

SCHWARTZER & MCPHERSON LAW FIRM
2850 South Jones Blvd., Suite 1
Las Vegas, Nevada 89146
Tel: (702) 228-7590 · Fax: (702) 892-0122

1 Lenard Schwartzer Esq. (NV Bar No. 399)
2 Jeanette E. McPherson, Esq. (NV Bar No. 5423)
3 **SCHWARTZER & MCPHERSON LAW FIRM**
4 2850 South Jones Boulevard, Suite 1
5 Las Vegas, Nevada 89146
6 Telephone: (702) 228-7590
7 Facsimile: (702) 892-0122
8 Email: lschwartz@s-mlaw.com
9 jmcpherson@s-mlaw.com

7 Annette W. Jarvis, Esq. (admitted *pro hac vice*)
8 Michael F. Thomson, Esq. (NV Bar No. 7541)
9 **DORSEY & WHITNEY LLP**
10 136 South Main Street, Suite 1000
11 Salt Lake City, Utah 84101
12 Telephone: (801) 933-8945
13 Facsimile: (801) 933-7373
14 Email: jarvis.annette@dorsey.com
15 thomson.michael@dorsey.com

13 *Attorneys for U.S. Bank National Association*

14 **UNITED STATES BANKRUPTCY COURT**
15 **FOR THE DISTRICT OF NEVADA**

16 In re:
17 JERRY’S NUGGET, INC.,
18 Affects this Debtor

BK-S-12-19387
Chapter 11

19 In re:
20 SPARTAN GAMING LLC,
21 Affects this Debtor

BK-S-12-19388
Chapter 11
JOINTLY ADMINISTERED UNDER
CASE NO.: 12-19387-MKN

23 **U.S. BANK’S OBJECTION TO FIRST AMENDED DEBTORS’ WITNESS AND EXHIBIT**
24 **LIST FOR THE CONFIRMATION HEARING ON DEBTORS’ SECOND AMENDED**
25 **JOINT PLAN OF REORGANIZATION**

26 U.S. Bank National Association (“U.S. Bank”), a secured creditor in this case, by and
27 through its counsel, hereby files this objection (the “Objection”) to the *Debtors’ Witness and*
28 *Exhibit List for the Confirmation Hearing on Debtors’ Second Amended Joint Plan of*

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1 *Reorganization* [ECF No. 500] (the “Debtors’ Witness and Exhibit List”) filed by Jerry’s Nugget,
 2 Inc. (“JNI”) and Spartan Gaming, LLC (“SG” and together with JNI, the “Debtors”).

3 U.S. Bank reserves the right to supplement, modify or withdraw any of the objections
 4 made. In addition, U.S. Bank reserves the right to object to the admissibility of any exhibits on any
 5 other grounds at the plan confirmation hearing, to interpose objections to exhibits that may be
 6 identified as exhibits by Debtors’ counsel during the course of the hearing, and to object to any
 7 exhibit not identified by witnesses at the hearing. Finally, U.S. Bank reserves the right to interpose
 8 a specific objection at the hearing to any exhibit where a copy of the exhibit was not provided
 9 prior to the filing of these objections.

10 The exhibits from the Debtors’ Witness and Exhibit List identified below are objectionable
 11 for the reasons stated in the “Basis for Objection” and accordingly should not be allowed as
 12 exhibits or should be modified as suggested below.

Exhibit No.	Debtors’ Description	Basis for Objection
20	Nevada Department of Employment, Training and Rehabilitation	U.S. Bank objects to Exhibit No. 20 because the Debtors’ Witness and Exhibit List contains insufficient information to allow for a specific objection to this exhibit.
21	Nevada State Gaming Control Gaming Commission	U.S. Bank objects to Exhibit No. 21 because the Debtors’ Witness and Exhibit List contains insufficient information to allow for a specific objection to this exhibit.
38	December 7, 2012 deposition transcript of Jeremy M. Stamis as PMK of Jerry's Nugget, Inc. and all exhibits thereto	U.S. Bank objects to Exhibit No. 38 to the extent the Debtors intend to admit the deposition transcript as direct testimony. ¹
39	December 7, 2012 deposition transcript of Jeremy M. Stamis as PMK of Spartan Gaming, LLC and all exhibits thereto	U.S. Bank objects to Exhibit No. 39 to the extent the Debtors intend to admit the deposition transcript as direct testimony.

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1 To clarify, U.S. Bank has identified the following transcripts: Exhibit Nos. 4, 5, 9, 10, 11, 12, and 13, but will not seek to admit said transcripts as direct testimony. See U.S. Bank’s Witnesses and Exhibit Lists [ECF No. 501].

1	40	January 10, 2013 deposition transcript of Peter DeMangus and all exhibits thereto.	U.S. Bank objects to Exhibit No. 40 because (1) Peter DeMangus is not listed as a witness by any party and will not be available for cross-examination on the contents of his earlier deposition and (2) U.S. Bank has never received a copy of the January 10, 2013 deposition transcript of Peter DeMangus and accordingly U.S. Bank objects to Exhibit No. 40. Further, the Debtors' Witness and Exhibit List contains insufficient information to allow for additional specific objections to this exhibit.
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8	41	June 19, 2013 deposition transcript of Toby Stoops as PMK of U.S. Bank, N.A. and all exhibits thereto	U.S. Bank objects to Exhibit No. 41 to the extent the Debtors intend to admit the deposition transcript as direct testimony.
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10	42	June 20, 2013 deposition transcript of Jeremy M. Stamis as PMK of Jerry's Nugget, Inc. and all exhibits thereto	U.S. Bank objects to Exhibit No. 42 to the extent the Debtors intend to admit the deposition transcript as direct testimony.
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13	43	June 24, 2013 deposition transcript of George Stamis and all exhibits thereto	U.S. Bank objects to Exhibit No. 43 to the extent the Debtors intend to admit the deposition transcript as direct testimony.
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15	44	June 24, 2013 deposition transcript of Angelo Stamis and all exhibits thereto	U.S. Bank objects to Exhibit No. 44 to the extent the Debtors intend to admit the deposition transcript as direct testimony.
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17	45	June 24, 2013 deposition transcript of Joseph Stamis and all exhibits thereto	U.S. Bank objects to Exhibit No. 45 to the extent the Debtors intend to admit the deposition transcript as direct testimony.
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19	46	Deposition transcript of the PMK of Alliance and all exhibits thereto	U.S. Bank objects to Exhibit No. 46 to the extent the Debtors intend to admit the deposition transcript as direct testimony.
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21	47	Additional deposition transcript(s) of the PMK of Jerry's Nugget, Inc. and all exhibits thereto	U.S. Bank objects to Exhibit No. 47 to the extent the Debtors intend to admit the deposition transcript as direct testimony.
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1 2 3	52	All discovery responses by U.S. Bank to any and all parties' discovery requests.	U.S. Bank objects to Exhibit No. 52 to the extent it includes confidential information or to the extent that it violates the <i>Stipulated Protective Order</i> [ECF. No. 186] entered by this Court.
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DATED this 16th day of September, 2013.

/s/ Jeanette E. McPherson
 Lenard Schwartz Esq. (NV Bar No. 399)
 Jeanette E. McPherson, Esq. (NV Bar No. 5423)
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 2850 South Jones Boulevard, Suite 1
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and

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