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2 Nevada Bar No. 499

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8 Attorney for Plaintiffs

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

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12 PHASE II CHIN, LLC and LOVE & MONEY,
13 LLC, formerly O.P.M.L.V., LLC,

Case No. 2:08-cv-00162-JCM-GWF

14 Plaintiffs,

15 vs.

16 FORUM SHOPS, LLC, FORUM DEVELOPERS
17 LIMITED PARTNERSHIP, SIMON PROPERTY
18 GROUP LIMITED PARTNERSHIP, SIMON
19 PROPERTY GROUP, INC., CAESARS
20 PALACE CORP, CAESARS PALACE REALTY
CORP., DOES 1 through 20, AND ROE
CORPORATIONS 1 through 20,

21 Defendants.

22 ORDER DENYING DEFENDANTS MOTIONS TO DISMISS

23 (And in the Alternative Motion to Strike)

24 This matter is before the Court on all Defendants' Motions to Dismiss. The Court
25 conducted a hearing in this matter on March 12, 2009. Jerold Fagelbaum, Esq. of Fagelbaum &
26 Heller, LLP and Stanley Hunterton, Esq. and Pamela Lawson, Esq., of Hunterton and Associates,
27 appearing on behalf of Plaintiff, Phase II Chin, LLC, Harold P. Gewerter, Esq., of the law firm of
28 Harold P. Gewerter, Esq., Ltd., appearing on behalf of Plaintiff, Love & Money, LLC, Samuel
Lionel, Esq. and Charles McCrea, Esq., of Lionel Sawyer & Collins, appearing on behalf of

1 Defendants Forum Shops, LLC, Forum Developers Limited Partnership, Simon Property Group
2 Limited Partnership and Simon Property Group, Inc., and Steve Morris, Esq. of the law firm of
3 Morris Peterson, appearing on behalf of Defendants Caesar's Palace Corp. and Caesar's Palace
4 Realty Corp. The Court has read and considered all pleadings and papers on file herein, and the
5 argument of counsel at the time of the hearing.

6 Good cause appearing it is hereby ORDERED that all Defendants Motions to Dismiss,
7 and in the alternative Motion to Strike are hereby denied in their entirety.

8 DATED this 17th day of March, 2009.

9 
10 James C. Mahan
11 U.S. District Court Judge James C. Mahan

11 Submitted by:
12 HAROLD P. GEWERTER, ESQ., LTD.

13
14 /s/ Harold P. Gewerter, Esq.
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19 Attorney for Plaintiff
20 Love & Money, LLC
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