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4 BEFORE THE CITY COUNCIL
5 OF THE CITY OF LAS VEGAS, NEVADA

6 * * *

7 IN THE MATTER OF:

8 DEPARTMENT OF FINANCE AND
9 BUSINESS SERVICES on behalf of the
10 CITY OF LAS VEGAS, NEVADA,

11 Petitioner,

12 vs.

13 DOMINIC L. LAINO, d/b/a CLUB 2100,

14 Respondent.
15
16

17 Authorized Review Only
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19

20 **COMPLAINT FOR**
21 **DISCIPLINARY ACTION**
22
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24 Date of Hearing: 9/21/09
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Submitted At Meeting

9/21/09 Item #4

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BEFORE THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

* * *

IN THE MATTER OF:

DEPARTMENT OF FINANCE AND
BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS, NEVADA,

Petitioner,

vs.

DOMINIC L. LAINO, d/b/a CLUB 2100,

Respondent.

**ORDER APPROVING COMPLAINT
AND AMENDED NOTICE OF HEARING**

TO: DOMINIC L. LAINO, d/b/a CLUB 2100, Respondent:

The Complaint for Disciplinary Action by the DEPARTMENT OF FINANCE AND BUSINESS SERVICES on behalf of the CITY OF LAS VEGAS, NEVADA, against you dated August 11, 2009, a copy of which is attached to this Order and Notice, having come before the City Council of the City of Las Vegas, Nevada, at its regular meeting held on August 19, 2009, and the Council being satisfied that probable grounds exist for disciplinary action against you as alleged in the Complaint for Disciplinary Action;

IT IS ORDERED that the issuance of the Complaint for Disciplinary Action and a hearing on the Complaint for Disciplinary Action are approved.

YOU ARE HEREBY NOTIFIED that the hearing will be held before the City Council of the City of Las Vegas, Nevada, at the City Manager's Conference Room, City Hall, 400 Stewart Avenue, Eighth Floor, Las Vegas, Nevada, 89101, on September 21, 2009, beginning at the hour of 1 p.m.

1 The hearing will be upon the charges in the Complaint for Disciplinary Action which
2 has been served upon you. You may be present at the hearing and you may be represented by
3 a lawyer. You may present any relevant evidence you have, and you will be given full
4 opportunity to cross examine all witnesses testifying against you.

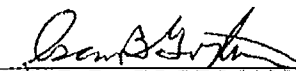
5 YOU ARE FURTHER NOTIFIED that within twenty (20) days after service of the
6 Complaint for Disciplinary Action, but not later than five (5) days before the hearing date, you
7 must file with the City Clerk, First Floor, City Hall, 400 Stewart Avenue, Las Vegas,
8 Nevada, 89101, and serve a copy upon the City Attorney of your answer to the charges made
9 in the Complaint for Disciplinary Action, and set forth any affirmative defenses you intend to
10 raise.

11 YOU ARE ALSO NOTIFIED that your failure to file an answer to the Complaint for
12 Disciplinary Action or to appear at the hearing shall constitute an admission to all the matters
13 contained in the Complaint for Disciplinary Action as provided by Las Vegas Municipal Code
14 § 6.88.100.

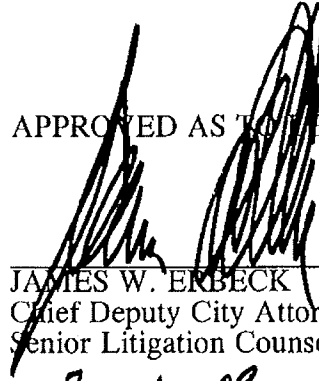
15 DATED this 27th day of August, 2009.

16 THE CITY COUNCIL OF THE
17 CITY OF LAS VEGAS, NEVADA

18 By:

19 
20 OSCAR B. GOODMAN
21 Mayor

22 APPROVED AS TO LEGAL FORM:

23 
24 JAMES W. ERBECK
25 Chief Deputy City Attorney
26 Senior Litigation Counsel

27 8-26-09
28 Date

Attest: By


BEVERLY K. BRIDGES, CMC, City Clerk

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4 BEFORE THE CITY COUNCIL
5 OF THE CITY OF LAS VEGAS, NEVADA
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* * *

7 IN THE MATTER OF:

8 DEPARTMENT OF FINANCE AND
9 BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS, NEVADA,

10 Petitioner,

11 vs.

12 DOMINIC L. LAINO, d/b/a CLUB 2100,

13 Respondent.
14

**COMPLAINT FOR
DISCIPLINARY ACTION**

15 The DEPARTMENT OF FINANCE AND BUSINESS SERVICES, on behalf of the
16 CITY OF LAS VEGAS, NEVADA (Department), Petitioner, brings this Complaint for
17 Disciplinary Action against DOMINIC L. LAINO, d/b/a CLUB 2100 ("Laino" or
18 "Club 2100"), 2100 Fremont Street, Las Vegas, Clark County, Nevada, 89101, Respondent,
19 and states:

20 Respondent Laino/Club 2100 holds Tavern License No. L16-00302-4-000662; Retail
21 Tobacco License No. C05-02623-1-000662; Coin Operated Machine License No. C08-01806-
22 3-000662; and, Miscellaneous Sales License No. M06-03015-3-000662.

23 **SUMMARY OF ALLEGATIONS**

24 Club 2100 is owned by Dominic Laino. It has been operated repeatedly and
25 continuously in an unlawful manner in violation of Las Vegas Municipal business licensing
26 codes.

27 Club 2100, located at 2100 Fremont Street, Las Vegas, Nevada, was originally granted
28 a temporary tavern license in April 2008 which was extended in July 2008 being thereafter

1 awarded a conditional permanent license on January 9, 2009. A condition was limitation of
2 live entertainment to one (1) night per week on Sunday until 2:00 a.m. Monday morning.

3 Although limited to live entertainment only one night per week, Club 2100 advertises
4 entertainment several additional nights per week; there have been an increased number of calls
5 for service at the business location in the last six months [32 service calls, several citations and
6 2 arrests] and repeated violations of code provisions including sexually explicit conduct.
7 Numerous violations of work card requirements, failure to obtain/possess valid health cards,
8 employment as a "promoter without a license" have occurred, and failure to provide the
9 Director of Business Services necessary reports of compliance.

10 **CALLS FOR SERVICE AND CODE COMPLIANCE FAILURE**

11 **A. CALLS FOR SERVICE**

12 On April 1, 2009, Las Vegas Metropolitan Police Department ("LVMPD") officers
13 responded to a grand larceny auto which occurred in the parking lot while the owner was in
14 Club 2100.

15 On April 26, 2009, LVMPD officers were called to Club 2100 and arrested one person
16 on a domestic violence charge stemming from an incident which originated inside the
17 establishment. A female subject was arrested.

18 On May 15, 2009, LVMPD officers arrested an individual at Club 2100 for malicious
19 destruction of private property. A patron had become irate when requested to leave the
20 premises at closing time and threw bottles damaging a television set in the bar.

21 On May 29, 2009, LVMPD responded to a report of a public fight between a man and
22 a woman in Club 2100's parking lot. The male subject was arrested for battery/domestic
23 violence.

24 On June 14, 2009, LVMPD responded to a call for service from Club 2100 security
25 staff. Identified as Event No. 090614-000803, the incident report states that a male individual
26 became involved in a verbal argument with other patrons of the club, left, then attempted to
27 reenter the club with a gun. When the security staff prevented him from entering, he pointed
28

1 the gun at the security officers, then returned to his car, where he was arrested by LVMPD
2 officers and charged with assault with a deadly weapon.

3 On June 25, 2009, a notice was sent to the Respondent which stated that LVMPD had
4 received three or more calls for service each 30-day period for the last three months. Total
5 calls for service for that period, not counting vehicle and pedestrian stops on or in front of the
6 property had totaled four for the month of April, ten for the month of May and four for the
7 month of June 2009.

8 **B. CODE COMPLIANCE FAILURE**

9 On January 29, 2009, during a compliance check by LVMPD Special Investigations,
10 Dominic Laino was cited by Detective Nikki Mancillas for failure to require a work card
11 address change for an employee of the club in violation of Las Vegas Municipal Code
12 ("LVMC") §§ 6.86.030 and 6.86.095. Detective Mancillas noted that Laino had been issued
13 a Notice of Noncompliance for this issue during a previous compliance check in October 2008.

14 On May 1, 2009, a compliance check by LVMPD Special Investigation and Business
15 Services Enforcement staff found that a cocktail server, Ana Zelaya, was working without a
16 valid health card and that another individual behind the bar had neither a work card nor a
17 health card. The bartender, Chastity Swanson, was issued a Notice of Violation for failure to
18 maintain and make available a current employee list under LVMC § 6.86.180(A).

19 On May 7, 2009, Dominic Laino was notified by telephone that the outstanding
20 violations had not been corrected.

21 On May 9, 2009, License Officer Oliverius telephoned and left a message for Dominic
22 Laino reminding him that he had not yet submitted the required documents.

23 On May 13, 2009, an audit request letter was hand delivered to Dominic Laino at Club
24 2100 by James Misbach, an auditor from Business Services Division. Laino signed for the
25 letter which requested sales reports and other financial records of the business be provided
26 within 72 hours.

27 On June 3, 2009, in response to a phone message from Auditor James Misbach, an
28 email was received from Ramsey Bourassa requesting a further extension until June 16, 2009.

1 On June 4, 2009, voice mail messages were left by Auditor Misbach advising Dominic
2 Laino and Ramsay Bourassa that the request for an additional extension had been denied.
3 Misbach then received a telephone call from Dominic Laino. They discussed the request, and
4 Misbach advised Laino that he would be issuing a Correction Notice on June 5, 2009.

5 On June 5, 2009, Auditor Misbach left a voice message for Dominic Laino asking if he
6 would be at Club 2100 to receive the Correction Notice. When he did not receive a return
7 call, Misbach went to the business location and posted the Correction Notice on the front door
8 of the establishment.

9 On June 12, 2009, during a joint compliance check by LVMPD Special Investigations
10 and Business Services Enforcement staff, a Notice of Violation was issued to a cocktail server,
11 Kristin Carter, for working without a valid work card and without a valid health card in her
12 possession, in violation of LVMC § 6.50.440 and CC § 9.16.030. A Notice of Violation was
13 also issued to Dominic Laino for permitting an employee to work without valid cards in her
14 possession, in violation of LVMC § 6.50.440 and CC § 9.16.030.

15 On June 16, 2009, Business Services Division received a complaint from LVMPD
16 Special Investigations regarding Club 2100 advertising strippers on a website and depicting
17 female dancers in degrees of undress including exposure of areas prohibited by LVMC §
18 6.35.050 (*see* website, <http://www.myspace.com/latinworlident>).

19 On June 25, 2009, a Notice and Declaration of Chronic Nuisance and Request for
20 Abatement was sent to Dominic Laino as the owner of Club 2100 and to Mary Bartsas as the
21 owner of the property at 2100 Fremont Street by Officer James Oaks of LVMPD Downtown
22 Area Command Community Oriented Policing Unit. The notice advised of specific conduct
23 constituting a nuisance, including:

- 24 • Advertising or engaging in operating an erotic dance establishment without the required
25 license, based upon web pages posted by the club on Myspace.com and videos posted
on Youtube.com, in violation of LVMC § 6.35.170;
- 26 • Violating the conditions under which the tavern license was issued by advertising and
27 engaging in providing live entertainment on Thursday, Friday and Saturday nights, in
violation of LVMC § 6.02.060(C);

- 1 • Failure to report changes in business activity to the Business Services Division, in
2 violation of LVMC §§ 6.02.310, 6.02.320, and 6.02.370.
- 3 • Causing, maintaining or failing to abate the use of the property at 2100 Fremont Street
4 as a sexually-oriented business in violation of LVMC §§ 19.04.010, 19.00.070, and
5 9.04.030;
- 6 • Operating outside the conditions of the license issued to the business, in violation of
7 LVMC § 6.50.290; and
- 8 • Prohibited acts by employees, specifically exposing his or her genitals, pubic hair,
9 perineum, anal region or pubic hair region, and allowing employees to perform such
10 acts, in violation of LVMC § 6.50.510.
- 11 • On June 29, 2009, and at other relevant times and dates, various advertisements, and
12 Internet-web-based photographs, videos, and other depictions of females engaged in
13 sexual or suggestive conduct portraying Club 2100 as an adult sexually-related or erotic
14 establishment were observed and preserved as evidence by representatives of law
15 enforcement.

11 SUBSTANTIVE LAW

12 LVMC § 6.02.330(H) provides [Unlawful Business Activity]:

13 The licensee may be subject to disciplinary action by the
14 City Council for good cause, which may, without limitation,
15 include:

16 ...

17 (A) The licensee or any of its principals is engaged, or has
18 commenced, instituted, advertised, aided, carried on, continued or
19 engaged, in a business, trade or profession without having obtained
20 a valid license, an approval for suitability, a permit or a work card
21 when such a person knew that one was required or under such
22 circumstances that they reasonably should have known one was
23 required, or has solicited, encouraged, caused or procured another
24 to do so;

25 ...

26 (D) The licensee or any of its principals, or their employees
27 or those acting on their behalf, violate a condition which is imposed
28 upon the license;

29 ...

30 (G) The premises on which the business is conducted do not
31 satisfy local, state or federal law or regulations which pertain to the
32 activity which is actually engaged in;

33 (H) The business activity constitutes, promotes, causes,
34 allows, fosters, aids, or otherwise enables a private nuisance, public
35 nuisance or chronic nuisance, or has been or is being conducted in
36 an unlawful, illegal or impermissible manner, including but not

1 limited to causing, allowing, promoting, fostering, aiding, enabling,
2 exercising deliberate ignorance towards or failing to abate a private
nuisance, public nuisance or chronic nuisance; or

3 (I) The licensee, any of its principals, their employees or
4 those acting on their behalf failed to cooperate with the Director's
efforts to enforce the provisions of this Code.

5 LVMC § 6.02.350 provides [Acts and Omissions]:

6 **A licensee under this Chapter shall be subject to**
7 **disciplinary action** not only for acts or omissions done by such
8 licensee but also for acts and omissions done by the principals,
managers, agents, representatives, servants or employees of such
licensee. [Emphasis added.]

9 LVMC § 6.86.030 provides [Employer responsibility, Valid Work Card]:

10 It is unlawful for any employer to employ a person who is required
11 to have a work card unless such person has a valid work card for
such employment.

12 LVMC § 6.86.030 provides [Notification of changes to Work Card]:

13 The work card holder shall notify Metro within five days of any
14 changes in employment, name change, or change in residence. This
requirement is in addition to the notification provision for the
employer contained in Section 6.86.030.

15 LVMC § 6.35.100(A) provides [Advertising Erotic Dance Establishment]:

16 **No person, firm, partnership, corporation or other**
17 **entity shall advertise, or cause to be advertised,** as an erotic
18 dance establishment without a valid erotic dance establishment
license issued pursuant to this Chapter. [Emphasis added.]

19 STANDARD OF EVIDENCE

20 LVMC § 6.88.090 provides:

21 (A) **The hearing need not be conducted according to**
22 **technical rules relating to evidence and witnesses.** Any
relevant evidence may be admitted.

23 (B) The respondent shall have the right to call and
24 examine witnesses on his own behalf, cross-examine opposing
witnesses, introduce exhibits and evidence relevant to the issues
of the case, and offer rebuttal evidence.

25 (C) The respondent may be called and examined by the
26 City.

27 (D) The Clerk shall have the power to issue subpoenas for
28 witnesses to appear to give testimony. [Emphasis added.]

1 PENALTY

2 LVMC § 6.02.360 provides:

3 Upon a showing of good cause and in the discretion of the
4 City Council, disciplinary action against a holder may take the
5 form of cancellation, **revocation**, refusal to renew, **suspension**,
6 imposition of conditions or **restrictions** or civil **fine** in an amount
7 not to exceed one thousand dollars for each day that the violation
8 which forms the subject matter of the complaint that recommends
9 such disciplinary action is demonstrated to have been in
10 existence, or any combination of such actions, as the particular
11 situation may require. The Council may also impose against the
12 licensee the actual costs incurred, and a reasonable amount for
13 attorney's fees, resulting from the imposition of disciplinary
14 action. The disciplinary actions available in this Section shall be
15 in addition to, and not exclusive of, any other civil or criminal
16 remedy which otherwise might be available. [Emphasis added.]

11 ALLEGATIONS

12 COUNT ONE

13 It is alleged that between January 7, 2009 and present, Dominic L. Laino, d/b/a Club
14 2100 operated a business which constituted a public nuisance and which has been conducted in
15 an unlawful, illegal and impermissible manner, to wit: creating and permitting an
16 environment in which violence occurred, to include Battery, Assault With a Deadly Weapon,
17 Domestic Violence, and Malicious Destruction of Private Property, all of which required a
18 disproportionate use of Las Vegas Metropolitan Police Department resources in violation of
19 the Las Vegas Municipal Code and the Nevada Revised Statutes.

20 COUNT TWO

21 It is alleged that between April 2008 and present, Dominic L. Laino, d/b/a Club 2100
22 operated a business which constituted a chronic and public nuisance and which has been
23 conducted in an unlawful, illegal and impermissible manner, to wit: advertising or engaging in
24 the operation of an erotic dance establishment without a license as required by law, in violation
25 of the Las Vegas Municipal Code and the Nevada Revised Statutes.

26 COUNT THREE

27 It is alleged that between January 9, 2009 and present, Dominic L. Laino, d/b/a Club
28 2100 operated a business which principals, employees and others acting on its behalf failed to

1 require of its employees and others related directly and indirectly to the business to acquire,
2 maintain and report work cards, health cards and other required documents failing to cooperate
3 with the Director of Business Services efforts to enforce the provisions of the Las Vegas
4 Municipal Code, in violation of the Las Vegas Municipal Code and the Nevada Revised
5 Statutes.

6 **WHEREFORE**, the Petitioner respectfully requests the City Council to:

7 A. Approve the Complaint for Disciplinary Action and order a disciplinary hearing
8 at which the Respondent shall appear and show cause why the licenses that are the subject of
9 this Complaint should not be suspended or revoked, or other disciplinary action taken; or

10 B. Grant such other and further relief as the Council deems appropriate.

11 DATED this 11th day of August, 2009.

12 RESPECTFULLY SUBMITTED:

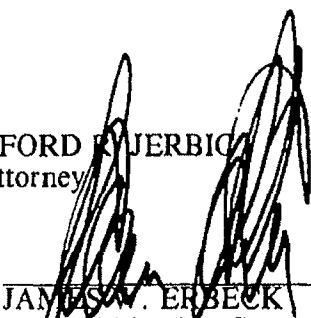
13
14 By:



MARK R. VINCENT, Director
Finance and Business Services

15
16 BRADFORD R. JERBIC
City Attorney

17
18 By:



JAMES W. ERBECK
Senior Litigation Counsel
Chief Deputy City Attorney
Nevada Bar No. 659
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Las Vegas, NV 89101
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ORIGINAL

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Nevada Bar No. 005030

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Las Vegas, Nevada 89101

(702) 366-1528

Attorneys for

Dominic Laino dba Club 2100

CITY OF LAS VEGAS

CITY COUNCIL

IN THE MATTER OF:

DEPARTMENT OF FINANCE AND
BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS, NEVADA

Petitioner,

v.

DOMINIC L. LAINO dba CLUB 2100,

Respondent.

Date of Hearing: Sept. 21, 2009
Time of Hearing: 1:00 p.m.

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2009 SEP 15 P 3:37

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RECEIPT OF COPY

RECEIPT OF COPY of the foregoing of the RESPONDENT, DOMINIC L.

LAINO dba CLUB 2100 ANSWER TO COMPLAINT FOR DISCIPLINARY ACTION is hereby
acknowledged on this 15th day of September, 2009.

JAMES W. ERBECK
Chief Deputy City Attorney
Senior Litigation Counsel
400 Stewart Avenue
Las Vegas, Nevada 89101

ORIGINAL

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KAJIOKA & ASSOCIATES
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(702) 366-1528
Attorneys for Respondent
DOMINIC L. LAINO dba CLUB 2100

2009 SEP 15 P 3:38

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**BEFORE THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA**

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SEP 15 2009

IN THE MATTER OF:

DEPARTMENT OF FINANCE AND
BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS, NEVADA

Petitioner,

Vs.

DOMINIC L. LAINO dba CLUB 2100,

Respondent.

Date of Hearing: Sept. 21, 2009

Time of Hearing: 1:00 p.m.

**RESPONDENT, DOMINIC L. LAINO dba CLUB 2100, ANSWER
TO COMPLAINT FOR DISCIPLINARY ACTION**

COMES NOW, Respondent, DOMINIC L. LAINO, and hereby submits his response to
Petitioner's Complaint for Disciplinary Action. The instant Response is made and based upon
the attached Memorandum of Points and Authorities, all Exhibits attached hereto, and upon such
oral and documentary evidence as may be presented at the time of Hearing on this matter.

STATEMENT OF FACTS

Respondent, Dominic L. Laino dba Club 2100, holds and maintains Tavern License No.
L16-00302-4-000661; Retail Tobacco License No. C05-02623-1-000662; Coin Operated

Machine License No. C08-01806-3-00662; and Miscellaneous Sales License No. M06-03015-3-000662. Pursuant to said licenses, Respondent owns and operates a Tavern located at 2100 Fremont Street, Las Vegas, Nevada.

Club 2100 was originally granted a temporary license in April 2008. On January 7, 2009, Club 2100 was before the City Council for discussion and action for Review of Conditions of a Tavern License. During this hearing, Dr. DiFiore stated that during the prior 6 month period "the business generated 32 calls for service by Las Vegas Metro, resulting in three citations and two arrests outside of the club." (See Exhibit "A"). Councilman Reese "acknowledged that the neighborhood is a challenging area and he applauded Mr. Laino for bringing his business to this location." (See Exhibit "A"). After hearing the discussions, the City Council approved and awarded a conditional permanent license for Club 2100, with a condition permitting live entertainment on Sunday evenings to 2:00 a.m.

COUNT ONE

The City contends that Club 2100 has caused a Public Nuisance for maintaining an environment in which violence occurred. In support of this claim, the City references five (5) specific incidences as illustrative of the existence of a public nuisance. First and foremost, Club 2100 is located at 2100 Fremont Street, located at the East end of Fremont Street. The area is, and has been for several years, a low income, transient, portion of Fremont Street. Absent the daily rentals and thrift stores, there is little, if any, business operating in this area.

Notwithstanding these facts, Respondent has injected his time, resources and commitment to operating a viable business establishment in this high risk area. In fact, at the January 7, 2009 City Council hearing, Councilman Reese "applauded Mr. Laino for bringing his business" to this "challenging area".

The City contends and asserts that there has been an “increased number of calls for service” in the last six months “(32 service calls, several citations and 2 arrests)”. Contrary to the City’s assertion, there has not been an increased number of calls for service since the City Council’s approval of Respondent for its tavern license. In fact, at the January 7, 2009, hearing before the City Council, Mr. DiFiore stated “the business generated 32 calls for service by Las Vegas Metro, resulting in three citations and two arrests outside of the club.” (See Exhibit “A”). While the number of calls did not decrease, more importantly, they did NOT increase. The realities are that these numbers are reflective of the nature of this “challenging” neighborhood.

As for the specific incidences referenced by the City, of the five (5) calls for service specifically highlighted by the City, two (2) were for domestic violence. Again, these incidences are reflective of the nature of the neighborhood. The City also references a grand larceny auto incident as a basis of its claim of public nuisance. For 2008, the Clark County area was the seventh (7th) highest rate of auto thefts in the country. (As reported by the Rocky Mountain Insurance Information Association, Exhibit "B"). This single incident of auto theft hardly illustrates or supports a claim of nuisance against Club 2100. Finally, the remaining two incidences referenced by the City were for disturbances caused by the customers within the licensed premises. As to these incidences, does the City contend that a business owner should not report disturbances by its customers within its establishment?

Clearly, the assertions of the City should not be deemed nor constitute a public nuisance being caused by Respondent.

COUNT TWO

Advertising or engaging in the operation of an erotic dance establishment without a license required by law. Specifically, the City contends and alleges that the entirety of the basis

1 its allegation is the posting of photographs and a video on a internet website, and advertisements
2 with females engaged in sexual or suggestive conduct portraying Club 2100 as an adult sexually
3 related or erotic establishment, in violation of LVMC 6.35.170, doing business without a license
4 for erotic dance establishment. Club 2100 specifically denies these allegations.

5 Contrary to the City's contention, Respondent does not advertise or portray itself to be,
6 nor does it operate, an adult sexually related or erotic establishment. The photographs and video
7 upon which the City bases its allegations were not recovered from a Club 2100 website, nor a
8 website sanctioned or approved by Club 2100. Rather, Respondent is informed that the website
9 from which the alleged photographs were obtained were from an independent website operator to
10 whom Respondent has no control. Most importantly, these photographs do not illustrate or
11 support a finding that Club 2100 operates an erotic dance establishment. To the contrary, Club
12 2100 does not conduct business in a manner that could constitute the operation of an "erotic
13 dance establishment".

14 Las Vegas City Code, Section 6.35.030(B), defines "Dancer" as "a person who dances,
15 models, personally solicits drinks or otherwise performs for an erotic dance establishment and
16 who seeks to arouse or excite the patrons' sexual desires."

17 Subsection (E), defines "Erotic Dance Establishment" as a business "which emphasizes
18 and seeks, **through one or more dancers, to arouse or excite the patrons' sexual desires.**"

19 Las Vegas City Code, Section 6.35.040, states "it shall be prima facie evidence that a
20 business is an erotic dance establishment when one or more **dancers** displays or exposes, with
21 less than a full opaque covering, that **portion of the female breast lower than the upper edge**
22 **of the areola**, or entices or persuades a patron to purchase a beverage sold in the establishment."

1 During the summer months, Club 2100 marketed a "pool party" to encourage patronage
2 of the tavern. On occasion, several customers attended the "pool party" in their pool attire, ie.
3 bathing suits. One of these photographs provided by the City, in support of its assertion that
4 Club 2100 is operating an "erotic dance establishment", illustrates two females in their bathing
5 suits and another illustrates a female with a bathing suit top and short pants standing next to a
6 male. As previously stated, this photograph was not posted on a Club 2100 approved website.
7 Rather, the photograph was posted by an independent individual on a social website. More
8 importantly, none of the individuals portrayed in these photographs were employees of Club
9 2100. None of the individuals portrayed in the photographs were "dancers", nor were they
10 employed by Club 2100. Further, none of these individuals danced, modeled or solicited drinks
11 for or on behalf of Club 2100. Rather, these individuals were customers enjoying themselves
12 within the establishment during one of the pool party promotions and, moreover, were properly
13 clothed. Further, none of the customers illustrated in the City's "photographs" display any
14 portion of the female breast as defined in Section 6.35.040.
15

16
17 The City has also provided Respondent with copies of promotional flyers for which the
18 City believes supports its contention that Club 2100 operates what is construed as an alleged
19 "erotic dance establishment". To the contrary, these promotional flyers are not illustrative of the
20 operation of an "erotic dance establishment". One example provided by the City illustrates a
21 female fully clothed in a bathing suit and simply promotes the establishment. The second
22 example provided by the City illustrates a female fully clothed in a dress and simply promotes
23 different genre of music at Club 2100. None of the foregoing supports, nor is evidence, of any
24 violation by Club 2100 to be operating an "erotic dance establishment". To be sure, Respondent
25
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28

1 is adamant that it does not conduct business in a manner that could be construed as an erotic
2 dance establishment.

3 4 **COUNT THREE**

5 The City contends that Respondent failed to require its employees to acquire, maintain
6 and report work cards. The City references two specific individuals who had not possessed the
7 appropriate work cards, Ana Zelaya and Kristin Carter. At the time of the discovery of the lack
8 of appropriate work cards, these two individual ceased being employed at Respondent's
9 establishment. Since this information was brought to light in June 2009, Respondent has
10 improved its procedures and requirements for employees to provide the necessary and
11 appropriate work cards and related requirements for employment at Club 2100.
12

13 Club 2100 currently employs approximately 12 individuals in various positions. With the
14 current unemployment rate in Nevada reaching fourteen (14%), it is probable that these
15 individuals would not be gainfully employed absent Respondent's business establishment. As
16 stated herein, Respondent has and continues its efforts to work with the City and Las Vegas
17 Metro to conduct business in these challenging economic times, not to mention the challenging
18 physical environment of its business location.
19
20

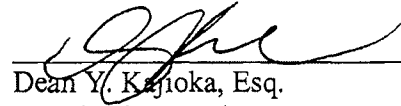
21 **CONCLUSION**

22 WHEREFORE, Respondent, DOMINIC L. LAINO dba CLUB 2100, for the reasons
23 stated herein, respectfully requests the City Council deny Petitioner's requests, and issue a
24 finding that Respondent has not maintained a nuisance, and has not violated any provisions
25
26
27
28

1 regarding the operation of an erotic dance establishment.

2 Dated: September 15, 2009

Respectfully submitted,

3
4 

5 Dean Y. Kajioka, Esq.
6 Kajioka & Associates
7 Nevada Bar No. 5030
8 810 S. Casino Center Blvd.
9 Las Vegas, NV 89101
10 (702) 366-1528
11 Attorneys for Respondent
12 DOMINIC L. LAINO dba CLUB 2100
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EXHIBIT “A”

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: CANDACE FALDER, ACTING

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a Review of Conditions of a Tavern License, Dominic L. Laino, dba Club 2100, 2100 Fremont Street, Dominic L. Laino, Owner, 100% - Ward 3 (Reese)

Fiscal Impact

☒ No Impact

☐ Augmentation Required

☐ Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Review of Conditions of a Tavern License.

RECOMMENDATION:

Recommendation to be provided following the discussion of this item at the City Council Meeting.

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve the permanent license subject to conditions and adding the following conditions as read for the record.

A. Live entertainment is limited to Sunday nights only.

B. A review of the license at the completion of the investigation of the proposed new owner.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, DAVID W. STEINMAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

JIM DiFIORE, Business Licensing Manager, stated this was the final review for this business and the Council would be considering approval of a permanent license. He added that a condition had been changed during the last review to allow live entertainment on Sunday nights rather than Saturday nights.

CITY COUNCIL MEETING OF: JANUARY 7, 2009

MR. DiFIORE noted that, over the last six months, the business had generated 32 calls for service by the Las Vegas Metropolitan Police Department (Metro), resulting in three citations and two arrests outside of the club. He expressed concern with that ongoing activity at the business. He stated that applicant was attempting to sell the business to an individual who had come forward for lender suitability, and recommended approval of the permanent license with a review at the completion of that investigation.

DOMINIC LAINO was present and thanked Mr. DiFIORE for his help. He stated he that he was working on providing security outside of the business as well as working with Metro.

COUNCILMAN REESE acknowledged that the neighborhood is a challenging area and he applauded MR. LAINO for bringing his business to this location. He expressed his hope that MR. LAINO could work with staff to make this area a success.

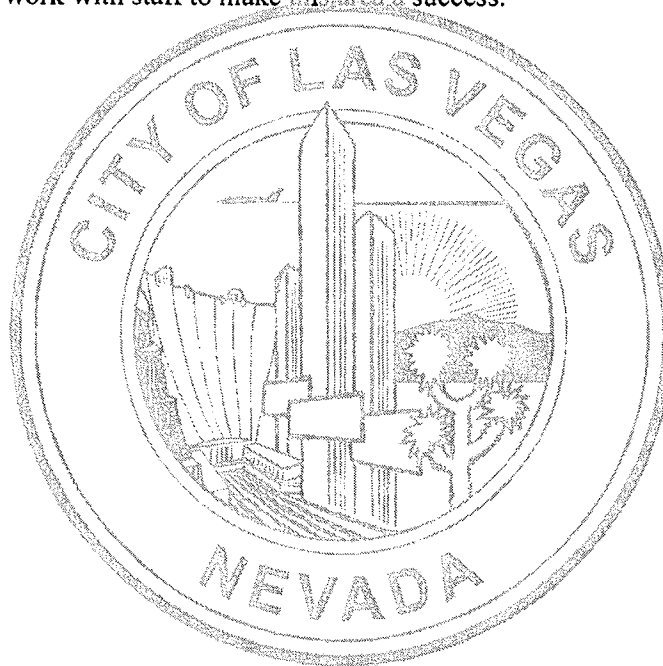
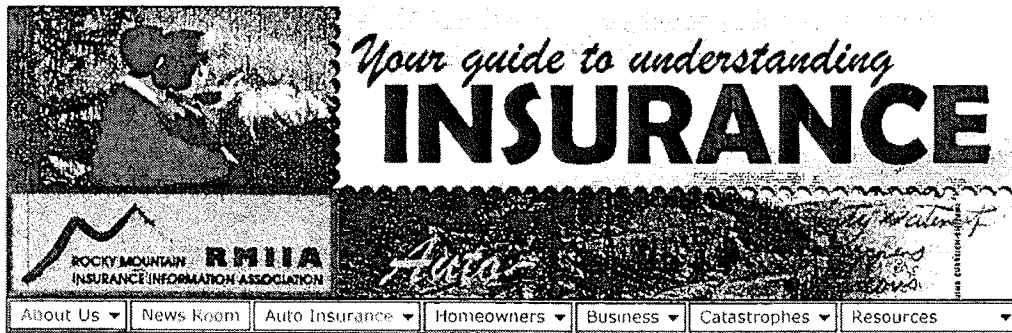


EXHIBIT “B”



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NEWS BRIEF

 SHARE  

Selecting a Contractor and Settling Your Insurance Claim

Many Coloradans are still working through the process of getting their roofs repaired or replaced after a series of summer hail and wind storms pummeled thousands of homes. Unfortunately, insurance customers continue to report a large number of disreputable roofers flooding into impacted areas and preying on homeowners. Here's some advice for selecting a contractor and settling your insurance claim. [More...](#)

Video:

RMIIA's Carole Walker offers [storm claim filing advice](#).

Pueblo Hailstorm Damage to Homes and Cars Estimated at \$105.8 Million in Insured Losses

Damage from last Wednesday's hailstorm is estimated at \$105.8 million in insured losses to homes and vehicles from approximately 22,000 claims. Golf ball-sized hail battered homes and pounded vehicles across Pueblo and tennis ball-sized hail hammered areas southeast of the city. [More...](#)

Insurance Pop Quiz

Does your landlord's insurance cover your furniture and stuff?

- ☐ Yes
☐ No

Vote Now!

View Stats

 Bravenet

[Renters Insurance](#)

National and Rocky Mountain Region Auto Theft Statistics

[National Auto Theft Statistics](#)
[Does it Matter Where I Live?](#)
[Colorado Auto Theft Statistics](#)
[New Mexico Auto Theft Statistics](#)
[Utah Auto Theft Statistics](#)
[Wyoming Auto Theft Statistics](#)
[Most Popular Stolen Vehicles](#)
[Prevention Tips](#)
[Security Discounts](#)
[Reporting Auto Theft & Fraud](#)
[Check Your Vehicle's VIN](#)

National Auto Theft Statistics

The [National Insurance Crime Bureau](#) (NICB) reports that 2008 marked the nation's fifth consecutive year of declining vehicle thefts in the United States.

Preliminary 2008 crime data released by the FBI in January indicates that 2008 will post a double-digit decline in vehicle theft when final numbers are released in the fall. If the preliminary figure of -12.6% holds, it will be the largest single year percent drop in thefts since 1999.

U.S. motor vehicle thefts fell 8.1 percent in 2007 from 2006, according to the FBI's Uniform Crime Reports. In 2007, 1,095,769 motor vehicles were reported stolen, with Western states representing 35.7% of motor vehicle thefts.

Using the FBI's average valuation of \$6,755 per stolen vehicle, the 1.09 million vehicles stolen during 2007 caused estimated property losses of \$7.4 billion.

Only 12.6% of thefts were cleared by arrests in 2007 ([Insurance Information Institute](#)). The NICB is finding that technology, such as license plate readers, owner-installed theft-deterrent devices, and tracking/recovery systems, is aiding the recovery of stolen vehicles.

Every 28.8 seconds a motor vehicle is stolen in the United States.

Auto theft is covered by the optional "comprehensive" coverage on your auto policy. The average comprehensive insurance premium in the U.S. fell 3.3% from \$145.16 in 2005 to \$140.38 in 2006 (the most recent data available), according to the National Association of Insurance Commissioners. ([Insurance Information Institute](#))

Carjacking accounts for 3.0% of all motor vehicle thefts nationwide, and occurs most frequently in urban areas.

A survey of American drivers conducted in April 2007 on behalf of the [National Insurance Crime Bureau](#) and LoJack, a manufacturer of an electronic vehicle tracking and recovery system, found:

- 79% always lock their vehicles.
- 93% never leave spare keys in their vehicle.

However, the survey also found:

How Medical Bills are Paid After an Auto Accident

When you buy auto insurance you need to think about what actually happens when you're in an accident and need to use it...

[\[more\]](#)

- One-third admit they have left their car while it was running, which makes the vehicle an easy target for theft.
- 47% don't always park in a well-lit area.
- 40% don't hide their valuables. In fact, nearly half leave mail in their vehicle, a quarter have left a purse or wallet, and almost a third have left bank statements, all of which can put them at risk for identity theft.

Although 75% of respondents know that there are costs associated with vehicle theft in addition to paying the insurance deductible and the cost of replacing the vehicle that are not covered by insurance, virtually none knew that there are additional costs such as insurance premium increases, the cost of time spent dealing with police, vehicle rental costs, and the cost of time off from work. The survey was conducted by Opinion Research Corporation.

[Back to Top](#)

Does it Matter Where I Live?

Living in urban and higher crime areas has an impact on your risk of being a victim of auto theft. Port and border cities continue to be boomtowns for the auto theft business. Of the top 25 metro areas in the nation for vehicle theft, nearly half are ports or communities with easy access to borders (*[National Insurance Crime Bureau](#), or NICB). The NICB study compares the auto theft rates per 100,000 population in 361 metro areas.

The top 10 metro areas with highest auto theft rates in 2008:

1. Modesto, CA
2. Laredo, TX
3. Yakima, WA
4. San Diego/Carlsbad/San Marcos, CA
5. Bakersfield, CA
6. Stockton, CA
7. Las Vegas/Paradise, NV
8. Albuquerque, NM
9. San Francisco/Oakland/Fremont, CA
10. Fresno, CA

The top 10 states ranked by number of auto thefts in 2006:

1. California
2. Texas
3. Florida
4. Arizona
5. Michigan
6. Washington
7. Georgia
8. Illinois
9. Ohio
10. New York

City-by-city differences in auto buying habits are reflected in the preferences of auto thieves. For example, American vehicles tend to be the auto thief's vehicles of choice in Detroit and Chicago; pickups are popular in Albuquerque, Phoenix and Houston; and Japanese models lead the most commonly stolen list in Los Angeles.

Reporting Auto Theft & Fraud

Report fraud and vehicle theft to your local law enforcement, as well as the [National Insurance Crime Bureau](#) at 1-800-TEL-NICB (1-800-835-6422). Your call to NICB can be anonymous and you may be eligible for a reward.

[Back to top](#)

Updated: February 28, 2007 1:52 PM
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[Contact Us](#)

EXHIBIT 3A

Special City Council Meeting of September 21, 2009

GRAPHIC IMAGE
SUBMITTED AS BACKUP
FOR ITEM 4 – FILED
WITHIN MINUTE BINDER

Special City Council Meeting of September 21, 2009

GRAPHIC IMAGE
SUBMITTED AS BACKUP
FOR ITEM 4 – FILED
WITHIN MINUTE BINDER

Special City Council Meeting
of September 21, 2009

GRAPHIC IMAGE
SUBMITTED AS BACKUP
FOR ITEM 4 – FILED
WITHIN MINUTE BINDER

EXHIBIT 3B

Special City Council Meeting of September 21, 2009

GRAPHIC IMAGE
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FOR ITEM 4 – FILED
WITHIN MINUTE BINDER

Special City Council Meeting of September 21, 2009

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EXHIBIT 3C

Special City Council Meeting of September 21, 2009

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WITHIN MINUTE BINDER

Special City Council Meeting of September 21, 2009

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FOR ITEM 4 – FILED
WITHIN MINUTE BINDER

EXHIBIT 3D

Special City Council Meeting of September 21, 2009

GRAPHIC IMAGE
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FOR ITEM 4 – FILED
WITHIN MINUTE BINDER

Special City Council Meeting of September 21, 2009

GRAPHIC IMAGE
SUBMITTED AS BACKUP
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WITHIN MINUTE BINDER

EXHIBIT 4A
(et seq.)



NOTICE AND DECLARATION OF CHRONIC NUISANCE

Date: June 25th, 2009

To: Dominic Laino (Club Owner/Property Leasee)
2100 Fremont St. Suite 110
Las Vegas, NV 89101

In Response

Please Reply To:
Officer J. Oaks
Officer D. Nunez
Phone#828-8360

PLEASE TAKE NOTICE, the following conduct occurred on the premises commonly known as Club 2100, 2100 Fremont Street Suite 110 Las Vegas, NV 89101.

6.35.170 Doing Business without a license for Erotic Dance Establishment

Did advertise, commence, carry on, engage in or continue an erotic dance establishment business on in the area of 2100 Fremont Avenue, Suite 110 without first applying for, obtaining or thereafter maintaining a business license under LVMC 6.35 in violation of LVMC 6.02.060, 6.02.370 and 6.35.170. Evidence of this conduct has been located in a Club 2100 webpage on Myspace.com , numerous photos on a Club 2100 page on Photobucket.com and video on Youtube.com.

6.02.060(C) Violation of Condition Attached to Business License

Did advertise, commence, carry on, engage in or continue a Tavern business, to-wit Club 2100 in a manner which caused, encouraged, allowed, permitted or failed to abate a nuisance to-wit: live entertainment is occurring Thursday, Friday, and Saturday nights in violation of LVMC 6.02.060(C) Condition that live entertainment is allowed only on Sunday nights, ceasing no later than 2:00 am Monday and 6.02.370). Evidence of this activity was located on the 2100 Club's webpage on myspace.com.

6.02.320 Failure to Report Change of Information

Did fail to report a change of business activity, change in lender suitability or other information furnished(change of business operation) to the Department of Business Licensing in violation of LVMC 6.02.310, 6.02.320 and 6.02.370.





19.04.010 Land Use Tables - Zoning

Did as tenant and person in control of this "C-2" zoned property, *located at 2100 Fremont Street, Suite 110* cause, maintain, or fail to abate *the use of such property as an sexually oriented business* other than in accordance with the uses permitted in the land use tables provided therein and not allowed in a C-2 zone *in violation of LVMC 9.010, 9.04.030, 19.00.070 and 19.04.010.*

6.50.290 License issuance--Privileges. A license issued pursuant to this Chapter authorizes the person to whom it is issued to exercise only those privileges expressly permitted pursuant to this Chapter for the specific classification of license issued and only on the premises identified in the license.

6.50.510 Employee--Acts prohibited.

(A) It is unlawful for any person, while acting as an employee, waiter, waitress, performer or entertainer in any live act, play, demonstration or exhibition or while serving food or drink to any customer, to do any of the following acts on the premises where alcoholic beverages are licensed to be sold:

- (1) Expose his or her genitals, pubic hair, perineum, anal region or pubic hair region; or
- (2) Expose or use any device, costume or covering which gives the appearance of or simulates the genitals, pubic hair, perineum, anal region or pubic hair region.

(B) A person shall be deemed to be a waiter, waitress, performer or entertainer if such person acts in that capacity without regard to whether or not such person is paid any compensation.

(C) It is unlawful for any licensee, or any owner, officer, director, representative, manager, agent, servant or employee of a licensee to allow, cause, permit, procure, counsel or assist any person to perform any of the acts set forth in Subsection (A) of this Section on the premises where alcoholic beverages are licensed to be sold.

In addition to the aforementioned Erotic Dance Establishment violations there has also been 3 or more Calls for Service associated with the property or persons associated with the property in a 30 day period during the time frame of 03/23/09 to 06/19/09. Pedestrian or vehicle stops conducted by LVMPD Officers at or on this property were not figured into the amount of Calls for service. However, Directed Patrol Activities used by the LVMPD in an effort to curtail the criminal activity were used due to the nuisance activity that was occurring at the property.

The breakdown by month is as follows:

March=4, April=4, May= 10, and for half the month of June=4.





Several of these events involved disturbances, damage to property, stolen vehicles and property, crimes of violence, domestic violence, and use of a firearm. These notices have been sent due to calls for service on property, criminal activity and management and ownership allowing criminal activity to occur.

This property has been and continues to be a constant problem in the downtown area which has lead to an unsafe environment for the customers patronizing the establishment and the citizens of the Downtown Area. Improper management and actions on the part of customers patronizing the establishment has lead to a perpetual state of criminal chaos and can no longer be tolerated. The following actions are suggested.

- **Cease and desist in all activity in violation of the Erotic Dance Establishment Code LVMC 6.35, 6.02.060, 6.02.370, and 6.35.170 inclusive.**
- **Cease and desist in all activity of non-conformance to conditions on Tavern License required by LVMC 6.02.060(c) Violation of Condition attached to business license.**
- **Cease and desist in all activity and comply with LVMC 6.02.320 Failure to report change of information (Change of ownership/key employee)**
- **Cease and desist in all activity in violation of LVMC 19.04.010 Land Use Tables and comply with all provisions.**
- **Cease and desist in all activity in violation of LVMC 6.50.510 Employee-Acts Prohibited.**
- **Written policies and training for security and management personnel.**
- **Complete and thorough criminal background checks on all employees.**
- **Require all employees to obtain and maintain a valid unexpired work card as required by LVMC 6.50 Liquor Control and LVMC 6.86.030 Employer Responsibility.**
- **Maintain an accurate and up to date employee list.**





- **Competent and proactive Security personnel on the premises to monitor activity in the interior and exterior of the property, handle problems and disturbances and report incidents to LVMPD as necessary.**
- **Participate in LVMPD lock, take, and hide program.**
- **Requirement of and proper checking of identification at all entrances to prevent minors from being able to enter the establishment, consume alcohol, or engage in illicit activities.**
- **Development and active use of a re-entry stamp, wristband, etc to more actively monitor the patrons.**
- **Placement of or active use of a surveillance system so that activity in the interior and exterior can be monitored by club personnel. All surveillance tapes should be maintained for a period of 30 days.**
- **More active role of owner and management in administering the property to prevent criminal activity and illicit behavior.**

This conduct constitutes a Chronic Nuisance as defined by Las Vegas Municipal Code 9.04.010. Pursuant to Las Vegas Municipal Code 9.040.020, every person who causes or maintains a public nuisance or chronic nuisance, or who wilfully omits or refuses to perform any legal duty relating to the abatement of such a nuisance.

(1) Shall be guilty of a misdemeanor; or

(2) Shall be liable civilly to the City and, upon such finding based upon substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation.

(B) Each day that a violation of this Section continues, whether pursued criminally or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.





REQUEST FOR ABATEMENT

YOU ARE HEREBY requested to take any and all steps necessary to abate the above nuisance IMMEDIATELY. You have until 07-05-09 to correct and abate this nuisance. I can assist you with suggestions and alternatives that may help in abating this nuisance. Please contact me upon receipt of this notice so that the appropriate corrective actions can begin. Failure to abate this nuisance will result in the implementation of any and all remedial measures available to the City of Las Vegas under Title 9 of the Las Vegas Municipal Code, including civil fines and criminal prosecution. If you wish to appeal this notice, see Las Vegas Municipal Code 9.04.070, attached hereto.

Officer James Oaks

cc Councilman Gary Reese
City Attorney

9.04.070 Appeal procedures.

Within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. Any owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.



EXHIBIT 4B
(et seq.)

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090329003104

Incident Summary

Incident Type: CRIMINAL INCIDENT
Inc Occurred Address: 2100 FREMONT ST LAS VEGAS, NV 89101
Inc Occurred Start: 03/29/2009 06:00 Inc Occurred End: 03/29/2009 09:00
Domestic: N Bias Motivation: NO Gang Related: N Substance: N
Contact Nature: Reported Date/Time: 03/29/2009 21:14
Reporting Officer: GONZALES, N 9492 Primary Assigned Officer:
Case Status: CLOSED Disposition: NONE Disposition Date: 04/02/2009 11:59
Report Type: FIELD INCIDENT REPORT
Sector/Beat: B3/B3
Report Taken: 03/29/2009 21:14

Offenses

Statute Code: LARC205.220B Enhancers:
Statute Desc: GRAND LARCENY - AUTO
Counts: 1 Statute Severity: FELONY

Officers

Event Association	Emp#	Badge#	Name	Squad#
PRIMARY REPORTING OFFICER	9492	9492	GONZALES, N 9492	BA34
SUPERVISOR	4306	4306	AGUILAR, L 4306	

List of Attachments

Type:	Report ID:	Report Date:	Report Summary:
VEH RECOVERY/SEIZURE/IMPOUND RPT	8803	04/02/2009 20:23	VEH. RECOVERY/EVT # 090402-2882

Persons Involved

Person#: 0001 MNI: 8808083 Can ID Suspect: No
Event Association: VICTIM Contact Date/Time:
Name: MARTINEZ, KLEIRO
DOB: [REDACTED] Age: 26 - 26 Sex: MALE Race: HISP/LATIN AMER
Height: 5' 5" - 5' 5" Weight: 160 - 160 lbs Eye Color: BROWN Hair Color: BLACK
Address: [REDACTED] Sector/Beat: W1/W1
Phone Type 1: RESIDENCE/HOM Phone# 1: [REDACTED] Ext 1:
Phone Type 2: Phone# 2: [REDACTED] Ext 2:
Occupation: Employer/School:

Vehicles Involved

Vehicle#: 0001
Event Assoc: VICTIM'S VEHICLE Vehicle Status: STOLEN LOCALLY - RECOVERED LOCALLY
Vehicle Type: A Year: 1999 Make: MERCURY Model: COUGAR
VIN: 1ZWHT61L6X5646638 License#: 256VBX State: NV Expires On: 02/2010
Style: 2-DOOR Prim Color: BLACK Sec Color: BLACK Ter Color: BLACK
Status Dt/Tm: 03/29/2009 21:14 Status Value: Recovered Date: Recovered Value:
NCIC Date: 03/29/2009 21:25 NCIC Reported By: SALDIVAR, R 10168
NCIC#: NCIC Cancelled:
Registered Owner Name: MARTINEZ, KLEIRO
Address: [REDACTED] Phone#: [REDACTED]

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
S VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090329003104

Modus Operandi

Against Persons: N
Against Property: Y
Occupied: Y
General Premise 1: BAR/LOUNGE
General Premise 2:
Specific Premise: PARKING LOT
Surrounding Area 1: MIDDLE OF BLOCK
Surrounding Area 2:
Surrounding Area 3:
Relationship to Suspect 1: NONE
Relationship to Suspect 2:
Weapon Type 1:
Automatic: N
Weapon Type 2:
Automatic: N
Weapon Type 3:
Automatic: N

Crime Against Property

# of Premises Entered:	Suspect Action 1:	
Entry Point:	Suspect Action 2:	
Exit Point:	Suspect Action 3:	
Entry Loc 1:	Suspect Action 4:	
Exit Loc 1:	Suspect Action 5:	
Entry Loc 2:	Additional Factor 1:	SIMILAR CRIMES IN NEIGHBORHOOD
Exit Loc 2:	Additional Factor 2:	
Entry Method 1:	Additional Factor 3:	
Exit Method 1:	Additional Factor 4:	
Entry Method 2:	Additional Factor 5:	
Exit Method 2:	Security Type:	
Entry Tool 1:	Victim Location:	ENTERTAINMENT
Exit Tool 1:	Electronic Locks:	N
Entry Tool 2:	Video Surveillance:	N
Exit Tool 2:	Maid:	
Vehicle Entry:	Inspectress:	
Safe Entry:		

Crime Against Persons

Pre-incident Contact 1:	Suspect Action 1:
Pre-incident Contact 2:	Suspect Action 2:
Pre-incident Contact 3:	Suspect Action 3:
Victim Condition 1:	Suspect Action 4:
Victim Condition 2:	Suspect Action 5:
Victim Condition 3:	Sex Crime 1:
Victim Condition 4:	Sex Crime 2:
Victim Condition 5:	Sex Crime 3:
Suspect Solicited 1:	Sex Crime 4:
Suspect Solicited 2:	Sex Crime 5:
Suspect Pretended to Be:	Vehicle Involvement 1:
	Vehicle Involvement 2:

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090329003104

Narratives

ENTERED DATE/TIME: 4/1/2009 00:57:34
NARRATIVE TYPE: INCIDENT CRIME REPORT
SUBJECT: GLA
AUTHOR: GONZALES, N 9492

KLEIRO MARTINEZ STATED THAT ON 03/29/09, AT 0600 HRS, HE PARKED HIS VEHICLE AND LOCKED IT. AT 0900 HRS, WHEN MARTINEZ CAME OUT, HE NOTICED HIS VEHICLE WAS GONE. MARTINEZ STATED NO ONE ELSE HAS KEYS OR PERMISSION TO DRIVE HIS VEHICLE. MARTINEZ STATED HIS VEHICLE IS PAID OFF AND INSURED. MARTINEZ STATED HE NOTICED GLASS WHERE THE VEHICLE WAS PARKED.

List of Documents

Subject:	Author:	Entered Date/Time:
ORIGINAL INCIDENT REPORT	QUINN, P 5056	4/2/2009 07:07:43

EXHIBIT 4C
(et seq.)

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090426000849

Incident Summary

Incident Type:	CRIMINAL INCIDENT	Report Type:	FIELD INCIDENT REPORT
Inc Occurred Address:	2100 E FREMONT LAS VEGAS, NV 89101	Sector/Beat:	B/B3
Inc Occurred Start:	04/26/2009 04:45	Inc Occurred End:	
Domestic:	Y	Bias Motivation:	
Contact Nature:	DOMESTIC VIOLENCE (417)	Gang Related:	U
Reporting Officer:	CRUZ, M 5828	Substance:	U
Case Status:	CLOSED	Reported Date/Time:	04/26/2009 05:30
Disposition:	CLOSED BY ARREST - ADULT	Primary Assigned Officer:	ROBINSON, E 3889
		Disposition Date:	04/28/2009 06:15

Offenses

Statute Code: BATT200.485
Statute Desc: BATTERY / DOMESTIC VIOLENCE
Counts: 1 Statute Severity: MISDEMEANOR
Enhancers:

Officers

Event Association	Emp#	Badge#	Name	Squad#
PRIMARY REPORTING OFFICER	5828	5828	CRUZ, M 5828	DT14
RESPONDING OFFICER	13223	13223	TOMPKINS, S 13223	DT14
SUPERVISOR	5599	5599	GOODWIN, J 5599	
PRIMARY ASSIGNED OFFICER	3889	3889	ROBINSON, E 3889	

List of Attachments

Type:	Report ID:	Report Date:	Report Summary:
DOMESTIC VIOLENCE RPT	5828	04/26/2009 05:30	BATT RPT
NON-METRO DOCUMENT	5828	04/26/2009 05:30	REQ FOR PROS, WITNESS LIST
TEMPORARY CUSTODY RECORD	5828	04/26/2009 05:30	
VOLUNTARY STATEMENT	5828	04/26/2009 05:30	VERA-CASTILLO, ARIEL GONZALEZ-RUIZ, JOSE

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090426000849

Persons Involved

Person#: 0001 MNI: 8581118 Can ID Suspect: No
Event Association: VICTIM Contact Date/Time:
Name: GONZALEZ-RUIZ, JOSE
DOB: [REDACTED] Age: 33 - 33 Sex: MALE Race: HISP/LATIN AMER
Height: 5' 5" - 5' 5" Weight: 140 - 140 lbs Eye Color: BROWN Hair Color: BLACK
Address: [REDACTED] Sector/Beat:
Phone Type 1: RESIDENCE/HOM Phone# 1: [REDACTED] Ext 1:
Phone Type 2: BUSINESS/WORK Phone# 2: [REDACTED] Ext 2:
Occupation: Employer/School:

Characteristics

Characteristic Type:	Further Defined By:	Description:
01. Witness Present	YES	
03. Evidence Present	NO	
09. Alcohol/Drugs Involved	YES	
10. Photos Taken	NO	
11. 911 Caller	VICTIM	
12. Primary Aggressor	CORROBORATING WITNE	
15. Background Noises	NO	
02. Temp. Housing	NO	
04. TPO in Effect	NO	
05. Vol. Statement Taken	YES	
06. Eng. Language Spoken	NO	
07. DV Card Given	YES	
08. Vic/Sus Relationship	COHABITANT	
17. Injury Severity		
18. Medical Treatment	REFUSED	
DEMEANOR	CRYING	

Person#: 0002 MNI: 8553812 Can ID Suspect: No
Event Association: WITNESS Contact Date/Time:
Name: VERA-CASTILLO, ARIEL
DOB: [REDACTED] Age: 37 - 37 Sex: MALE Race: HISP/LATIN AMER
Height: 6' 2" - 6' 2" Weight: 310 - 310 lbs Eye Color: BROWN Hair Color: BLACK
Address: [REDACTED] Sector/Beat: /V4
Phone Type 1: RESIDENCE/HOM Phone# 1: [REDACTED] Ext 1:
Phone Type 2: BUSINESS/WORK Phone# 2: [REDACTED] Ext 2:
Occupation: BOUNCER Employer/School: LAS PALMAS

Person#: 0003 MNI: 8825616 Can ID Suspect: No
Event Association: CONTACT Contact Date/Time:
Name: GONZALEZ, MARGARITA
DOB: [REDACTED] Age: - Sex: Race:
Height: [REDACTED] Weight: [REDACTED] Eye Color: Hair Color:
Address: [REDACTED] Sector/Beat:
Phone Type 1: RESIDENCE/HOM Phone# 1: [REDACTED] Ext 1:
Phone Type 2: Phone# 2: [REDACTED] Ext 2:
Occupation: Employer/School:

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090426000849

Persons Involved

Person#: 0004	MNI: 8825617	Can ID Suspect: No
Event Association: ARRESTEE	Contact Date/Time:	
Name: ORTEGA, OBDULIA		
DOB: [REDACTED]	Age: 32 - 32 Sex: FEMALE	Race: HISP/LATIN AMER
Height: 5' 1" - 5' 1"	Weight: 150 - 150 lbs	Hair Color: BROWN
Address: [REDACTED]	Eye Color: BROWN	Sector/Beat:
Phone Type 1: RESIDENCE/HOM	Phone# 1: [REDACTED]	Ext 1:
Phone Type 2:	Phone# 2:	Ext 2:
Occupation:	Employer/School:	

Characteristics

Characteristic Type:	Further Defined By:	Description:
13. Mitigating Factors		
14. Reason For Arrest		
16. Weapon Used		
17. Injury Severity		
18. Medical Treatment		
DEMEANOR	CRYING	

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090426000849

Modus Operandi

Against Persons: N
Against Property: N
Occupied: Y
General Premise 1: SINGLE FAMILY RESIDENCE
General Premise 2:
Specific Premise: SPECIFIC_PREMISE
Surrounding Area 1: SURROUNDING_AREA
Surrounding Area 2:
Surrounding Area 3:
Relationship to Suspect 1: COHABITANTS
Relationship to Suspect 2:
Weapon Type 1:
Automatic: N
Weapon Type 2:
Automatic: N
Weapon Type 3:
Automatic: N

Crime Against Property

# of Premises Entered:	Suspect Action 1:
Entry Point:	Suspect Action 2:
Exit Point:	Suspect Action 3:
Entry Loc 1:	Suspect Action 4:
Exit Loc 1:	Suspect Action 5:
Entry Loc 2:	Additional Factor 1:
Exit Loc 2:	Additional Factor 2:
Entry Method 1:	Additional Factor 3:
Exit Method 1:	Additional Factor 4:
Entry Method 2:	Additional Factor 5:
Exit Method 2:	Security Type:
Entry Tool 1:	Victim Location:
Exit Tool 1:	Electronic Locks: N
Entry Tool 2:	Video Surveillance: N
Exit Tool 2:	Maid:
Vehicle Entry:	Inspectress:
Safe Entry:	

Crime Against Persons

Pre-incident Contact 1:	Suspect Action 1:
Pre-incident Contact 2:	Suspect Action 2:
Pre-incident Contact 3:	Suspect Action 3:
Victim Condition 1:	Suspect Action 4:
Victim Condition 2:	Suspect Action 5:
Victim Condition 3:	Sex Crime 1:
Victim Condition 4:	Sex Crime 2:
Victim Condition 5:	Sex Crime 3:
Suspect Solicited 1:	Sex Crime 4:
Suspect Solicited 2:	Sex Crime 5:
Suspect Pretended to Be:	Vehicle Involvement 1:
	Vehicle Involvement 2:

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090426000849

Narratives

ENTERED DATE/TIME: 4/27/2009 20:56:09
NARRATIVE TYPE: INCIDENT CRIME REPORT
SUBJECT: BDV
AUTHOR: CRUZ, M 5828

ON 4/26/09, I, OFFICER S. TOMPKINS, P#13223, WHILE OPERATING AS MARKED PATROL UNIT 1B45, ALONG WITH OFFICER M. CRUZ, P#5828, OPERATING AS MARKED PATROL UNIT 1A43, RESPONDED TO THE REPORT OF A DOMESTIC DISTURBANCE AT 2100 FREMONT, LV, NV.

UPON ARRIVAL, I CONTACTED SECURITY OFFICER ARIEL VERA-CASTILLO, WHO TOLD ME THAT THE FEMALE HALF, LATER IDENTIFIED AS ORTEGA, OBDULIA, [REDACTED] PER HER NEVADA DRIVER LICENSE, SLAPPED THE MALE HALF SEVERAL TIMES OUTSIDE THE CLUB IN THE PARKING LOT.

THE MALE HALF WAS LATER IDENTIFIED AS GONZALEZ-RUIZ, JOSE, [REDACTED], BY HIS NEVADA DRIVER LICENSE.

UPON CONTACTING ORTEGA, SHE TOLD ME THAT GONZALEZ AND HER HAD BEEN DATING FOR 3 YEARS, HAD BEEN LIVING TOGETHER FOR APPROXIMATELY 2 YEARS AND HAVE A 15 MONTH OLD GIRL IN COMMON. SHE THEN TOLD ME THAT AFTER A VERBAL ALTERCATION SHE SLAPPED GONZALEZ IN THE FACE BUT WAS UNSURE OF HOW MANY TIMES.

I THEN CONTACTED GONZALEZ WHO CORROBORATED THE STATEMENTS MADE BY THE SECURITY GUARD AND ORTEGA. GONZALEZ TOLD OFFICERS THAT ORTEGA SLAPPED HIM 5 TIMES BECAUSE THEY WERE ARGUING.

DUE TO THE ABOVE FACTS AND CIRCUMSTANCES ORTEGA WAS ARRESTED FOR BATTERY DOMESTIC VIOLENCE.

List of Documents

Subject:	Author:	Entered Date/Time:
ORIGINAL INCIDENT REPORT	DEVERA, M 9400	4/28/2009 07:40:46

EXHIBIT 4D
(et seq.)

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
100 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090515000540

Incident Summary

Incident Type: CRIMINAL INCIDENT
Inc Occurred Address: 2100 FREMONT ST LAS VEGAS, NV 89101
Inc Occurred Start: 05/15/2009 05:45 Inc Occurred End:
Domestic: N Bias Motivation: Gang Related: U Substance: U
Contact Nature: Reported Date/Time: 05/15/2009 06:51
Reporting Officer: URBAN, F 8109 Primary Assigned Officer: BEVILACQUA, A 6258
Case Status: CLOSED Disposition: CLOSED BY ARREST - ADULT Disposition Date: 05/29/2009 15:22

Offenses

Statute Code: MALM206.310B Enhancers:
Statute Desc: MALICIOUS DESTRUCTION OF PRIVATE PROPERTY - OVER \$250
Counts: 1 Statute Severity: GROSS MISDEMEANOR

Officers

Event Association	Emp#	Badge#	Name	Squad#
PRIMARY REPORTING OFFICER	8109	8109	URBAN, F 8109	DTAC
RESPONDING OFFICER	7457	7457	SCHUMMER, D 7457	DTAC
SUPERVISOR	7070	7070	CODAY, J 7070	
ENTERED BY	13483	13483	KROLL, A 13483	REC2
PRIMARY ASSIGNED OFFICER	6258	6258	BEVILACQUA, A 6258	

List of Attachments

Type:	Report ID:	Report Date:	Report Summary:
VOLUNTARY STATEMENT	8109	05/15/2009 06:51	LAINO, DOMINIC SPINELLO, JAMES J.
TEMPORARY CUSTODY RECORD	8109	05/15/2009 06:51	
NON-METRO DOCUMENT	8109	05/15/2009 06:51	REQUEST FOR PROSECUTION
WITNESS LIST	8109	05/15/2009 06:51	
DECLARATION OF ARREST	8109	05/15/2009 06:51	

Persons Involved

Person#: 0001 MNI: 3078145 Can ID Suspect: Yes
Event Association: PERSON REPORTING / COMPLAINANT Contact Date/Time:
Name: LAINO, DOMINIC L
Height: 6' 0" - 6' 0" Weight: 160 - 160 lbs Age: 34 - 34 Sex: MALE Race: WHITE/CAUCASIAN
Address: [REDACTED] Eye Color: BROWN Hair Color: BLACK
Phone Type 1: BUSINESS/WORK Phone# 1: [REDACTED] Ext 1: Sector/Beat: K/K9
Phone Type 2: Phone# 2: Ext 2:
Occupation: Employer/School:

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
100 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090515000540

Persons Involved

Person#: 0002 MNI: 8841340 Can ID Suspect: Yes
Event Association: WITNESS Contact Date/Time:
Name: SPINELLO, JAMES
DOB: [REDACTED] Age: 38 - 38 Sex: MALE Race: WHITE/CAUCASIAN
Height: 6' 0" - 6' 0" Weight: 200 - 200 lbs Eye Color: HAZEL Hair Color: BROWN
Address: [REDACTED] Sector/Beat:
Phone Type 1: RESIDENCE/HOM Phone# 1: [REDACTED] Ext 1:
Phone Type 2: Phone# 2: [REDACTED] Ext 2:
Occupation: Employer/School:

Person#: 0003 MNI: 8841343 Can ID Suspect: No
Event Association: ARRESTEE Contact Date/Time:
Name: FIGUEROA, JUAN C
DOB: [REDACTED] Age: 40 - 40 Sex: MALE Race: HISP/LATIN AMER
Height: 5' 2" - 5' 2" Weight: 200 - 200 lbs Eye Color: BROWN Hair Color: BLACK
Address: [REDACTED] Sector/Beat:
Phone Type 1: Phone# 1: [REDACTED] Ext 1:
Phone Type 2: Phone# 2: [REDACTED] Ext 2:
Occupation: Employer/School:

Characteristics

Characteristic Type:	Further Defined By:	Description:
SHIRT COLOR	RED	
PANTS COLOR	BLACK	

Businesses Involved

Business # 0001
Event Association: VICTIM
Business Name: 2100 CLUB Business Type:
Address: 2100 FREMONT ST LAS VEGAS, NEVADA 89101 Sector/Beat: B3B3
Phone Type 1: BUSINESS/WORK Phone# 1: (702) 870-2100 Ext 1:
Phone Type 2: Phone# 2: [REDACTED] Ext 2:

Property Involved

Property # 0001	Evidence: No	
Event Assoc/Orig status: DAMAGED	Original Status Date: 5/15/2009 06:51:00	Original Value: \$1,800.00
Current Status: DAMAGED	Current Status Date: 5/15/2009 06:51:00	Current Value: \$1,800.00
Property Type:		
Description: FLAT SCREEN HD TV		
Make/Brand: VIZIO	Model:	
Color: BLACK/GRAY	Quantity: 1	
Serial/Lot#: MSPBMBJ 1640933	Owner Applied#:	
NCIC Date:	NCIC Reported By:	
NCIC#:	NCIC Cancelled:	

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090515000540

Modus Operandi

Against Persons: N
Against Property: Y
Occupied: Y
General Premise 1: BAR/LOUNGE
General Premise 2:
Specific Premise: ROOM
Surrounding Area 1: MIDDLE OF BLOCK
Surrounding Area 2:
Surrounding Area 3:
Relationship to Suspect 1: CUSTOMER
Relationship to Suspect 2:
Weapon Type 1:
Automatic: N
Weapon Type 2:
Automatic: N
Weapon Type 3:
Automatic: N

Crime Against Property

# of Premises Entered:		Suspect Action 1:	ATE/DRANK ON PREMISES
Entry Point:	DOOR	Suspect Action 2:	MALICIOUS DAMAGE
Exit Point:	DOOR	Suspect Action 3:	
Entry Loc 1:	SOUTH	Suspect Action 4:	
Exit Loc 1:		Suspect Action 5:	
Entry Loc 2:		Additional Factor 1:	
Exit Loc 2:		Additional Factor 2:	
Entry Method 1:	ADMITTED - NO FORCE	Additional Factor 3:	
Exit Method 1:		Additional Factor 4:	
Entry Method 2:		Additional Factor 5:	
Exit Method 2:		Security Type:	
Entry Tool 1:		Victim Location:	ENTERTAINMENT
Exit Tool 1:		Electronic Locks:	N
Entry Tool 2:		Video Surveillance:	N
Exit Tool 2:		Maid:	
Vehicle Entry:		Inspectress:	
Safe Entry:			

Crime Against Persons

Pre-incident Contact 1:	Suspect Action 1:
Pre-incident Contact 2:	Suspect Action 2:
Pre-incident Contact 3:	Suspect Action 3:
Victim Condition 1:	Suspect Action 4:
Victim Condition 2:	Suspect Action 5:
Victim Condition 3:	Sex Crime 1:
Victim Condition 4:	Sex Crime 2:
Victim Condition 5:	Sex Crime 3:
Suspect Solicited 1:	Sex Crime 4:
Suspect Solicited 2:	Sex Crime 5:
Suspect Pretended to Be:	Vehicle Involvement 1:
	Vehicle Involvement 2:

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090515000540

Narratives

ENTERED DATE/TIME: 5/21/2009 08:46:11
NARRATIVE TYPE: INCIDENT CRIME REPORT
SUBJECT: MDPP
AUTHOR: URBAN, F 8109

JUAN WAS ASKED TO LEAVE BUSINESS BY MANAGEMENT DUE TO CLOSING. JUAN BECAME ANGRY AND THREW (2) BEER BOTTLES.

THE 1ST BEER BOTTLE WENT ACROSS THE BAR. THE 2ND BEER BOTTLE WENT INTO A FLAT SCREEN VIZIO HIGH DEF. T.V.

MANAGEMENT THEN CALLED POLICE. MANAGEMENT ESTIMATES THE DAMAGE FOR THE T.V. TO BE \$1,800.00.

List of Documents

Subject:	Author:	Entered Date/Time:
ORIGINAL INCIDENT REPORT	KROLL, A 13483	5/22/2009 07:16:40

EXHIBIT 4E
(et seq.)

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090529003326

Incident Summary

Incident Type:	CRIMINAL INCIDENT	Report Type:	FIELD INCIDENT REPORT
Inc Occurred Address:	2100 FREMONT ST LAS VEGAS, NV 89101	Sector/Beat:	B3/B3
Inc Occurred Start:	05/29/2009 18:53	Inc Occurred End:	
Domestic:	Y	Bias Motivation:	
Contact Nature:		Gang Related:	U
Reporting Officer:	KENNEDY, C 8377	Substance:	U
Case Status:	CLOSED	Reported Date/Time:	05/29/2009 18:53
Disposition:	CLOSED BY ARREST - ADULT	Primary Assigned Officer:	ROBINSON, E 3889
		Disposition Date:	05/29/2009 00:00

Offenses

Statute Code: BATT200.485
Statute Desc: BATTERY / DOMESTIC VIOLENCE
Counts: 1 Statute Severity: MISDEMEANOR
Enhancers:

Officers

Event Association	Emp#	Badge#	Name	Squad#
PRIMARY REPORTING OFFICER	8377	8377	KENNEDY, C 8377	DT31
REPORTING OFFICER	12958	12958	BAUGHMAN, Z 12958	DT31
SUPERVISOR	6519	6519	STUART, J 6519	
PRIMARY ASSIGNED OFFICER	3889	3889	ROBINSON, E 3889	

List of Attachments

Type:	Report ID:	Report Date:	Report Summary:
DOMESTIC VIOLENCE RPT	8377	05/29/2009 19:17	
NON-METRO DOCUMENT	8377	05/29/2009 19:17	REQUEST FOR PROSECUTION
WITNESS LIST	8377	05/29/2009 19:17	
TEMPORARY CUSTODY RECORD	8377	05/29/2009 19:17	1
VOLUNTARY STATEMENT	8377	05/29/2009 19:17	HANES, BELINDA

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090529003326

Persons Involved

Person#: 0001 MNI: 4220686 Can ID Suspect: No
Event Association: VICTIM Contact Date/Time:
Name: MONDESI, YOLANDA
DOB: [REDACTED] Age: 46 - 46 Sex: FEMALE Race: HISP/LATIN AMER
Height: 5' 1" - 5' 1" Weight: 120 - 120 lbs Eye Color: BROWN Hair Color: BROWN
Address: [REDACTED] Sector/Beat: C3/C3
Phone Type 1: Phone# 1: Ext 1:
Phone Type 2: Phone# 2: Ext 2:
Occupation: Employer/School:

Characteristics

Characteristic Type:	Further Defined By:	Description:
01. Witness Present	YES	
03. Evidence Present	YES	
09. Alcohol/Drugs Involved	YES	
10. Photos Taken	YES	DIGITAL
11. 911 Caller	NEIGHBOR	
12. Primary Aggressor	INJURY SEVERITY	
15. Background Noises	NO	
02. Temp. Housing	NO	
04. TPO in Effect	NO	
05. Vol. Statement Taken	NO	
06. Eng. Language Spoken	NO	
07. DV Card Given	YES	
08. Vic/Sus Relationship	DATING	1 YEAR
17. Injury Severity		
18. Medical Treatment	REFUSED	
08. VIC / SUS RELATION	COHABITANT	
12. PRIMARY AGGRESSOR	CORROBORATING WITNE	
DEMEANOR	CRYING	

Person#: 0002 MNI: 8103230 Can ID Suspect: No
Event Association: WITNESS Contact Date/Time:
Name: HANES, BELINDA
DOB: [REDACTED] Age: 41 - 41 Sex: Race:
Height: [REDACTED] Weight: [REDACTED] Eye Color: Hair Color:
Address: [REDACTED] Sector/Beat: A5/A5
Phone Type 1: RESIDENCE Phone# 1: [REDACTED] Ext 1:
Phone Type 2: Phone# 2: [REDACTED] Ext 2:
Occupation: Employer/School:

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090529003326

Persons Involved

Person#: 0003 MNI: 4617691 Can ID Suspect: No
Event Association: WITNESS Contact Date/Time:
Name: MACAM, HENRY
DOB: [REDACTED] Age: 35 - 35 Sex: Race:
Height: [REDACTED] Weight: [REDACTED] Eye Color: Hair Color:
Address: [REDACTED] Sector/Beat: B/B3
Phone Type 1: Phone# 1: Ext 1:
Phone Type 2: Phone# 2: Ext 2:
Occupation: Employer/School:

Person#: 0004 MNI: 25932 Can ID Suspect: No
Event Association: ARRESTEE Contact Date/Time:
Name: BROWN, RALPH
DOB: [REDACTED] Age: 38 - 38 Sex: MALE Race: BLACK/AFRO AMER
Height: 6' 0" - 6' 0" Weight: 150 - 150 lbs Eye Color: BROWN Hair Color: BLACK
Address: [REDACTED] Sector/Beat: W6/W6
Phone Type 1: Phone# 1: Ext 1:
Phone Type 2: Phone# 2: Ext 2:
Occupation: Employer/School:

Characteristics

Characteristic Type:	Further Defined By:	Description:
13. Mitigating Factors		
14. Reason For Arrest		
16. Weapon Used		
17. Injury Severity		
18. Medical Treatment		

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090529003326

Modus Operandi

Against Persons:	Y
Against Property:	N
Occupied:	N
General Premise 1:	
General Premise 2:	
Specific Premise:	
Surrounding Area 1:	
Surrounding Area 2:	
Surrounding Area 3:	
Relationship to Suspect 1:	
Relationship to Suspect 2:	
Weapon Type 1:	
Automatic:	N
Weapon Type 2:	
Automatic:	N
Weapon Type 3:	
Automatic:	N

Crime Against Property

# of Premises Entered:	Suspect Action 1:
Entry Point:	Suspect Action 2:
Exit Point:	Suspect Action 3:
Entry Loc 1:	Suspect Action 4:
Exit Loc 1:	Suspect Action 5:
Entry Loc 2:	Additional Factor 1:
Exit Loc 2:	Additional Factor 2:
Entry Method 1:	Additional Factor 3:
Exit Method 1:	Additional Factor 4:
Entry Method 2:	Additional Factor 5:
Exit Method 2:	Security Type:
Entry Tool 1:	Victim Location:
Exit Tool 1:	Electronic Locks: N
Entry Tool 2:	Video Surveillance: N
Exit Tool 2:	Maid:
Vehicle Entry:	Inspectress:
Safe Entry:	

Crime Against Persons

Pre-incident Contact 1:	Suspect Action 1:
Pre-incident Contact 2:	Suspect Action 2:
Pre-incident Contact 3:	Suspect Action 3:
Victim Condition 1:	Suspect Action 4:
Victim Condition 2:	Suspect Action 5:
Victim Condition 3:	Sex Crime 1:
Victim Condition 4:	Sex Crime 2:
Victim Condition 5:	Sex Crime 3:
Suspect Solicited 1:	Sex Crime 4:
Suspect Solicited 2:	Sex Crime 5:
Suspect Pretended to Be:	Vehicle Involvement 1:
	Vehicle Involvement 2:

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090529003326

Narratives

ENTERED DATE/TIME: 5/31/2009 15:48:08
NARRATIVE TYPE: INCIDENT CRIME REPORT
SUBJECT: BATTERY DOMESTIC VIOLENCE
AUTHOR: KENNEDY, C 8377

ON 05/29/09 AT APPROXIMATELY 1853 HOURS, I, OFFICER C. KENNEDY P#8377, WORKING AS MARKED PATROL UNIT 3C12, WAS DISPATCHED TO 2100 FREMONT REFERENCE A MALE AND FEMALE IN THE PARKING LOT FIGHTING. I WAS IN THE AREA WHEN THE CALL CAME OUT ALONG WITH OFFICER Z. BAUGHMAN P#12958. WHEN WE ARRIVED WE FOUND RALPH BROWN (SUSPECT #2) STANDING OVER YOLANDA MONDESI (VICTIM #1). RALPH SEEMED TO BE YELLING AT YOLANDA AND BOTH PARTIES APPEARED TO BE INTOXICATED.

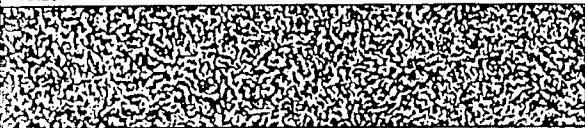
HENRY MACAM, A RESIDENT OF [REDACTED], CALLED POLICE WHEN HE SAW RALPH ARGUING AND FIGHTING WITH YOLANDA. ANOTHER WITNESS, BELINDA HANES [REDACTED] WAS WITH HENRY WHEN SHE WITNESSED RALPH GRABBING AND SLAPPING YOLANDA'S ARMS. BELINDA TOLD ME RALPH WAS TRYING TO GRAB YOLANDA BUT SHE WAS RESISTING. BELINDA SAID SHE WITNESSED YOLANDA BITE OR ATTEMPT TO BITE RALPH BUT BELINDA SAID IT LOOKED LIKE SHE WAS DEFENDING HERSELF. YOLANDA DID HAVE SCRATCH MARKS ON HER LEFT CHEEK AND SHE DID HAVE SCRAPE MARKS ON HER ARMS AND LEGS. DIGITAL PHOTOS WERE TAKEN.

BOTH PARTIES WERE VERY DIFFICULT TO UNDERSTAND AS THEY BOTH APPEARED TO BE VERY INTOXICATED. THEY BOTH DID SAY THEY HAVE DATED FOR APPROXIMATELY A YEAR AND THEY USED TO LIVE TOGETHER BUT ARE TRANSIENT NOW.

BASED ON THE INDEPENDENT WITNESS TESTIMONY AND THE PHYSICAL SIGNS OF INJURY ON YOLANDA, RALPH WAS ARRESTED FOR BATTERY DV AND BOOKED INTO LVCJ.

List of Documents

Subject:	Author:	Entered Date/Time:
ORIGINAL INCIDENT REPORT	HOLLOWINSKI, T 13154	6/2/2009 08:28:27

Page <u>1</u> of <u>1</u>		LAS VEGAS METROPOLITAN POLICE DEPARTMENT				I.D. #: <u>0955408</u>		Event #: <u>090529-3326</u>							
DATE OF ARREST: <u>5/29/09</u>		TIME OF ARREST: <u>1900</u>		I.D. ESTAB. BY: <u>SCOPE</u>											
INTAKE NAME (AKA, ALIAS, ETC.)		Last		First		Middle		TRUE NAME		Last		First		Middle	
<u>BROWN</u>		<u>RALPH</u>		<u>JARREA</u>											
ADDRESS				BLDG./APT. #		CITY		STATE		ZIP		PRESENT OR LAST PLACE OF EMPLOYMENT			
												<u>UNK</u>			
DATE OF BIRTH		RACE		SEX		HEIGHT		WEIGHT		HAIR		EYES		SOCIAL SECURITY #	
		<u>B</u>		<u>M</u>		<u>6'0"</u>		<u>150</u>		<u>BLK</u>		<u>BRO</u>		<u>[REDACTED]</u>	
LOCATION OF CRIME (# - Street - City - State - Zip)				☐ CC ☒ LV		Citizen Arrest Y ☒ N ☐		LOCATION OF ARREST <u>SAME</u>				Sector/Beat		PCN #	
BKG. CODE		CHARGE ORD / NRS #				M GM F		ARR TYPE		EVENT NUMBER		WARR / NCIC NUMBER		COURT LV JC DC OTHER	
<u>5018</u>		<u>BATTERY DV 200.481</u>				☒ ☐ ☐		<u>PC</u>		<u>S/A</u>				☒ ☐ ☐ ☐	
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						☐ ☐ ☐								☐ ☐ ☐ ☐	
ARREST TYPE: PC - PROBABLE CAUSE BS - BONDSMAN SURRENDER BW - BENCH WARRANT WA - WARRANT RM - REMAND GJI - GRAND JURY IND.															
															
Arresting Officer's Signature: <u>C. KENNEDY</u> / 8377 / LVMPD (Print Name) P# Agency															
Transporting Officer's Signature: <u>M. KENDRICK</u> / 13013 / LVMPD (Print Name) P# Agency															
APPROVAL CONTROL # FOR ADDITIONAL CHARGES:															
Time Stamp at BOOKING		☐ FOR PROBABLE CAUSE/NCIC HIT ARREST SEE PAGE TWO FOR DETAILS.													
		☐ BENCH WARRANT SERVED ON _____													
		☐ WARRANT SERVED ON _____													
		☐ GRAND JURY INDICTMENT SERVED ON _____													
		TYPE OF I.D. FOR VERIFICATION _____													
		FIRST APPEARANCE: DATE: _____ TIME: _____													
		COURT ☐ STANDARD BAIL													
		☐ JUSTICE ☐ O.R. RELEASE													
		☐ MUNICIPAL ☐ PROBABLE CAUSE													
		☐ JUVENILE ☐ I.A.D.													
		JUDGE: _____													
P #:															

LVMPD 22 (REV 08)

(2) COURT - ORIGINAL

RECEIVED UNIT
MAY 29 PM 8:20

EXHIBIT 4F
(et seq.)

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090614000803

Incident Summary

Incident Type: CRIMINAL INCIDENT Report Type: FIELD INCIDENT REPORT
Inc Occurred Address: 2100 FREMONT ST LAS VEGAS, NV 89105 Sector/Beat: B/3
Inc Occurred Start: 06/14/2009 04:47 Inc Occurred End: Report Taken: 06/14/2009 05:30
Domestic: N Bias Motivation: UNKNOWN Gang Related: U Substance: U
Contact Nature: Reported Date/Time: 06/14/2009 05:30
Reporting Officer: YOAKUM, A 13326 Primary Assigned Officer: LEACH, J 12697
Case Status: CLOSED Disposition: CLOSED BY ARREST - ADULT Disposition Date: 06/16/2009 10:19

Offenses

Statute Code: ASSA200.471B Enhancers:
Statute Desc: ASSAULT WITH A DEADLY WEAPON
Counts: 1 Statute Severity: FELONY

Officers

Event Association	Emp#	Badge#	Name	Squad#
PRIMARY REPORTING OFFICER	13326	13326	YOAKUM, A 13326	DT14
SUPERVISOR	5599	5599	GOODWIN, J 5599	
PRIMARY ASSIGNED OFFICER	12697	12697	LEACH, J 12697	

List of Attachments

Type:	Report ID:	Report Date:	Report Summary:
DECLARATION OF ARREST	13326	06/14/2009 05:30	
NON-METRO DOCUMENT	13326	06/14/2009 05:30	REQ FOR PROS, WITNESS LIST
PROPERTY RPT	13326	06/14/2009 05:30	
TEMPORARY CUSTODY RECORD	13326	06/14/2009 05:30	
VOLUNTARY STATEMENT	13326	06/14/2009 05:30	VERA-CASTILLO, ARIEL MACHADO, JOSE LEMUS, ERICK

Persons Involved

Person#: 0001 MNI: 8553812 Can ID Suspect: No
Event Association: VICTIM Contact Date/Time:
Name: VERA-CASTILLO, ARIEL
DOB: Age: - Sex: MALE Race: HISP/LATIN AMER
Height: 6' 2" - 6' 2" Weight: 300 - 300 lbs Eye Color: BROWN Hair Color: BLACK
Address: [REDACTED] Sector/Beat: /V4
Phone Type 1: RESIDENCE/HOM Phone# 1: [REDACTED] Ext 1:
Phone Type 2: Phone# 2: Ext 2:
Occupation: S/O Employer/School: 2100 CLUB

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090614000803

Persons Involved

Person#: 0002 MNI: 4556078 Can ID Suspect: No
Event Association: VICTIM Contact Date/Time:
Name: MACHADO, JOSE
DOB: [REDACTED] Age: 32 - 32 Sex: MALE Race: HISP/LATIN AMER
Height: 6' 0" - 6' 0" Weight: 230 - 230 lbs Eye Color: BROWN Hair Color: BROWN
Address: [REDACTED] Sector/Beat:
Phone Type 1: RESIDENCE/HOM Phone# 1: [REDACTED] Ext 1:
Phone Type 2: Phone# 2: Ext 2:
Occupation: S/O Employer/School: 2100 CLUB

Person#: 0003 MNI: 3292104 Can ID Suspect: No
Event Association: ARRESTEE Contact Date/Time:
Name: OREJEL, ENRIQUE
DOB: [REDACTED] Age: 25 - 25 Sex: MALE Race: HISP/LATIN AMER
Height: 5' 10" - 5' 10" Weight: 184 - 184 lbs Eye Color: BROWN Hair Color: BROWN
Address: [REDACTED] Sector/Beat: G5/G5
Phone Type 1: RESIDENCE/HOM Phone# 1: [REDACTED] Ext 1:
Phone Type 2: Phone# 2: Ext 2:
Occupation: CONVENTION Employer/School: RIO

Characteristics

Characteristic Type:	Further Defined By:	Description:
PANTS COLOR	BLACK	
SHIRT COLOR		PLAID
PHYSICAL BUILD	MEDIUM	
DOMINANT HAND	RIGHT	
HAIR LENGTH	BALD/SHAVED	
HAIR STYLE	SHAVED DESIGN	
FACIAL HAIR	GOATEE	
SPEECH MANNER	NOT UNUSUAL	
SPEECH CHARACTERIST	NOT UNUSUAL	
PHYSICAL APPEARANCE	CASUAL CLOTHES	
TEETH DESCRIPTION	NORMAL	
EYE DESCRIPTION	NORMAL	
SKIN COMPLEXION	MEDIUM	
INJURY OR CONDITION	NONE OBSERVED	
SCARS, MARKS, TATTOOS	LEFT HAND	RT HAND, TATTOO
PRIMARY MEANS OF ATT	HANDGUN	
WEAPON FEATURES	CHROME/NICKEL/STAINL	AUTOMATIC

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090614000803

Vehicles Involved

Vehicle#: 0001

Event Assoc: SUSPECT'S VEHICLE

Vehicle Type: A

Year: 1996

VIN: 1G6KF5294TU233086

License#: 031VYG

Style: 4-DOOR

Prim Color: GOLD

Status Dt/Tm: 06/14/2009 05:30 Status Value:

NCIC Date:

NCIC#:

Vehicle Status: USED IN THE COMMISSION OF A CRIME

Make: CADILLAC

Model: DE VILLE

State: NV

Expires On: 05/2010

Sec Color: GOLD

Ter Color:

Recovered Date:

Recovered Value:

NCIC Reported By:

NCIC Cancelled:

Registered Owner Name: OREJEL, ENRIQUE

Address: [REDACTED]

Phone#: [REDACTED]

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090614000803

Modus Operandi

Against Persons: Y
Against Property: N
Occupied: Y
General Premise 1: BAR/LOUNGE
General Premise 2:
Specific Premise: PARKING LOT
Surrounding Area 1: MIDDLE OF BLOCK
Surrounding Area 2:
Surrounding Area 3:
Relationship to Suspect 1: NONE
Relationship to Suspect 2:
Weapon Type 1:
Automatic: N
Weapon Type 2:
Automatic: N
Weapon Type 3:
Automatic: N

Crime Against Property

# of Premises Entered:	Suspect Action 1:
Entry Point:	Suspect Action 2:
Exit Point:	Suspect Action 3:
Entry Loc 1:	Suspect Action 4:
Exit Loc 1:	Suspect Action 5:
Entry Loc 2:	Additional Factor 1:
Exit Loc 2:	Additional Factor 2:
Entry Method 1:	Additional Factor 3:
Exit Method 1:	Additional Factor 4:
Entry Method 2:	Additional Factor 5:
Exit Method 2:	Security Type:
Entry Tool 1:	Victim Location:
Exit Tool 1:	Electronic Locks: N
Entry Tool 2:	Video Surveillance: N
Exit Tool 2:	Maid:
Vehicle Entry:	Inspectress:
Safe Entry:	

Crime Against Persons

Pre-incident Contact 1:	PARTY	Suspect Action 1:	HIT/ASSAULTED DURING ACT
Pre-incident Contact 2:		Suspect Action 2:	
Pre-incident Contact 3:		Suspect Action 3:	
Victim Condition 1:	SECURITY GUARD	Suspect Action 4:	
Victim Condition 2:		Suspect Action 5:	
Victim Condition 3:		Sex Crime 1:	
Victim Condition 4:		Sex Crime 2:	
Victim Condition 5:		Sex Crime 3:	
Suspect Solicited 1:		Sex Crime 4:	
Suspect Solicited 2:		Sex Crime 5:	
Suspect Pretended to Be:		Vehicle Involvement 1:	SUSPECT PUT FIREARM BACK IN VEH
		Vehicle Involvement 2:	

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
S VEGAS, NEVADA 89101
(702) 828-3111

Incident Number: LLV090614000803

Narratives

ENTERED DATE/TIME: 6/15/2009 22:10:41
NARRATIVE TYPE: INCIDENT CRIME REPORT
SUBJECT: AWDW
AUTHOR: YOAKUM, A 13326

VICTIM'S # 1 & 2 STATED SUSPECT OREJEL, ENRIQUE, HAD GOTTEN INTO A VERBAL ARGUMENT WITH SOME UNKNOWN MALES AT THE 2100 CLUB.

VICTIM'S THEN STATED OREJEL SHOWED UP AT THE CLUB A FEW MINUTES LATER WITH A GUN, THE VICTIM'S BEING SECURITY OFFICER'S DID NOT LET HIM IN THE CLUB. VICTIM'S STATED HE POINTED THE GUN AT THEIR LEGS.

List of Documents

Subject:	Author:	Entered Date/Time:
ORIGINAL INCIDENT REPORT	DEVERA, M 9400	6/16/2009 09:01:27

Special City Council Meeting of September 21, 2009

GRAPHIC IMAGE
SUBMITTED AS BACKUP
FOR ITEM 4 – FILED
WITHIN MINUTE BINDER

Submitted At Meeting

Date 9/21/09 Item #4

Special City Council Meeting of September 21, 2009

GRAPHIC IMAGE
SUBMITTED AS BACKUP
FOR ITEM 4 – FILED
WITHIN MINUTE BINDER

CLUB 2100 PROPOSED NEGOTIATION

FINE: \$10,000.00

LICENSE: Conditional, reviewed every 3 months

**CONDITIONS
OF LICENSE:**

Live entertainment restricted to Saturday night between 10 p.m. and 4:00 a.m. Live entertainment shall be limited to DJ only.

All other nights - no form of live entertainment allowed, specifically:

- no DJ
- no amateur contests
- no deceptive advertising
- no karaoke
- no raffles

Only entertainment allowable shall be pre-recorded music, played on jukebox, radio, CD or victrola.

CLOSURE: Business may be closed by Manager of Business Services for any violation of condition(s). No requirement for notice of appeal, filing of disciplinary complaint or hearing, except a hearing shall be held at next available meeting of the City Council as decided by Manager.

Submitted At Meeting

Date 9/21/09 Item #4