

B O A R D O F C I T Y C O M M I S S I O N E R S

M I N U T E S

Las Vegas, Nevada
November 17, 1976

A RECESSED REGULAR MEETING of the Board of City Commissioners of the City of Las Vegas, Nevada, held this 17th day of November, 1976 was called to order by His Honor, Mayor Pro-Tem Ron Lurie at the hour of 2:00 P.M., with the following members present:

	Mayor Pro-Tem	Ron Lurie
	Commissioner	Paul J. Christensen
	Commissioner	Myron E. Leavitt
	Commissioner	Roy A. Woofter
ABSENT (Excused)	Mayor	William H. Briare
STAFF PRESENT	City Manager	W. E. Adams, P.E.
	City Attorney	Carl E. Lovell, Jr.
	Deputy City Attorney	Richard Koch
	Director of Business Activity	Ila M. Britt
	City Clerk	Edwina M. Cole, CMC

At the hour of 2:20 P.M., Mr. Alan Andrews, attorney for the defendants, arrived and Mayor Pro-Tem Lurie commenced the meeting.

Mayor Pro-Tem Lurie: Today is the date set for the public hearing and order to show cause against Anthony L. Washington, d/b/a Pleasure Seekers Escort; Doubles Ltd, Bonnie Sue Washington, President, d/b/a Swinging Escorts; and Betty Jane Langa, d/b/a Suzy Wong's Escort Service. The public hearing and order to show cause is now in session. Mr. Koch, do you have an opening statement that you would like to make for the City?

Mr. Koch: Before we get into that...

Mayor Pro-Tem Lurie: Use the hand mike. Is there a hand mike?

Mr. Alan Andrews: May I inquire which one we are going to take first?

Mr. Koch: Before we begin, I would move that these three matters be consolidated. The reason for that is that the witnesses are identical. As will be set forth in the hearing, the ownership is virtually identical for these three businesses. They are operating their businesses out of almost the same business premises. The issues are identical. The grounds are identical for revocation. The witnesses which we have again will be testifying relating to all three of the businesses, so I would move at this time that these matters be consolidated.

Mr. Andrews: I would object to that because we have three separate licenses to three separate individuals, one a corporation. One of them isn't even licensed under the escort ordinance and the rest of the things that the attorney spoke of are matters of proof to be heard later. We don't even know what that proof is yet. So, we are entitled to a hearing on each and every one of the licenses involved, a separate hearing, and our objections I hope is noted in the record.

Commissioner Leavitt: Mr. Mayor, I wonder if we could have Mr. Andrews state for the record who he represents.

Mayor Pro-Tem Lurie: Mr. Andrews.

Mr. Andrews: If we tell which one we are going to take first.

Commissioner Leavitt: Well, we have three in front of us. We have Anthony L. Washington d/b/a Pleasure Seekers Escorts, that's one.

Mr. Andrews: I represent Mr. Washington.

Commissioner Leavitt: Then we have Doubles Ltd., Bonnie Sue Washington, President, d/b/a Swinging Escorts.

Mr. Andrews: I represent Doubles Ltd. Bonnie Sue Washington has nothing to do with that corporation and they've been notified...

Commissioner Leavitt: You're not making an appearance on behalf of Bonnie Sue Washington?

Mr. Andrews: Absolutely not.

Commissioner Leavitt: But you are on Doubles Ltd?

Mr. Andrews: Yes.

Commissioner Leavitt: The other one is Betty Jane Langa d/b/a Suzy Wong's Escort Service.

Mr. Andrews: I represent Betty Jane Langa.

Commissioner Leavitt: So you represent all three, then except for Bonnie Sue Washington, is that correct?

Mr. Andrews: Yes.

Mayor Pro-Tem Lurie: You would like to know which one we are going to take first?

Mr. Andrews: Yes.

Mayor Pro-Tem Lurie: It's been recommended by the attorney that we take and consolidate the three into one.

Commissioner Leavitt: That's his motion.

Mayor Pro-Tem Lurie: Is there any comments on the motion?

Commissioner Leavitt: I would like to know this. Are there common issues of fact and law involved in all three of these?

Mr. Koch: Yes, there are. Your petition of complaints, which I will present to you in just one moment, the grounds are identical, the issues are identical. Mr. Andrews, who represents all three of the businesses, tried to enjoin or restrain this hearing and he filed one brief for all three businesses and the issues are exactly the same. The facts are virtually identical also as will be set forth.

Commissioner Leavitt: The charges are not the same for all three.

Mr. Koch: The only difference in the charges is "F". As will be set forth, the differences, for example for Doubles Ltd., it says that Doubles Ltd. allowed another business to operate at its same location and for example, Pleasure Seekers, just one moment, let me restate that. For Pleasure Seekers, the grounds "F" is that they failed to apply for a change of

business location. For Suzy Wong's "F" is that they operated or allowed another business to operate out of the same physical location. As shall be set forth by testimony, what actually happened is that Pleasure Seekers has been operating out of the...

Mr. Andrews: I object to this before. We don't know what the testimony is going to be.

Mr. Koch: What I'm saying is that these grounds are identical.

Commissioner Leavitt: Why I'm inquiring as to whether or not they are common issues of fact in law involved. It looks like the complaint set forth, practically word for word in each complaint, the same charge. The same people involved, the same charge. In other words, the charging section of the complaint, paragraphs 1, 2, 3, 4, 5, 6, are charging all identical charges, even as to the people involved. Those are the things you have to prove, those six things. It appears that there is going to be a common issue of fact, all of those paragraphs for all three complaints.

Mr. Andrews: The problem is, Commissioner Leavitt you are well aware, that any time you combine these things that, as you trying to maintain an objective frame of mind throughout, these facts tend to get involved and if they prove perhaps one of the escort services maintained an unlicensed escort, that will merge and all of them might suffer. I do respectfully submit that we strongly object to any consolidation of these cases.

Commissioner Leavitt: Well you notice that each complaint has the same identical six paragraphs, and the people named in there are all identical in all three complaints, so there obviously has to be a common issue involved here.

Mr. Andrews: Well, I...

Mayor Pro-Tem Lurie: It is my understanding, Mr. Andrews, that you filed one brief for these three complaints in District Court, is that correct?

Mr. Andrews: That is incorrect, but we have filed a complaint and declaratory relief action in the District Court seeking to enjoin the show cause hearings on, to enjoin each of these show cause hearings from going forward and I did represent all three and combined them into one brief, into one complaint. That is correct.

Commissioner Leavitt: You combined them into one complaint in District Court?

Mr. Andrews: I had the three, the three people before this Commission now, these three businesses, were combined into one complaint. That's true.

Commissioner Leavitt: Could I inquire for the record whether your clients are present?

Mr. Andrews: Anthony Washington is present.

Commissioner Leavitt: And Betty Jane Langa?

Mr. Andrews: No.

Commissioner Leavitt: How about somebody from Doubles Ltd.?

Mr. Andrews: Anthony Washington is present for Doubles Ltd.

Commissioner Leavitt: For Doubles Ltd., okay.

Mayor Pro-Tem Lurie: Commissioners, based on the information that we just heard, I'm going to rule that we will hear all of these at one time and they will be consolidated into one.

Mr. Andrews: Before we proceed, I have spoken with the people from the Supreme Court today, and I did file two actions before that Court; one after Judge Wendall upheld the validity of the ordinance before this Commission. I filed an appeal seeking a stay, seeking an injunction pending appeal and appropriate authority to which the City Attorney responded in opposition. That is still sitting. That has not been ruled on one way or the other. I respectfully think that the matter should be continued until they have a chance to decide. There is also filed up there a Writ of Prohibition naming each of the Commissioners in the City as respondents, seeking to, only on behalf of Doubles Ltd., and the gist of that petition is that since Doubles Ltd. is not an escort service, then and all the allegations here against Doubles Ltd. pertain to violations of that escort service ordinance, that this Commission is without jurisdiction to hear anything as to Doubles Ltd. Those two, and I ask for a stay in that case. Neither of those cases have been heard at this time.

Commissioner Christensen: I'd like to ask the City Attorney a question at this point, regarding a point of law. The fact that that is in front of the Supreme Court, does that stop us from doing anything before they convene or before they act. In other words, what I am saying, aren't you innocent until proven guilty? You know what I'm trying to ask you, Carl, and I'm not doing a very good job because I'm not familiar with the legal terms. In other words, if we waited for the Supreme Court before we ever did anything, that's an appellant court. Aren't we in a position where if we have one decision in Wendall's court, and he's appealed it, it becomes his problem to wait and not ours?

Mr. Andrews: There is no legal obligation for you to wait.

Commissioner Christensen: There's no legal obligation for us? Okay, that's what I want. That's a good way to put it, no legal obligation for us yet.

Mayor Pro-Tem Lurie: Then we can proceed based on...

Mr. Andrews: I'm asking only in the interest of time, and it would seem a waste of this Commission's valuable time, to go forward if in fact the stay was going to be granted tomorrow or the next day and they at this time have not ruled on it.

Mayor Pro-Tem Lurie: Well, you're looking to save time, so that's why we are going to proceed with this. So, Mr. Koch, if you would like to make your opening statement, we'll proceed with the show cause hearing.

Mr. Koch: I would like to make another initial statement regarding the hearings today. As the Commissioners are well aware, this matter has been continued numerous times in the past. Some time ago, when we initially set the date for the hearing, and through various actions in District Court this matter has been put off and put off, one of our two witnesses in this matter, Mr. Doug Shengrow (spelling approximate) has been available at all the previous, or for all of the previous dates; however, Mr. Shengrow is presently on vacation. It was planned some time in the future some time ago, and what I would move, and ask that the Court do, or the Commission do at this time, is that the hearing proceed and that we be permitted to

put on the witnesses which we do have here today, and that when Mr. Shengrow does return on the first of December, which is the date that this Commission again would convene, that this matter be continued, or that it continue to proceed at that date.

Mr. Andrews: I have no objection to that.

Mr. Koch: I didn't think you would.

Mayor Pro-Tem Lurie: We'll proceed with the witnesses we have here today.

Mr. Koch: Very well. I would first state the grounds, or rather refresh the Commissioners' memory as to the grounds for revocation of escort bureaus. According to the City Code, Title V, Chapter 23, Section 28, Subparagraph B, there are a number of grounds for revocation of an escort bureau's license. Listed as grounds are the employment of a non-licensed escort. Early in that chapter, escorts are required to hold licenses. Another ground is employment of a non-licensed escort bureau runner. They are also required to hold business, runner licenses. Another ground is failure to notify the City in writing of the termination of employment of any escort within five days. The next ground, failure to notify the City in writing of the termination of any escort bureau runner within five days. Also, another grounds listed there is failure to make available to the City of Las Vegas, after written request, employment records. I might state that in Sections 26 and 23, of Chapter 23, escort bureaus are required to maintain a list or a record of those persons who are employed by them as escorts and as escort runners, including the names and the dates of employment, date commenced, date of termination. And they are required to make those records available to the City upon written request and failure to do so is a grounds for revocation. Finally, additional grounds listed in Section 28, failure to apply for a change of business location prior to such change occurring and also operating or allowing another escort bureau of operate from the same physical location for which the first escort bureau is licensed. These are the grounds we are concerned with today, and we expect to put on testimony before the Commission that each of these grounds have been or do exist for each of these businesses. That's my opening statement. I don't know if Mr. Andrews cares to make any further statements.

Mayor Pro-Tem Lurie: Mr. Andrews.

Mr. Andrews: Commissioner Lurie, may I inquire of the City Attorney how long he expects his case to take because if we're not going to complete today anyway, and we're all interested in time, I respectfully think that we might just put it to December 1. I don't understand why we're here if we can't finish today.

Mayor Pro-Tem Lurie: We're not going to inconvenience the witnesses that are here today, so we will proceed with the witnesses that are here and then continue until December 1.

Mr. Andrews: May I inquire as to how long?

Mr. Koch: Not very long. I would say easily within an hour, perhaps much less than that.

Mr. Andrews: May I also, for the record, there are some 63 charges pending against Anthony Washington as a direct result of V-23, provisions of this ordinance. The Commission can readily look at those heinous charges filed against us, charges that appears to be sufficient to revoke a license, and you can

that they are not anything that was illegal, in and of itself. They are all illegal made by your ordinance. There's nothing like stealing, or false advertising. They are all like unemployed escorts and things like that made illegal. I would like the Commission to keep that in mind, that there is nothing inherently evil in any of the acts complained of. It is only "evil" made so by your own ordinance. With that, and with the knowledge that Anthony Washington, and/or his immediate family has been charged with some 63 complaints, I'd ask that Mr. Washington come up to assist me, but as far as questioning goes, since there are 63 complaints against him, I am advising the Commission now, ahead of time, that I will not permit him, under the Fifth Amendment privilege, I will advise him not to answer any questions, but I would like his assistance at counsel's table.

Commissioner Leavitt: You are entitled to have your client there.

Mr. Andrews: Yes, I'm just advising the Commission ahead of time.

Commissioner Christensen: Can you answer me a question, just for fun. You raised an interesting point here, something to the effect there wouldn't be a violation of the law if we hadn't made the laws. Aren't all violations of the law because there's laws that have been violated.

Mr. Andrews: Commissioner Christensen, there are certain things that are morally evil.

Commissioner Christensen: What do you consider to be morally evil, so I'll know where the middle ground lies?

Mr. Andrews: Murder, stealing, that's about it. Rape, robbery, any of those crimes that we all think of as crimes. It's what the law used to say.

Commissioner Christensen: The problem I have is I think some of them are morally wrong that you apparently don't, and I wonder which ones we have differences on.

Mr. Andrews: Well, would say, for an instance, Commissioner Christensen, some of the employees at the jewelry shop, do those employees have to have licenses? I'm sure that they do not. It is only the business itself that has to have a license, the employees do not. Now here your ordinance...

Commissioner Christensen: No, but employees of a barber shop, the barbers all have to have licenses, not just the owner.

Mr. Andrews: That's true, but that's by a state agency. That is not by the City law. You will find...

Commissioner Christensen: In other words, you think the City shouldn't make the laws, only the state.

Mr. Andrews: No, I'm just saying simply that because most employees do not have to be licensed, and it's the ordinance that you have passed that makes these employees be licensed. It's only this, bath houses and massage parlors that employees have to be licensed, other than those licensed by state law, or required by state law. Then, in that limited situation, it's what the law calls mala in se, rather than mala prohibita and Commissioner Leavitt will be able to tell you that mala in se used to mean, of course to speak of, is that those crimes that are inherently evil. Mala prohibita is like driving through a school district at 25 in a 10 mile an hour zone during school.

It's not made illegal except for the fact that now there's a school district there. It wasn't illegal before, it's made so by ordinance, and that's the difference. I'd like the Commission to keep in mind that distinction. That there is nothing inherently evil.

Commissioner Christensen: You see, I don't understand the laws and legal terminology like you do, but the thing that worries me here is that I've always been under the impression that merely, in fact I'm having a hard time thinking of any business where you have extremely close personal contact that doesn't require some individual licensing of the individual that have extremely close personal contact. So that's very true that my watch repairmen don't have to have a special license to repair watches in this state. They do in many; however, I believe if I were sending watch repairmen out eight hours a day to peoples' homes, they would darn soon become a regulatory license there.

Mr. Andrews: But it's not now. It would have to be made so by ordinance.

Commissioner Christensen: But then that ordinance wouldn't be a valid ordinance because it doesn't have the same as a moral crime, is that what you're telling me?

Mr. Andrews: No, I'm not saying that at all. I'm just stating a fact that these are those acts alleged are those that have been made illegal only by the ordinance itself and there is no other state law.

Commissioner Christensen: Yes, but all illegal acts are made illegal by the ordinances that made them illegal. You know, if we didn't have a law in this country against stealing, then stealing wouldn't be illegal.

Mr. Andrews: That's true.

Mayor Pro-Tem Lurie: Mr. Andrews, the ordinance we are talking about is constitutional. It's questionable in your mind and...

Mr. Andrews: It is so unconstitutional that it...

Mayor Pro-Tem Lurie: But it has never been proven that in court, so we're proceeding with the show cause based on the ordinance as constitutional and we have the right to request certain information that your client refuses to give to this Board or to the City.

Mr. Andrews: I'm just giving an opening statement.

Mayor Pro-Tem Lurie: I understand what you're telling us, but you are also trying to judge what the District Court hasn't decided they would rule on yet, whether or not the ordinance is constitutional or not. We feel that it is, and it hasn't been proven that it isn't, so we're going to proceed on those bases.

Mr. Andrews: Okay, and that's my opening statement. Thank you.

Mayor Pro-Tem Lurie: Mr. Koch.

Mr. Koch: I would call as the City's first witness Mrs. Ila Britt.

City Clerk Edwina Cole swore Mrs. Ila Britt in.

Mr. Andrews: Commissioner Lurie, may I request that the witnesses stand up here so that both Mr. Koch and I and the Commission could see the witnesses?

I can't see them from over here.

Commissioner Christensen: Haven't you ever seen Ila Britt before?

Mayor Pro-Tem Lurie: Okay, Mrs. Britt, could you stand up there.

Mr. Andrews: May I interject that that's the first time I've ever had anything granted.

Mayor Pro-Tem Lurie: Might be the last.

Mr. Koch: Would you state your full name, again, for the record, please.

Mrs. Britt: Ila Britt.

Mr. Koch: Mrs. Britt, how are you presently employed?

Mrs. Britt: I'm the Director of the Department of Business Activity for the City of Las Vegas.

Mr. Koch: How long have you had that capacity?

Mrs. Britt: A little over two years.

Mr. Koch: In that capacity, do you have occasion to supervise and be acquainted with the licensing records of the City of Las Vegas?

Mrs. Britt: I do.

Mr. Koch: Are you acquainted with the three businesses which are the subject to this show cause hearing today which are Doubles Ltd., Tony Washington d/b/a Pleasure Seekers Escort, and Betty Jane Langa d/b/a Suzy Wong's Escort Service?

Mrs. Britt: Yes, sir.

Mr. Koch: Do you have in your possession records relating to those businesses?

Mrs. Britt: Yes, sir.

Mr. Koch: Do you have them with you at this time?

Mrs. Britt: I do.

Mr. Koch: May I see those, please?

Mrs. Britt: Produced the records. Yes, I have brought certified copies of the business license applications on the three named escort services.

Mr. Koch: Would you please examine those applications one by one. Let's take Doubles Ltd. first, if we may. What's the full name of the licensee there?

Mrs. Britt: We have several applications here. The original application dated in January of 1973 names Doubles Ltd., d/b/a Swinging Escorts and showed Bonnie S. Washington as president, Rosemary Morton as Vice-President, and Stanley Traska as Secretary and Treasurer.

Mr. Koch: Are any other persons named as principal agents in that corporation?

Mrs. Britt: No.

Mr. Koch: At what address is that business licensed?

Mrs. Britt: At 2018 East Charleston Boulevard.

Mr. Koch: 2018?

Mrs. Britt: Yes.

Mr. Koch: Has there ever been a change of address on that business?

Mrs. Britt: Yes, there has.

Mr. Koch: What address is that and when was it changed?

Mrs. Britt: In February of 1973 they applied to move to 2120 East Charleston Boulevard, again Doubles Ltd.

Mr. Koch: Is that still the address?

Mrs. Britt: No, it is not.

Mr. Koch: What's the new address?

Mrs. Britt: It's presently located at 2303 Las Vegas Boulevard South.

Mr. Koch: How long has that address been part of your record?

Mrs. Britt: Since we reinstated their license on court order in September of 1974.

Mr. Koch: So at the present time, 2303 Las Vegas Boulevard South is the address at which they are licensed to do business, is that correct?

Mrs. Britt: That's correct.

Mr. Koch: Mrs. Britt, at the present time, would it also be in your records whether any persons are licensed as escorts or as escort bureau runners with the City of Las Vegas for that particular business?

Mrs. Britt: There are no licensed escorts or escort runners for that business.

Mr. Koch: Have you ever asked or made request of this particular business in writing as pursuant to the City ordinance for employment records?

Mrs. Britt: Yes, I have.

Mr. Koch: What dates did you make those requests?

Mrs. Britt: On August 17, 1976 and again on September 1, 1976.

Mr. Koch: What are you referring there to in refreshing your memory?

Mrs. Britt: On August 17, 1976 I wrote to Doubles Ltd., d/b/a Swinging Escorts, and asking for them to supply certain employment records for their escorts.

Mr. Koch: What response did you have to that request?

Mrs. Britt: None.

Mr. Koch: You had a second request. What was the date of that second request again?

Mrs. Britt: September 1, 1976.

Mr. Koch: What response did you have to that request?

Mrs. Britt: I had none.

Mr. Koch: Have you ever been notified about any termination of any escorts or escort runners?

Mrs. Britt: I have not.

Mr. Koch: I would ask the Commissioners that we introduce those three documents into evidence at this time; the first being a copy of the license application, the second being the letter of August, and the third being the letter of September.

Mayor Pro-Tem Lurie: Any objection, Mr. Andrews?

Mr. Andrews: No objection.

Court Reporter: I can't hear Mr. Andrews.

Mayor Pro-Tem Lurie: Would you speak up a little louder, Mr. Andrews, so the Court Reporter can get your comments.

Mr. Andrews: I will. I have no objection.

Mayor Pro-Tem Lurie: They will be entered into the record as Exhibit A.

Mr. Andrews: Could they be numbered 1, 2, or 3 as separate documents. I have some questions to ask in regard to them. Simply for the record.

Mayor Pro-Tem Lurie: Exhibit A, B, C.

Mr. Koch: Mrs. Britt, I next ask you if you are referring to those documents you have regarding Pleasure Seekers Escorts. Do you also have the license application there for that business?

Mrs. Britt: Yes, sir.

Mr. Koch: Would you examine that document and see who the licensee is and who the principal agents are of that particular business.

Mrs. Britt: Yes, this application was made by Anthony Washington, d/b/a Pleasure Seekers Escorts.

Mr. Koch: Are there any other principal agents of that corporation?

Mrs. Britt: No, Mr. Washington is the sole applicant.

Mr. Koch: At what address is Mr. Washington licensed to do his business?

Mrs. Britt: At 2401 Industrial Road.

Mr. Koch: Has there ever been a change of that address?

Mrs. Britt: There has not.

Mr. Koch: What was the date of the issuance of that license again?

Mrs. Britt: This license was issued on April 30, 1975, on a District Court order.

Mr. Koch: Mrs. Britt, regarding Pleasure Seekers, is there anyone at this time who is licensed as an escort or as an escort bureau runner for that business?

Mrs. Britt: No, sir, there is not.

Mr. Koch: Have you ever made inquiry or rather written request of that business for its records of its employees?

Mrs. Britt: Yes, I have, again by letter on August 17, 1976 and again on September 1, 1976.

Mr. Koch: Those letters were sent at the same time of the earlier letters regarding Doubles Ltd?

Mrs. Britt: That's correct.

Mr. Koch: Did you receive any notification from Pleasure Seekers regarding termination of its employees?

Mrs. Britt: I have not.

Mr. Koch: I would ask that these three documents be entered into evidence as Exhibits 4, 5, and 6, D, E and F.

Mr. Andrews: Commissioner Lurie, there hasn't been a proper foundation laid for any of those documents. I would object to the request.

Mayor Pro-Tem Lurie: Objection overruled. We'll enter those. Do you want to look at them?

Mr. Andrews: Same objection.

Mayor Pro-Tem Lurie: Your objection is noted for the record.

Mr. Andrews: For the record, may he know which documents are for which letters.

Mr. Koch: Are these going to be D, E, and F, or 4, 5 and 6, which?

Mayor Pro-Tem Lurie: D, E, and F.

Mr. Koch: Then D is the license application; E is the letter of August 17 or 16, and F is the letter of September 1, is that correct?

Mrs. Britt: August 17.

Mr. Koch: August 17. Mrs. Britt, do you also have in your possession certain documents relating to Suzy Wong's Escort Service?

Mrs. Britt: Yes, sir.

Mr. Koch: Are those also documents which were within your records. You do have a certified copy of the application for Suzy Wong, is that correct?

Mrs. Britt: Yes, I do.

Mr. Andrews: Objection. There has been no foundation for any testimony about these. Simple questions. Those are the documents that are in your records. That is not sufficient to lay a foundation for entry of business records, if that's the counsel's intention. And I object at this point to any testimony until a proper foundation is laid.

Mr. Koch: I believe we laid the foundation at the very beginning when I asked her if she had records in her possession, if she had brought them with her.

Mr. Andrews: That's still insufficient, Commissioner.

Mr. Koch: Perhaps you can voir dire her or ask her whatever questions you like if you're concerned about them not being authentic.

Mayor Pro-Tem Lurie: Objection overruled. Go ahead and proceed with your questions.

Mr. Koch: Mrs. Britt, is the license application that you have there for Suzy Wong's an actual copy of the license application which the Department of Business Activity received for that business?

Mrs. Britt: Yes, I have two. One is the certified copy of the first application received which was Betty Jane Langa d/b/a Suzy Wong's Matchmaking Services and was received in July of 1974. Before it was ever issued, she did apply for an escort service as opposed to a matchmaking service. That was in August of 1974, and that application for Betty Jane Langa d/b/a Suzy Wong's Escort Service at 2450 Industrial Road.

Mr. Koch: Who are the principal persons in that particular business?

Mrs. Britt: Betty Jane Langa as the sole owner.

Mr. Koch: Has any one else ever tried to be substituted in her stead?

Mrs. Britt: No, sir.

Mr. Koch: What was the address again?

Mrs. Britt: 2450 Industrial Road.

Mr. Koch: Has that been the only address for that particular business?

Mrs. Britt: It has.

Mr. Koch: Is anyone licensed with the City of Las Vegas at this time to be an escort or an escort bureau runner for that business?

Mrs. Britt: No, sir.

Mr. Koch: Have you been notified of the termination of the employment of any employee of that business?

Mrs. Britt: No, sir.

Mr. Koch: Mrs. Britt, have you also made written request of that particular business for employment records pursuant to City ordinance?

Mrs. Britt: I did. It was done by letter August 17, 1976 and September 1, 1976.

Mr. Koch: Those documents there in your hand, are those copies of that letter sent? Those letters?

Mrs. Britt: They are copies of the letters sent.

Mr. Koch: Are they identical to the letters which were sent to the other businesses?

Mrs. Britt: Except to whom they are addressed, yes sir. The body of the letter is the same.

Mr. Koch: But the substance is the same and the dates are the same? Did you ever receive any response on either one of those?

Mrs. Britt: I did not.

Mr. Koch: I believe I neglected to ask on Pleasure Seekers, did you ever receive any response on your letters to them?

Mrs. Britt: No, sir, I did not.

Mr. Koch: I would ask that these documents also be admitted into evidence as Exhibits G, H, and I.

Mayor Pro-Tem Lurie: Do you want to look at them, Mr. Andrews?

Mr. Andrews: I would object to anything regarding Suzy Wong's Matchmaking Service. That license is not before the Commission. I don't know the relevancy of that one whatsoever. I would object to that.

Mrs. Britt: May I comment on why that's. There is no relevancy except that it was the original application and is the application that shows the approvals of the Building and Fire Departments for an operation at that address.

Mr. Andrews: Then I withdraw my objection as to that point. I object again to the admission of these documents on the grounds that there is no proper foundation laid as to this witness having any information and that there's lack of insufficient foundation and we would object.

Commissioner Christensen: Mr. Andrews, I'm a little foggy on your objection. Are you objecting because you don't believe it's been shown that these letters were sent, or that these are copies of the letters that were sent? Or that these letters shouldn't have been sent because it hasn't been determined whether we have license applications, or what? I'm foggy on that. Explain to me what you mean.

Mr. Andrews: Commissioner Christensen, it's not my job to attempt to, not presumptuous, to attempt to educate the City Attorney's Office. I'm simply going to...

Commissioner Christensen: I'm not the City Attorney.

Mr. Andrews: I understand that. I'm going to maintain my legal objection that there is insufficient foundation made for the admission of these documents and I'm going to respectfully...

Commissioner Christensen: You want us to act on that objection and you're not willing to explain to me what your objection is. Is that correct?

Mr. Andrews: That's correct.

Mayor Pro-Tem Lurie: The objection has been noted for the record. Mr. Koch.

Mr. Koch: I have no further questions of Mrs. Britt at this time.

Mayor Pro-Tem Lurie: Do the Commissioners have any questions of Mrs. Britt? Thank you, Mrs. Britt.

Mr. Andrews: I would like...

Mayor Pro-Tem Lurie: Oh, Mr. Andrews, excuse me. You have some questions.

Mr. Andrews: Mrs. Britt, as to Doubles Ltd. do you know what the number of that license is?

Mrs. Britt: Well, I have turned the application over, so I don't have the record here, but it is an M-7 license which I presume is what you are asking.

Mr. Andrews: Yes, and do you have knowledge, perhaps turning that over, do you have knowledge of what the address of that location now?

Mrs. Britt: Swinging Escorts?

Mr. Andrews: Yes.

Mrs. Britt: We show it as 2303 Las Vegas Boulevard South.

Mr. Andrews: And do you have a record as to what, who are the officers now of that corporation?

Mrs. Britt: Not with me.

Mr. Andrews: Do you have any independent recollection of Doubles Ltd. file without looking at those papers? Is it necessary to look at those papers to give your testimony before this Commission?

Mrs. Britt: In some respects, it is necessary to look at papers and others I have knowledge in my mind.

Mr. Andrews: Isn't it true, Mrs. Britt, that it is not a, Doubles Ltd. has not been licensed under the escort service ordinance?

Mrs. Britt: That is correct.

Mr. Andrews: You have also stated, Mrs. Britt, that there has been no response to letters of August 17, 1976 or to your letter of September 1, 1976, requesting the furnishing of business licenses, of the records regarding employees. Is that true?

Mrs. Britt: Well, I understood the questions mean did I receive an answer to the letter or the list that was requested.

Mr. Andrews: I believe the question was have you had any response to these and you said no. Is that correct? Was that your answer?

Mrs. Britt: Do you want to clarify what you are asking? I said no in the sense I thought the question was meant.

Mr. Andrews: Isn't it true that a response was filed and that you were in court before Judge Thompson on contempt proceedings which he turned down for sending that letter?

Mrs. Britt: That is correct.

Mr. Andrews: Isn't it also true that you were in court testifying in a case before Judge Wendell attesting the constitutionality of that ordinance which was upheld by Judge Wendell? Is that true?

Mrs. Britt: I can't answer your question.

Mr. Andrews: May the record reflect that this witness looked to advice from the prosecuting attorney, Richard Koch, to answer my question.

Mr. Koch: Perhaps if Mr. Andrews would explain the question a little more clearly, perhaps she could understand it. The record should also reflect I gave her no indication what the answer might be.

Mr. Andrews: Mrs. Britt, is it your testimony that following the proceedings by you, or the sending of the letters of September 1 and also the letter of August 17, that you had "no response" from Doubles Ltd. or any of its representatives?

Mrs. Britt: I will clarify my response. I had no letter in answer to the letters that I sent, nor was I furnished at any time the lists that were requested. That's all I meant by my answer.

Mr. Andrews: You have no problem, then, with my refreshing your memory or bringing it up at this point that in fact you were in court on a number of proceedings?

Mrs. Britt: Certainly not.

Mr. Andrews: And you agree with that?

Mrs. Britt: I do.

Mr. Andrews: That would also be true with your testimony for Pleasure Seekers, is that correct?

Mrs. Britt: That would be true in regards to all of the letters that were mentioned of August 17 and September 1, yeah.

Commissioner Christensen: I've got a little problem with that. Can I ask you a question at this point? Did you say that, I was unclear, did you say that the Judge had upheld the City, or not upheld the City in those two instances when she was in court?

Mr. Andrews: In the first instance, Judge Thompson denied my application for contempt, and in the second, Judge Wendell upheld the validity of the ordinance.

Commissioner Leavitt: Mr. Andrews, what I am concerned about, is we're here on an order to show cause and I understand you impeaching a witness possibly by finding out, trying to determine whether she made prior inconsistent statements, is that what you are trying to do?

Mr. Andrews: Just generally trying to find out what happened. She said no response and I just wanted for the record...

Commissioner Christensen: Well, I understood the question to be that did she get an answer to the letter, too. You'd have confused me on that one. That's why I wanted to get this cleared because...

Commissioner Leavitt: I'd kind of like to get on with the show cause. I understand it's been viewed as court proceedings, but I don't see the relevancy of that to what we are doing here today.

Mr. Andrews: Well, Commissioner Leavitt, the only thing I'm trying to do, and I think to document it, is to show that the witness has said there was no response, and without clarification from either questioning and responses that that was incorrect, there've been court proceedings, she's been served, she's testified twice. There's been a lot of response to it.

Mayor Pro-Tem Lurie: Do you have any further questions?

Mr. Andrews: Yes, sir. As to the letter of September 1, 1976 were copies of that letter sent to anyone other than the person addressed on the letter.

Mrs. Britt: Mr. Andrews, I believe you will recall that you asked me on the telephone to send those letters to you on behalf of your client.

Mr. Andrews: Then there has been response other than simply court proceedings and there's been no response. Did I, in fact, respond to that letter of August 17, 1976?

Mrs. Britt: Yes, you telephoned me after one of the court appearances that you referred to.

Mr. Andrews: Was that following the letter of August 17, 1976?

Mrs. Britt: It was.

Mr. Andrews: And prior to the letter of September 1, 1976?

Mrs. Britt: It was.

Mr. Andrews: Was your testimony before, then, incorrect, that there had been no response?

Mrs. Britt: In the sense that you are bringing out, yes. I had no intention to give a false answer nor to deceive and I believe you are aware of that.

Mr. Andrews: I would think that that is not answering my question and I wish that that be stricken from the record as unresponsive to my question. Only answer the question, please.

Mrs. Britt: I believe I did, but if you'll repeat it, I'll try again.

Mr. Andrews: You've also stated that Doubles Ltd. has no, has never been issued a escort runners license or a escort license. Is that correct?

Mrs. Britt: That's correct.

Mr. Andrews: How many applications have you received?

Mrs. Britt: I don't have those records with me today.

Mr. Andrews: Mrs. Britt, I thought you would bring the whole Doubles Ltd. file. What did you bring?

Mrs. Britt: I brought what was requested of me as a matter of record for the hearing today. If you are talking about bringing all of the applications for all of the escort services' names and all of the applications that might ever have been received in connection with them, I would need a wheelbarrow to get it all over here.

Mr. Andrews: Well, if there's going to be another hearing December 1, and since it is very important to know why none of those license applications were given to any of Doubles Ltd. or any of the other, perhaps you would be kind enough to do it without subpoena and would like to have that, you to bring those records December 1 when we continue the show cause hearing.

Mayor Pro-Tem Lurie: What records are you looking for?

Mr. Andrews: Well, Commissioner Lurie, her testimony is that none of these escorts services have escort employees licensed or escort runners licensed. If that's true, that's a technical violation of the ordinance. What would be a defense to that is if any action of the City Attorney's Office, or the Department of Licensing, or this Commission, unlawfully denied any applications. So, and therefore, you have prevented us from complying. I think it is a legitimate request and I have a right, and we will subpoena those in court.

Commissioner Christensen: Have we done anything unlawful in there that you haven't challenged us on in the courts?

Mr. Andrews: You've done a lot of things unlawfully that I haven't challenged you on in the courts, but right now...

Mayor Pro-Tem Lurie: So you say your client has submitted the information that we're requesting and that we're here on the order to show cause on today.

Mr. Andrews: I am attempting to show that there have

been numerous license applications by employees that have been unlawfully delayed, denied, hidden.

Commissioner Christensen: Is it your intention to go to make this show cause hearing a hearing on each and every escort runner application that has been received by the City and not granted so that this hearing extends beyond three businesses into maybe 300 applications which you're going to find fault in? Is that what you are after, or do you want to see the applications, or do you want everyone's numerated why it was denied, if it was denied, or why it was improper, if it was improper? It seems to me like you want to deal in technicalities from your side, but we're not supposed to have any technicalities on the City's side. I'm having a hard time adjusting to that.

Mr. Andrews: Commissioner Christensen, let me repeat what I think is a valid, a very valid point, now which I intend to raise when we continue. Your ordinance says that if we don't have, if we employ unlicensed escorts or escort runners, then we can have our license revoked. A defense to that, in my opinion, would be that if those escort runners or escorts were denied, without just cause, then it is not our fault that they weren't.

Commissioner Christensen: If they were denied without just cause, we'd have been sued three days later, judging from our past experience with this business.

Mr. Andrews: That's untrue because it's not the employer, it's the employee who would have to contest it. It's not the business, and the employee simply cannot afford a Jeff Shaner or some other attorney like that to come up and contest that.

Commissioner Christensen: Can you recall of any time that we've had an employee of a business that has contested the City's ordinances at the expense of the business?

Mr. Andrews: I don't understand your question. I'm sorry, I don't understand.

Commissioner Christensen: I'm challenging what you just said. You said they can't afford to. I'm saying in the past, the business have always afforded to contest the employees problems in the City. I know that has taken place. I don't recall whether it's you or whether it's another attorney, or what, but I know that we have been contested many times on that very thing. Where the cost has been picked up by the employer, not the employee.

Mr. Andrews: You can imagine, if there is 100 employees of an escort service, and if each one has to go to court, as a matter of fact, just for the Commission's...

Commissioner Christensen: Well, but you saw fit to combine these three in district court before. Is there any reason why you couldn't combine 100, if they were fraudulently disallowed a license?

Mr. Andrews: If we were going to do what suggest we'd have to wait until all 100 are in and these are over a period of time.

Commissioner Christensen: Unless you got a ruling on the first five, then the other 95 would fit.

Mr. Andrews: How we practice law which is our business, how you run your Commission, I respectfully submit, is your business.

Commissioner Christensen: I wish that were so.

Mr. Andrews: And, I can't. Now, the fact that I may or may not have challenged it at one time really has nothing to do with it. All I'm saying is that I've asked a question of Mrs. Britt and perhaps with your permission we can get back to that question. I'm simply asking of Mrs. Britt if she is in possession of those license applications received by employees, either escorts or escort runners, of the three named escort services before this Commission and, when I say escort services, I'm including Doubles Ltd. because it's included in that, although I don't admit that it's an escort service and licensed thereunder. What we would like is just to have Mrs. Britt bring those license applications received by her for the three businesses before the Commission on December 1 when we resume.

Commissioner Woofter: May I make a suggestion. Couldn't you possibly get with Mrs. Britt prior to December 1, and I'm sure Mrs. Britt would allow you to review these, and the ones that you would like and you feel will give wait to this order to show cause, ask Mrs. Britt to bring those particular applications to the December 1 meeting.

Mr. Andrews: I would do that. That would be fine. Is that agreeable with Mrs. Britt?

Mrs. Britt: Certainly.

Mayor Pro-Tem Lurie: Is that all the questions you have?

Mr. Andrews: No. Mrs. Britt, just for the record, I would like to inquire of you if you know, of your own personal knowledge, whether any other businesses in the City of Las Vegas that are not otherwise required to do so by state law, are required to have the employees licensed? And if so, which ones.

Commissioner Christensen: I'm still trying to understand what the relevance of a question like that has to this hearing.

Mrs. Britt: I thought that cross examination had to relate to the direct examination.

Mayor Pro-Tem Lurie: Do you want to answer that?

Mr. Koch: I don't any objection to her responding to that.

Mr. Andrews: There is a question, there's been no objection by the City Attorney's Office, and Commissioner Lurie, I respectfully submit that you are there to protect the rights of both of us. Mrs. Britt is supposed to respond to questioning

Mayor Pro-Tem Lurie: I'm trying, but I don't quite understand what relevance that has on this case that we have before us. We have one ordinance that we are reviewing here today, that your client isn't abiding by, so that's what the order of show cause. It's not on whether or not other businesses are required to do the same.

Mr. Andrews: Commissioner Lurie, do you mean, you are already saying that we have not abided by that.

Mayor Pro-Tem Lurie: No, I'm just going by what's right here. What's in front of me on the order to show cause.

Mr. Andrews: Well, there's a question before this..

and if you're not going to let it in, that's fine, but there is a question put to her, and if you think it is irrelevant, then rule that way, I respectfully submit.

Mayor Pro-Tem Lurie: I just did.

Mr. Andrews: Then that's over my objection.

Mayor Pro-Tem Lurie: The objection is noted for the record.

Mr. Andrews: I have no further questions.

Mayor Pro-Tem Lurie: Do the Commissioners have any questions?

Mr. Koch: I only have two quick questions, if I may.

Mayor Pro-Tem Lurie: Mr. Koch.

Mr. Koch: The first, there's been considerable discussion about whether or not there's been any response to those letters which were sent. I would just to summarize or simplify, Mrs. Britt, did you receive as a response to those letters of request for employment records, did you receive any employment records?

Mrs. Britt: No, sir, I did not.

Mr. Koch: That's all the questions I have at this time.

Mr. Andrews: Commissioner Lurie, since... could Mrs. Britt be notified by the Commission at this point that she is expected to return whenever this reconvenes for cross examination.

Mayor Pro-Tem Lurie: If you're not finished with her cross examining, she will still be considered as a witness, not excused, but she will be back on December 1 to answer any further questions.

Mr. Koch: As the City's next witness, I call Chris Bollinger.

City Clerk Edwina Cole swore Chris Bollinger in.

Mr. Koch: State your full name, again, for the record, please.

Chris C. Bollinger. Chris is a nickname. My legal given name is Cecelia, middle initial C, last name Bollinger.

Mr. Koch: Is that Mrs. Bollinger?

Miss Bollinger: Miss.

Mr. Koch: Miss. Miss Bollinger, how are you presently employed?

Miss Bollinger: I'm a business office supervisor at the Central Telephone Company.

Mr. Koch: How long have you had that particular job?

Miss Bollinger: Since 1970.

Mr. Koch: What do you do in that capacity?

Miss Bollinger: In that capacity I supervise employees handling customer records, taking customer orders, and

Mr. Koch: In that capacity you do supervise the records

of the Telephone Company, is that correct?

Miss Bollinger: That is correct.

Mr. Koch: Does the telephone company keep records of what persons are licensed under, or what persons have various telephone numbers?

Miss Bollinger: That is correct.

Mr. Koch: What other things appear in those records?

Miss Bollinger: The name of the business, the telephone number, the location of the telephone service, what equipment is installed at the location, an application is taken from the subscriber to the service which shows the ownership of the telephone or the ownership of the business on the application for the telephone service.

Mr. Koch: Your records do reflect for any given number who has that number, is that correct?

Miss Bollinger: Yes, it would say who, the records do show who the telephone service is listed to.

Mr. Koch: Do they also show at what address the telephone is installed?

Miss Bollinger: That is correct.

Mr. Koch: Might the records also show any off-site extensions?

Miss Bollinger: That is correct.

Mr. Koch: Miss Bollinger, did you bring, pursuant to subpoena, today with you records pertaining to the three businesses which are the subject matter of this show cause hearing, which are Doubles Ltd., Tony Washington d/b/a as Pleasure Seekers Escorts; and Betty Jane Langa d/b/a Suzy Wong's Escort Service? Do you have those records with you today?

Miss Bollinger: Yes, I do.

Mr. Koch: Do you have the originals there, the original telephone company records?

Miss Bollinger: Yes, I do.

Mr. Koch: Would you please look at the record for, first of all, Doubles Ltd. d/b/a Swinging Escorts.

Mr. Andrews: Commissioner Lurie, I object that she cannot testify to anything on those records until they are admitted as evidence.

Mayor Pro-Tem Lurie: Are you going to enter these in evidence?

Mr. Koch: Certainly. If it would expedite matters to introduce them into evidence first, I would be happy at this time that they be introduced into evidence.

Mr. Andrews: May I see them first.

(There followed a discussion that was not picked up on the tape concerning the records.)

Mr. Andrews: I'd like to ask a question on voir dire of this witness before they be admitted and before I object, if at all. Which is proper, Commissioner.

Mayor Pro-Tem Lurie: I was going to let you ask your question.

Mr. Andrews: Miss Bollinger, is it Mrs?

Miss Bollinger: It's Miss.

Mr. Andrews: Miss. At the time those applications are filled out, does the applicant request of you or does the telephone company state that they would not divulge any information regarding a person's phone? Is there any restriction on your ability to do so? Are you aware of any?

Miss Bollinger: If I understand your question correctly, if the subscriber makes application for telephone service and requests that it be unlisted service, then, yes, there is a statement made to that applicant that their telephone, the information on their telephone records, would not be given out, not even in the case of an emergency.

Mr. Andrews: Is it only on an unlisted number?

Miss Bollinger: That is correct.

Mr. Andrews: Are you aware of any federal laws against divulging information that you're about to divulge?

Miss Bollinger: When there is a court order to present records, it is my understanding, that we do comply with that request.

Mr. Koch: I would object to this line of questioning. She is certainly not a legal expert and I don't believe she is capable to qualify...

Mr. Andrews: I agree with what Miss Bollinger just said, and I'm going to ask the Commission then, since there is no court order, that she be advised of her rights because she is doing something that I believe is unlawful at this time, and...

Commissioner Leavitt: She's under subpoena. Is she under subpoena?

Mr. Koch: Yes.

Commissioner Leavitt: She's under subpoena.

Mr. Andrews: Your subpoenas are not court orders.

Commissioner Leavitt: Well, we're sitting in a quasi-judicial manner at this point.

Mr. Andrews: I understand that, but if you check the statutes, clearly this Commission itself has no power to subpoena. You have power to subpoena, but you have no power to enforce it and you must go to the District Court to get an enforcement order. And, I'm only saying that I believe Miss Bollinger should be aware that there is no court order requesting her to do this at this time.

Commissioner Christensen: Is there something in these records that you object to being made public?

Mr. Andrews: Commissioner Christensen, I have certain legal objections that I'm going to make...

Commissioner Christensen: You just pointed out that this isn't a court of law. We've got certain (inaudible) here that a court doesn't have. This is a hearing, as you so ably pointed out just a minute ago.

Mr. Andrews: If Anthony Washington, for Doubles Ltd. desires to sue Miss Bollinger individually for releasing this information, I think they would have good cause for action.

Commissioner Christensen: It costs \$35 to file a lawsuit. The trick is winning it. I can sue you tomorrow for \$35.

Mr. Andrews: I just want here to be aware.

Mayor Pro-Tem Lurie: Your objections are noted for the record.

Mr. Andrews: You better advise her.

Mr. Koch: Miss Bollinger, are any of those telephone numbers unlisted?

Miss Bollinger: No, sir.

Commissioner Woofter: Let me ask a question here. Did you confer with the attorney for the telephone company before you came here to testify? Mr. Beller?

Miss Bollinger: No, sir.

Mr. Andrews: May I suggest, Commissioner Woofter, that because this is going to be continued until December 1 anyway that her testimony be delayed until then for her own protection?

Commissioner Woofter: I make a suggestion to that effect, Mr. Mayor Pro-Tem, that she be allowed to discuss this with the attorney for the telephone company before she testifies further on these records.

Commissioner Christensen: I would like to, further, in order to save time and make sure this isn't delayed once more by some other kind of a tactic, that she confer immediately with them so that if it requires a court order from District Court, we can get it before next time we meet so that we don't have that coming back to haunt us then because it sticks in my mind that on most of these hearings, every time we've had to seek a subpoena from the District Court, it's ended up in a delay because that takes time. So let's get right on with it, so if we have to seek a subpoena from District Court, we can start seeking it.

Mayor Pro-Tem Lurie: I would so rule, that Miss Bollinger, you go back and get legal counsel from the telephone company, and the City Attorney be instructed to see that this information is brought back before us in the proper manner at our December 1 hearing.

Commissioner Christensen: I would also like the record to reflect that the attorney for ... Mr. Andrews saw fit to question the validity or the legality of seeing those, the public seeing those records only after he looked at them, but before anybody else did.

Mayor Pro-Tem Lurie: For your own protection, I think that it's best that we discontinue any further questioning on your behalf and you are still under subpoena and under oath to be back here on December 1.
Mr. Koch.

Mr. Koch: At this time I have no further witnesses. Merely ask that a time certain be set on December 1 so that we can proceed with this hearing.

Mayor Pro-Tem Lurie: If there is no further witnesses, then we will recess this public hearing on the order to show cause and we will reconvene at 2:00 P.M. on December 1, 1976.

Commissioner Christensen: I have one question on the time. Is that 2:00 P.M. on September 1. Is that going to be the time certain?

Mayor Pro-Tem Lurie: December 1.

Commissioner Christensen: December 1 is what I meant. Did I say September? If I did, I made a mistake.

Mayor Pro-Tem Lurie: 2:00 P.M. December 1.

Commissioner Christensen: If it's of any value, if you set this later in the day, or on the 2nd, you might guarantee better attendance.

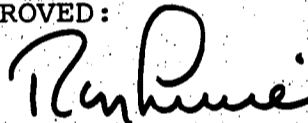
Mayor Pro-Tem Lurie: That's right. I think in order to have the members here, because some members are going to be out of town at the National League of Cities. We will...

Commissioner Christensen: December the 1st, I believe is a Wednesday. And for instance, I'm due back about 8:00 the night of the 1st. Whatever is your pleasure, I just thought you should be aware of that.

Mayor Pro-Tem Lurie: Why don't we, then, make it Thursday, December 2, 2:00 P.M. instead of December 1.

Mayor Pro-Tem Lurie: This meeting stands recessed.

APPROVED:



MAYOR PRO-TEM RON LURIE

ATTEST:



EDWINA M. COLE, CMC
CITY CLERK

APPROVED BY REFERENCE at a Regular Meeting of the Board of City Commissioners held on the 4th day of May, 1977.