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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**
15

16 PHASE II CHIN, LLC and LOVE &
17 MONEY LLC (formerly dba
O.P.M.L.V., LLC),

18 Plaintiffs,

19
20 and

21 FORUM SHOPS, LLC, FORUM
22 DEVELOPERS LIMITED
PARTNERSHIP, SIMON
23 PROPERTY GROUP LIMITED
PARTNERSHIP, SIMON
PROPERTY GROUP, INC.,
24 CAESARS PALACE CORP., and
CAESARS PALACE REALTY
25 CORP.

26 Defendants
27
28

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

) **REQUEST FOR STATUS
CONFERENCE**

) **DATE: To Be Determined**
) **TIME: To Be Determined**
) **CTR: Hon. James C. Mahan**

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I.
PRELIMINARY STATEMENT

Plaintiff Phase II Chin, LLC ("Chinois") respectfully requests that the Court conduct a telephonic status conference, at a date and time convenient to the Court, in order to address the appropriate sequencing of two Motions to Dismiss filed by Defendants, currently scheduled to be heard before the Court on March 12, 2009 at 10:00 a.m., and Plaintiff Chinois' Objections to Magistrate Judge George W. Foley, Jr.'s Order, dated February 19, 2009, denying Chinois' Motion to Disqualify Counsel for Defendants Caesars Palace Corp. and Caesars Palace Realty Corp..

II.
RELEVANT BACKGROUND

Currently before this Court are two Motions to Dismiss, one filed by Lionel Sawyer & Collins, on behalf of Defendants Forum Shops LLC, Forum Developers Limited Partnership, Simon Property Group Limited Partnership and Simon Property Group, Inc., and a second by Morris Pickering & Peterson, on behalf of Defendants Caesars Palace Corp. and Caesars Palace Realty Corp. The hearing is now set before the District Court for March 12, 2009.

Due to counsel for the Caesars Defendants' recent election to the Nevada Supreme Court, attorney Steve Morris has substituted in for attorney Kris Pickering, and Morris Pickering & Peterson has become Morris Peterson. For reasons fully detailed in its Motion, on January 5, 2009 Plaintiff Chinois filed a Motion to Disqualify Steve Morris and Morris Peterson from representing the Caesars Defendants in this case. The Court referred the Motion to Magistrate Judge Foley, a hearing was conducted on February 12, 2009, and a week later on February 19, 2009 the Magistrate Judge issued a written ruling denying the Motion.

On February 25, 2009, Chinois filed written Objections to the Magistrate Judge's Order and requested oral argument. Chinois also requested that a hearing on the Objections be conducted before a hearing on Defendants' Motions to Dismiss.

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III.

PURPOSE OF THE REQUEST FOR STATUS CONFERENCE

Plaintiff Chinois requests a telephonic Status Conference so that the Court may determine the appropriate sequencing of a hearing on the Objections (not yet calendared) and the hearing on the Motions (now set for March 12, 2009) such as conducting the Objections' hearing on March 12, 2009 prior to the hearing on Defendants' Motion to Dismiss.

Dated: March 9, 2009

FAGELBAUM & HELLER LLP

By: 

Jerold Fagelbaum
2049 Century Park East, Suite 4250
Los Angeles, CA 90067-3254
Attorneys for Phase II Chin, LLC

Dated: March 9, 2009

HUNTERTON & ASSOCIATES

By: /s/ C. Stanley Hunterton

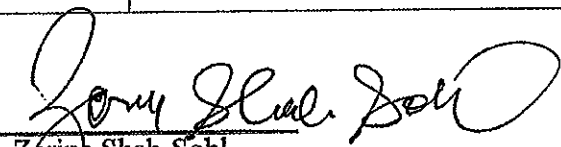
C. Stanley Hunterton
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CERTIFICATE OF SERVICE

[US DISTRICT COURT -NEVADA
CASE NO. 2:08-CV-00162 JCM (GWF)]

I hereby certify that on March 9, 2009 I caused a true and correct copy of the foregoing document **REQUEST FOR STATUS CONFERENCE** to be served on counsel for all parties via electronic filing the Court's ECF System.

<p>Samuel S. Lionel, Esq. Charles McCrea, Esq. LIONEL SAWYER & COLLINS 300 So. Fourth Street, # 1700 Las Vegas, Nevada 89101</p> <p>Attorneys for Defendants Forum Shops, LLC Forum Developers Limited Partnership, Simon Property Group Limited Partnership and Simon Property Group, Inc.</p>	<p>C. Stanley Hunterton, Esq. Pamela R. Lawson, Esq. 333 SO. Sixth Street Las Vegas, Nevada 89101</p> <p>Attorneys for Plaintiff Phase II Chin, LV</p>
<p>Harold Gewerter, Esq. GEWETER LAW OFFICES 5440 W. Sahara Avenue, Third Floor Las Vegas, Nevada 89146</p> <p>Attorneys for Plaintiff Love & Money, LLC</p>	<p>George W. Foley, Jr. Magistrate Judge Court Room 3A United States District Court – District of Nevada 333 Las Vegas Blvd. South Las Vegas, Nevada 89101</p>
<p>(NEW ATTORNEYS)</p> <p>Steve Morris, Esq. MORRIS PETERSON 900 Bank of America Plaza 300 So. Fourth Street Las Vegas, Nevada 89101</p> <p>Attorneys for Defendants Caesars Palace Corp. and Caesars Palace Realty Corp.</p>	



Zorina Shah-Sohl