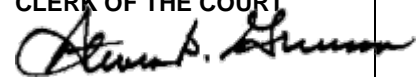


SEMENZA KIRCHER RICKARD
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145
Telephone: (702) 835-6803

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CASE NO: A-20-821028-C
Department 26

1 Lawrence J. Semenza, III, Esq., Bar No. 7174
Email: ljs@skrlawyers.com
2 Christopher D. Kircher, Esq., Bar No. 11176
Email: cdk@skrlawyers.com
3 Jarrod L. Rickard, Esq., Bar No. 10203
Email: jlr@skrlawyers.com
4 Katie Cannata, Esq., Bar No. 14848
klc@skrlawyers.com
5 SEMENZA KIRCHER RICKARD
6 10161 Park Run Dr., Ste. 150
Las Vegas, Nevada 89145
7 Telephone: (702) 835-6803
8 Facsimile: (702) 920-8669

9 *Attorneys for Plaintiff Wynn Las Vegas, LLC*
10 *d/b/a Wynn Las Vegas*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 WYNN LAS VEGAS, LLC d/b/a WYNN
14 LAS VEGAS, a Nevada limited liability
company,

15 Plaintiff,

16 v.

17 DOE individuals 1-20, inclusive,

18 Defendants.

Case No.
Dept. No.

COMPLAINT

19
20 For its Complaint, Wynn Las Vegas, LLC d/b/a Wynn Las Vegas ("Wynn") complains
21 against DOE Individuals 1-20 ("Defendants") as follows:

22 **INTRODUCTION**

23 By this action, Wynn seeks to honor its long-held commitment to protect the safety and
24 security of its guests and employees. Be assured, Wynn will not sit idly by when anyone engages
25 in mayhem or flouts government-imposed safety measures in violation of Nevada law. Wynn will
26 aggressively pursue all options to hold these individuals accountable even after they flee from
27 Wynn's buildings and away from Nevada's borders. In taking such action, Wynn seeks to quash
28

1 any mistaken belief that Wynn would ever tolerate any intrusion upon the safety and wellbeing of
2 its guests and employees. Wynn will not.

3 As detailed below, the individuals identified herein as DOES 1-20, and who Wynn will
4 spare no expense or effort in seeking to identify through this action, broke Nevada law and
5 breached Wynn's terms of entry during the early morning minutes of September 6, 2020. While
6 their actions may have been isolated and lasted only moments, the damage they caused to Wynn
7 and to the gaming industry still reeling from the effects of the COVID-19 pandemic is incalculable.
8 Wynn is prepared to do whatever is necessary to pursue and press all possible charges against these
9 individuals to the full extent of equitable and legal remedies available.

10 **PARTIES**

11 1. Wynn is a Nevada limited liability company created and existing under and by
12 virtue of the laws of the State of Nevada.

13 2. The true names and capacities of the Defendants named herein as DOES 1 through
14 20, inclusive, are unknown to Wynn at this time and Wynn therefore sues said Defendants by such
15 fictitious names. Wynn is informed and believes, and therefore alleges, that each of the Defendants
16 designated herein as DOES are responsible in some manner for the events and happenings referred
17 to and caused damages proximately to Wynn as herein alleged, and Wynn will ask leave of this
18 Court to amend its Complaint to insert the true names and capacities of said DOES when the same
19 become ascertained and join said Defendants in this action..

20 **BACKGROUND**

21 3. Wynn owns and operates the Wynn Las Vegas and Encore Las Vegas casino/resort
22 in Las Vegas, Nevada.

23 4. Like other casino/resort operators, Wynn implements and enforces certain terms
24 and conditions of entry for its patrons and invitees.

25 5. Among Wynn's foremost considerations is the safety and security of its customers
26 and employees. As such, Wynn operates under a zero-tolerance approach to violence. Wynn's
27 policy is simple. If you engage in violence, you will be trespassed from Wynn's property.
28

1 **FOURTH CAUSE OF ACTION**

2 **(False Light)**

3 26. Wynn incorporates the allegations contained in paragraphs 1 through 25 as though
4 fully set forth herein.

5 27. Defendants created publicity in a matter concerning Wynn that placed Wynn before
6 the public in a false light.

7 28. The false light under which Wynn was placed would be highly offensive to a
8 reasonable person.

9 29. Defendants had knowledge of or acted in reckless disregard as to the falsity of the
10 publicized matter and the false light in which Wynn was placed.

11 30. As a result, Wynn has been damaged in an amount that exceeds \$15,000.00,
12 exclusive of costs and interest.

13 31. Wynn has been forced to hire an attorney to prosecute this action and therefore
14 seeks recovery of its attorneys' fees and court costs.

15 **FIFTH CAUSE OF ACTION**

16 **(Declaratory Relief)**

17 32. Wynn incorporates the allegations contained in paragraphs 1 through 31 as though
18 fully set forth herein.

19 33. Pursuant to the Nevada Declaratory Relief Act, persons whose rights, status, or
20 other legal interests are affected by a statute, ordinance, or other legal obligation, or who may have
21 a question of validity arising under such legal obligation, may obtain a declaration of rights
22 thereunder.

23 34. Given Defendants' above-alleged actions, Wynn is entitled to a declaration that
24 Defendants were trespassers on Wynn's property and acted in violation of Wynn's terms and
25 conditions.

26 35. Wynn has been forced to hire an attorney to prosecute this action and therefore
27 seeks recovery of its attorneys' fees and court costs.

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WHEREFORE, Wynn prays for judgment as follows:

- A. For damages in an amount to be determined at trial, but in excess of \$15,000.00;
- B. For declaratory relief, as stated above;
- C. Attorneys' fees and costs of suit;
- D. Prejudgment and post-judgment interest on the amounts owed; and
- E. Any further relief this Court deems proper.

DATED this 11th day of September, 2020.

SEMENZA KIRCHER RICKARD

/s/ Lawrence J. Semenza, III
Lawrence J. Semenza, III, Esq., Bar No. 7174
Christopher D. Kircher, Esq., Bar No. 11176
Jarrod L. Rickard, Esq., Bar No. 10203
Katie Cannata, Esq., Bar No. 14848
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145

*Attorneys for Plaintiff Wynn Las Vegas, LLC
d/b/a Wynn Las Vegas*