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15 *Attorneys for Plaintiff Phase II Chin, LLC*

16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 PHASE II, CHIN, LLC and LOVE & MONEY,)
19 LLC (formerly dba O.P.M.L.V., LLC,)) Case No. 2:08-cv-00162-JCM-GWF
20)
21 Plaintiffs,)
22)
23 vs.) **PHASE II CHIN, LLC'S**
24) **RESPONSE TO FORUM**
25) **DEFENDANTS' MOTION TO**
26) **STRIKE JURY DEMAND**
27) **AND NOTICE OF JOINDER**
28)
29 FORUM SHOPS, LLC FORUM DEVELOPERS)
30 LIMITED PARTNERSHIP, SIMON PROPERTY)
31 GROUP LIMITED PARTNERSHIP, SIMON)
32 PROPERTY GROUP, INC., CAESARS)
33 PALACE CORP., and CAESARS PALACE)
34 REALTY CORP.)
35)
36 Defendants.)
37)
38)

39 **HUNTERTON**
40 **&**
41 **ASSOCIATES**
42 ATTORNEYS AT LAW
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46 Plaintiff Phase II Chin, LLC, by and through its attorneys of record, Bowles & Crow
47 hereby responds to Forum Defendants' Motion to Strike Jury Demand and files its notice of
48

1 joinder and states as follows in support thereof.

2 1. Notice of joinder.

3 Plaintiff Phase II Chin, LLC hereby joins in Plaintiff Love & Money, LLC's response
4 to the Forum Defendants' motion to strike jury demand. Plaintiff particularly joins in the
5 argument that Plaintiffs' claims fall outside the scope of the jury waiver clause in the lease.
6

7 2. Plaintiff Phase II Chin LLC's case is stayed.

8 At the present time, Plaintiff Phase II Chin, LLC is in bankruptcy proceedings in Case
9 No. 09-23581-LBR, United States Bankruptcy Court in the District of Nevada. Recently
10 Defendants filed a motion to lift the stay as to counterclaims involving Phase II Chin, LLC.
11 That motion has not yet been ruled upon.

12 DATED this 19th day of November, 2009.

13 HUNTERTON & ASSOCIATES

14
15
16 /s/ PAMELA R. LAWSON, ESQ.
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1 **CERTIFICATE OF SERVICE**

2 **IT IS HEREBY CERTIFIED** by the undersigned that on the 19th day of November
3 2009, I deposited in the United States Mail at Albuquerque, New Mexico, a true and correct
4 copy of the foregoing enclosed in a sealed envelope upon which first class postage was paid,
5 addressed as follows and sent via CM/ECF:
6

7 Samuel S. Lionel, NSB #1766
8 Charles H. McCrea, Jr., NSB #104
9 LIONEL SAWYER & COLLINS
10 1700 Bank of America Plaza
11 300 South Fourth Street
12 Las Vegas, Nevada 89101
13 Attorneys for Defendants
14 ***Forum Shops, LLC, Forum Developers Limited Partnership, Simon Property
15 Group Limited Partnership and Simon Property Group, Inc.***

16 Steve Morris (NSB #1543)
17 MORRIS PETERSON
18 Steve Morris
19 900 Bank of America Plaza
20 300 So. Fourth Street
21 Las Vegas, Nevada 89101
22 Attorneys for Defendants
23 ***Caesars Palace Corp., and Caesars Palace Realty Corp.***

24 GORENCE & OLIVEROS, P.C.
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Attorneys for Plaintiff
***Love & Money, LLC,
(formerly dba O.P.M.L.V., LLC)***

26 /s/ Jason Bowles

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