


EXHIBIT 1

EXHIBIT 1

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Sep. 25, 2010

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Vdara visitor: 'Death ray' scorched hair

Chicago lawyer says bag also melted

By [JOAN WHITELY](#)
LAS VEGAS REVIEW-JOURNAL

The tall, sleek, curving Vdara Hotel at CityCenter on the Strip is a thing of beauty.

But the south-facing tower is also a collector and bouncer of sun rays, which -- if you're at the hotel's swimming pool at the wrong time of day and season -- can singe your hair and melt your plastic drink cups and shopping bags.

Hotel pool employees call the phenomenon the "Vdara death ray."

A spokesman for MGM Resorts International, which owns Vdara, said he prefers the term "hot spot" or "solar convergence" to describe it. He went on to say that designers are already working with resort staff to come up with solutions.

Designers foresaw the issue, and thought they had solved it by installing a high-tech film on the south-facing glass panes, according to Gordon Absher, the MGM spokesman. The film scatters more than 70 percent of reflected rays. But that's not enough, Absher acknowledged, as some pool guests are still uncomfortable.

Chicago visitor Bill Pintas experienced Vdara's "death ray" recently. A lawyer, he was here on business for Preferred Capital Lending, which he co-owns. He also co-owns a Vdara condo.

Pintas told the Review-Journal that at midday Sept. 16, after a brief dip in the hotel pool, he was sunning on a recliner. He was on his stomach, relaxed, eyes closed.

But suddenly, the lawyer became so uncomfortably hot that he leaped up to move. He tried to put on his flip-flop sandals but, inexplicably, they were too hot to touch. So he ran barefoot to the shade.

"I was effectively being cooked," Pintas said. "I started running as fast as I could without looking like a lunatic."

Then he smelled an odor, and realized it was coming from his head, where a bit of hair had been scorched. It was about 12:20 p.m., as best Pintas can recall.

Taking brief refuge at the pool's bar area, Pintas chatted with employees. He said they chuckled when he described what had happened. "Yes, we call it the death ray," he says they told him. Sometimes it causes disposable drink glasses to melt, a cocktail waitress added.

After the intense reflection had passed, Pintas returned to his lounge chair. He remembered that a patron nearby laughed, and said something like, It got you, too?

Then he noticed something more -- a flimsy plastic bag holding his newspaper had partially melted. The portion of bag bearing the name Vdara had entirely melted away. Holes marked where the letters, in black ink, had absorbed the heat. Pintas snapped a photo of the bag, which he shared with the newspaper.

After Pintas' experience, a Review-Journal reporter went to the Vdara pool twice. Employees did not know they were talking to a reporter.

The "hot spot" was visible during one of the visits, but no guests were in its reach. An employee pointed out the zone and said it was "like a magnifying glass that shines down" over a space about 10 feet by 15 feet, which moves as the Earth rotates. At this time of year, the bright reflection is present for about an hour and a half, both before noon and after, according to the young man.

The Review-Journal's other visit was well past noon, so the phenomenon was gone. But several employees recognized the "Vdara death ray" nickname, and readily spoke about the effect.

"It's basically a glare," said one.

"It's like 20 degrees hotter" wherever the reflection is hitting, another one said.

Pintas disagrees strongly with the "glare" terminology. Does glare "painfully heat your hair (and scalp)?" he asked in an e-mail after he returned to Chicago. "Glare sounds like what a politician or insurance attorney would call it. ...

"This is a real risk to pool guests and pool employees," Pintas concludes. Plastic shopping bags are often made of polyethylene, which melts at between 120 and 130 degrees. Many disposable plastic cups are made of polypropylene, which melts at about 160 degrees.

Pintas' theory is that Vdara's curved southern wall acts as a parabola to collect and intensify the afternoon rays, which it then reflects.

Viewed from above, the Vdara tower resembles a crescent. The crescent's southern-facing side is concave. There is no tall building farther south to block the sun's hot afternoon rays, so Vdara receives the full brunt. Its pool lies at the center of this southern-facing wall, on top of a low-rise building that is three stories tall.

A concave reflective surface can act "as a lens," according to Kerry Haglund at the Center for Sustainable Building Research, which is at the University of Minnesota. But she declined to speculate on whether the Vdara's wall is acting as one. Sophisticated computer modeling can determine whether its "facade configuration" and "reflective surface" interact in a way that creates a hazard for pool users, Haglund said via e-mail.

The Vdara -- and five other CityCenter buildings -- are LEED-certified, a prestigious designation that means the buildings are designed, built and operated to conserve resources and to reduce impacts on the environment. Rafael Vinoly Architects designed Vdara.

Pintas said he doesn't intend to sue Vdara over the reflection issue. But as a condo owner, he worries about the health consequences and expects the hotel to fix the problem.

A new building's first season of operation always uncovers glitches, Absher also said. Vdara solutions under review include adding more foliage to the pool deck, offering larger sun umbrellas and building a shade structure. But the challenge of constructing shade is that the sun, and the reflection, are moving targets.

CityCenter's Vdara isn't the first high-profile structure to reflect brightly. In Las Vegas, both the AdventureDome at Circus Circus and the Mandalay Bay have reflection issues, Absher noted. In early spring, he added, some pool guests at Mandalay Bay even seek out the hot spots, because

they are more comfortable for sunning.

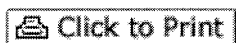
In Los Angeles, the Disney Concert Hall -- by noted architect Frank Gehry -- had to tone down its reflectivity by sanding some of its curving exterior metal surfaces.

Initially, its reflections were raising temperatures in nearby buildings and impairing the vision of passers-by. In 2004, the Los Angeles Times ran a story about the hall, below the headline, "Disney venue reflects badly on downtown."

Reporter Alan Maimon contributed to this article. Contact reporter Joan Whitely at jwhitely@reviewjournal.com or 702-383-0268. Contact Alan Maimon at amaimon@reviewjournal.com or 702-383-0404.

Find this article at:

<http://www.lvrj.com/news/vdara-visitor---death-ray--scorched-hair-103777559.html>



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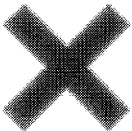
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EXHIBIT 2

EXHIBIT 2



Home > Facepunch > General Discussion > In The News

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Hotel Death Ray Almost cooks

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2 Days Ago

Post #1

Wii60
Gold Member

<http://www.lvrj.com/news/vdara-visit...103777559.html>



April 2007
5,235 Posts



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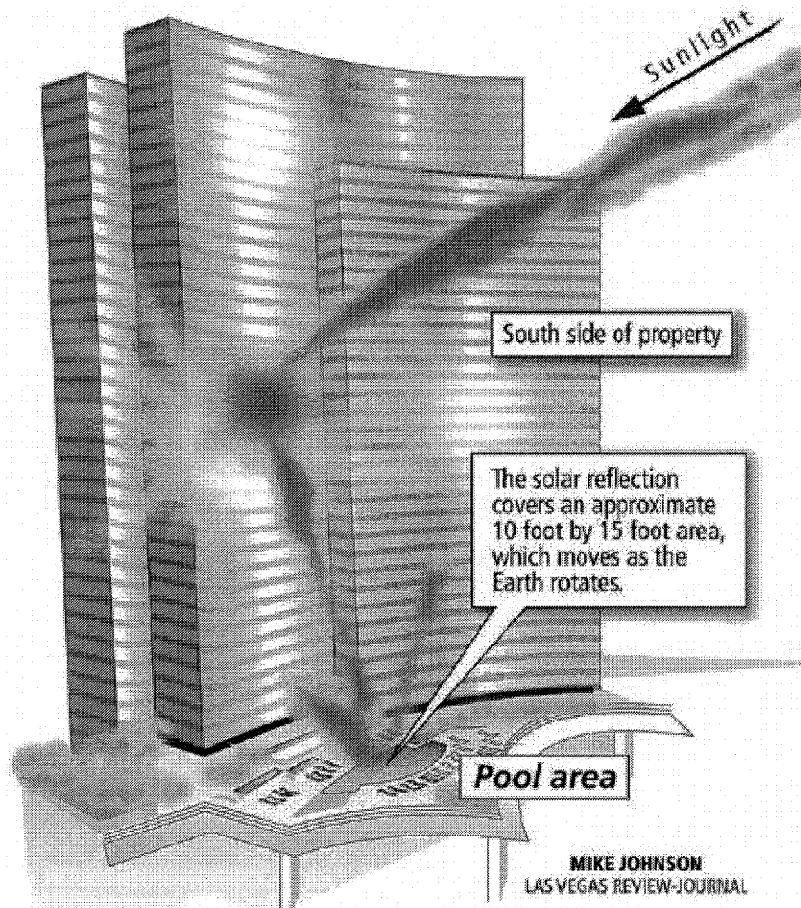
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Funny x 31 Late x 5



Reply

2 Days Ago

Post #2

Devodiere

Archimedes would be proud.



November 2009
2,178 Posts



Agree x 43 Funny x 4

Reply

2 Days Ago

Post #3

HendoV2

awesome



June 2010
58 Posts



Reply

2 Days Ago

Post #4

Dr Kevorkian

I like to imagine what it would be like without the light scattering film....
I would have jumped right into the pool if I had started to burn, seems like an obvious thing to do.



January 2007
658 Posts



✓ Agree x 6

Reply

2 Days Ago

Post #5

sphinx279

BAN

July 2007
1,961 Posts



So, do you expect me to talk?



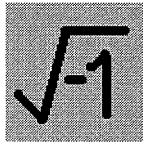
Reply

2 Days Ago

Post #6

Wunce

This reminds me of that episode of mythbusters when they were trying to test Archimedes' death ray.



May 2010
51 Posts



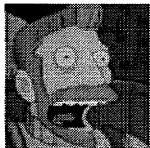
Reply

2 Days Ago

Post #7

Dr Kevorkian

sphinx279 posted:



January 2007
658 Posts



So, do you expect me to talk?

Damnit, why didn't I think of that, damn my brain!



Reply

2 Days Ago

Post #8

Lord Hayden II

move the building.

simple.



April 2009
374 Posts



Funny x 23

Reply

2 Days Ago

Post #9

sphinx279

BAN

July 2007
1,961 Posts



Dr Kevorkian posted:

Damn it, why didn't I think of that, damn my brain!



Reply

2 Days Ago

Post #10

FunnyBunny

Gold Member



December 2006
4,470 Posts



Lord Hayden II posted:

move the building.
simple.

what the fuck are you talking about how the fuck is that simple?

move the sun, that's what we *should* do



Dumb x 12 Funny x 4

Reply

2 Days Ago

Post #11

sphinx279

BAN

July 2007
1,961 Posts



FunnyBunny posted:

what the fuck are you talking about how the fuck is that simple?
move the sun, that's what we *should* do

Argh, your avatar, please tell me you have that just to piss people off?



Agree x 7

Reply

2 Days Ago

Post #12

FunnyBunny
Gold Member

Is it working?



December 2006
4,470 Posts



Funny x 12 Agree x 4

Reply

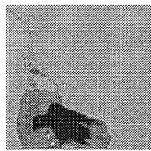
2 Days Ago

Post #13

ThePutty
Gold Member

sphinx279 posted:
Argh, your avatar, please tell me you have that just to piss people off?

fuckin deal with it bro



September 2006
3,283 Posts



Reply

2 Days Ago

Post #14

oogaboogaman
Gold Member

Haha that's awesome.



January 2005
3,358 Posts



Reply

2 Days Ago

Post #15

imadaman
Gold Member



August 2008
4,885 Posts



Reply

2 Days Ago

Post #16

Phoenix Ashes

Fail building.

BAN

July 2010
928 Posts



Reply

2 Days Ago

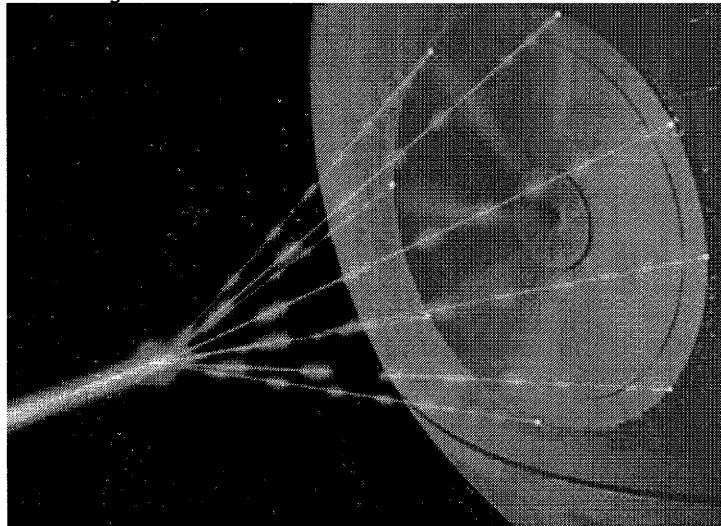
Post #17

Antdawg

First thought:



July 2010
93 Posts



And notice the similarity between "Vdara" and "Vader". Coincidence? I THINK NOT.

I think we have a conspiracy on our hands, boys.



Reply

2 Days Ago

Post #18

Conspiracy



May 2007
398 Posts



"Hmm, we've probably got to fix that first."



Reply

2 Days Ago

Post #19

Omali
Gold Member



September 2005
2,406 Posts



FunnyBunny posted:

Is it working?

I read all your posts in Justin Bieber's voice.

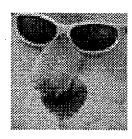


Reply

2 Days Ago

Post #20

SinjinOmega



January 2010
217 Posts



Pintas said he doesn't intend to sue Vdara over the reflection issue. But as a condo owner, he worries about the health consequences and expects the hotel to fix the problem.

It's a good thing he isn't suing them due to something they are trying to fix 🤔



Reply

🕒 2 Days Ago

🗨️ Post #21

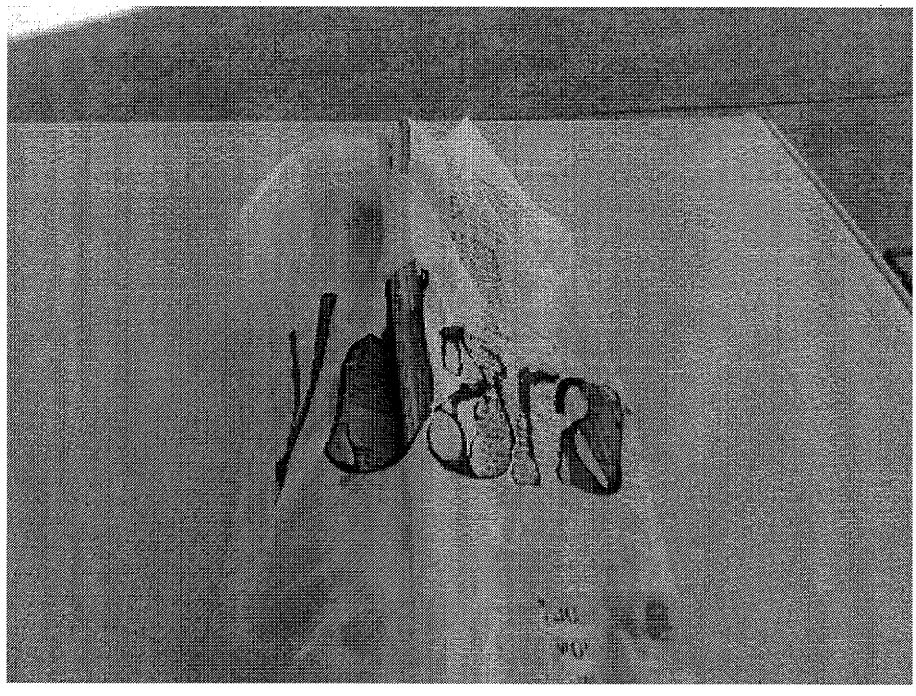
Bran



November 2008
1,002 Posts



Then he noticed something more -- a flimsy plastic bag holding his newspaper had partially melted. The portion of bag bearing the name Vdara had entirely melted away. Holes marked where the letters, in black ink, had absorbed the heat. Pintas snapped a photo of the bag, which he shared with the newspaper.



Wow, that's pretty cool.



Reply

🕒 2 Days Ago

🗨️ Post #22

revrend_slapaho

it'd be cool if the sunlight would have somehow heat the pool so much that its got to a point that it burned people



just a thought

September 2009
1,437 Posts



Reply

1 Day Ago

Post #23

CjienX

I'm amazed that he doesn't plan on suing

I got Benji to
smoke tea
and all I got
was this
avatar that I made

April 2010
2,320 Posts



Reply

1 Day Ago

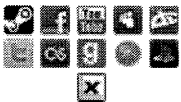
Post #24

Lord of Ears
Gold Member

oh man i was gonna go there when i went to vegas
it'd be cool to have cooked some hotdogs or some shit on the glare
but nope i had to go to mgm grand



January 2007
3,274 Posts



Reply

1 Day Ago

Post #25

Jin

They should build a shade area where the hot spot is and place solar panels on top of it.



January 2006
116 Posts



Reply

1 Day Ago

Post #26

Tetracycline



June 2010
3,013 Posts

sphinx279 posted:
Argh, your avatar, please tell me you have that just to piss people off?

if it pisses people off then they really need to ~grow up~



Reply

1 Day Ago

Post #27

Lord Xamot

"This *innocent looking building* has over 100 functions. One of them, is a death ray."



August 2009
173 Posts



Kudos to those who know the origin of my modified quote.



Reply

11 Hours Ago Post #28

benos

"fire the lazor"



October 2008
5,534 Posts



Reply

11 Hours Ago Post #29

RearAdmiral

Bravo OP for an amazing title.



May 2010
925 Posts



Reply

11 Hours Ago Post #30

luck_or_loss

Turn the ray into a grill and bar, one to cook food, one to power the refrigerator.



January 2007
1,942 Posts



Reply

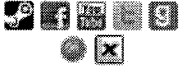
10 Hours Ago Post #31

Daniellynet
Gold Member

Wow, this is awesome.



September 2008
3,402 Posts



Reply

Reply

All times are GMT. The time now is 06:19PM.

Facepunch Studios 2010 - Server 'MARGE'

EXHIBIT 3

EXHIBIT 3

-APPLICATION-

Title

Title of Work: Vdara visitor says 'death ray' scorched hair. Chicago lawyer says bag also melted.

Completion/Publication

Year of Completion: 2010

Date of 1st Publication: September 25, 2010

Nation of 1st Publication: United States

Author

▪ **Author:** Stephens Media LLC

Author Created: text

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant

Copyright Claimant: Righthaven LLC

9960 West Cheyenne Avenue, Suite 210, Las Vegas, NV, 89129-7701, United States

Transfer Statement: By written agreement

Rights and Permissions

Organization Name: Righthaven LLC

Name: Chief Executive Officer

Email: sgibson@righthaven.com

Telephone: 702-527-5900

Address: 9960 West Cheyenne Avenue

Suite 210

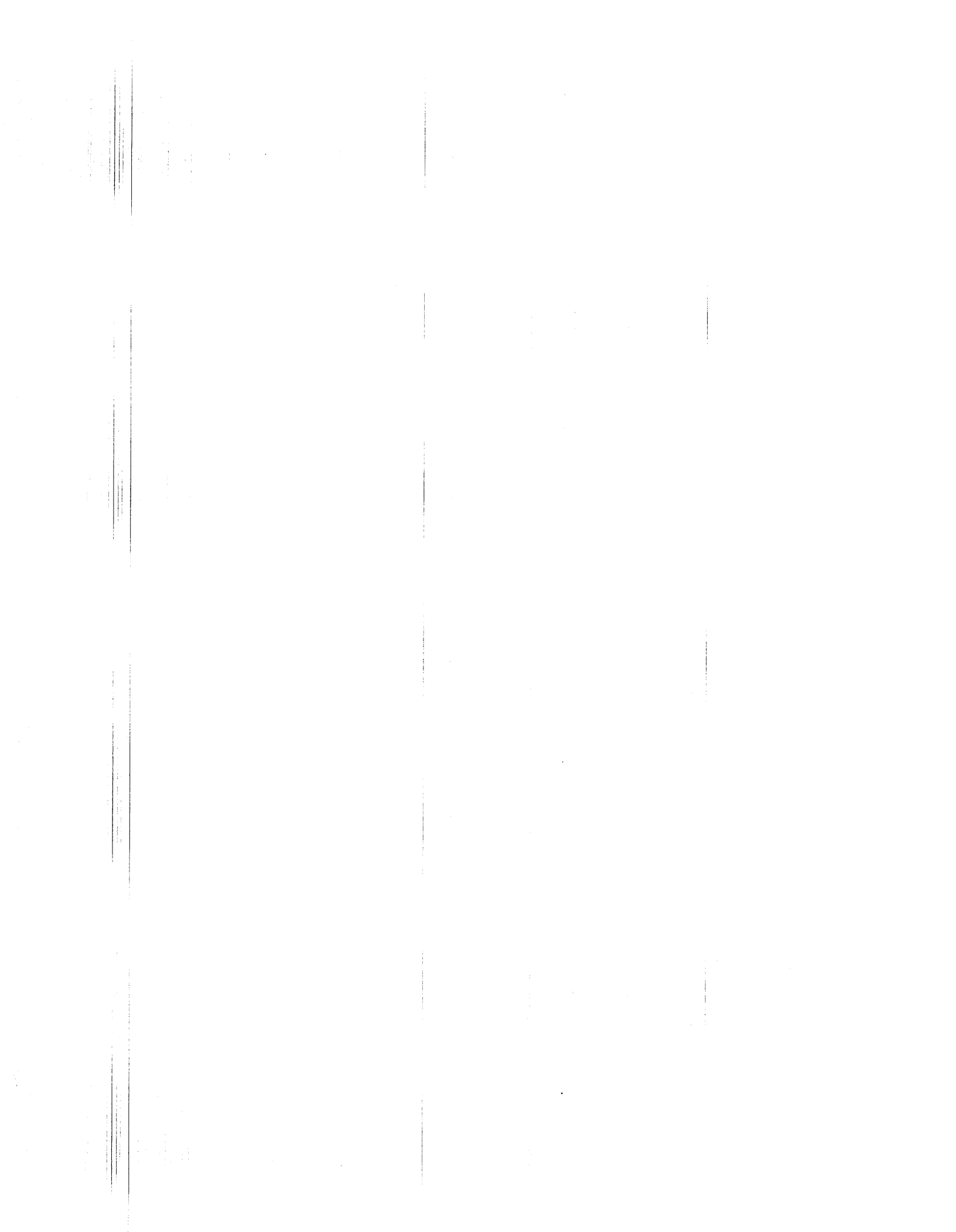
Las Vegas, NV 89129-7701 United States

Certification

Name: Steven A. Gibson

Date: October 6, 2010

Applicant's Tracking Number: 0002121



Registration #:

Service Request #: 1-498243753

Application Date: 10-06-2010 19:46:53

Correspondent

Organization Name: Righthaven LLC

Name: Steven A. Gibson

Address: 9960 West Cheyenne Avenue
Suite 210
Las Vegas, NV 89129-7701 United States

Mail Certificate

Righthaven LLC
Steven A. Gibson
9960 West Cheyenne Avenue
Suite 210
Las Vegas, NV 89129-7701 United States