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7 Attorneys for Defendants
Caesars Palace Corp. and
8 Caesars Palace Realty Corp.

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 PHASE II CHIN, LLC and LOVE &) CASE NO. 2:08-cv-0162-JCM-GWF
12 MONEY, LLC, (formerly dba)
O.P.M.L.V., LLC,)
13)
Plaintiffs,)
14)
vs.)
15) **DEFENDANT CAESARS**
FORUM SHOPS, LLC, FORUM) **PALACE REALTY CORP.'S**
16 DEVELOPERS LIMITED) **ANSWER TO COMPLAINT**
17 PARTNERSHIP, SIMON PROPERTY)
GROUP LIMITED PARTNERSHIP,)
18 SIMON PROPERTY GROUP, INC.,)
CAESARS PALACE CORP., and)
19 CAESARS PALACE REALTY CORP.,)
20 Defendants.)

21
22 Defendants Caesars Palace Realty Corp. hereby answers the
23 Complaint as follows:

24 1. Caesars Palace Realty Corp. lacks knowledge or information
25 sufficient to form a belief as to the truth or falsity of the allegations of paragraphs 1
26 through 6, 9 through 12, 14, 15, 17 through 25, 38, 43 through 49, 52 through 54, 66,
27 69, 70, 72, 73, 75 through 78, 80 through 83, 85 through 88 and 94 through 96 and
28 denies the allegations on that basis.

1 2. The allegations contained in paragraph 7 are not directed to
2 Caesars Palace Realty Corp. and therefore it denies these allegations on that basis.

3 3. Caesars Palace Realty Corp. admits that it is a corporation
4 organized under the laws of the state of Nevada with its principal place of
5 business at 3570 Las Vegas Blvd. South, Las Vegas, Nevada 89109. Caesars Palace
6 Realty Corp. denies the remaining allegations in paragraph 8.

7 4. Caesars Palace Realty Corp. admits the allegations contained in
8 paragraphs 13.

9 5. Based upon information and belief, Caesars Palace Realty Corp.
10 admits the allegations contained in paragraphs 16.

11 6. Caesars Palace Realty Corp. denies the allegations contained in
12 paragraphs 26 through 30, 32 through 37, 39 through 41, 50, 51, 55 through 62, 64,
13 65, 67, 68, 90 through 92, 98, 99, 101 through 104.

14 7. Paragraph 31 calls for a legal conclusion and requires no
15 response. To the extent that this paragraph does contain allegations requiring a
16 response, Caesars Palace Realty Corp. denies them.

17 8. Caesars Palace Realty Corp. admits that Gary Selesner met with
18 Michael Goodwin in February 2007. Caesars Palace Realty Corp. denies the
19 remaining allegations contained in paragraph 42.

20 9. Caesars Palace Realty Corp. admits that it is willing to keep its
21 Forum Shops entrance open if OPM agrees to pay the increased cost of security.
22 Caesars Palace Realty Corp. denies the remaining allegations contained in
23 paragraph 63.

24 10. Caesars Palace Corp denies paragraphs 71, 74, 79, 84, 89, 93, 97
25 and 100 because they do not require a response, to the extent they do contain
26 allegations requiring a response, Caesars Palace Realty Corp. denies them.

27 11. Caesars Palace Realty Corp. denies all allegations in plaintiff's
28 "Wherefore" clause on pages 25:18 - 26:10.

1 12. Caesars Palace Realty Corp. denies any allegation contained in
2 the complaint that it did not expressly and explicitly admit.

3 *AFFIRMATIVE DEFENSES*

4 1. Plaintiff's complaint fails to state a claim upon which relief can
5 be granted. Caesars Palace Realty Corp. reserves all rights to assert defamation
6 actions against plaintiffs and plaintiffs' counsel.

7 2. Plaintiffs claims are barred by the applicable statute of
8 limitations.

9 3. Plaintiffs' complaint is barred by the doctrine of unclean hands.

10 4. Plaintiffs claims are barred by the doctrine of laches.

11 5. Plaintiffs claims are barred by the doctrines of estoppel and/or
12 waiver.

13 6. Plaintiffs claims are barred by the absence of privity.

14 7. Plaintiffs lack standing to assert the claims they have attempted
15 to state.

16 8. All actions alleged against Caesars Palace Realty Corp. were
17 taken in good-faith in the reasonable belief that they were necessary and lawful.

18 9. Plaintiffs claims against Caesars Palace Realty Corp. are barred
19 because it has not acted in concert with anyone with the intent to accomplish an
20 unlawful objective or in any manner discriminate against Plaintiffs or patrons of
21 OPM.

22 10. Plaintiffs claims against Caesars Palace Realty Corp. do not
23 arise out of or involve an impaired contractual relationship between the Plaintiffs
24 and Caesars Palace Realty Corp. that would be required to support an action
25 under 42 U.S.C. § 1981.
26
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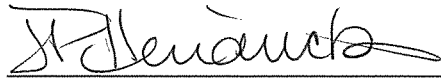
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PRAYERS FOR RELIEF

WHEREFORE, Caesars Palace Realty Corp. prays for relief as follows:

1. That plaintiffs take nothing by way of this complaint.
2. Any and all other forms of relief that the court deems just and proper.

MORRIS PETERSON

By: 
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Attorneys for Defendants
Caesars Palace Corp. and
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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b) and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of Morris Peterson, and that the following documents were served via electronic service:

DEFENDANT CAESARS PALACE REALTY CORP.'S ANSWER TO COMPLAINT

TO:

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Attorneys for Plaintiff
Love & Money, LLC

DATED this 31st day of March, 2009.

By: Patricia Cammu