*.



Photo from the Gaming Law Section’s Welcome Back Luncheon August 4, 2000 at Paris Las Vegas . . . in photo left to right, Steve DuCharme, Chairman, Nevada Gaming Control Board, Dave Wasick, Senior Deputy Attorney General, Dan Polsenberg, President, State Bar of Nevada, United States Senator Richard Bryan (D-NV), Jeff Rodefer, Chairman, Gaming Law Section, Brian Sandoval, Chairman, Nevada Gaming Commission and Bobby Siller, Member, Nevada Gaming Control Board.

The 2013 Gaming Law Conference will be held on Friday, November 8th at the Red Rock Resort Casino Spa in Las Vegas. New this year, under the leadership of Jennifer Carleton, a member of the GLS Executive Committee, the GLS will sponsor, along with the American Gaming Association and Brownstein Hyatt Farber Schreck the “Global Gaming Women’s Breakfast” with Punam Mathur speaking on “The Ultimate Balancing Act: Retaining *Me* Amidst the Demands of Success.” The breakfast, which will run from 7:30 a.m. to 9:00 a.m. just prior to the start of the conference, is free of charge to anyone interested in attending (gentlemen are welcome too). However, you must RSVP online (www.nvbar.org/womensbreakfast) by October 18th to reserve your seat.

The November conference will feature a keynote address from Marilyn Kirkpatrick, Assembly Speaker (D-District 1) at the LexisNexis sponsored lunch. The conference will include panels on *Suitability and Redemption*, a *General Counsel Roundtable*, a *Regulator Roundtable*, *The Evolution of Regulated Internet Gaming* and *Legal Ethics in Gaming Representation*. The online registration is available at <http://www.nvbar.org/cle/livecle.htm> with both GLS member rates and standard rates, including “early bird” discounts for registration by October 18th. For more information about this year’s event and speakers, please see the advertisements later in this issue.

Scott Scherer continues to spearhead the *pro bono* program for indigent individuals seeking to appeal objections to their gaming employee registrations. With the assistance of Board Member Shawn Reid, the program is now referenced in the Board’s objection letters by providing applicants with the ability to contact a referral number in Northern or Southern Nevada. The applicants are evaluated based upon qualification standards set by Washoe County Legal Services and Legal Aid Center of Southern Nevada. Qualifying applicants are assigned the “next available attorney” from a list of attorneys, who have agreed to volunteer their time. It is believed that in many cases, the legal assistance provided to applicants may entail nothing more than merely explaining the process and procedures to the applicant. If you would like to provide your legal experience and be included on the list of

attorneys willing to provide services in this area, do not hesitate to contact Scott or myself.

On June 27, 2013, Jennifer Carleton and Albert Z. Kovacs, Shareholders with Brownstein Hyatt Farber Schreck presented “Nevada Gaming Companies: Unsuitable Persons and Redemption” at the State Bar of Nevada’s Annual Meeting at Lake Tahoe. On August 16, 2013, Scott Scherer presented State Bar of Nevada’s webinar “Legislative Update: Gaming Law” and provided, as the title indicates, an update on gaming related bills from the recently concluded 77th Session of the Nevada State Legislature.

At its meeting on March 5, 2013, the Executive Committee formally adopted Policies and Procedures for the GLS Amicus Brief Standing Committee (a copy of the Policies and Procedures may be viewed at <http://www.nvbar.org/content/gaming-law-section>). The standing committee will consist of 10 members of the GLS, including at least two members of the

Executive Committee (one of which shall be the Chairman). The standing committee will respond in a timely and appropriate manner to all requests from the Nevada Supreme Court for legal analysis or questions presented to the Executive Committee. In 2012, several members of the Supreme Court indicated during a State Bar luncheon with the Section Chairs that

the court was not seeking legal advocacy when it sought input from various State Bar sections. Instead, the court was merely looking for guidance on issues to better educate itself. In turn, at its meeting on June 12, 2013, the Executive Committee appointed the following members to serve on the standing committee for a three-year term effective June 1, 2013.

- Lou Dorn,
• *General Counsel, Aliante Gaming, LLC*
- Audrey P. Damonte, Esq.,
• *International Game Technology*
- P. Gregory Giordano,
• *Shareholder, Lewis Roca Rothgerber, LLP*
- Andrew D. Moore, Esq.,
• *Brownstein Hyatt Farber Schreck, LLP*



- Rosa Solis-Rainey, Esq.,
• *Morris Law Group*
- Dan R. Reaser,
• *Shareholder, Lionel Sawyer & Collins*
- Jennifer Roberts,
• *Shareholder, Lionel Sawyer & Collins*
- Jeffrey R. Rodefer,
• *Vice President of Legal Affairs,*
• *Boyd Gaming Corporation*
- Scott Scherer,
• *Shareholder, Holland & Hart, LLP*
- Robert B. Ziemis,
• *Executive Vice President and General Counsel,*
• *Aruze Gaming America, Inc.*

Finally, the GLS is still working towards the publication of the *Nevada Gaming Law Practice and Procedure Manual* in late 2013 or early 2014. The manual will provide practitioners with a useful reference guide to the practices and procedures to be followed in areas such as licensing, disciplinary matters, taxation, debt collection, financings, bankruptcies, restructurings, race and sports, gaming devices and systems, lotteries, promotions, contests, tournaments, accounting and audits, patron disputes,

transfers of interests, public and nonpublic companies, institutional investors, compliance programs, third party activities, excluded persons and denied applicants, as well as Internet and interactive gaming systems. For more information about the Manual, please see the advertisement inside the back cover of this issue.

If you are interested in writing an article on an item of interest or placing an advertisement in next year's Nevada Gaming Lawyer, please contact myself or Greg Giordano. Articles and ads for next year's issue of the magazine will be due by June 1, 2014. If you would like to organize a panel or speak at the 2014 Gaming Law Conference (tentatively scheduled for Friday, November 7, 2014) or if you simply have ideas for events or publications that the GLS should consider, please do not hesitate to contact Lori Wolk, Programs and Services Manager for the State Bar of Nevada or myself.

On behalf of the GLS Executive Committee, we hope that you find this year's issue of the Nevada Gaming Lawyer enjoyable and useful in your legal practice or professional pursuits.

