

By Jeff Rodefer, Chairman, Gaming Law Section

The past year has seen several changes for the Gaming Law Section (GLS), including on the Executive Committee. In June, the Board of Governors appointed Jennifer Carleton, a Shareholder with the firm of Brownstein Hyatt Faber Schreck in Las Vegas, to a three-year term. Jennifer replaces Mark A. Clayton, a shareholder with Lionel Sawyer & Collins, who has served for the past twelve years including nine years as Vice Chairman. Mark's commitment to the revival of the GLS in 2000, his time and dedication to speaking at conferences and authoring articles, as well as his insights as both a regulator and a well-respected member of the gaming industry, have been of tremendous value to the GLS and its continued mission to serve the Bar.



Governor Brian Sandoval

Last November, the *2011 Gaming Law Conference* was held at the Gold Coast Hotel and Casino in Las Vegas. Governor Brian Sandoval graciously gave of his time to be our keynote speaker, which included him making the historic announcement that the long dormant Gaming Policy Committee was being brought back to life. The Legislature created the Committee in 1961 to meet at the Governor's pleasure to discuss and provide advice on policy issues critical to the health and vitality of our regulated gaming industry. The Committee last convened in the 1980s under then Governor Richard Bryan. The eleven-member Committee, as Governor Sandoval stated, would "sketch a new road map for the journey ahead... and preserve our position as the gold standard in gaming regulation and the provision of gaming entertainment. We will be second to none on the globe." Last year's conference also featured

presentations on local licensing issues, compliance programs, tournaments, contests and promotions, a roundtable discussion with Peter C. Bernhard, Chairman of the Nevada Gaming Commission and Mark A. Lipparelli, Chairman of the State Gaming Control Board, including two hours of ethics and laughs with Sean Carter, Esq., Humorist at Law.



NGC Chairman Peter C. Bernahard
& GCB Chairman Mark A. Lipparelli

The *2012 Gaming Law Conference* will be held on **Friday, November 16th**, at **The Orleans Hotel and Casino in Las Vegas**. This year's keynote luncheon speaker will be United States Senator Dean Heller and will include panels on ethics for gaming lawyers, employee registration appeals, a federal legislation update, an industry overview, and a regulators' roundtable. An advertisement about this year's conference is available inside the back cover and online registration at <http://www.nvbar.org/cle/liveseminars>. The conference will again be sponsored, in part, by LexisNexis, who will be raffling off a prize for those in attendance.

In 2011, the GLS held its *11th Annual Law Scholarship Golf Tournament* at the Las Vegas National Golf Club. The event drew a sellout of 144 golfers and raised a record amount of \$55,000 for the "Gaming Law Section Scholarship" at the William S. Boyd School of Law-UNLV. In its 11-year run, nearly 1,500 golfers participated and the event raised a total of \$333,850 in scholarship money to help 66 future Nevada lawyers meet their goals. In 2012, the golf tournament was on hiatus but with any luck it is anticipated that the charitable event will return in 2013 through the organizational efforts of the UNLV Law Alumni Association with assistance from the GLS.



Greg Giordano, Tony Cabot, A.G. Burnett & Frank Fahrenkopf

Additionally, in June 2012, Greg Giordano, Vice Chairman of the GLS, moderated a general session panel at the State Bar of Nevada's Annual Meeting on Coronado Island entitled *Playing Poker & Other Games on the Internet: Legal?* The speakers included Frank J. Fahrenkopf, Jr., President and CEO of the American Gaming Association in Washington DC, A.G. Burnett, Member of the State Gaming Control Board and Tony Cabot, a partner with Lewis and Roca LLP in Las Vegas and its Gaming Practice Group Leader.

Under the leadership of Executive Committee member Scott Scherer, the GLS has been working toward the establishment of a pro bono program for indigent gaming work card applicants. The program will be referenced in the State Gaming Control Board's objection letters by providing applicants the ability to contact a referral number in Northern or Southern Nevada. The applicants will be evaluated based upon qualification standards set by Washoe County Legal Services and Legal Aid Center of Southern Nevada. Qualifying applicants will be assigned the next available attorney from a list of attorneys, who have agreed to volunteer their time. We believe that in many cases, the legal assistance provided to applicants may be nothing more than merely explaining the process and procedures to them. For more information about the program, please see Scott's article in this issue entitled *Pro Bono Representation in the Gaming Employee Registration Process*.

In response to comments made by some members of the Nevada Supreme Court at a State Bar Section Leadership luncheon in March 2012, the GLS will establish a standing committee to address any request made by the Supreme Court for an amicus brief on a gaming-related issue. The Court is not looking for advocacy on the issues, but merely seeking guidance from the sections and their learned members to better educate the Court on specific matters. As such, the

standing committee will be comprised of approximately 10 members, who will be requested to meet and discuss the issues presented by the Court and, thereafter, prepare an appropriate and timely amicus brief from the GLS.

Finally, the GLS is working toward the publication of the *Nevada Gaming Law Practice & Procedure Manual* in 2013. The manual will provide practitioners with a useful reference guide to the practices and procedures to be followed in such areas as licensing, disciplinary matters, taxation, debt collection, financings, bankruptcies, restructurings, race and sports, gaming devices and systems, lotteries, promotions, contests, tournaments, accounting and audits, patron disputes, transfers of interests, public and nonpublic companies, institutional investors, compliance programs, third party activities, excluded persons and denied applicants, as well as Internet and interactive gaming systems.

If you are interested in writing an article on an item of interest or placing an advertisement in next year's *Nevada Gaming Lawyer*, please contact myself or Greg Giordano. Articles and ads for next year's issue of the magazine will be due by June 1, 2013. If you would like to organize a panel or speak at the *2013 Gaming Law Conference*, or if you simply have ideas for events or publications that the GLS should consider, please do not hesitate to contact me or Lori Wolk, the Programs and Services Coordinator for the State Bar of Nevada.

On behalf of the GLS Executive Committee, we hope that you find this year's issue of the *Nevada Gaming Lawyer* useful and enjoyable.

