

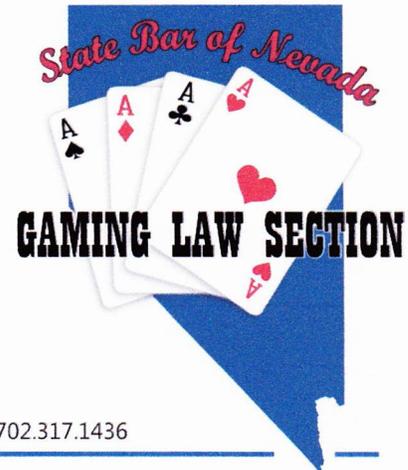


Executive Committee: Jeffrey R. Rodefer\*, Chairman  
P. Gregory Giordano\*, Vice Chairman  
Michael J. Bonner | Jennifer Carleton | Lou Dorn | Dennis Gallagher | John A. Godfrey  
Sean M. McGuinness | Lars Perry | Scott Scherer

\*Co-editors of the Nevada Gaming Lawyer

Reply to: Jeffrey R. Rodefer, Chairman, Gaming Law Section  
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## MINUTES

**September 13, 2013**

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 10:00 a.m. on Friday, September 13, 2013: Jeffrey R. Rodefer, Chairman; P. Gregory Giordano, Vice Chairman; Jennifer Carleton; \*Lou Dorn; \*Dennis Gallagher; \*John A. Godfrey; and \*Scott Scherer. Also present from the State Bar of Nevada was Angela Washington, Access to Justice Director.

\*Via Telephone.

### ITEMS DISCUSSED.

1. Review and Approve the Minutes June 12, 2013. Upon a motion duly made and seconded, the Committee unanimously approved the minutes of June 12, 2013.
2. Review and Approve 2014 Budget. The Committee was presented with a draft of the 2014 Budget. Lou Dorn inquired about the projected account balance on December 31, 2014. Jeff Rodefer indicated that if the golf tournament or another event were scheduled for next year, then this projection would be reduced. Having reviewed the draft, the Committee unanimously approved the 2014 Budget.
3. 2013 Nevada Gaming Lawyer. Dennis Gallagher commented that this year's publication was, in his opinion, the best one to date given the substantive nature of the articles and the authors involved. Jeff indicated that Mike Bonner found one error in which the last article from Mark Tratos that failed to include a byline, even though his brief bio appeared at the end of the article.

Additionally, the Committee was presented with a Revenue-Expense Report for the publication. Jeff reviewed the report for the Committee and indicated that, unlike last year, this year the magazine's publication did not produce a profit. This was due to the fact that the magazine increased in size from 52 to 68 pages and the print run increased from 1,000 to 1,200. He further indicated that there was an additional expense item not listed in the report. Specifically, this was the cost to frame a copy of the cover for Nevada Gaming Commission (Commission) Chairman, Pete Bernhard. Instead of a net loss of \$255.60, the correct figure would be a net loss of \$430.10 that included \$174.50 for the framing.

4. 2013 Gaming Law Conference & Global Gaming Women's Breakfast. Jeff provided that he was unaware of any issues with the panels or the seminar's location. He advised that both the conference and breakfast were advertised in the *Nevada Gaming Lawyer*, as well as the August and September issues of the *Nevada Lawyer*. An advertisement would also appear in the October issue of the *Nevada Lawyer*. He further indicated that he had sent three Listserve.com messages to the GLS members regarding the conference and breakfast. He would also send Listserve.com messages periodically through the Early Bird registration deadline for the conference and RSVP date of the breakfast on October 18<sup>th</sup> and randomly thereafter until the date of the event on November 8<sup>th</sup>. As of September 12<sup>th</sup>, the Committee was told that the State Bar had 53 registered for the conference and 40 RSVPs for the breakfast. Finally, Jeff indicated that he had provided Judy Patterson at the American Gaming Association (AGA) and Jennifer Carleton with a list of 162 females in the gaming industry, government, elected officials, etc. to be contacted directly about attending the breakfast.

Jennifer reviewed for the Committee the efforts by the AGA to date. She indicated that the AGA had provided some limited advertisement in two emails. She indicated that efforts would be ramped up the end of September following the G2E Conference.

5. Pro Bono Update. Scott Scherer stated that State Gaming Control Board (Board) Member, Terry Johnson was very interested in the program. In turn, Board Member Johnson was going to revise the Board's objection letters to include direct telephone numbers to Volunteer Attorneys for Rural Nevadans (VARN), Washoe County Legal Services and the Legal Aid Center of Southern Nevada. Apparently, the current number to the State Bar of Nevada offices that redirects callers to one of these agencies carried a charge to those accessing the telephone number. Additionally, Scott indicated that the Board's Hearing Examiner, Richard DeGuise, who was very supportive of the program. Hearing Examiner DeGuise suggested that a presentation on the program be made to the various human resource directors in the gaming industry.

Angela Washington commented that she was impressed with the program. She inquired about what the State Bar's ONE program could do to assist in spreading the word for the GLS. Jeff indicated that he still wanted the GLS to produce a brochure to distribute to attorneys that

were assigned a case that would explain the procedures to be followed and what to expect the pro bono representation to encompass.

6. Nevada Gaming Law Practice & Procedure Manual. Greg stated that 17 of the 18 chapters had been submitted in draft form for his review. The final chapter concerning the Blackbook and denied applicants had been reassigned recently to Carol Wetzel at the Venetian, former legal counsel to the Board and the Commission. Greg requested that Jeff send all of the authors an email asking them to review the chapters submitted to determine if they would need to be revised in light of the recent Legislative session. If so, to submit revised chapters to Greg as soon as possible. Greg thought there might be a chance to have the *Manual* fully proofed by December to submit to the State Bar to begin the publication process before the end of the year.

7. Discuss for Possible Approval – Annual Meeting Travel Expenses. Jennifer indicated that this was a moot item and her law firm, Brownstein Hyatt Farber Schreck had agreed to pay the travel expenses for her and Albert Kovacs to speak at the Annual Meeting in Lake Tahoe this past June. However, she indicated that a policy should be developed by the GLS to explain the difference between speakers invited by the State Bar to speak at the Annual Meeting versus those that the GLS invited to speak. Jeff indicated a policy or something similar would be prepared for the Committee to discuss and approve at its next meeting.

8. Nevada Lawyer 2014 Editorial Calendar. Jeff stated that he included a copy of the *Nevada Lawyer's* 2014 editorial calendar for the Committee's reference if anyone was interested in submitting an article.

9. ONE Promise Presentation. Angela presented a short video on the State Bar's program, which included interviews with several Nevada Supreme Court Justices on the importance of each lawyer taking at least "one" pro bono case. Following the video, Angela asked the Committee for its input. Scott indicated the obvious reservation of taking on cases in an area of law that some lawyers may not be competent to handle in violation of his or her ethical obligations. Greg advised that many lawyers do not go to court or have not gone in many years. As such, those individuals may also have reservations about taking on a case. Jeff indicated that he had attended several of the annual pro bono luncheons at the Rio. The stories, which appeared to be largely family and child custody related issues, were heart wrenching. He echoed Scott and Greg's concerns. He also added that in his experience many attorneys have no interest in going to court. Their expertise in gaming, transactional work, etc. did not require court appearances. These pro bono cases would necessitate some judicial intervention to resolve family and child custody issues that many attorneys had no familiarity with either the area of law and/or litigation in general. Furthermore, he stated some attorneys, especially those that are experienced in other areas, may be reluctant to take a case in an unfamiliar area of the law and be viewed as less than their current status or standing in the Bar or have to swallow their pride and rely on others to assist them with the assigned matters. He also indicated that for in-house corporate legal counsel, their employers may object out of concerns over conflicts or general publicity. Jennifer

indicated that there were one or two gaming attorneys in her firm that she was aware of that had consistently handled 100 hours of pro bono cases annually. She felt the Legal Aid Center of Southern Nevada provided appropriate resources for these attorneys to competently handle the cases that were assigned.

10. Other Items of Interest.

(a) Transitioning Into Practice (TIP). Jeff stated that he appeared at the TIP Kickoff event in Las Vegas on September 10<sup>th</sup> on behalf of the GLS. The event was sparsely attended by new lawyers, but he did indicate that one new attorney currently focused on plaintiff litigation was interested on how to gain experience in gaming law.

(b) GLS Golf Tournament. Jennifer stated the new Dean of the William S. Boyd School of Law at UNLV would like to meet with the GLS to discuss reviving the golf tournament. Jeff stated he would be happy to do so, but would not commit to another charitable tournament out of concern that he would end up doing a bulk of the work to organize and coordinate the event that the law school provided little support or appreciation for in the past. Lou indicated he did not see the need to do a charitable golf tournament. In his opinion, a charitable event that benefited scholarships at the UNLV Law School was a departure from the GLS mission statement of educating the Bar and its members about gaming law. He indicated that he would prefer either a non-charitable event with the Board to socialize and network. Alternatively, if a charitable event was done that it benefits something more aligned with the GLS' mission, such as the International Gaming Institute at UNLV. Jeff advised he would again contact Board Chairman A.G. Burnett about a non-charitable golf tournament conducted with the Board. If he supported it, Jeff indicated he would try and organize something for 2014 with assistance from Lou, Jack and others.

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

Dated 6<sup>th</sup> day of February 2014.

State Bar of Nevada-Gaming Law Section

  
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Jeffrey R. Rodefer, Chairman