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ROBERT J. CIPRIANI

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT J. CIPRIANI, an individual,

Plaintiff,

v.

RESORTS WORLD LAS VEGAS, LLC, a
Delaware limited liability company, RESORTS
WORLD LAS VEGAS HOTELS, LLC, a
Delaware limited liability company, SCOTT
SIBELLA an individual, and DOES 1-10,

Defendants.

COMPLAINT FOR DAMAGES
JURY DEMAND

Plaintiff Robert J. Cipriani, by and through his attorneys, brings this Complaint against Defendants Resorts World Las Vegas, LLC, Resorts World Las Vegas Hotels, LLC, and Scott Sibella for their concerted negligent failure to prevent foreseeable harm and for the infliction of emotional distress to Mr. Cipriani while a patron of Resorts World Las Vegas's casino.

Mr. Cipriani hereby demands a trial by jury, and alleges as follows:

PARTIES

1. Mr. Cipriani is an individual and resident of Los Angeles, California. Mr. Cipriani is an avid gambler, activist, and prolific philanthropist who regularly donates substantial monies to educational, environmental, and poverty alleviating charitable causes, among others.

2. Since June 24, 2021, Defendants Resorts World Las Vegas, LLC and Resorts World Las Vegas Hotels, LLC (collectively “RWLV”) operate a resort, mall, and casino on the Las Vegas Strip in Clark County, Nevada. Resorts World Las Vegas, LLC and Resorts World Las Vegas Hotels, LLC are limited liability companies duly formed and organized under the laws of Delaware. At all relevant times, RWLV engages in substantial business in the State of Nevada and has significant contacts with Nevada.

3. Scott Sibella is an individual and career-executive for hotels, resorts, and casinos in the Las Vegas area and beyond (hereinafter “Sibella”). Prior to undertaking his current role as President of Resorts World Las Vegas, Sibella served as President and Chief Executive Officer of the MGM Grand hotel and casino for eight years, served as the vice president of casino marketing for the Tropicana Casino Resort in both Atlantic City and Las Vegas, and served in various executive positions at the Trump Taj Mahal (now Hard Rock Hotel & Casino) in Atlantic City and the Golden Nugget hotel and casino in Downtown Las Vegas. On information and belief, Sibella is a resident of Clark County, Nevada.

4. All of the acts and/or failures to act alleged herein were duly performed by and/or attributable to the defendants in this action, individually or acting by and through their agents and employees. Said acts and/or failures to act were within the scope of any agency or employment or were ratified by the defendants in this action.

5. The true names and capacities of defendants DOES 1 through 10, inclusive, whether individual, corporate, associate, or otherwise, are unknown to Mr. Cipriani at this time, who therefore sues said defendants by such fictitious names, and when the true names and capacities of such defendants are ascertained, Mr. Cipriani will seek leave of Court to amend this Complaint to insert same. Mr. Cipriani is informed and believes and thereon alleges that each

defendant named as a DOE is responsible for each and every act and obligation hereinafter set forth.

JURISDICTION AND VENUE

6. Jurisdiction and venue are proper in the District of Nevada in that the acts complained of occurred in this District, there is complete diversity between Plaintiff Mr. Cipriani and all Defendants in that none of the Defendants are domiciled in the same state as Plaintiff Mr. Cipriani, and the amount in controversy is in excess of \$75,000.

STATEMENT OF FACTS

A. RWLV and Sibella Turn a Blind-Eye to Ill-Gotten Monies at RWLV's Tables

7. Mr. Cipriani is a regular patron at Las Vegas's high-stakes casino tables. A preeminent blackjack player, Mr. Cipriani distributes his winnings to those less fortunate, and regularly donates substantial monies to a number of charitable causes in the Las Vegas area and beyond.

8. Mr. Cipriani believes that criminals should not be permitted to gamble stolen and ill-gotten monies in Las Vegas casinos, and further believes that casinos should comply with their Anti-Money Laundering and due diligence obligations. Accordingly, when Mr. Cipriani becomes aware that someone is betting misappropriated funds, he does what is right, and notifies the appropriate authorities and persons responsible for ensuring clean gambling, the preservation of stolen funds, and the safety of casino patrons.

9. For these principles, and for simply daring to speak up, while a guest at RWLV Mr. Cipriani was subjected to a weeks-long enabled campaign of harassment and intimidation by Robert Alexander ("Alexander"), a convicted felon and habitual conman who was gambling the stolen money of his unfortunate investors at RWLV's tables.

10. Alexander, like Mr. Cipriani, is a regular patron at the high-stakes tables of Las Vegas casinos.

11. Like Mr. Cipriani, Alexander was personally known to RWLV's executive suite and its president, Sibella.

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12. However, Alexander is a convicted fraudster who has no place on a casino floor. Between 2013 and 2017, Alexander solicited and maintained investments in his online gaming venture, Kizzang, a limited liability company that saw its status revoked by the State of Nevada in 2016.

13. Through numerous false representations regarding his professional background, Kizzang's financial condition, expected returns on investment, and through false assurances that investments would be used solely for Kizzang's business purposes, Alexander misappropriated over \$1.3 million in investor funds. These funds were never used for business purposes. Instead, Alexander enjoyed the funds for personal use, including for payments on personal credit cards, for family expenses, and for gambling at RWLV's casino.

14. Alexander was arrested on federal charges on February 7, 2019. Not only were criminal charges brought against Alexander in connection with his spurious company, Alexander was sued in Nevada for unpaid wages and health insurance by no less than ten former Kizzang employees. These claims were filed with the Nevada Office of the Labor Commissioner over a four year period between 2013 and 2017. Kizzang also failed to pay unemployment insurance taxes to the State of Nevada. Judgments were entered on June 6, 2017, and April 17, 2018.

15. In January 2020, Alexander pled guilty to one count of wire fraud and one count of securities fraud. Alexander's crimes were public knowledge as early as February 2019, and were expressly alleged within the criminal complaint levied by the United States Attorney for the Southern District of New York. Not only were these facts stated in official government releases, they were the subject of numerous national, Nevada, and local Las Vegas media publications, and were well known in the Las Vegas gambling community before any interaction between Mr. Cipriani and Alexander occurred on RWLV's premises.

16. If Alexander's impressive criminal résumé did not suffice, RWLV was directly notified of an active law enforcement investigation into Alexander by the Nevada Gaming Control Board on October 26, 2021. A true and correct copy of a Request for Information made by the Nevada Gaming Control Board to RWLV is attached hereto as **Exhibit 1**.

17. Despite this, for almost a full month following such notice, Alexander was allowed free roam on RWLV’s premises, unlawfully wagering his investors’ money at its tables.

18. To fulfill its Anti-Money Laundering obligations and to ensure compliance with all related laws, RWLV is required to know the source of Alexander’s substantial bets. Given the federal charges, Nevada State claims, the substantial press attention directed at Alexander, as well as the express notification of an ongoing law enforcement investigation, the source of Alexander’s free-flowing funds was known and conspicuous.

19. Last but certainly not least, RWLV and Sibella were expressly notified of Alexander’s presence on RWLV’s casino floor by Mr. Cipriani himself.

20. Moreover, Sibella was not the only individual to whom Mr. Cipriani expressed his concerns—nor was this the first time that Mr. Cipriani was required to urge RWLV to do its job in ensuring a safe gambling environment.

21. In early July 2021, Mr. Cipriani initiated a text message conversation with Joseph Tatonetti, RWLV’s Surveillance Operations Manager, to notify him of the presence of career criminals gambling at RWLV. True and correct copies of this text message conversation are attached hereto as Exhibit 2.

22. On July 9, 2021, Mr. Cipriani informed Tatonetti that Brandon Sattler, another convicted felon, was being allowed to gamble freely at RWLV despite owing creditors upwards of \$13 million in fraud proceedings initiated in 2018. Tatonetti responded that he “saw him last night.” (Exh. 2, pp. 1-3.)

23. Tatonetti also confirmed that he knew of Sattler’s background: “I remember something not good about him from Cosmo as well.” (Exh. 2, p. 4.)

24. On July 10, 2021, and then again on September 18, 2021, Mr. Cipriani advised Tatonetti of yet another convicted felon gambling at RWLV—known Triad and money launderer Edwin Ting. When Mr. Cipriani expressed to Tatonetti that he could not believe that Ting “got through compliance” and was allowed to gamble at RWLV, Tatonetti responded as follows: “[m]e either. The Cage Director is really pissed about it as well.” (Exh. 2, pp. 6, 8.)

25. Mr. Cipriani explained to Tatonetti that Sibella overruled RWLV's compliance protocol to allow Ting and his friends to gamble at RWLV, even hosting Ting's birthday party. Tatonetti responded: "Lol. Shocker." (Exh. 2, p. 9.)

26. Tatonetti's disheartening lack of surprise upon hearing Mr. Cipriani's concerns only emphasizes the routine nature of Sibella and RWLV's disregard for their casino's compliance protocols. Despite being proscribed from gambling at any other casino in the United States, individuals such as Ting are routinely present on RWLV's premises. RWLV's decision to make exceptions for career criminals jeopardizes its legitimacy, and more importantly, the safety of its patrons.

27. But for Sibella, overruling compliance to allow individuals such as Sattler, Ting, and Alexander to freely gamble at RWLV was business as usual.

28. It was not until September 18, 2021, that RWLV acted on Sattler's undue presence in its casino and did so only in response to a government agency inquiry requesting photographic proof of Sattler's presence and gambling on RWLV's premises. A true and correct copy of the September 18, 2021, internal RWLV email is attached hereto as **Exhibit 3**.

29. As to Alexander, Mr. Cipriani first advised Tatonetti of Alexander's presence at RWLV. Tatonetti acknowledged receipt of Mr. Cipriani's message. (Exh. 2, pp. 17-18.)

30. On October 20, 2021, October 25, 2021, and again on October 28, 2021, Mr. Cipriani repeatedly alerted Tatonetti that Alexander was gambling at RWLV, stating that Alexander was there "almost every day." (Exh. 2, pp. 17-18, 23.)

31. Rather than act on this information, Tatonetti simply responded "[h]ope they come arrest him at RWLV." (Id.)

32. Tatonetti, in his role as RWLV's Surveillance Operations Manager, repeatedly acknowledged that he knew convicted felons were gambling at RWLV, heeding Mr. Cipriani's statements that Sibella enabled such fact by overruling RWLV's Anti-Money Laundering and due diligence compliance protocols.

33. RWLV, its executive suite, and its security personnel were, and are, fully cognizant of the identities and backgrounds of the high rollers frequenting its tables. While RWLV was

content to profit from ill-gotten funds exchanged at its casino cage, Mr. Cipriani believes that such funds should be returned to the victims.

34. Robert Alexander should never have been permitted to gamble at RWLV—especially after RWLV’s President and Surveillance Operations Manager were expressly notified of his presence.

35. Despite Mr. Cipriani’s pleas, RWLV did nothing, electing to turn a blind eye to its obligations to ensure clean gambling and the safety of its casino patrons.

B. RWLV and Sibella Enabled Alexander’s Intimidation of Mr. Cipriani

36. For Mr. Cipriani’s efforts to ensure RWLV’s compliance with its duties, RWLV allowed Alexander to retaliate against Mr. Cipriani, a guest of RWLV and Hilton. At all relevant times herein, Hilton maintained control over hiring, direction, supervision, discipline, discharge, and relevant day-to-day aspects of its brands located within RWLV. For several weeks in late fall of 2021, Alexander engaged in a brazen campaign of harassment and intimidation of Mr. Cipriani on RWLV premises. During this time, Mr. Cipriani was staying at LXR Hotels & Resorts – Crockfords Las Vegas Resort which is part of the Hilton Worldwide Holdings Inc. brand. Mr. Cipriani trusted that RWLV and the Crockfords Resort would ensure his safety.

37. Alexander, mounted on his mobility scooter, repeatedly pursued and disrupted Mr. Cipriani’s play at RWLV’s tables. Time and time again, Alexander maneuvered his scooter within inches of Mr. Cipriani’s person, causing Mr. Cipriani to become fearful for his safety, and blatantly and unlawfully video recording Mr. Cipriani against the latter’s express instructions.

38. Alexander’s threatening behavior and repeated assaults of Mr. Cipriani were recorded by RWLV’s closed-circuit television and observed by RWLV’s dealers and security personnel.

39. Time and time again, Mr. Cipriani complained to RWLV’s security and safety personnel of Alexander’s threatening conduct and unlawful video recording. This conduct made Mr. Cipriani extremely uncomfortable and even fear for his safety while he was a guest at RWLV and the Crockfords Resort.

40. RWLV refused to act. In fact, despite the pattern of blatant harassment and threatening conduct unfolding in front of its employees, RWLV refused to even consider Mr. Cipriani's complaints that he was fearful for his safety. As a guest of both RWLV and the Crockfords, both had an obligation to ensure the safety and well-being of all guests, including Mr. Cipriani.

41. Following weeks of continual harassment, RWLV's inaction made it abundantly clear that RWLV had no intent to fulfil its duty to discontinue and prevent Alexander's unlawful conduct. In fact, there existed almost a complete absence of adequate security at RWLV.

42. Faced with Alexander's seemingly sanctioned abuse of his personal well-being and obstruction of his vocation, Mr. Cipriani acted to preserve his right to be free from Alexander's harassment and to peacefully patronize RWLV's casino.

43. On November 19, 2021, during yet another episode of Alexander's open harassment, abruptly and without warning, Alexander maneuvered his mobility scooter within inches of Mr. Cipriani's person to once again video record him with his mobile phone.

44. Out of fear, and as a result of RWLV's failure to act and protect its guest, Mr. Cipriani intercepted Alexander's telephone and fled Alexander's menacing presence.

45. Mr. Cipriani immediately approached RWLV's casino cage and requested that its employees take possession of Alexander's telephone and address Mr. Cipriani's complaints. Again, these facts are corroborated by the recordings of RWLV's close-circuit television.

46. In customary fashion, and despite one of countless episodes of Alexander's criminal behavior actively unfolding before it, RWLV shrugged off Mr. Cipriani's pleas for help.

47. Mr. Cipriani then approached a RWLV security guard, who had until that point remained idle. The security guard took possession of Alexander's telephone, and Mr. Cipriani explained the extent of Alexander's ongoing intimidation and harassment.

48. Later that day, while accompanied by his wife on RWLV's premises, Mr. Cipriani encountered a Las Vegas attorney and former shareholder in Alexander's fraudulent Kizzang venture.

49. This attorney advised Mr. Cipriani “not to worry” about Alexander or any “trouble” that may arise relating thereto.

50. The police arrived within minutes. Mr. Cipriani was arrested, and he and his wife were physically removed from RWLV’s premises.

51. Mr. Cipriani was charged with larceny for his fleeting possession of Alexander’s phone. A subsequent robbery charge (with enhancement for a vulnerable victim) was added to Mr. Cipriani’s indictment over four months after his arrest.

52. It was not until May 4, 2022, almost six months after Mr. Cipriani’s arrest, that these criminal charges were inevitably dropped.

53. On November 20, 2021, following the incident, Mr. Cipriani texted Tatonetti to request that he preserve the footage of Alexander “filming and confronting” him. (Exh. 2, 36.)

54. In an almost too perfect illustration of RWLV’s failure to ensure the safety of its patrons, Tatonetti responded as follows: “I cannot afford to get caught up in this and lose another job.” (Exh. 2, p. 36.)

55. RWLV’s failure to exercise due care in ensuring Mr. Cipriani’s safety on its premises is shocking, but not unexpected. In violation of its common law and statutory obligations to its patrons, RWLV authorized Alexander’s glaring campaign of harassment and intimidation to proceed.

56. But for RWLV’s inaction, Mr. Cipriani would never have been subjected to weeks of threats and intimidation, nor would law enforcement been summoned, and an arrest effected for an incident which should never have transpired.

C. RWLV and Sibella’s Inaction Was Designed to Silence an Inconvenient Patron

57. Sibella is personally familiar with Mr. Cipriani. Mr. Cipriani has notified Sibella on multiple occasions of the continued presence of gamblers with criminal records, pending criminal charges, or who are otherwise the focus of law enforcement investigation at RWLV’s tables.

58. No action was ever taken on such information. Instead, RWLV shifted its focus to silence Mr. Cipriani—whom RWLV and Sibella deem a vocal patron revealing and publicizing RWLV’s inconvenient truths.

59. As set forth above, convicted felon Brandon Sattler has been allowed to freely gamble at RWLV despite owing creditors upwards of \$13 million on bankruptcy fraud proceedings initiated in 2018. Despite the pendency of that action and the imposition of monetary sanctions against Sattler therein, Sattler routinely gambled at RWLV, and was even contracted to manage the installation of electronics at a restaurant located on RWLV's premises, Tacos El Cabron, in which RWLV held a 50% stake.

60. Unsurprisingly, Tacos El Cabron is now permanently shuttered. Like the Alexander scenario, Mr. Cipriani apprised Sibella of Sattler's unlawful gambling at RWLV's casino. No action was taken until news of Sattler's conviction drew the attention of the press.

61. In April 2022, RWLV was subject to another Nevada Gaming Control Board investigation, this time pertaining to the ownership of the aforementioned Tacos El Cabron restaurant on RWLV's premises. Specifically, an alleged part-ownership in the restaurant by convicted felon David Stroj.

62. Mr. Cipriani, who had gambled near five hundred (500) hours at RWLV since its opening, observed Stroj playing blackjack at RWLV's tables as late as January 2022, and reported these observations to federal probation officer Tina Neiman, the FBI, and the Nevada Gaming Control Board.

63. Following investigation, Stroj admitted that he gambled at RWLV through the second half of 2021. At the time of his 2018 conviction stemming from a \$10 million money laundering and illegal gambling network, Stroj was already a thrice convicted felon with a severe penchant for organized crime.

64. Despite this, and much like Alexander, Stroj was allowed to gamble freely at RWLV. By allowing criminals such as Sattler, Stroj, and Alexander to frequent its tables and unlawfully wager substantial sums of misappropriated funds, RWLV flouts its duties to ensure clean gaming and preserve the safety of its patrons.

65. In yet another example of RWLV's disregard for its legal obligations, Joseph Angelo Bravo, a convicted drug trafficker who was sentenced to 87 months in 1993 for his role in a cocaine importing ring with ties to the Buffalo mob, remains an active partner in no less than

three (3) separate businesses at RWLV, including Eight Cigar Lounge, Bravo Tickets, and Bravo Concierge.

66. The picture paints itself. Until RWLV's dereliction of its duties becomes the subject of public or governmental scrutiny, RWLV's executive suite and management slumbers on their legal duties owed to both the casino and its patrons.

67. RWLV was expressly notified of Brandon Sattler, David Stroj, and Robert Alexander's squandering of fraudulently procured funds on its premises.

68. Rather than address the problem, RWLV and its directors elected instead to silence the individuals bringing these damaging facts to public attention.

69. If not for the actions and voices of individuals such as Mr. Cipriani, RWLV and Sibella are content to maintain a status quo detrimental to RWLV's law-abiding patrons and those individuals' seeking restitution of stolen funds.

70. Rather than curtailing Alexander's repeated harassment and intimidation of Mr. Cipriani on its premises, RWLV withheld assistance and leveraged the malfeasance to further dissuade Mr. Cipriani from vocalizing his legitimate concerns.

71. Ultimately, in light of Sibella and RWLV's staunch resistance and unjustifiable inaction regarding the illicit activities and the exchange of misappropriated funds at RWLV's casino, Mr. Cipriani was compelled to elevate his concerns to Kok Thay Lim, chairman and board executive of RWLV's parent company, the Genting Group. A true and correct copy of Mr. Cipriani's December 6, 2021, email to Mr. Lim is attached hereto as **Exhibit 4.**

D. Sibella is Terminated by RWLV as a Result of Violating RWLV Policies

72. In August of 2023, it became public knowledge that Federal law enforcement agents from California were investigating allegations that both current and former RWLV employees had used casino assets to pay off gambling debts. In addition, it was reported that these same individuals provided confidential customer data to illegal gambling rings that had been operating for decades. Reporting also confirmed that Sibella was at the center of this investigation. The investigation included the issuance of a subpoena wherein the Federal authorities sought communications between RWLV employees and customers.

73. Amidst the ongoing Federal investigation, Sibella was terminated for violating company policy and the terms of his employment.

74. Mr. Cipriani had been repeatedly blowing the whistle directly to Sibella about the improper conduct that was going on at RWLV. However, when Mr. Cipriani was making these complaints to Sibella, he was unaware that it was Sibella himself who was directly involved. Once Sibella realized that Mr. Cipriani posed a threat to Sibella, he not only refused to take action to protect Mr. Cipriani, but he used the resources available to him at RWLV to retaliate against Mr. Cipriani.

E. RWLV and Sibella's Refusals to Act Caused Mr. Cipriani Irreparable Harm

75. To RWLV, Mr. Cipriani was an inconvenience, and Alexander's harassment of Mr. Cipriani presented a window of opportunity for Sibella and RWLV to rid itself of a bothersome patron and preserve a stream of income.

76. In defending its status quo, and in clear violation of Nevada Revised Statute 651.015, RWLV recklessly disregarded its duties to Mr. Cipriani as a patron of its casino, turning a blind-eye to the weeks of harassment, intimidation, and assault taking place on its casino floor—all in the goal of silencing Mr. Cipriani.

77. RWLV's inaction compelled Mr. Cipriani to protect his safety and interests, and by immediately handing Alexander's telephone to RWLV security, Mr. Cipriani did so in the least deleterious manner.

78. Unfortunately for Mr. Cipriani, RWLV had no intent to abide by its obligations. Rather, Sibella and RWLV capitalized on the opportunity to rid itself of what they deemed a problematic whistleblower by flipping the situation on its head and summoning law enforcement for Mr. Cipriani's fleeting possession of Alexander's phone.

79. But for RWLV and Sibella's inaction, Mr. Cipriani would not have suffered the physical harm, severe emotional distress, and reputational and professional harm inflicted by Alexander's readily preventable harassment, an unjustified arrest, the subsequent detention and incarceration, and the following imposition of severe criminal charges.

80. Not only was Mr. Cipriani charged with larceny, a subsequent robbery charge was added to Mr. Cipriani's indictment over four months after the arrest—a violent crime and category B felony carrying a minimum sentence of two years of imprisonment with an enhancement charge for a purportedly vulnerable victim.

81. It was not until May 4, 2022, almost six months after Mr. Cipriani's arrest, that these charges were duly dropped.

82. For six months, Mr. Cipriani was subject to criminal prosecution for a purely defensive act which was rendered imperative only by the failure of RWLV to abide by its regulatory and statutory obligations.

83. RWLV should never have permitted Alexander to gamble on its premises, let alone engage in his repeated harassment and conspicuous intimidation of Mr. Cipriani. Now that Sibella has been terminated from his position, it is clear that Sibella and RWLV engaged in a scheme to harm Mr. Cipriani, because Mr. Cipriani posed a direct threat to Sibella's position of power. By exposing illegal conduct that was going on at RWLV, Sibella and RWLV did whatever they could to try and silence Mr. Cipriani. Crockfords Resort failed to protect its guest by allowing RWLV and Sibella to act in this manner and in failing to have adequate security to protect Mr. Cipriani.

84. The harm caused by RWLV's dereliction of its duties is severe, yet entirely foreseeable. Mr. Cipriani and his wife were needlessly subjected to the inevitable emotional distress associated with an unsubstantiated arrest and the imposition of criminal charges.

85. The only possible outcome of neglecting Mr. Cipriani's weeks-long harassment occurred. Preventing such harassment was not only required by law but would have been a swift and simple task. RWLV's inaction was reckless at best, and at worst, was designed to rid RWLV of Mr. Cipriani's inconvenient complaints amounting to conduct that shocks the conscience.

F. Sibella and RWLV Actively Conspired to Silence Mr. Cipriani

86. As if RWLV's sanctioning of Alexander's abuse and Mr. Cipriani's undue arrest did not suffice, in furtherance of its attempt to rid itself of Mr. Cipriani's bothersome statements, Sibella and RWLV subsequently pressed for frivolous criminal gambling fraud charges to be levied against Mr. Cipriani.

87. In a report to the Nevada Gaming Control board, RWLV alleged that on the very same day of Mr. Cipriani's incident with Alexander, Mr. Cipriani past-posted wagers while playing blackjack at RWLV's tables. True and correct copies of the Nevada Gaming Control Board report, voluntary witness statements, and the ultimate criminal complaint brought against Mr. Cipriani are attached hereto as **Exhibit 5**.

88. As reflected below, these allegations were concocted by Sibella to cause further prejudice and reputational harm to Mr. Cipriani, and more importantly, to discredit his statements regarding RWLV's improprieties and regulatory failures. These actions were undertaken because of the threat which Mr. Cipriani posed to Sibella and RWLV.

89. Following Mr. Cipriani's arrest on November 19, 2021, Sibella approached Tatonetti and other executives in RWLV's surveillance department.

90. Knowing the severity and broad impact of gambling cheating allegations in the Las Vegas community, Sibella ordered that Tatonetti and RWLV's surveillance personnel review the entirety of RWLV's footage depicting Mr. Cipriani's play, and that they locate instances of Mr. Cipriani cheating.

91. Tatonetti promptly responded to Sibella's request as follows: "Cipriani doesn't cheat. There's no footage of that."

92. Undeterred, Sibella replied: "Find anything at all that we could use to show something."

93. Faced with Sibella's request that RWLV manufacture evidence, Tatonetti resigned as RWLV's Surveillance Operations Manager, and undertook employment as the Director of Surveillance at Palms Casino.

94. Thirty days after Tatonetti's resignation, RWLV pressed its criminal gambling fraud charges against Mr. Cipriani.

95. Much like the criminal charges brought against Mr. Cipriani for his fleeting possession of Alexander's telephone, the gambling fraud charges were dropped six months later.

96. However, the irreparable harm was done. Mr. Cipriani was barred from casinos across the country.

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97. Faced with RWLV's convenient allegations and improperly motivated criminal charges, Mr. Cipriani elevated his concerns to the Las Vegas Sheriff's Department. On February 22, 2022, Mr. Cipriani emailed Sheriffs Joey Herring and Joe Lombardo (now Governor of Nevada) to bring light to RWLV's retaliatory pursuit of criminal charges. A true and correct copy of Mr. Cipriani's February 22, 2022, email is attached hereto as **Exhibit 6**.

98. Again, Mr. Cipriani's request for transparency and accountability went unanswered.

99. RWLV, through its general counsel Gerald Gardner and his personal relationship with District Attorney Steven Wolfson, pushed the ludicrous gambling fraud complaint against Mr. Cipriani for no other reason than to silence Mr. Cipriani's revelations of RWLV's unlawful activities.

100. Mr. Gardner and Sibella unequivocally employed the criminal proceedings to stifle Mr. Cipriani's free speech and to dismantle Mr. Cipriani's inconvenient platform.

101. The nature of the punishment levied against Mr. Cipriani emphasizes such. Mr. Cipriani first refused a plea deal from the District Attorney because it sought to infringe upon his right to freely comment on RWLV's conduct and the unlawful conduct unfolding on its premises by restricting Mr. Cipriani's access to his far-reaching Twitter account.

102. In response to Mr. Cipriani's refusal, the District Attorney threatened enhanced robbery charges.

103. Faced with the unusual severity of these enhanced criminal charges and threatened sentence, Mr. Cipriani was coerced into pleading guilty to misdemeanor disorderly conduct and was compelled to agree to cease usage of his Twitter account during a one-year probationary period.

104. Sibella and RWLV's motivation behind relentlessly pursuing criminal charges against Mr. Cipriani is clear. Nothing was more important to Sibella and RWLV than stifling Mr. Cipriani's ability to speak on the improprieties and criminal activity permeating RWLV's premises. These are the same improprieties that are now front and center in the news and on information and belief are the exact reasons why Sibella was terminated from his position.

105. This vindictive pursuit of charges and the complicity of the actors involved therein are no secret. Pursuant to Steven Wolfson's public Contributions and Expenses Reports, RWLV contributed \$10,000 to Wolfson's reelection campaign less than one month after Mr. Cipriani's arrest. At the same time, RWLV's counsel Gerald Gardner contributed \$1,000. Sibella contributed \$5,000 in January 2022, and another \$5,000 in August 2022—his only political contributions since 2018.

106. RWLV and its agents' attempts to silence Mr. Cipriani culminated in aggravated harm at Alexander's hands. RWLV improperly capitalized on Alexander's wrongdoing to further its interests, maintain the status quo, and suppress Mr. Cipriani's voice for good.

FIRST CAUSE OF ACTION

(Negligence against all Defendants)

107. Mr. Cipriani repeats and re-alleges, as if fully set forth herein, the allegations of all the preceding paragraphs.

108. Like any other casino, RWLV had a common law duty to exercise reasonable care in ensuring Mr. Cipriani's safety as a patron of the hotel and casino. Such duty included that to prevent all foreseeable harm to Mr. Cipriani during his time on RWLV's premises.

109. RWLV and Scott Sibella breached their duties of care owed to Mr. Cipriani by refusing to address the actually known and brazen harassment and intimidation of Mr. Cipriani by Robert Alexander which took place at RWLV's casino during the latter part of 2021.

110. Despite Mr. Cipriani's express notice and pleas for help to RWLV's employees and executive personnel, including Scott Sibella, and notwithstanding the recurring scenes unfolding inches in front of its tables, RWLV refused to act and allowed Alexander to continue his relentless campaign of harassment of Mr. Cipriani on RWLV's premises.

111. Not only did RWLV have knowledge of Alexander's threats and attempts on Mr. Cipriani's safety, RWLV's employees, including its security personnel, witnessed the events unfold for weeks. No patron of a casino should have to endure a single threat to their safety, let alone for a period of weeks.

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112. But for Sibella and RWLV's refusal to act, Mr. Cipriani would not have been subjected to weeks of unabated harassment and threatening conduct at the hands of convicted felon Robert Alexander.

113. Moreover, but for such failure to act, Mr. Cipriani would not have been required to defend himself and actively seek assistance from RWLV's security personnel, leading to Mr. Cipriani's arrest and criminal charges.

114. RWLV and Sibella's breaches of their duties of care to Mr. Cipriani caused Mr. Cipriani substantial damages stemming from weeks of threats and intimidation on RWLV's premises, an unjustified arrest, the baseless imposition of criminal charges, reputational and professional harm, as well as the inability to pursue his chosen profession at one of Las Vegas's largest casinos. None of this harm would have occurred but for Sibella and RWLV's failure to act.

115. As a result of RWLV and Sibella's failure to ensure Mr. Cipriani's safety on RWLV's premises, Mr. Cipriani has suffered, and will continue to suffer, damages in an amount to be proven at trial. Mr. Cipriani seeks compensation for all damages caused by RWLV and Scott Sibella's failure to act.

SECOND CAUSE OF ACTION

(Innkeeper Liability NRS 651.015 against all Defendants)

116. Mr. Cipriani repeats and re-alleges, as if fully set forth herein, the allegations of all the preceding paragraphs.

117. Pursuant to Nevada Revised Statute 651.015, RWLV owed Mr. Cipriani a statutory duty of care to prevent all foreseeable on-premises injuries caused by third parties.

118. Despite Alexander's repeated threats and transgressions to Mr. Cipriani's person on RWLV's casino floor, and despite RWLV and Scott Sibella's actual knowledge of Alexander's ongoing harassment of Mr. Cipriani, RWLV and Sibella failed to act.

119. Through blatant and determined inaction, RWLV and Sibella breached their duties of care to protect Mr. Cipriani from the inevitable harm caused by Alexander's threats and attempts on Mr. Cipriani's person and safety.

120. But for this refusal to act, Mr. Cipriani would not have been subjected to weeks of unabated harassment and threatening conduct at Alexander's hands, infringing upon his safety, well-being, and his ability to engage in the profession of his choosing.

121. Moreover, but for such failure to act, Mr. Cipriani would not have been required to defend himself and actively seek assistance from RWLV's security personnel, which proximately led to Mr. Cipriani's unjustified arrest and the severe criminal charges which remained pending for almost six months.

122. RWLV and Sibella's breaches of their duties of care to Mr. Cipriani resulted in substantial damages and emotional distress inflicted upon Mr. Cipriani from weeks of intimidation and harassment on RWLV's premises, an unjustified arrest, the baseless imposition of criminal charges, reputational and professional harm, as well as the inability to pursue his chosen profession at one of Las Vegas's largest casinos.

123. As a result of RWLV and Sibella's failure to ensure Mr. Cipriani's safety on RWLV's premises, Mr. Cipriani has suffered, and will continue to suffer, damages in an amount to be proven at trial. Mr. Cipriani seeks compensation for all damages and losses caused by RWLV and Sibella's failure to act.

THIRD CAUSE OF ACTION

(Negligent Training, Supervision, and Retention against all Defendants)

124. Mr. Cipriani repeats and re-alleges, as if fully set forth herein, the allegations of all the preceding paragraphs.

125. Sibella had full knowledge of Alexander's weeks-long intimidation of Mr. Cipriani on RWLV's premises, as did RWLV's security personnel and the numerous dealers at the tables in front of which Alexander repeatedly threatened Mr. Cipriani's person with his mobility scooter and invasive filming.

126. RWLV, Sibella, RWLV's supervisory staff, and its Surveillance Operations Manager owed Mr. Cipriani a duty to ensure that RWLV's security personnel and casino floor employees were adequately trained and supervised to ensure his safety against all foreseeable

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1 harm. Such duty inevitably encompasses protecting patrons from other patrons engaging in
2 conduct likely to cause harm.

3 127. Despite having knowledge of repeated instances of harassment and threatening
4 behavior directed at Mr. Cipriani, not a single RWLV employee intervened to curtail Alexander's
5 unlawful conduct.

6 128. In light of Mr. Cipriani's express notification to Sibella that Mr. Cipriani's safety
7 was being jeopardized by another patron of the RWLV casino, Sibella and RWLV owed Mr.
8 Cipriani a duty of care to ensure that Hilton and RWLV's security personnel and floor employees
9 were adequately trained and supervised to prevent such ongoing and repeated instances of harm.

10 129. Despite knowing that Alexander's conduct was capable and likely of repetition,
11 RWLV and Sibella took no action to ensure that Hilton and RWLV's employees would address
12 any future situations that would arise.

13 130. Mr. Cipriani's suffering of weeks of threats and intimidation at Alexander's hands
14 evidence a complete failure of RWLV and Sibella to meet their burden. Not only did RWLV fail
15 to affirmatively intervene and prevent Alexander's known unlawful conduct towards another
16 patron of its casino, RWLV failed to ensure that its employees were adequately trained and
17 supervised to ensure Mr. Cipriani's ongoing safety on its premises. Competently trained and
18 supervised security and casino personnel would have immediately intervened and curtailed
19 Alexander's unlawful conduct.

20 131. Moreover, as set forth above, Mr. Cipriani explicitly requested immediate
21 assistance from the employee stationed at RWLV's casino cage. That employee refused to help,
22 electing instead to require Mr. Cipriani to fend for himself and find a solution to abate Alexander's
23 misconduct.

24 132. As a direct and proximate result of RWLV and Sibella's failure to adequately train
25 and supervise RWLV's casino employees, Mr. Cipriani was subject to weeks of threats and
26 intimidation, an unjustified arrest, the baseless imposition of criminal charges, reputational and
27 professional harm, the inability to pursue his chosen profession, and has suffered general damages
28 in an amount to be determined by proof at trial.

FOURTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress against all Defendants)

133. Mr. Cipriani repeats and re-alleges, as if fully set forth herein, the allegations of all the preceding paragraphs.

134. As set forth above, RWLV owed Mr. Cipriani a duty of care to prevent all foreseeable harm to the latter as a patron on its premises. This includes the duty to prevent foreseeable harm at the hands of a patron which it had reason to believe posed a threat to Mr. Cipriani's safety.

135. Not only did RWLV have reason to believe that Alexander poses a risk to Mr. Cipriani's safety, RWLV was fully aware of such from the repeated and continual harassment of Mr. Cipriani while the latter attempted to do no more than gamble at RWLV's tables.

136. Rather than ensure Mr. Cipriani's safety, Sibella and RWLV did the opposite. Despite full knowledge and awareness of the ongoing campaign of harassment and threats directed at Mr. Cipriani by Alexander, RWLV intentionally withheld all assistance and security—woefully failing to abide by its duties and affirmatively discarding Mr. Cipriani's pleas for help.

137. Sibella and RWLV was perfectly happy to allow Alexander's misconduct to continue on its casino floor with the hope that a patron it deemed problematic would simply disappear. RWLV's decision to knowingly expose Mr. Cipriani to Alexander's threatening conduct was unjustifiable and egregious.

138. All patrons of Hilton and RWLV should expect to be safe on its premises, and no person should be compelled to endure weeks-long harassment in a location where they expect to be safe and free to game.

139. Sibella and RWLV's conduct were targeted at Mr. Cipriani and made with intent to inflict emotional distress.

140. Through Sibella and RWLV's outrageous conduct as described herein and above, Sibella and RWLV and their agents acted with the intent to cause, or with a reckless disregard for the probability to cause, humiliation, mental anguish, and substantial and enduring emotional distress.

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141. To the extent that said outrageous conduct was perpetrated by RWLV's agents, RWLV authorized and ratified the conduct with the knowledge that Mr. Cipriani's emotional and physical distress would thereby increase, and with a wanton and reckless disregard for Mr. Cipriani's wellbeing.

142. As a direct and proximate result of defendant's conduct, Mr. Cipriani has suffered general damages in an amount to be determined by proof at trial.

143. Mr. Cipriani seeks punitive damages in an amount to be determined at trial as RWLV and Sibella's acts, and each of them, were malicious and highly offensive to any reasonable person. Punitive damages should be imposed in an amount sufficient to deter Sibella and RWLV from further engaging and pursuing such conduct.

FIFTH CAUSE OF ACTION

(Civil Conspiracy against all Defendants)

144. Mr. Cipriani repeats and re-alleges, as if fully set forth herein, the allegations of all the preceding paragraphs.

145. Defendants RWLV and Sibella conspired to enable and allow Alexander's threats and harassment of Mr. Cipriani to proceed.

146. Sibella and RWLV had a mutual understanding that they would refrain from intervening and would allow Mr. Cipriani to be subjected to weeks of threats and harassment in RWLV's casino.

147. Sibella and RWLV's purposeful inaction were designed to accomplish the common goal of silencing Mr. Cipriani's whistleblowing and constructively barring him from patronizing RWLV's casino.

148. Sibella and RWLV's pattern of pervasive conduct, including the repeated overruling of RWLV's compliance protocols to allow convicted felons such as Alexander access to RWLV's premises and amenities, was designed to benefit RWLV's revenue to the detriment of its patrons' safety.

149. Sibella and RWLV further conspired to enable Alexander's campaign of intimidation against Mr. Cipriani in retaliation for Mr. Cipriani shedding light on Sibella and RWLV's failure to abide by the regulatory duties' incumbent upon any Nevada gaming institution.

150. Sibella and RWLV acted with the common goal of accomplishing the unlawful objective of knowingly subjecting Mr. Cipriani to inevitable harm at Alexander's hands.

151. As a direct and proximate result of Defendants' actions, Mr. Cipriani has suffered general damages in an amount to be determined by proof at trial.

152. Mr. Cipriani seeks punitive damages in an amount to be determined at trial as RWLV and Sibella's acts, and each of them, were malicious and highly offensive to any reasonable person. Punitive damages should be imposed in an amount sufficient to deter Sibella and RWLV from further engaging and pursuing such conduct.

SIXTH CAUSE OF ACTION

(Concert of Action against all Defendants)

153. Mr. Cipriani repeats and re-alleges, as if fully set forth herein, the allegations of all the preceding paragraphs.

154. RWLV and individual defendant Sibella acted in concert with one another pursuant to the common scheme of committing the torts set forth above, including but not limited to disregarding their duty to ensure Mr. Cipriani's safety as a patron of RWLV's casino.

155. Based on Alexander's continued presence on RWLV's premises despite his extensive criminal record and Mr. Cipriani's repeated complaints regarding Alexander's ongoing campaign of harassment, Mr. Cipriani alleges that Sibella and RWLV allowed Alexander's misconduct to continue until Mr. Cipriani suffered harm.

156. Sibella had full authority and ability to address Alexander's misconduct and heed Mr. Cipriani's evidenced concerns at any time during Alexander's harassment.

157. Sibella and RWLV's concerted actions were designed to deter Mr. Cipriani from freely exercising his right to speak with and inform regulatory investigators and law enforcement officials of RWLV's failure to fulfill their regulatory and statutory duties.

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158. As a direct and proximate result of Sibella and RWLV's actions, Mr. Cipriani has suffered general damages in an amount to be determined by proof at trial.

159. Mr. Cipriani seeks punitive damages in an amount to be determined at trial as RWLV and Sibella's acts, and each of them, were malicious and highly offensive to any reasonable person. Punitive damages should be imposed in an amount sufficient to deter Sibella and RWLV from further engaging and pursuing such conduct.

PRAYER FOR RELIEF

WHEREFOR, Mr. Cipriani respectfully prays for judgment and relief against Resorts World Las Vegas, LLC, Resorts World Las Vegas Hotels, LLC, and Scott Sibella as follows:

1. For compensatory damages in an amount to be proven at trial.
2. For punitive damages.
3. For costs of suit incurred herein.
4. For any other and further relief, the Court deems just and proper.

Dated this 9th day of October 2023.

NEMECEK & COLE

By: /s/ Marshall R. Cole
16255 Ventura Boulevard, Suite 300
Encino, California 91436-2300

And

/s/ David J. Merrill
David J. Merrill
David J. Merrill, P.C.
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145

Attorneys for Plaintiff

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EXHIBIT 1

Request for Information to RWLV

From "Toone, David" <DToone@gcb.nv.gov>
To "zachary.koep@rwlasvegas.com"
<zachary.koep@rwlasvegas.com>
Subject Request for Information
Date Tue, 26 Oct 2021 19:07:25 +0000
Attachments 2

Reply

PDF Attachments are best viewed using Adobe Acrobat Reader. Please click <https://get.adobe.com/reader/> to download a copy of the Adobe Reader Software.

Good Afternoon,

In support of an active law enforcement investigation, I am requesting complete stay and play history on the following individual since Resorts World opened:

Subject: Robert Alexander

DOB: [REDACTED]

SSN: [REDACTED]

Addresses (For reference; some are a few years old):

1. 5307 Fairbranch Lane, Las Vegas, NV 89135
2. 7881 Rockwind Court, Las Vegas, NV 89117
3. 2909 Crecentville Road, West Chester, OH 45069
4. 23 Glenby Lane, Brookville, NY 11545
5. 633 Canyon Greens Drive, Las Vegas, NV 89144
6. 221 King Street #115, San Francisco, CA 94107
7. 408 Club Court, Las Vegas, NV 89144
8. 2867 Turtlehead Peak Drive, Las Vegas, NV 89135

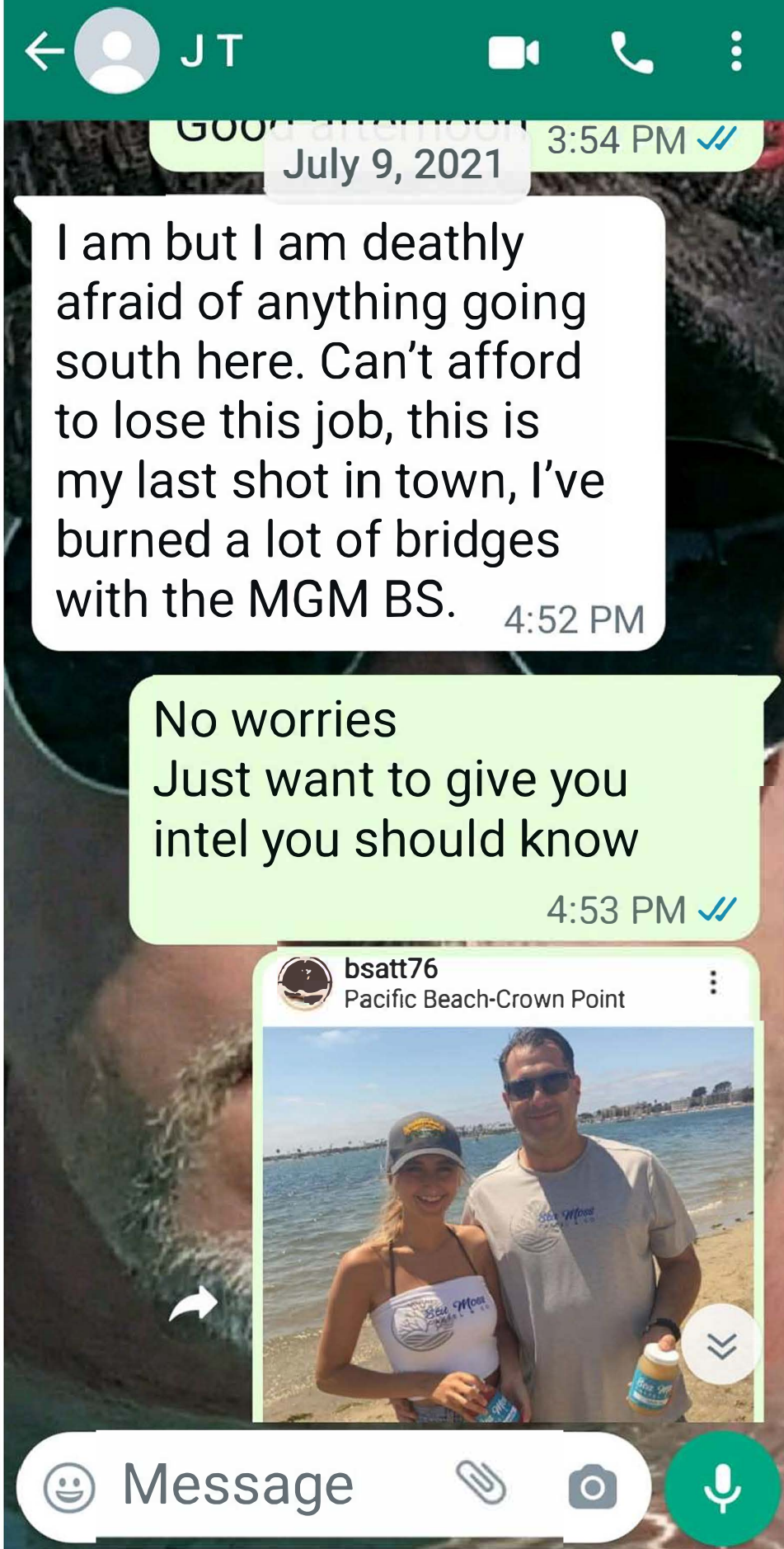
Feel free to reach out with any questions.

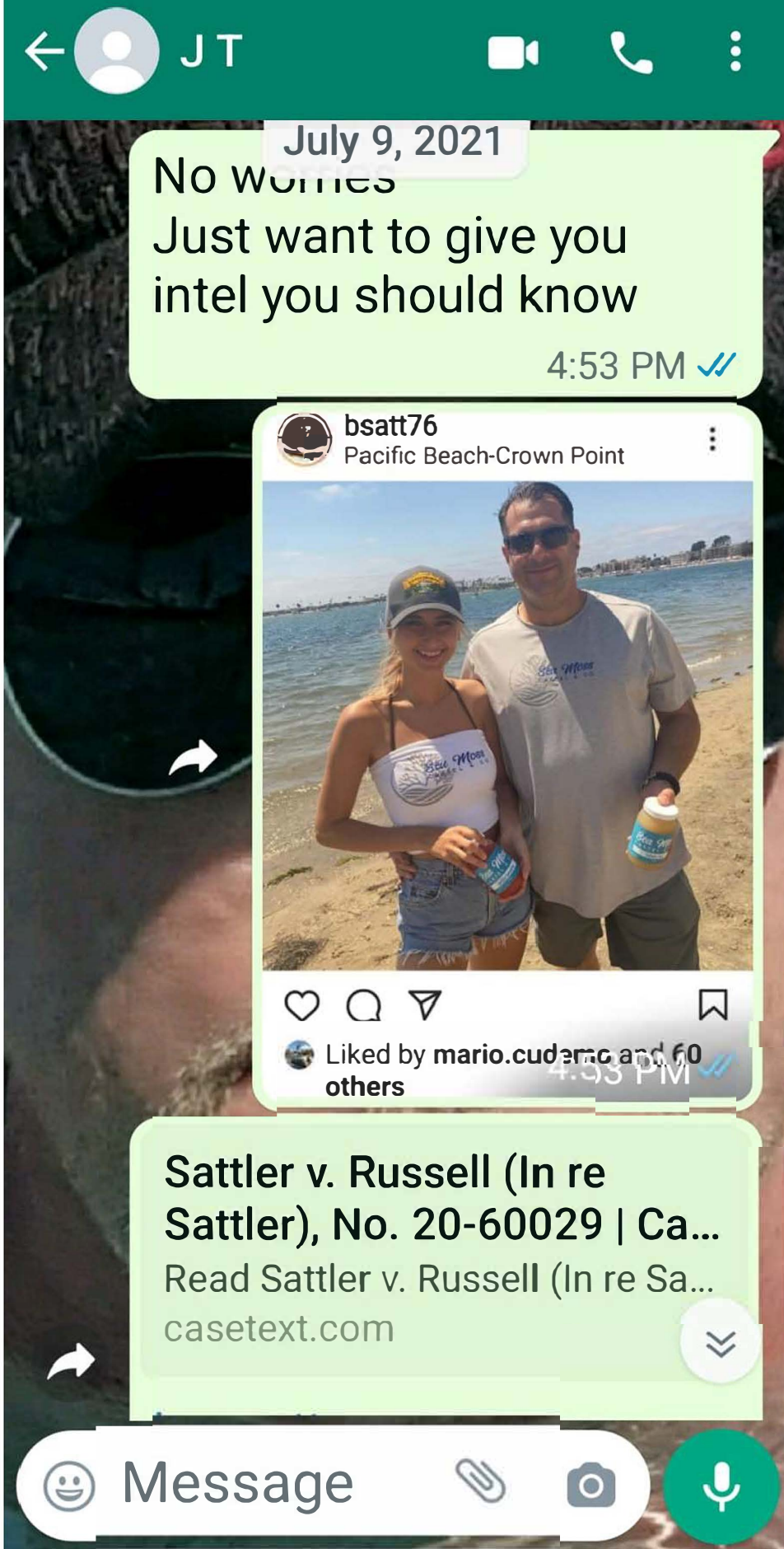
Thanks,

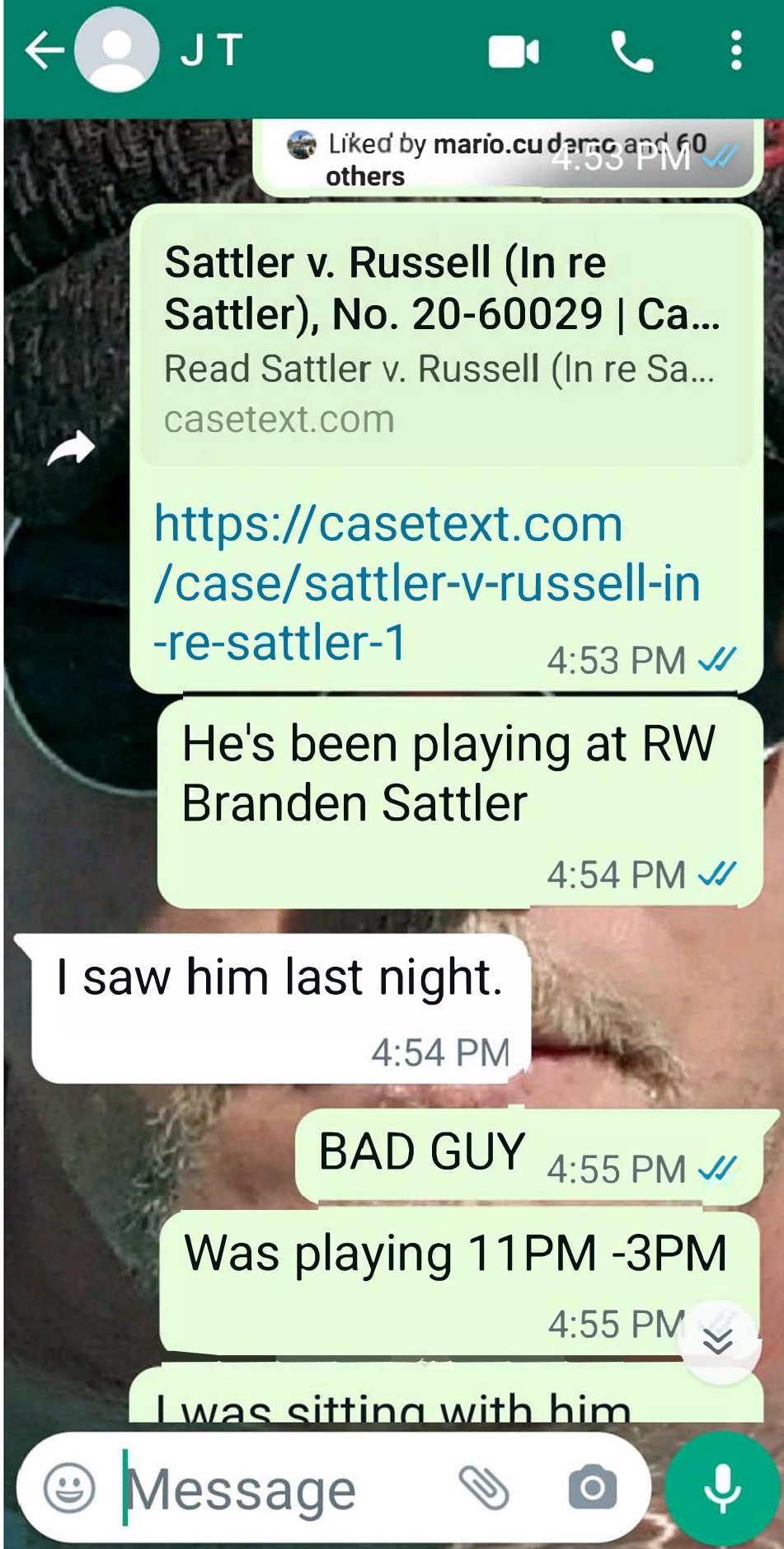
David Toone, Agent
Special Investigations and Intelligence Unit
Enforcement Division
Nevada Gaming Control Board
dtoone@gcb.nv.gov<mailto:dtoone@gcb.nv.gov>
702.486.2020 office
702.219-0487 mobile
702.486.2230 fax

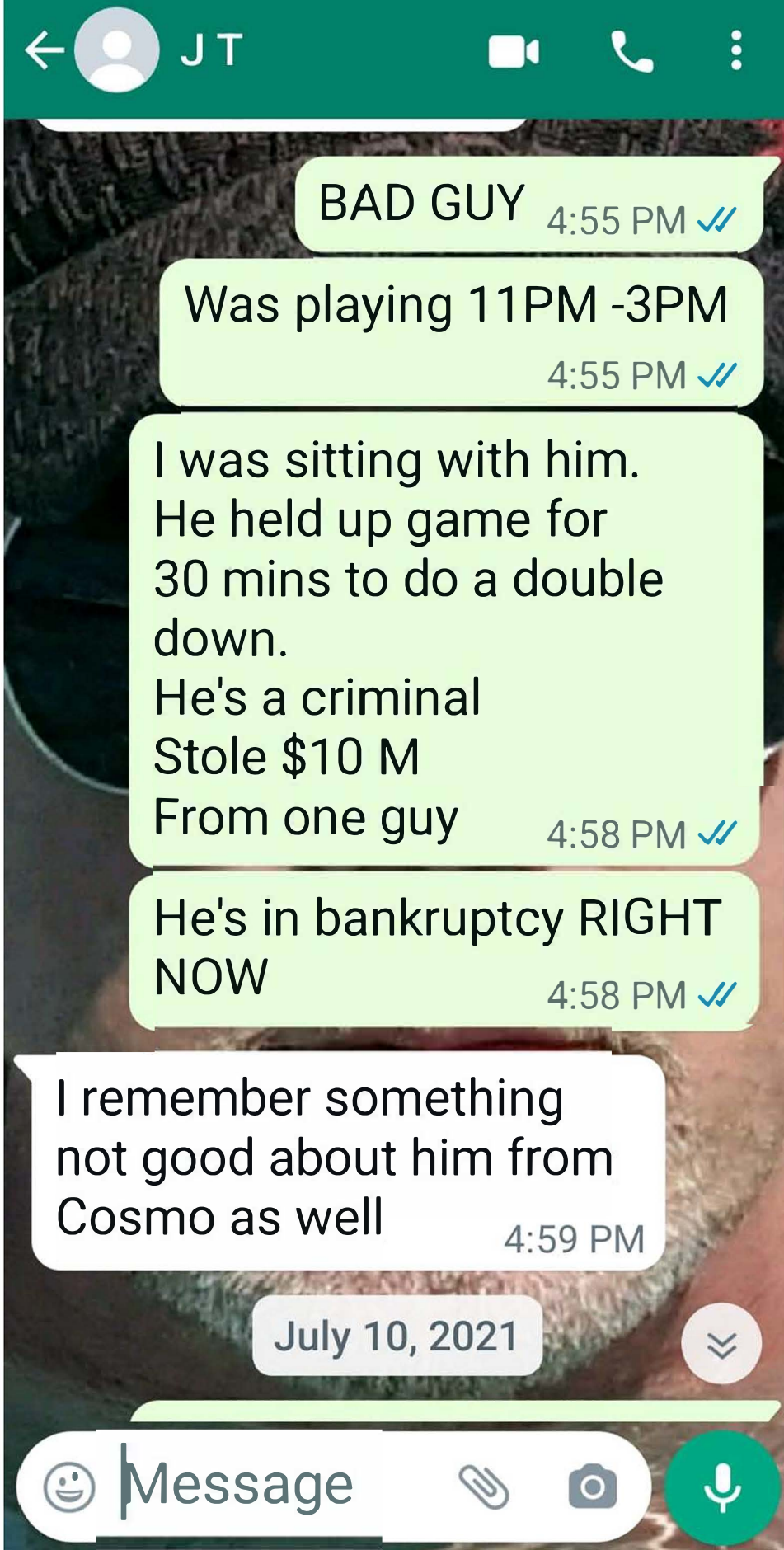
EXHIBIT 2

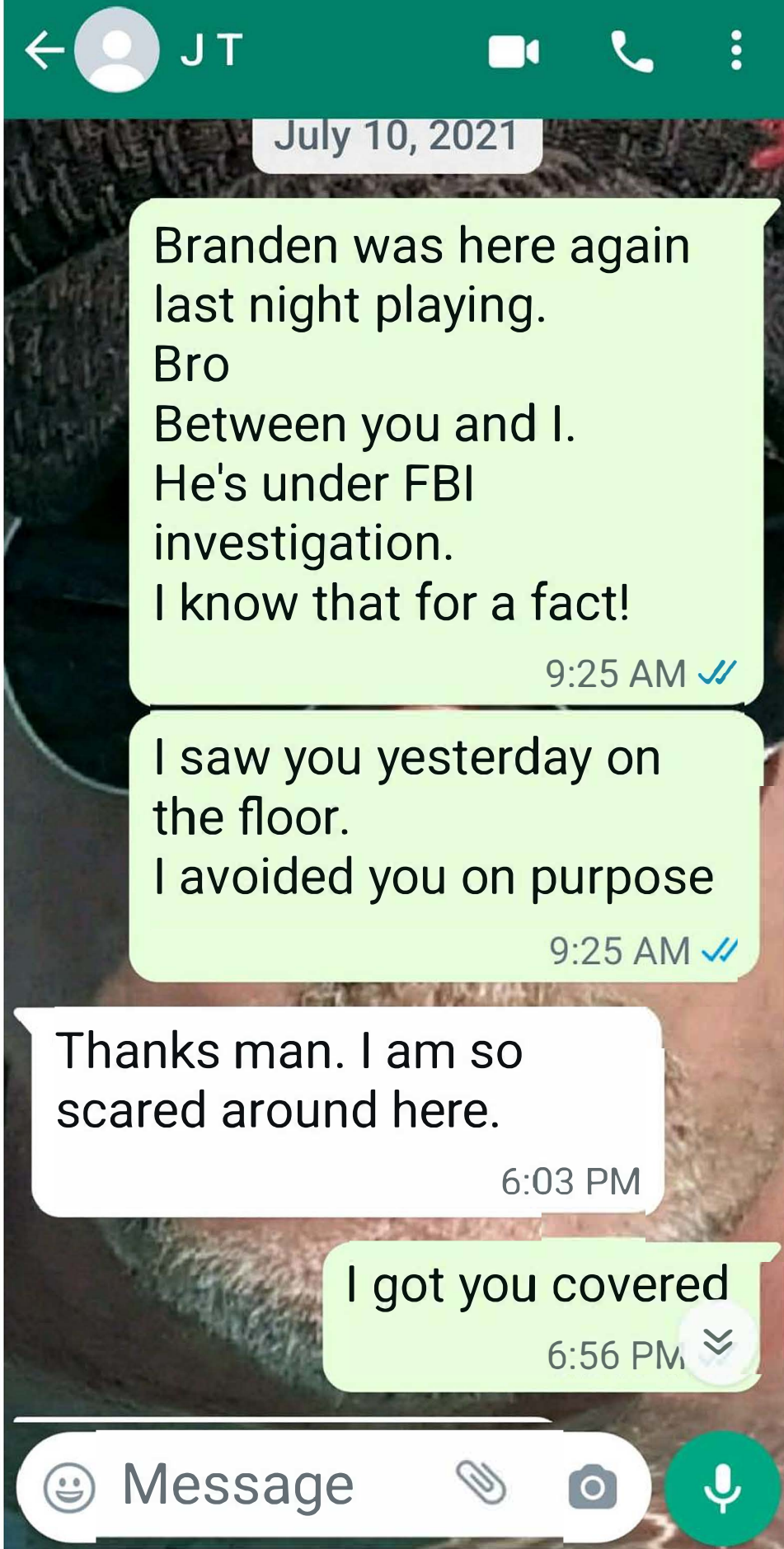
Text messages between Cipriani and Tatonetti



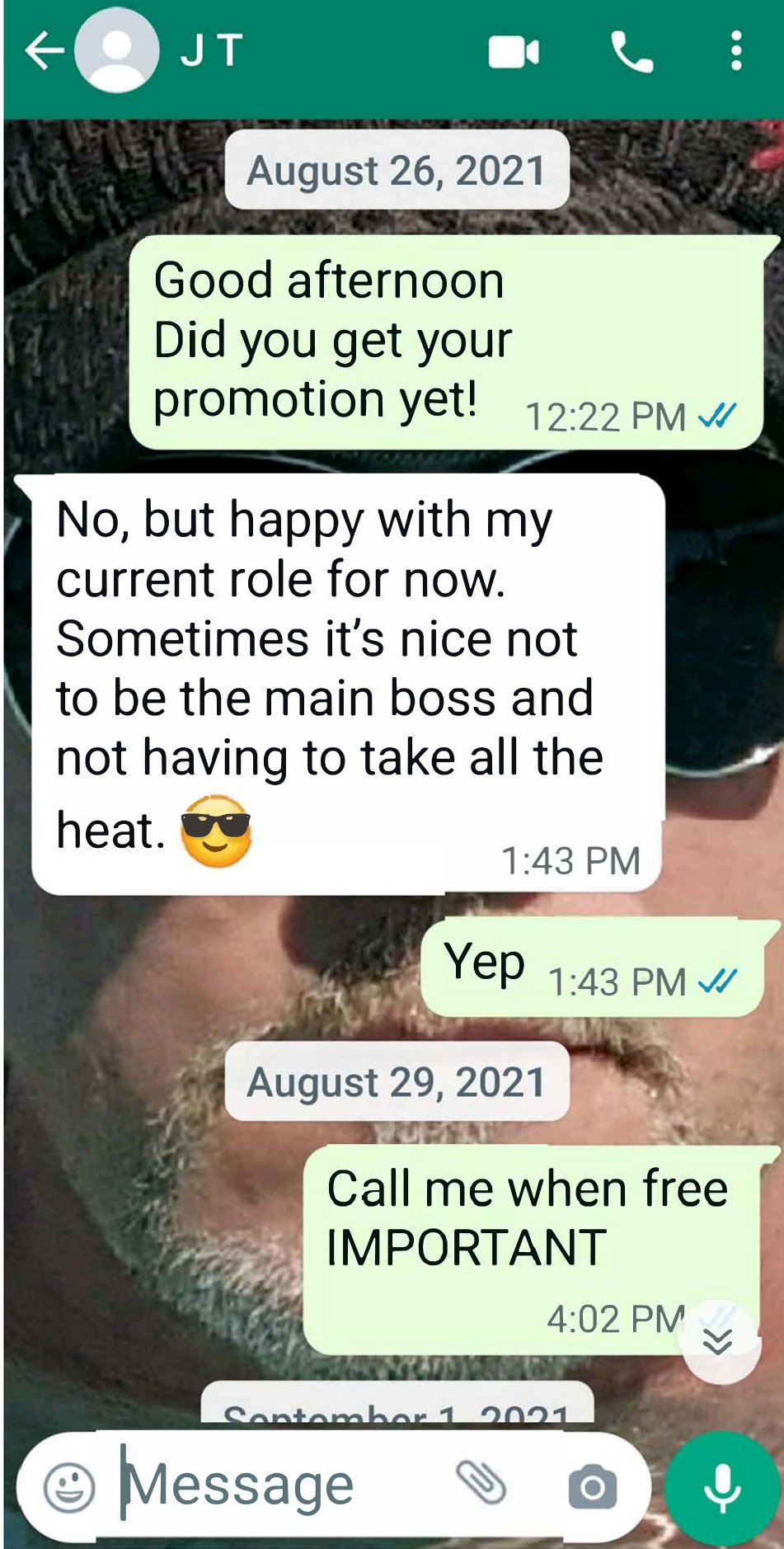


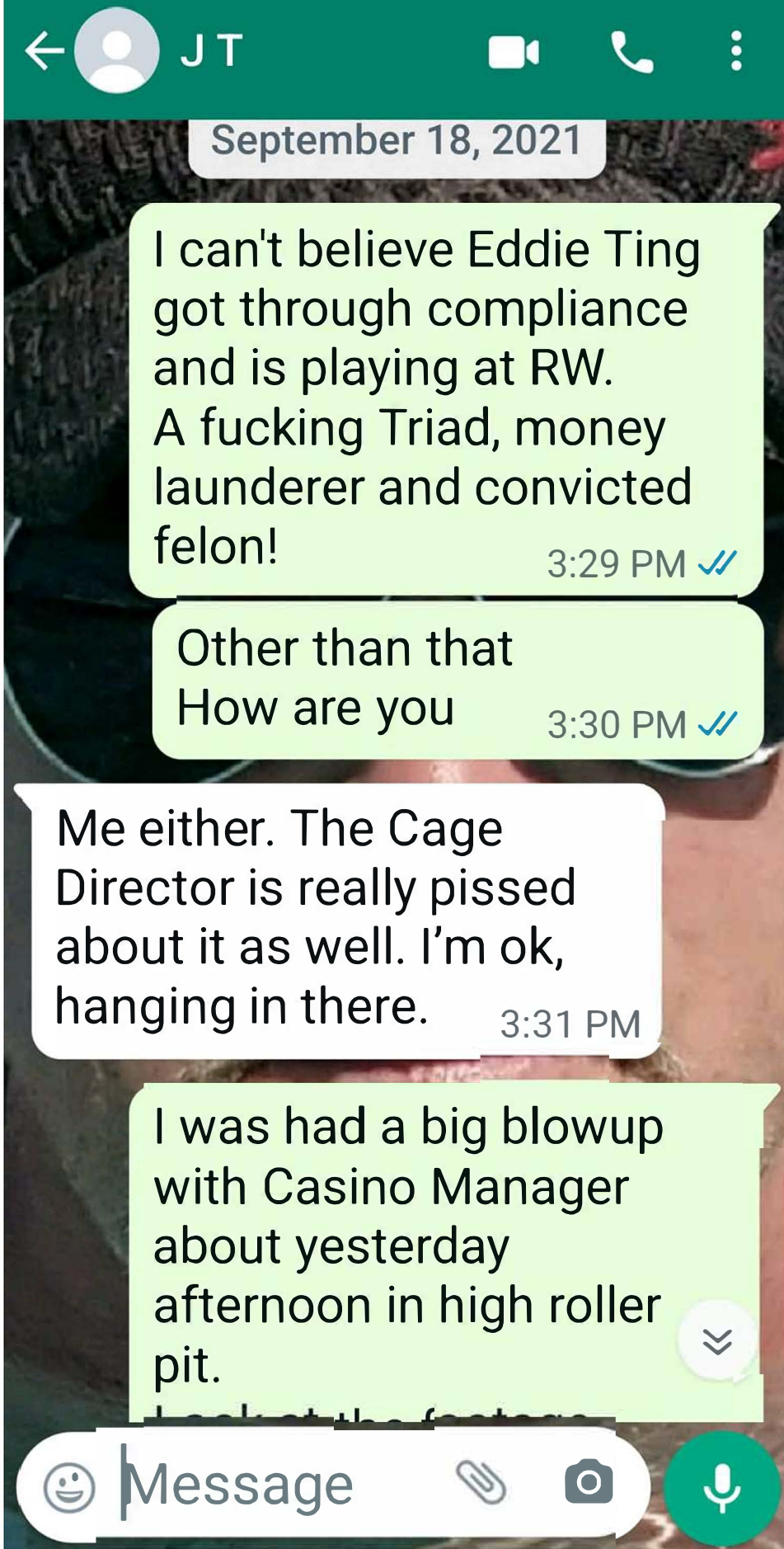


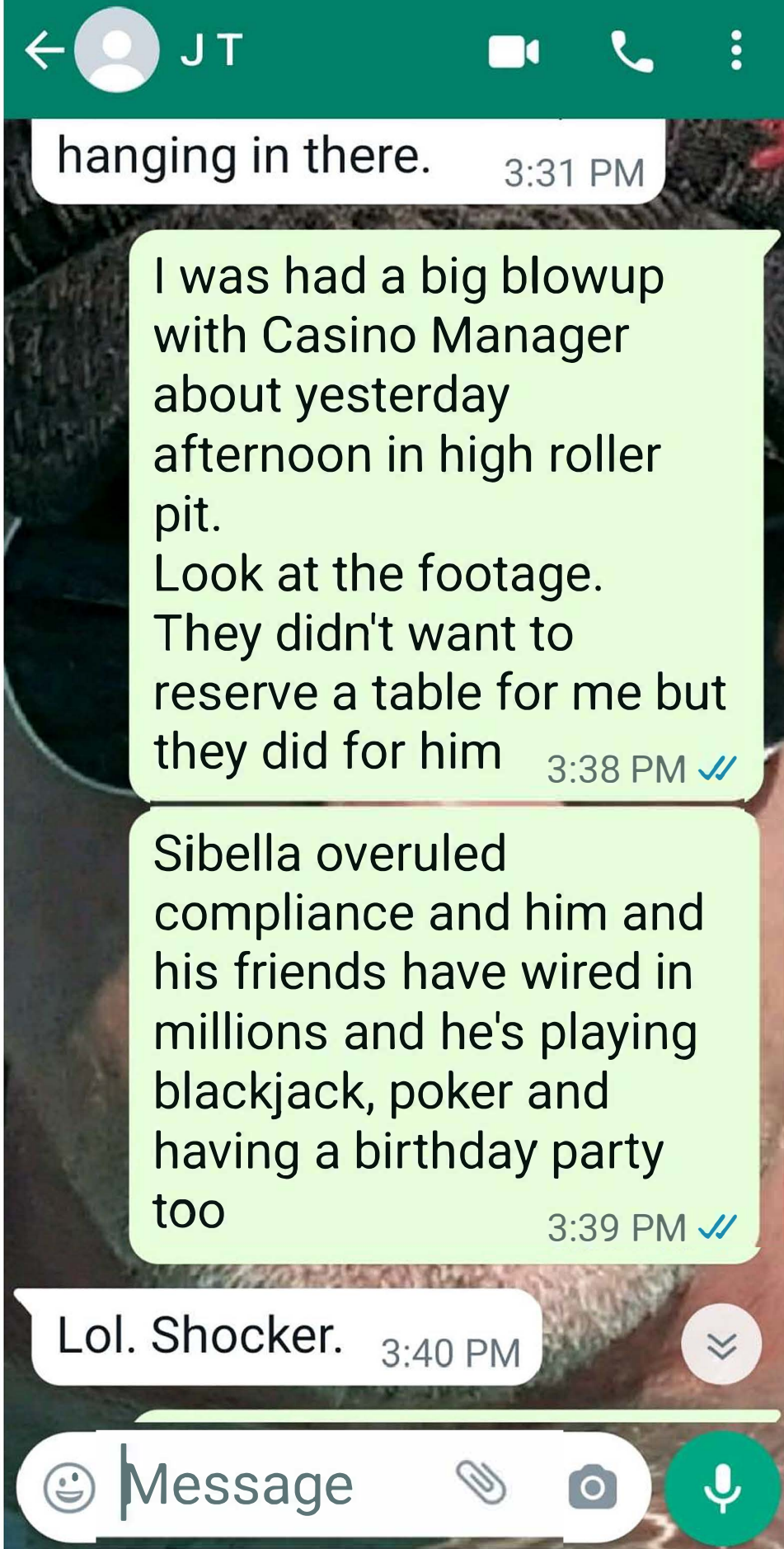


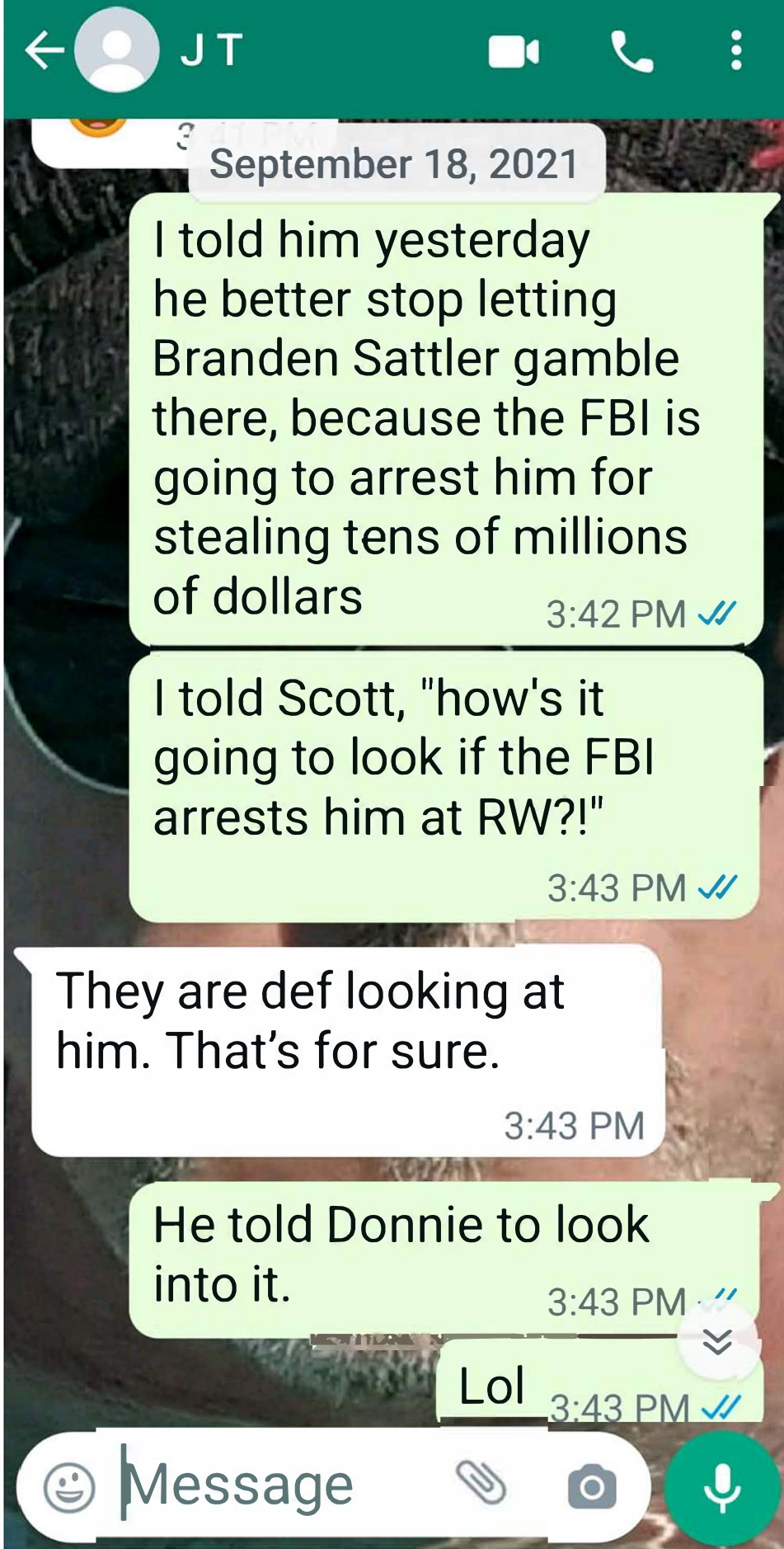


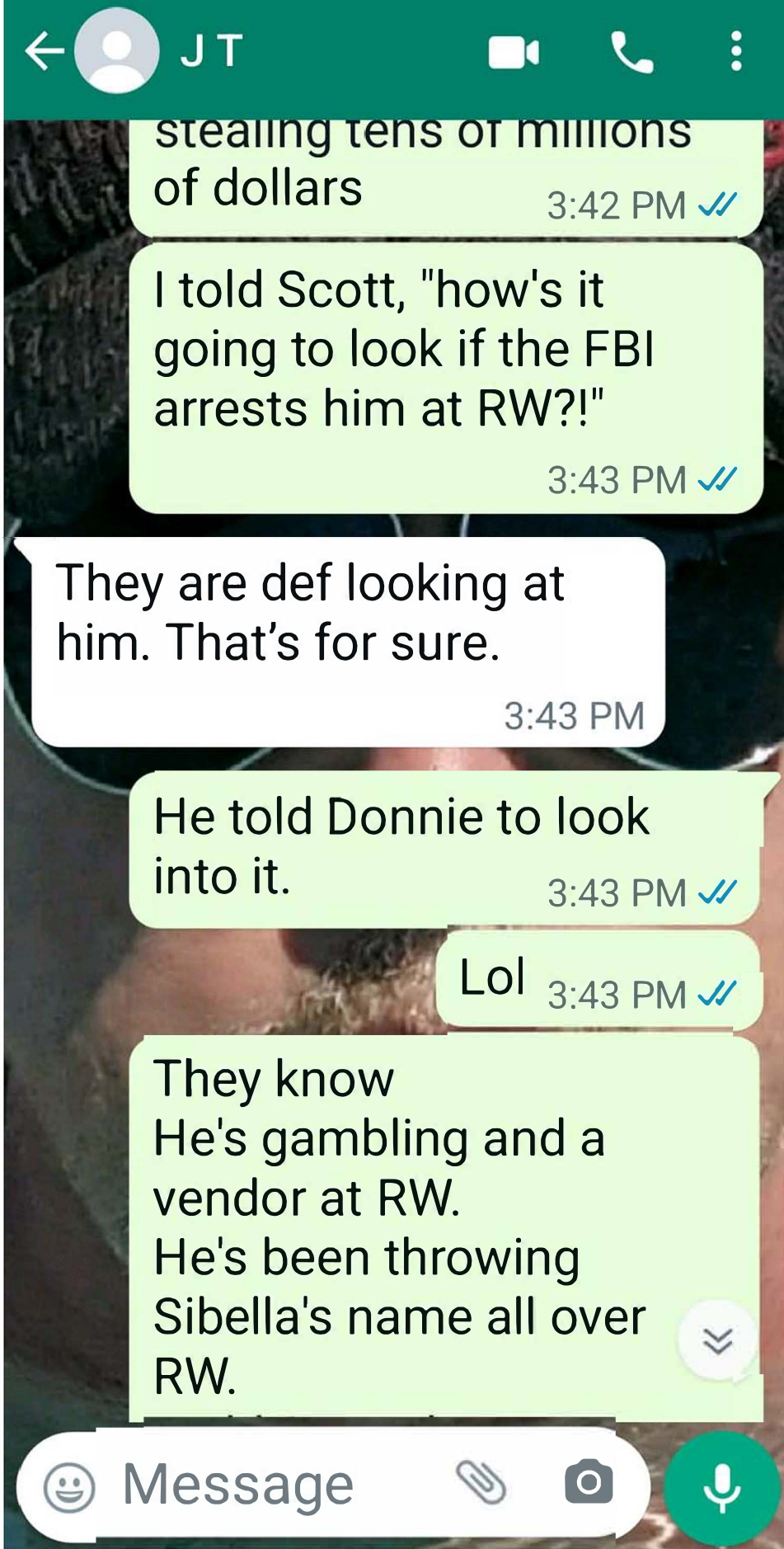


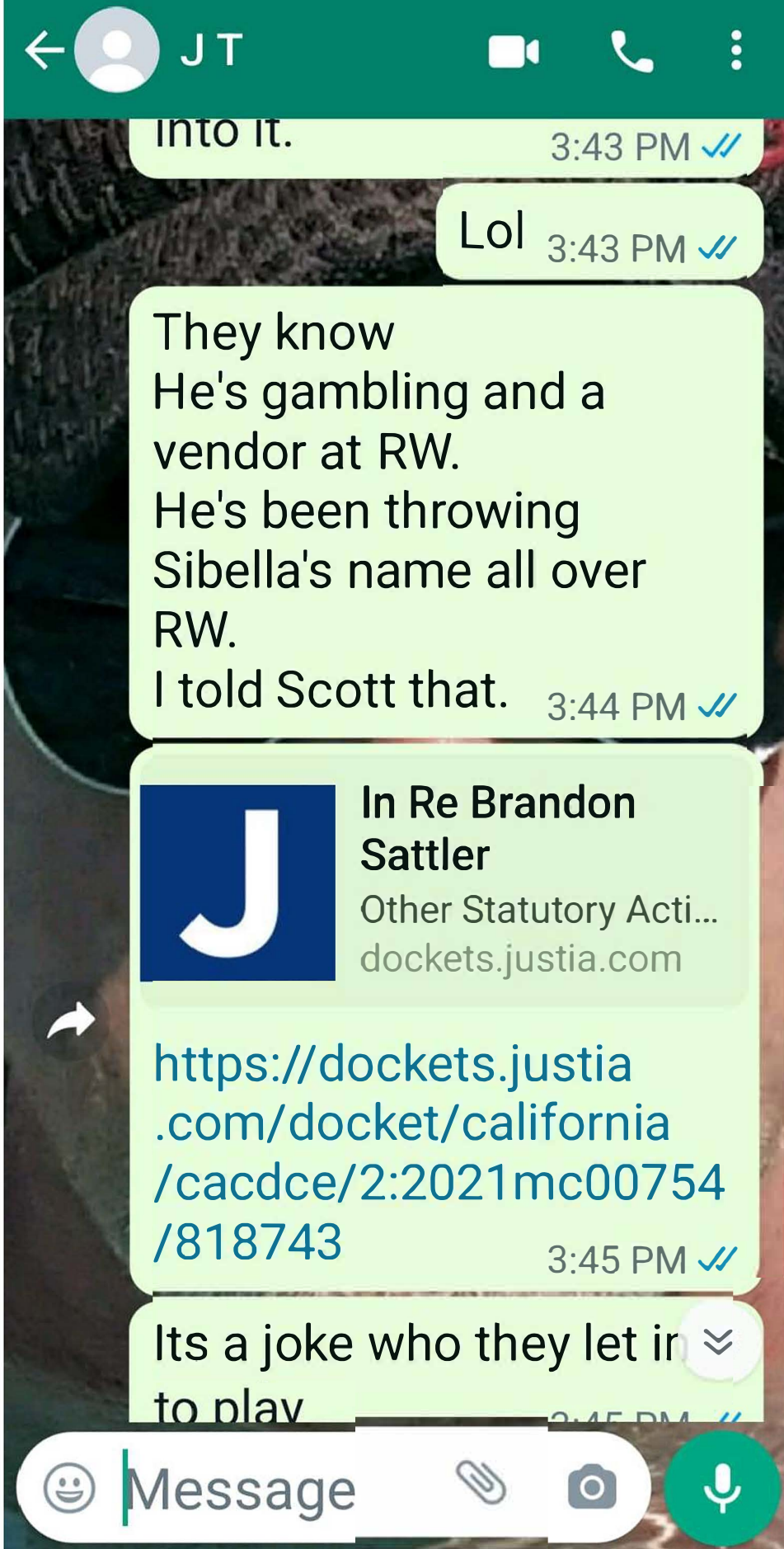


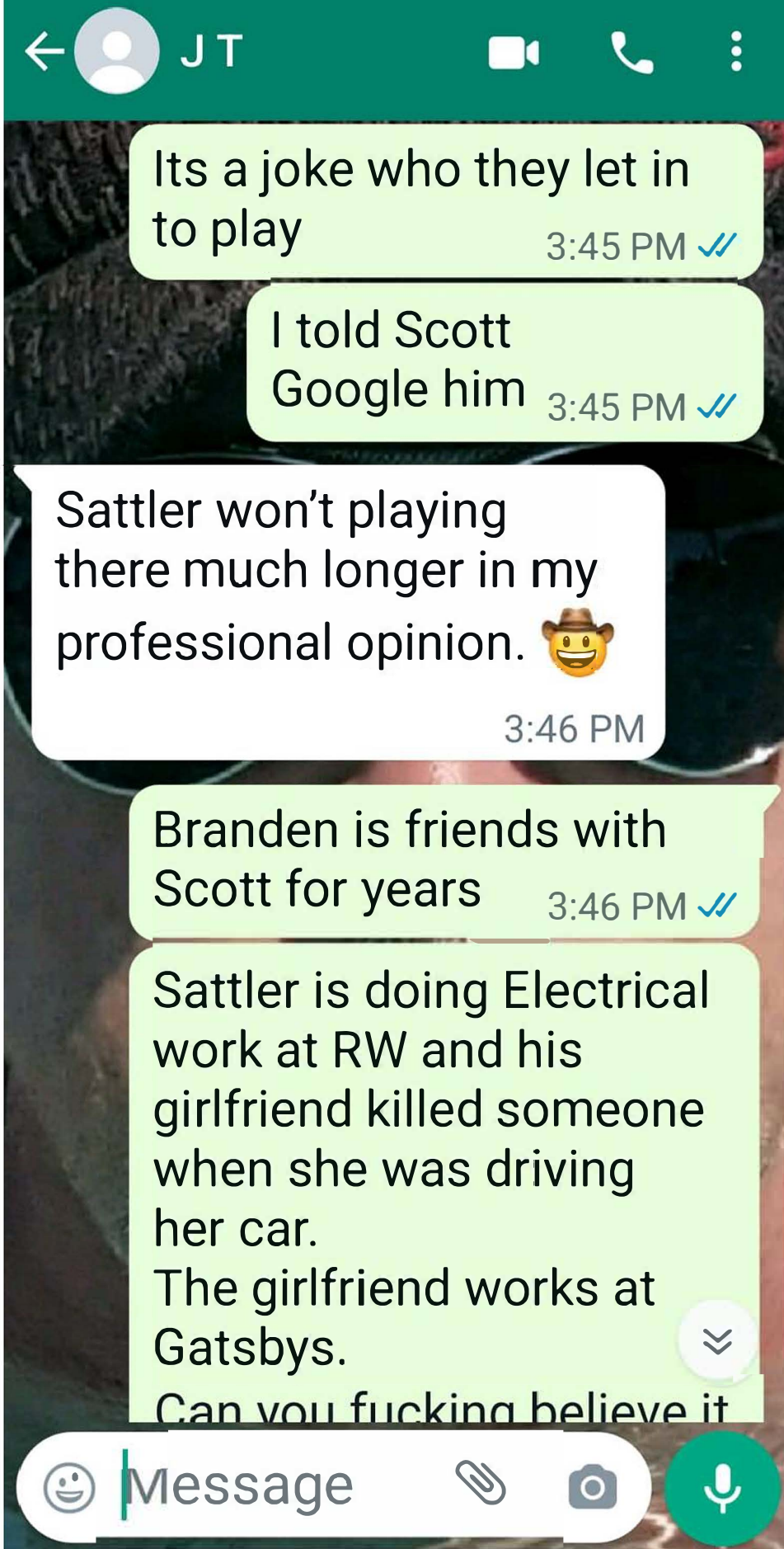


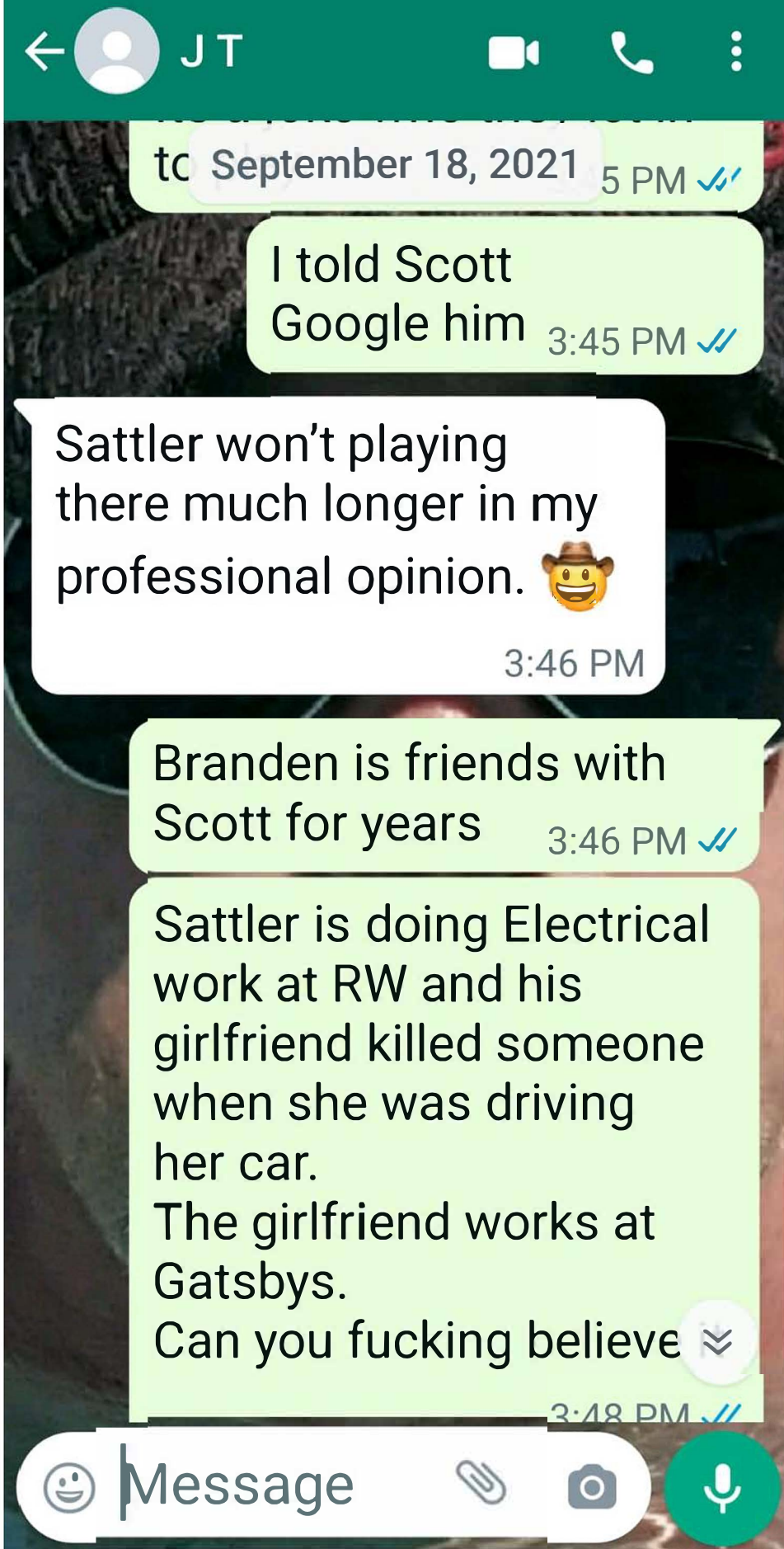


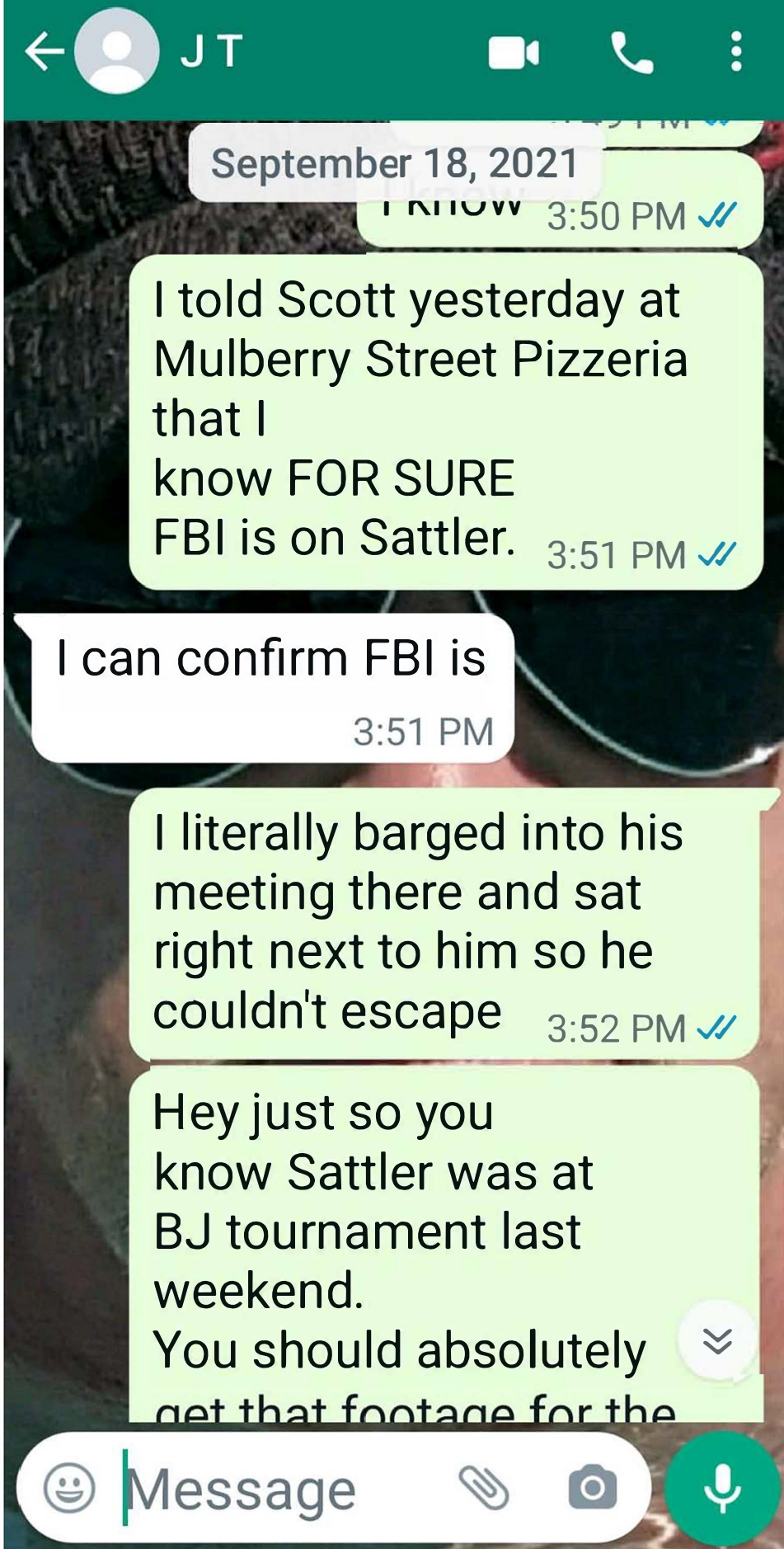


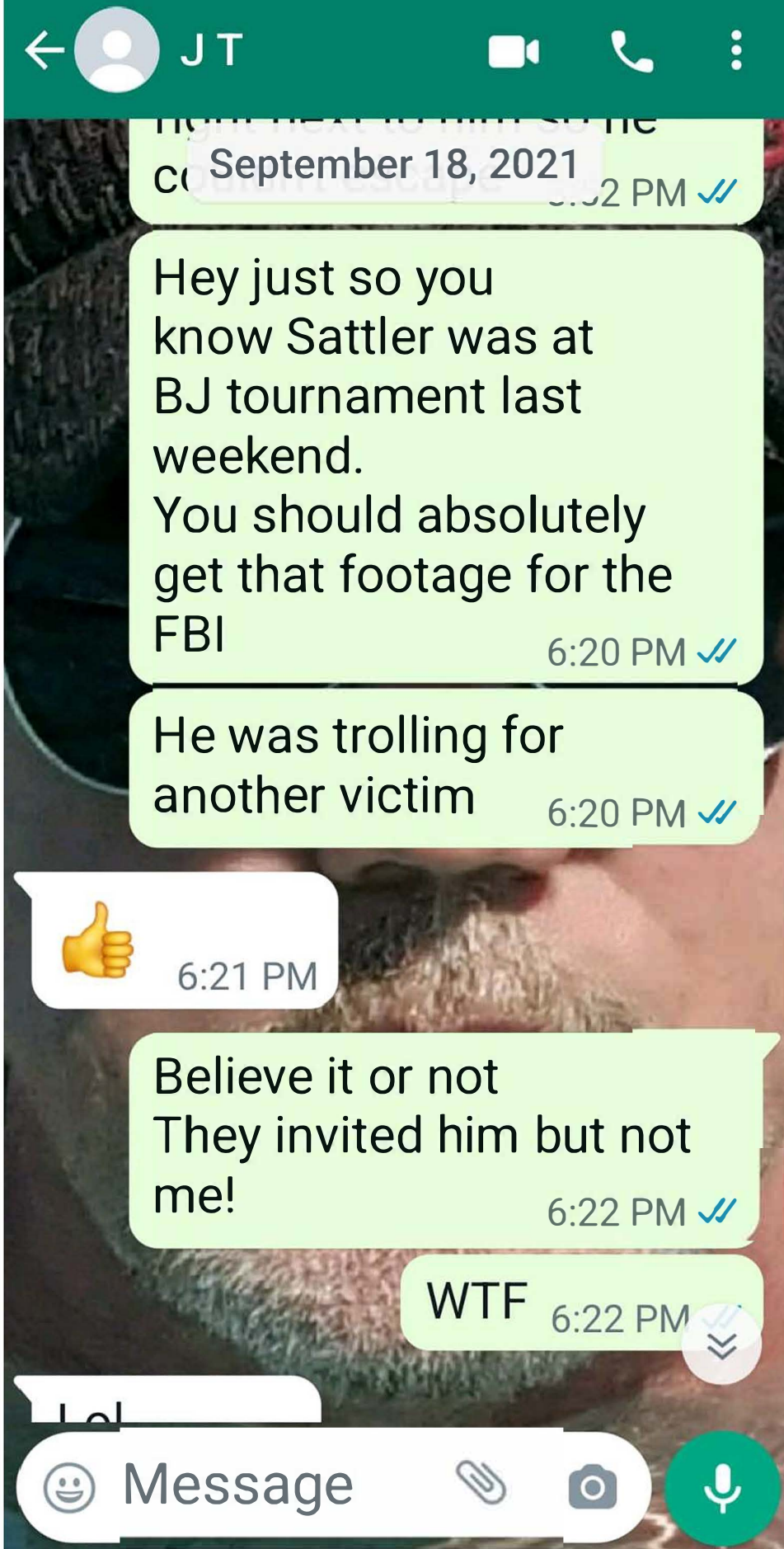


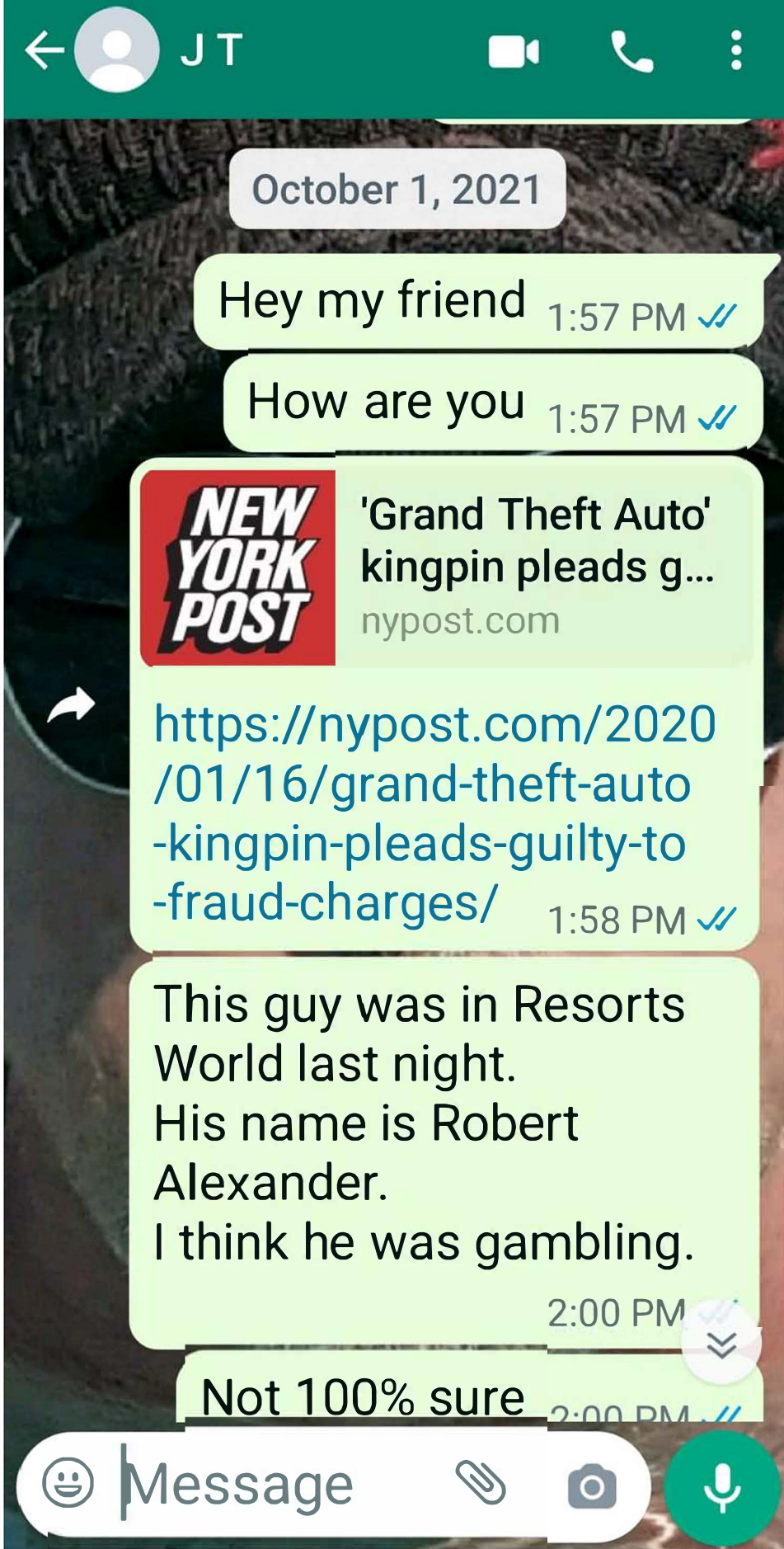


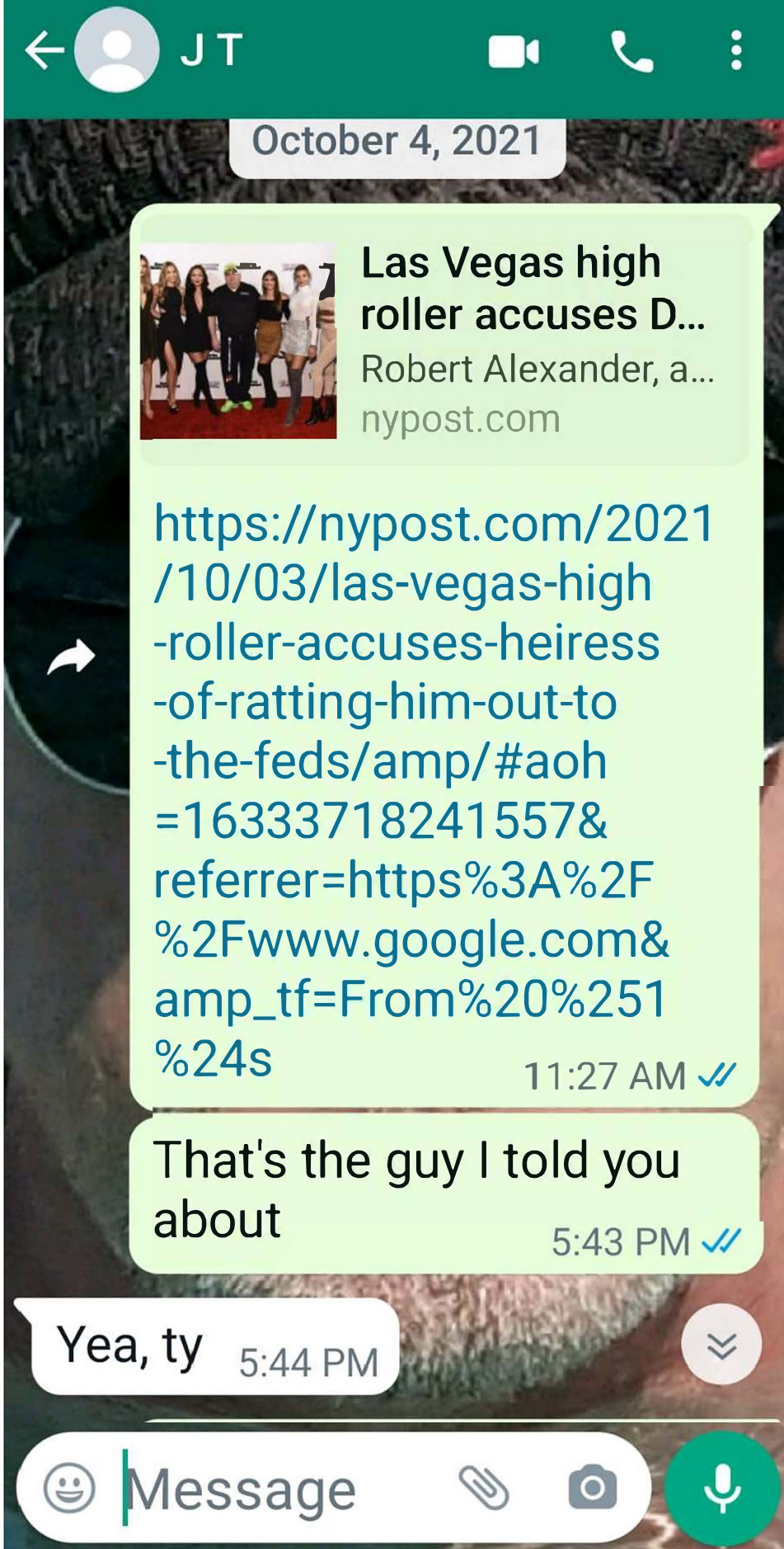


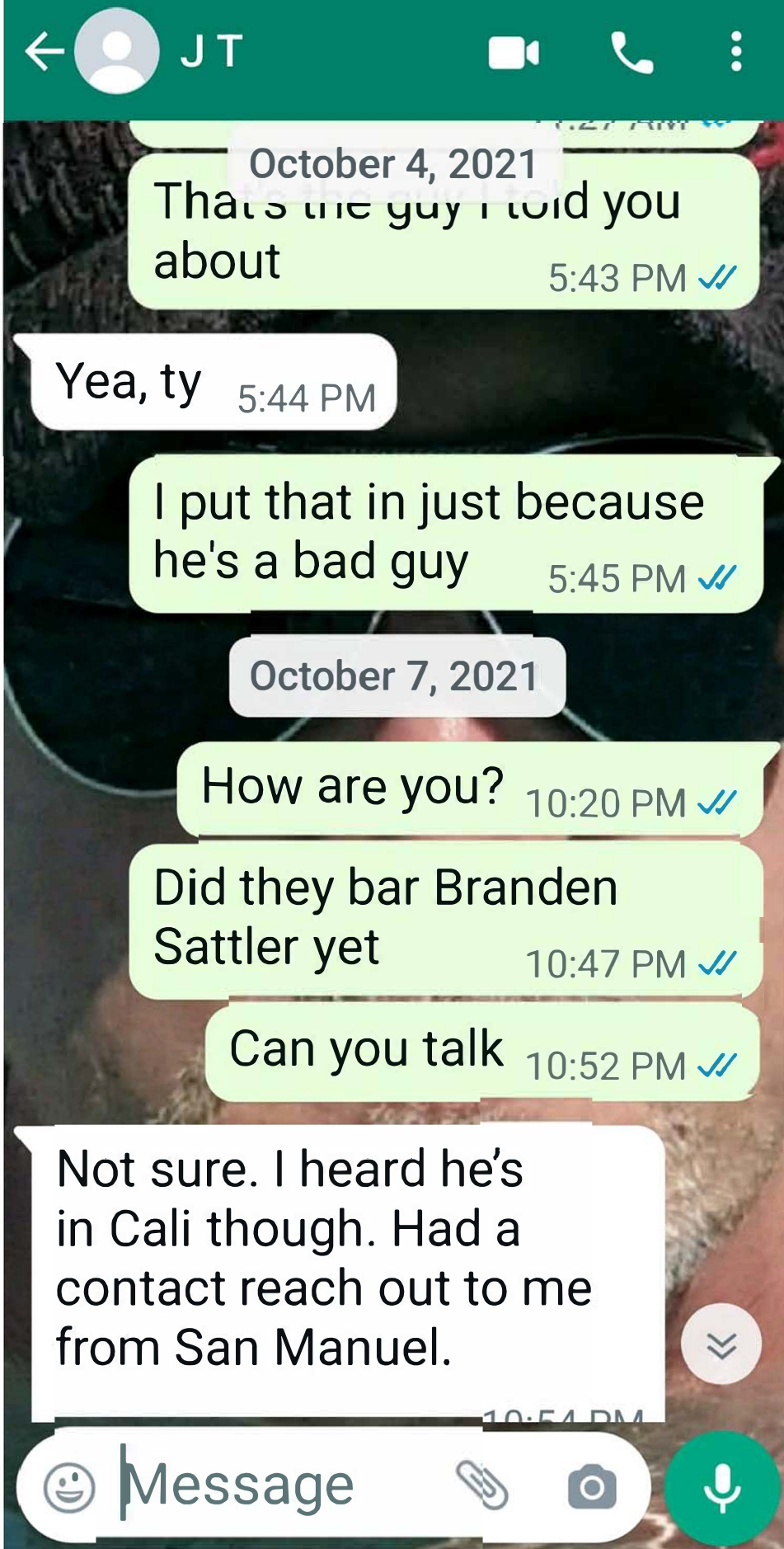


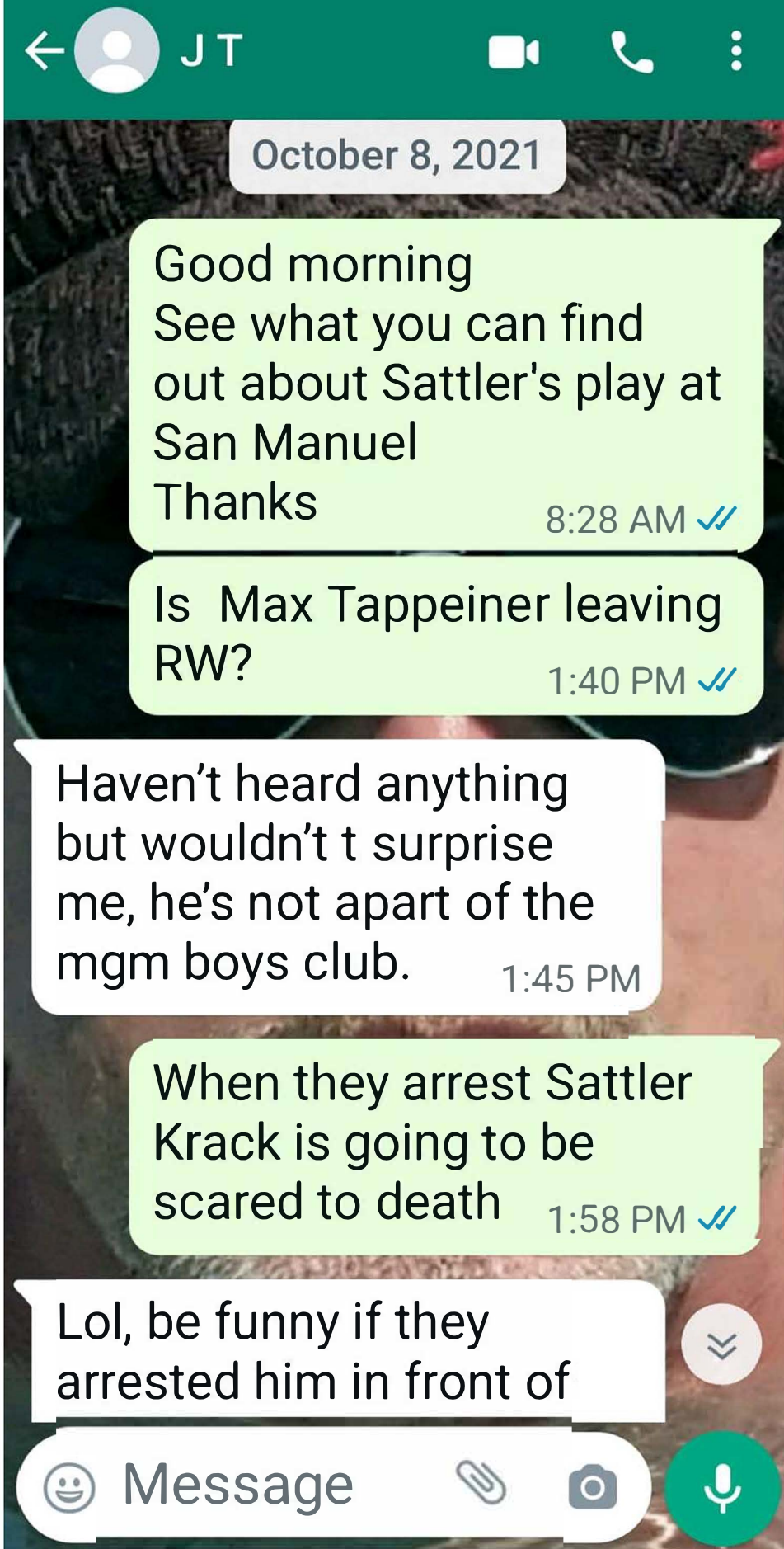




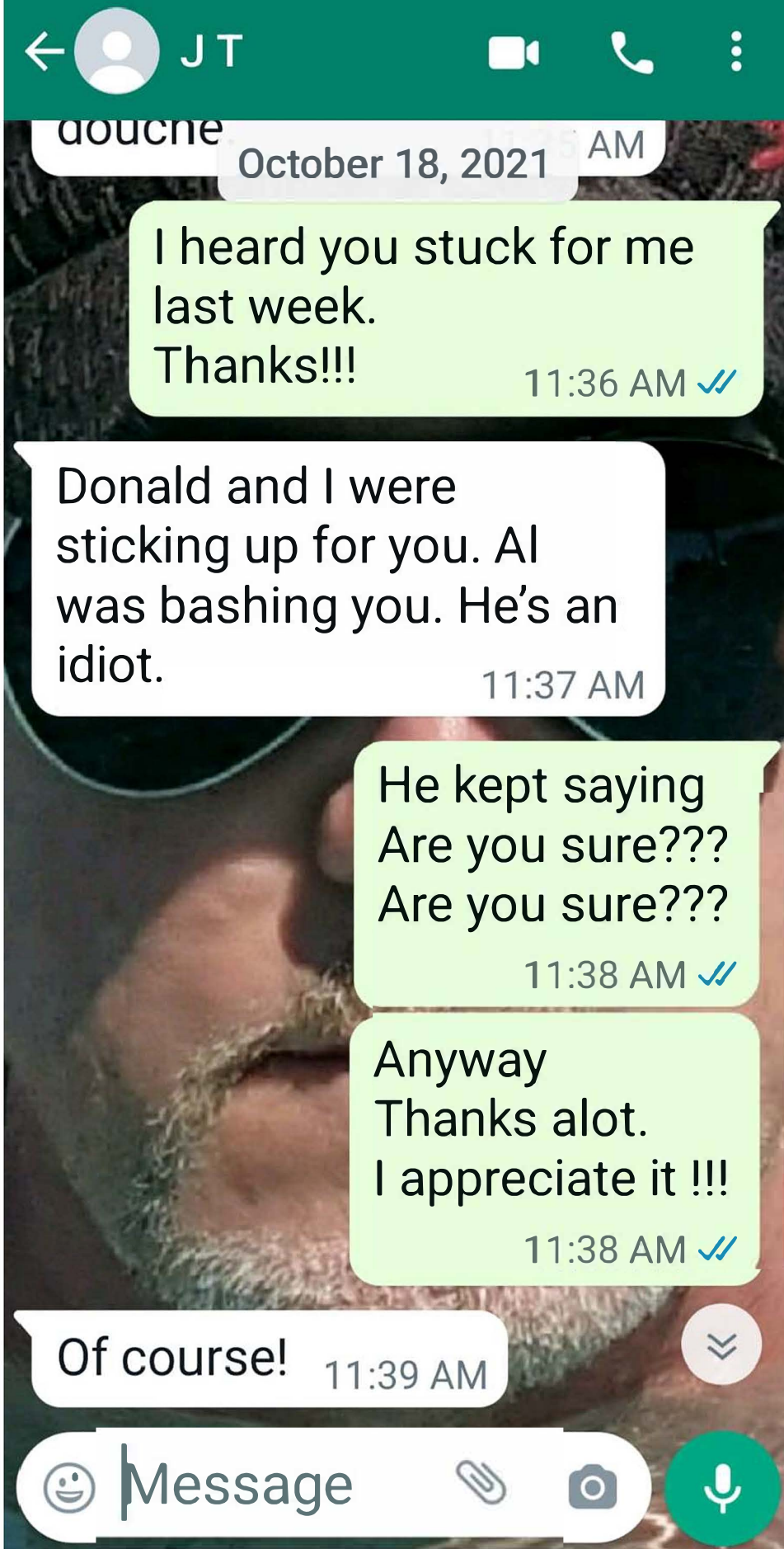


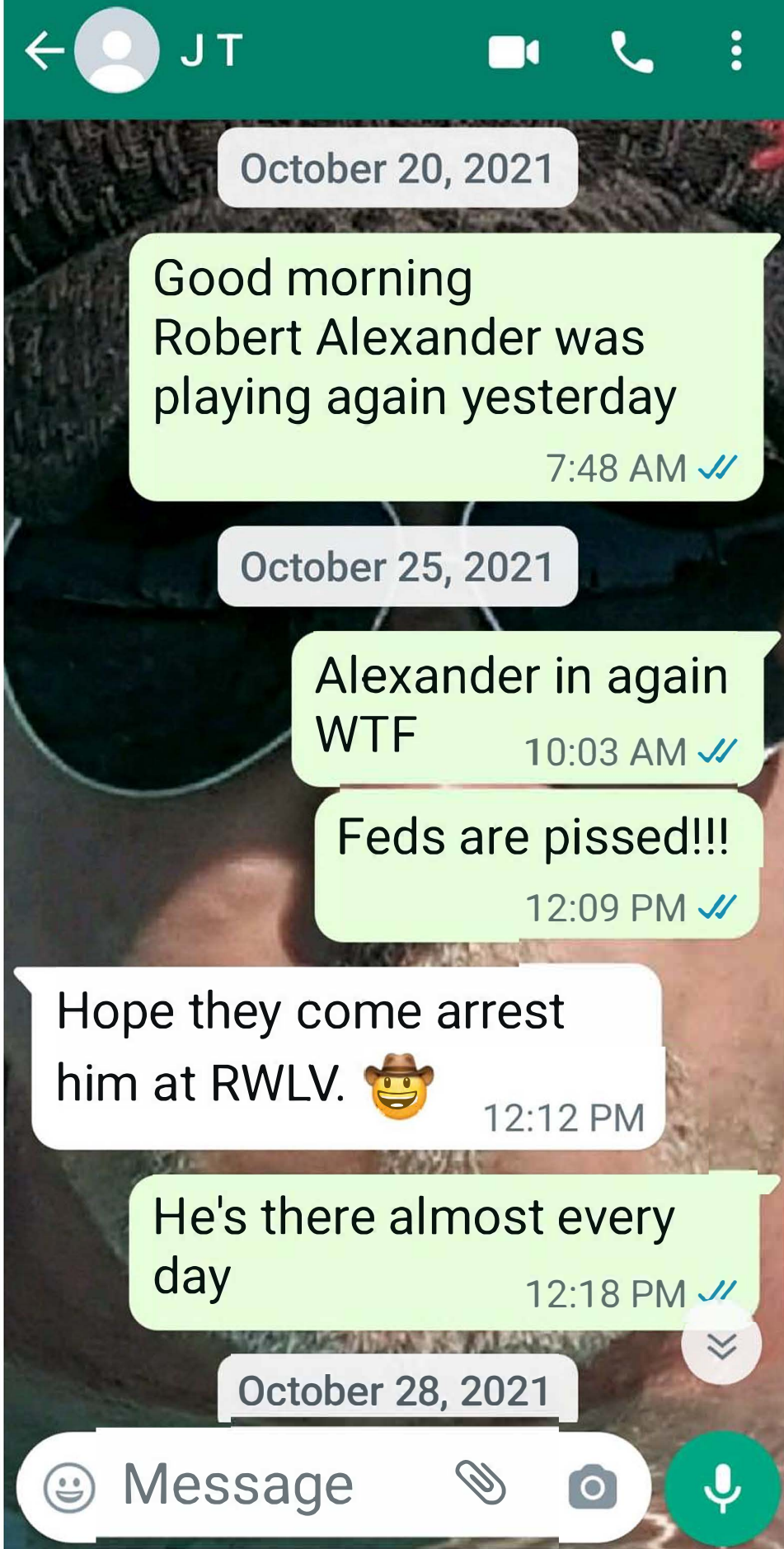


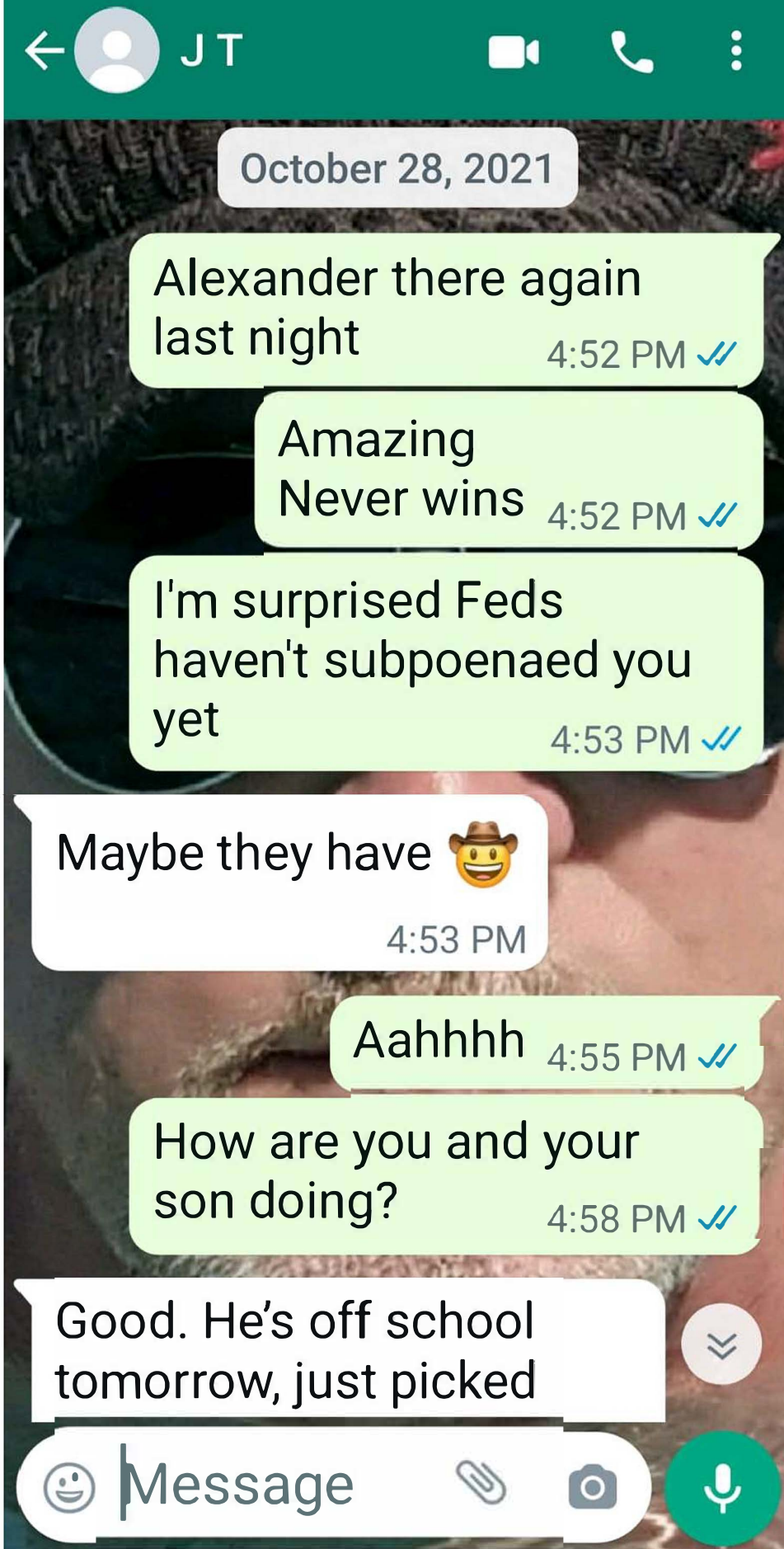


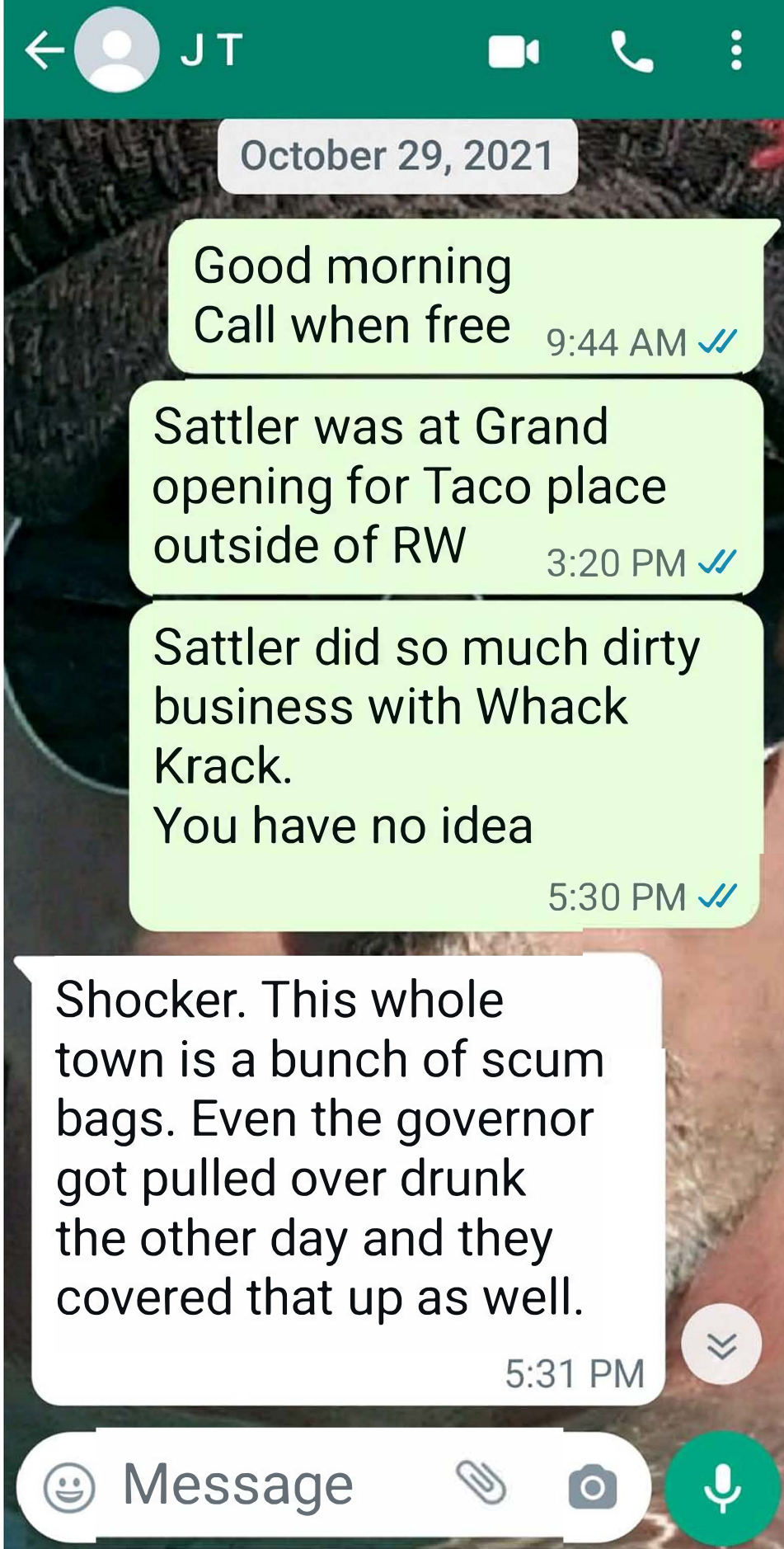


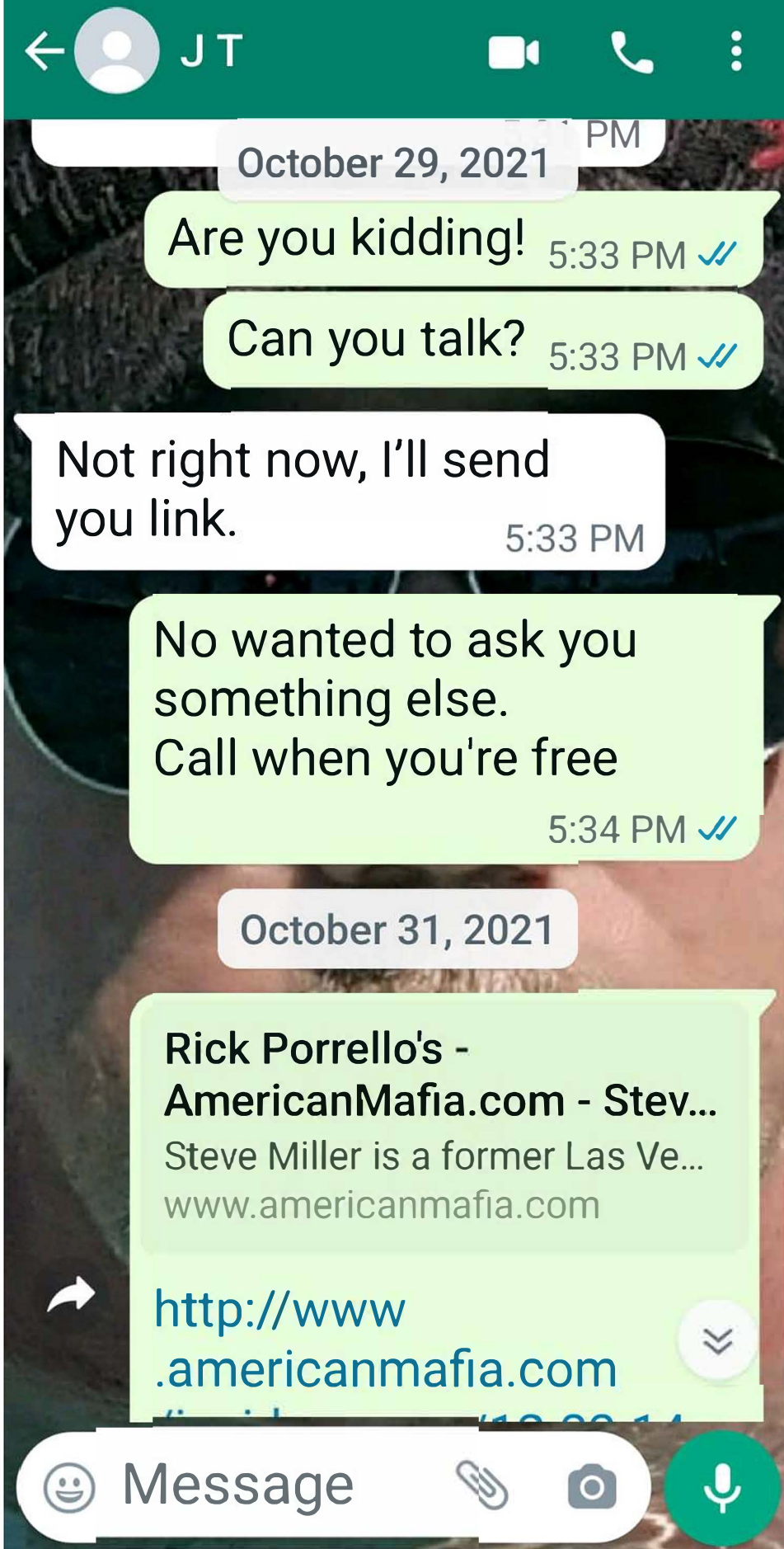


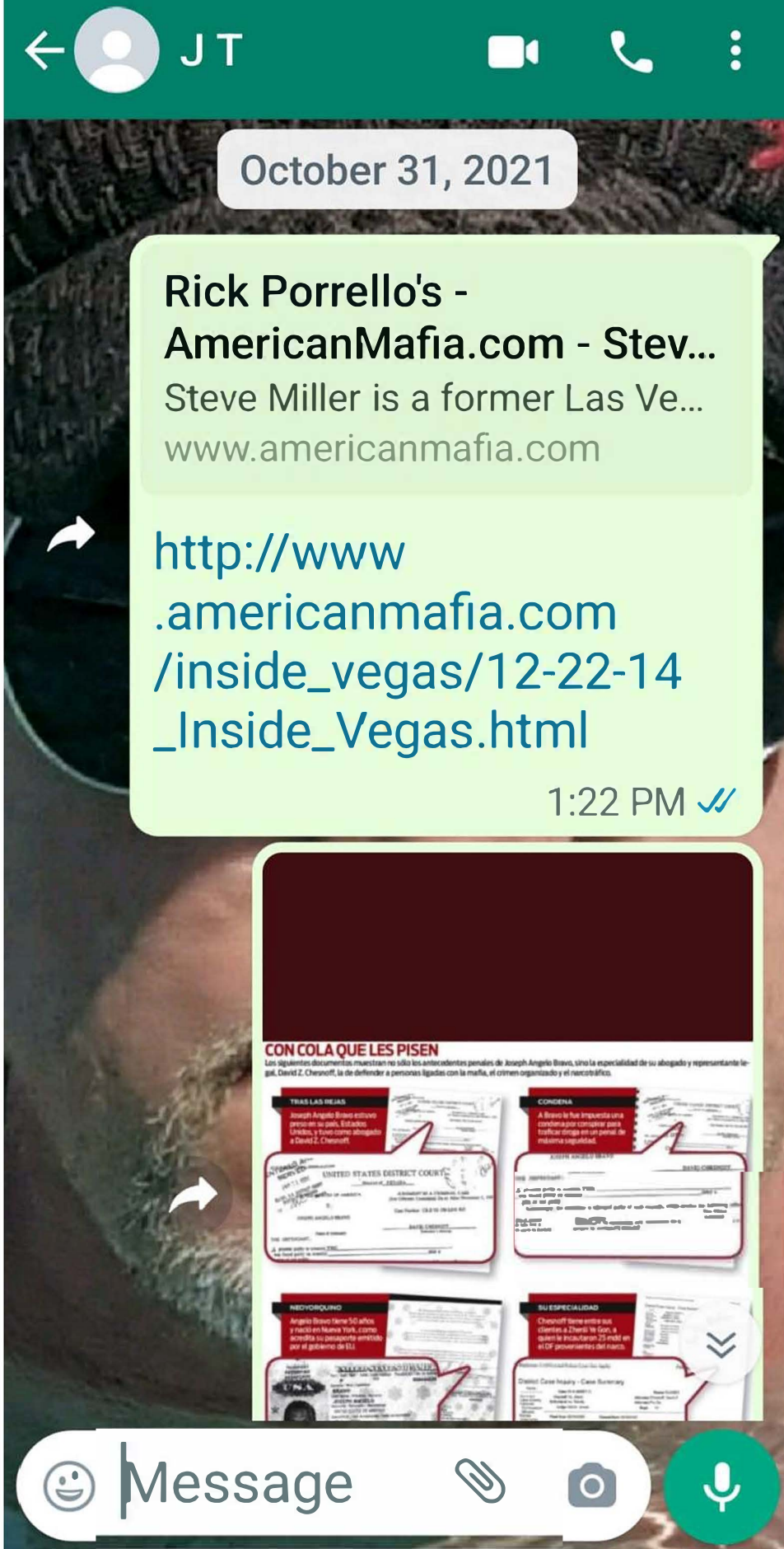


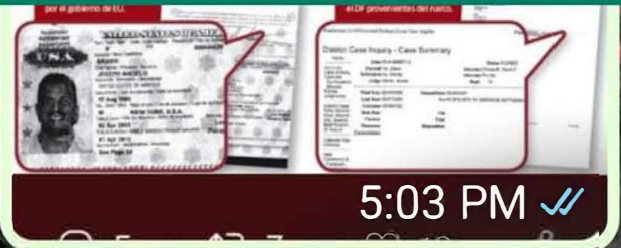
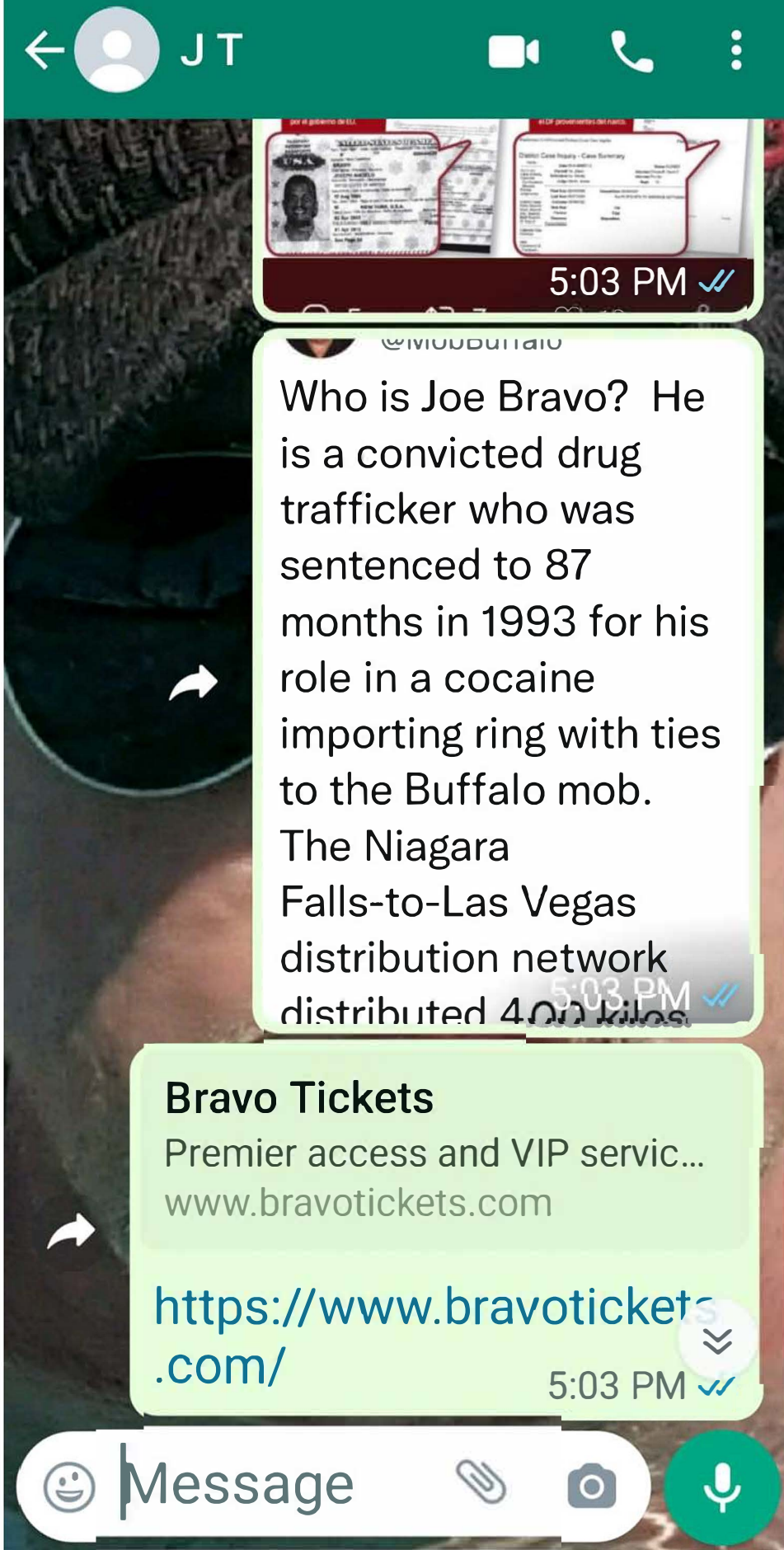






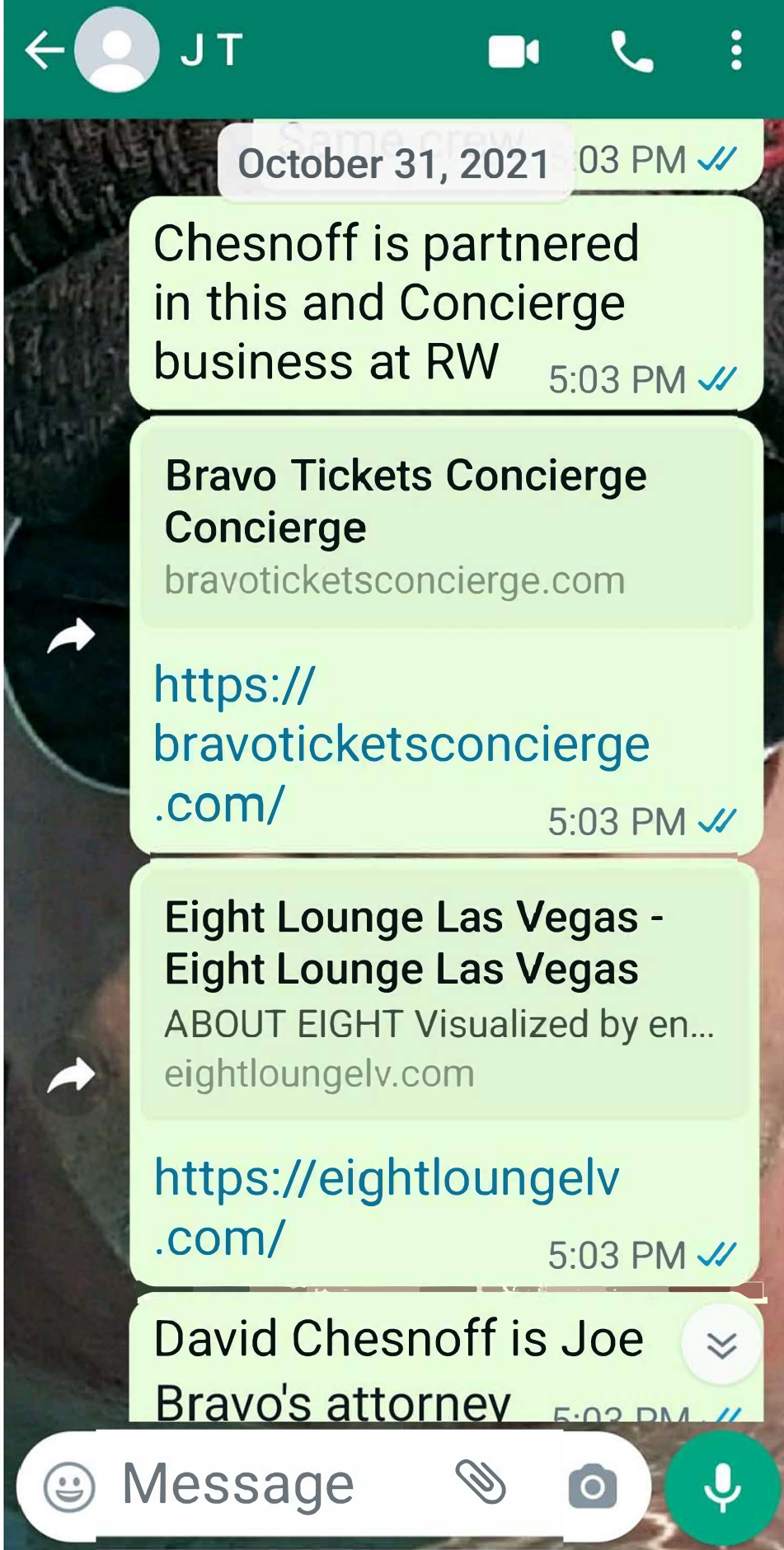


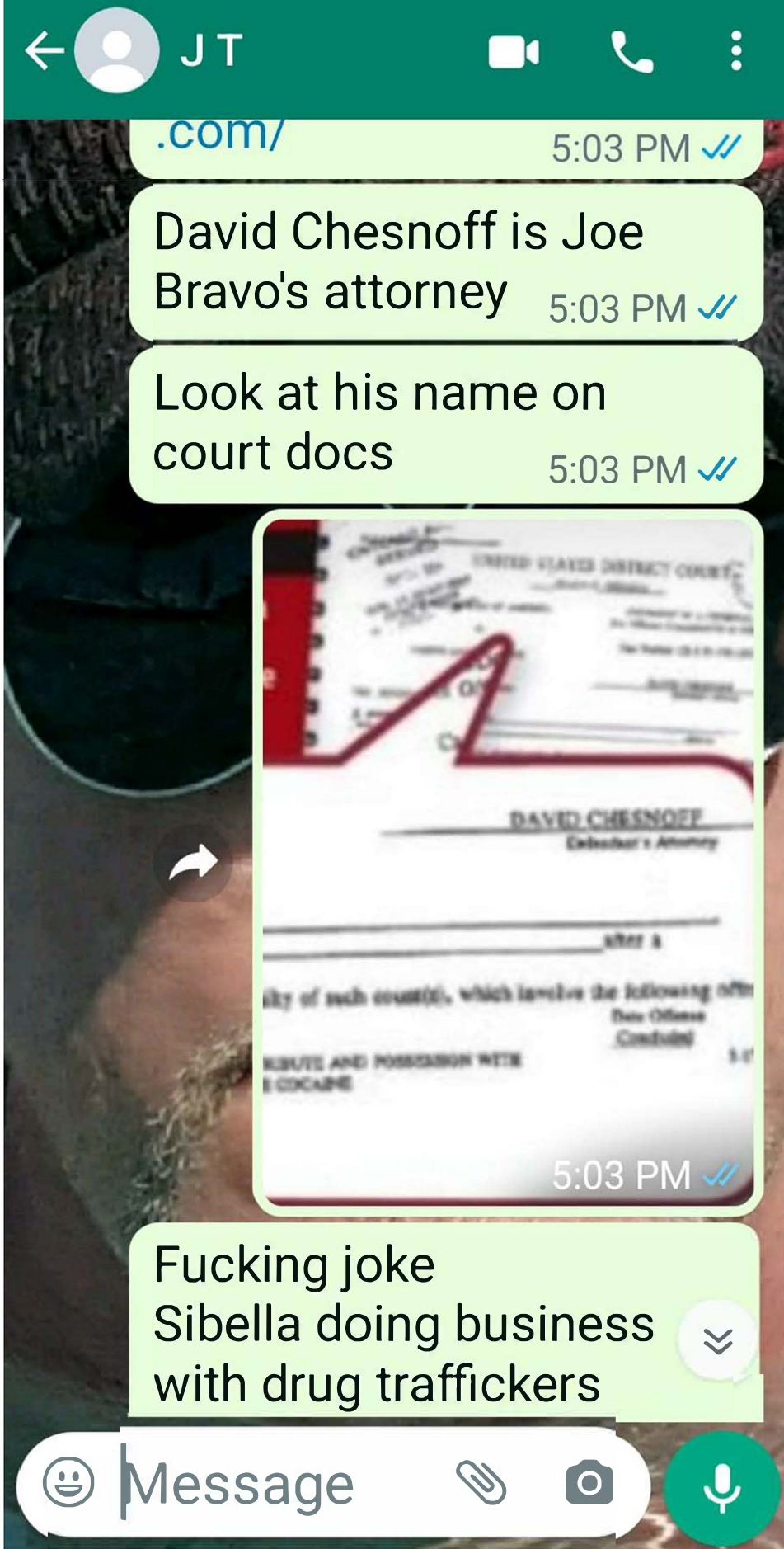


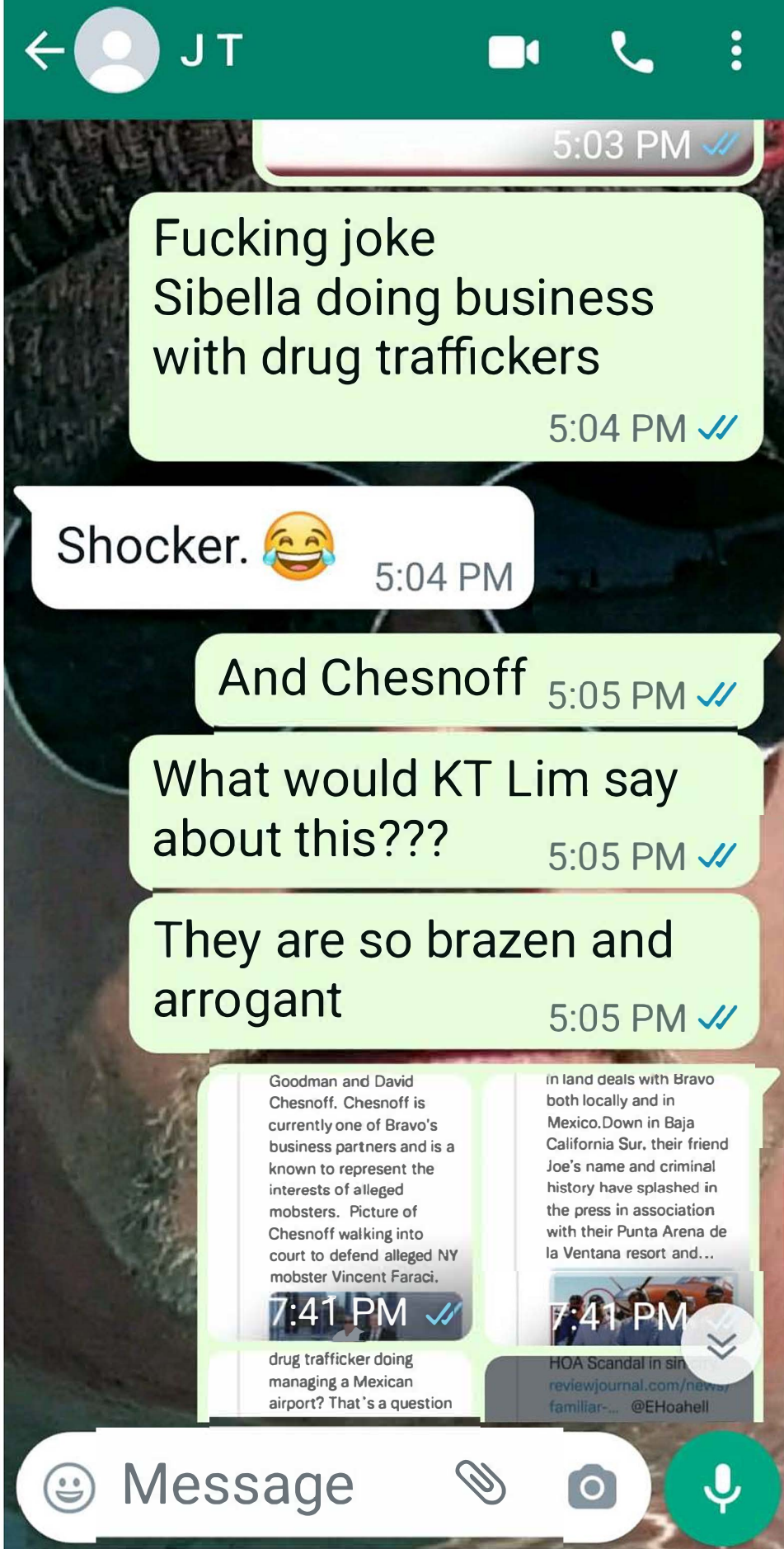


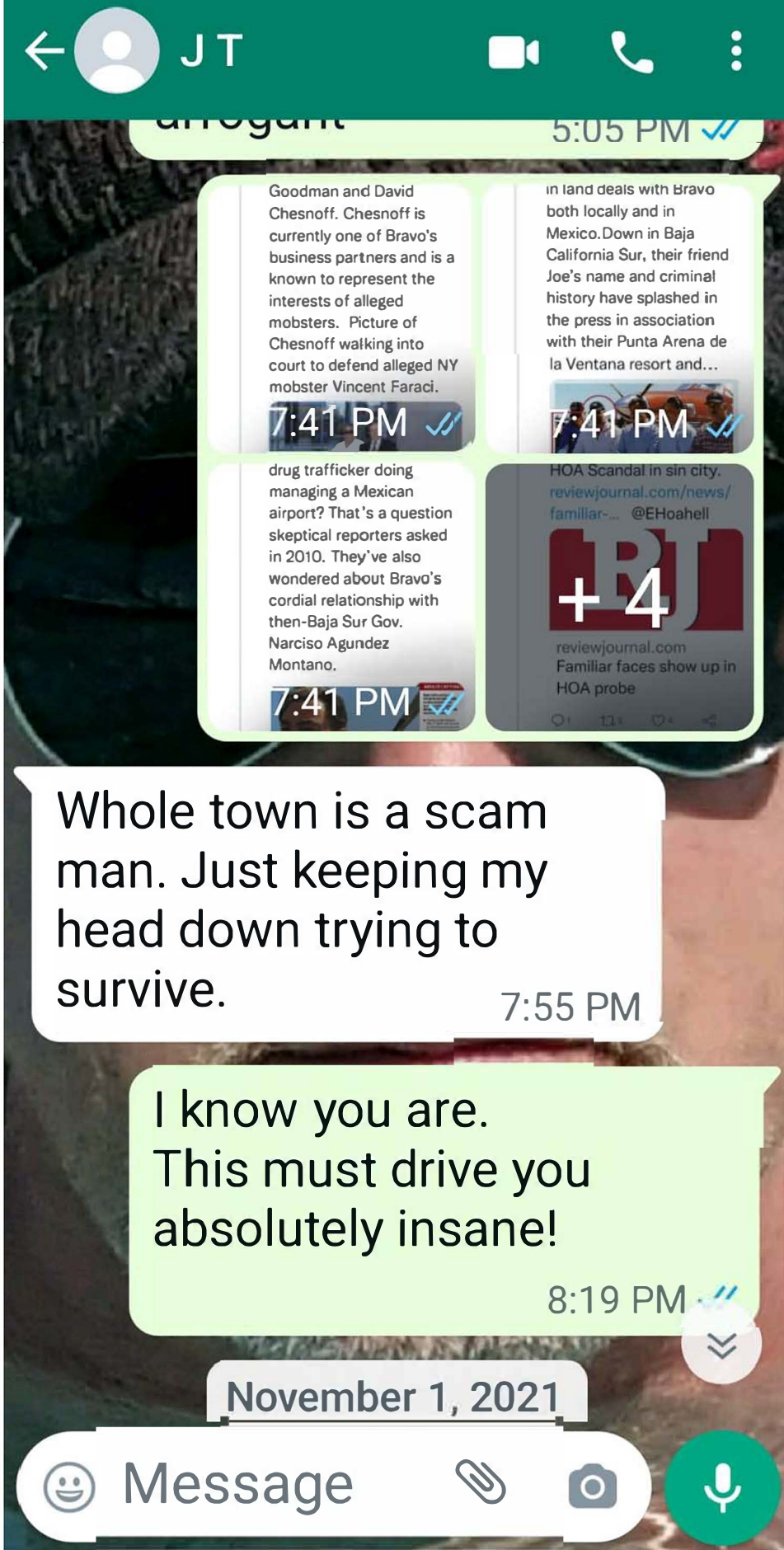
Who is Joe Bravo? He is a convicted drug trafficker who was sentenced to 87 months in 1993 for his role in a cocaine importing ring with ties to the Buffalo mob. The Niagara Falls-to-Las Vegas distribution network distributed 400 kilos.

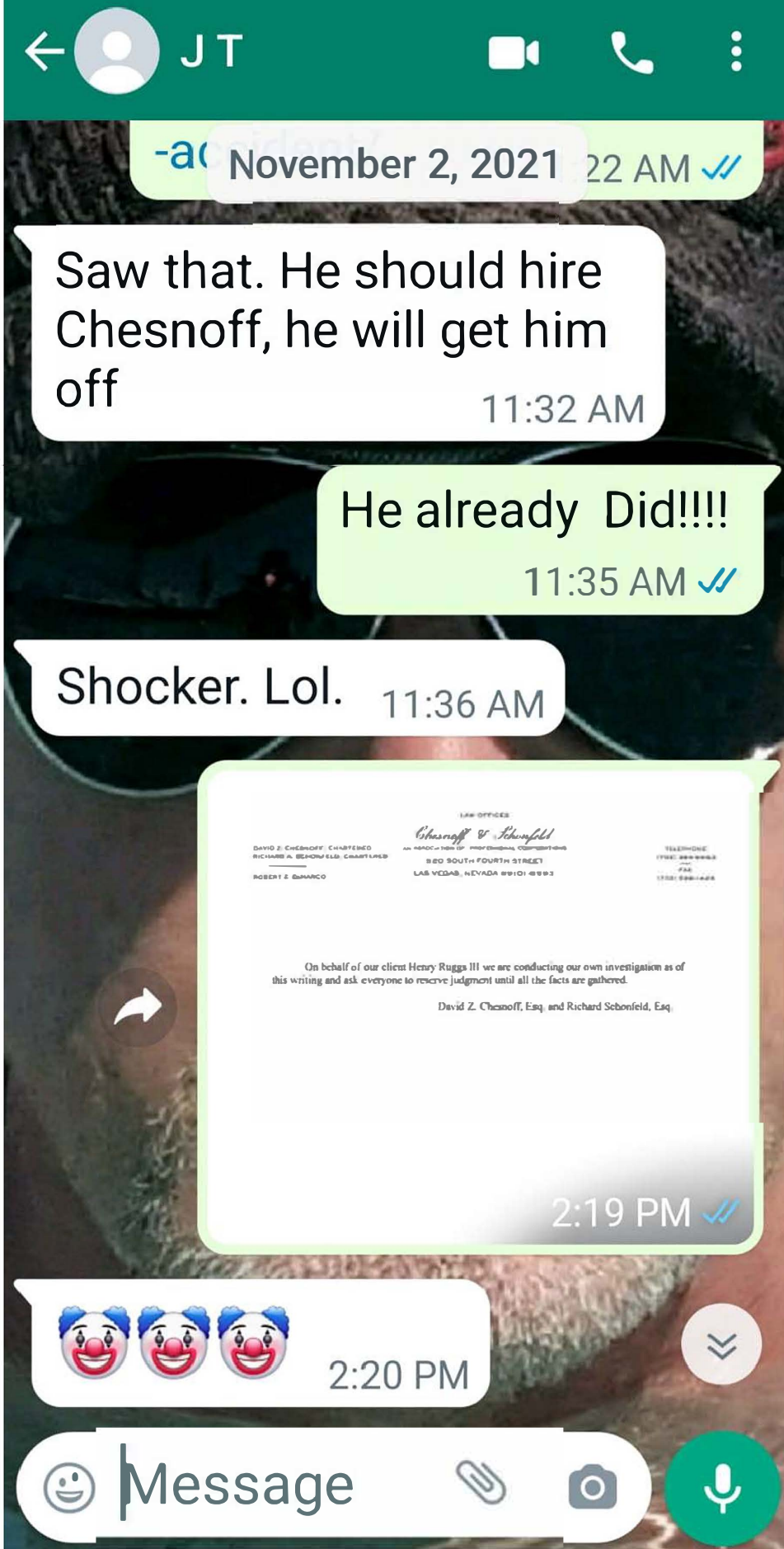
Bravo Tickets
Premier access and VIP servic...
www.bravotickets.com
<https://www.bravotickets.com/>

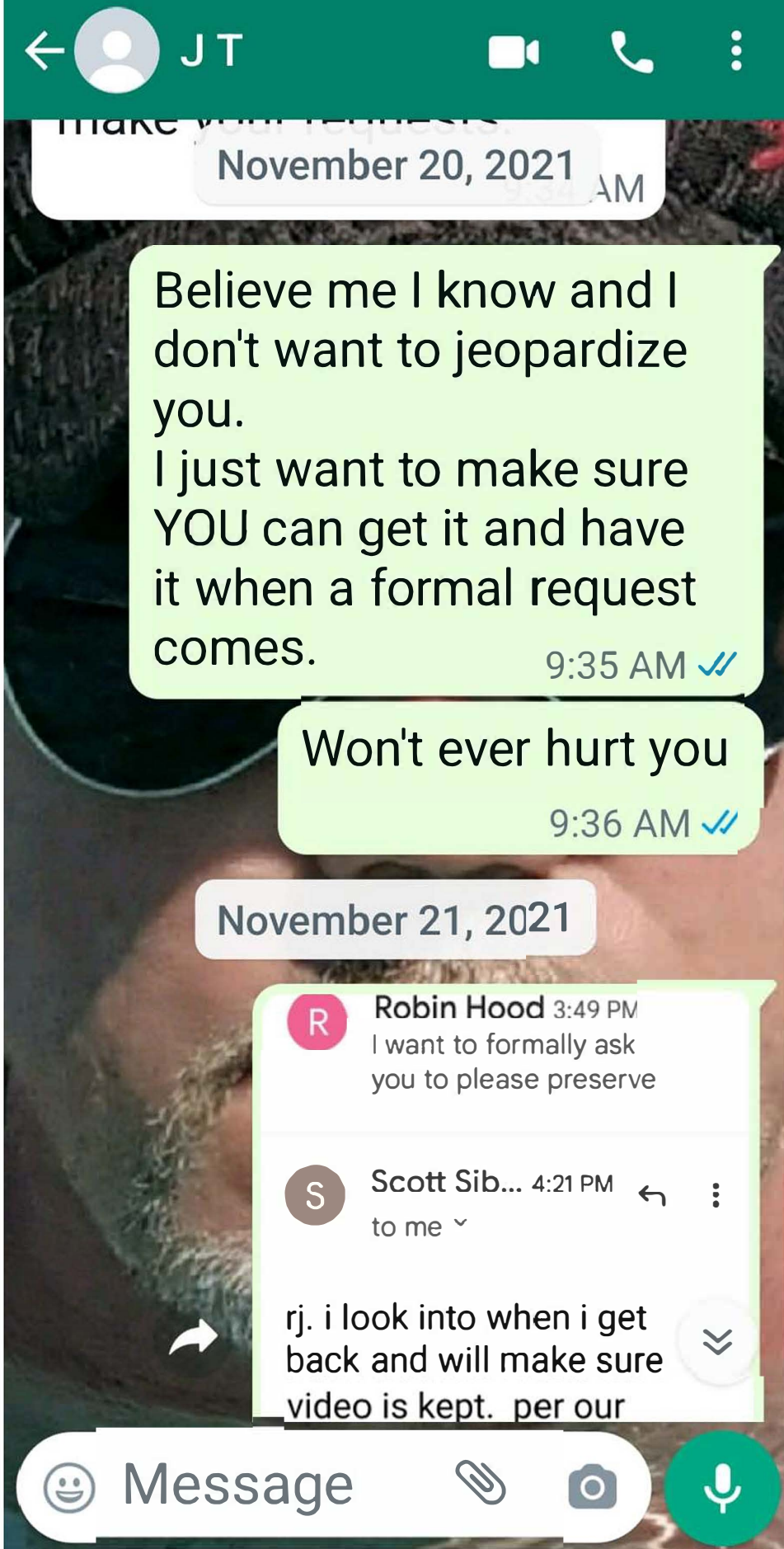


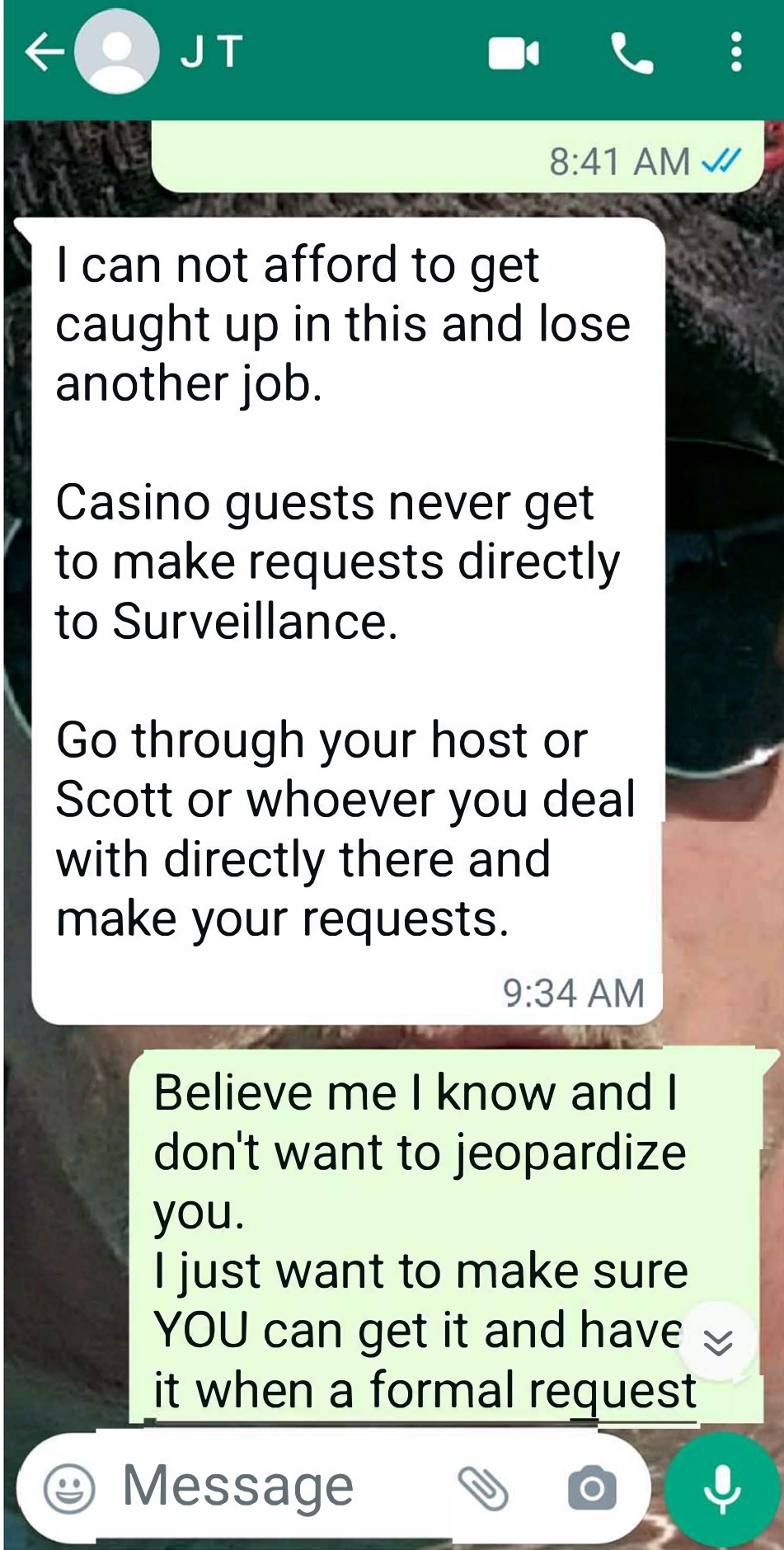












I can not afford to get caught up in this and lose another job.

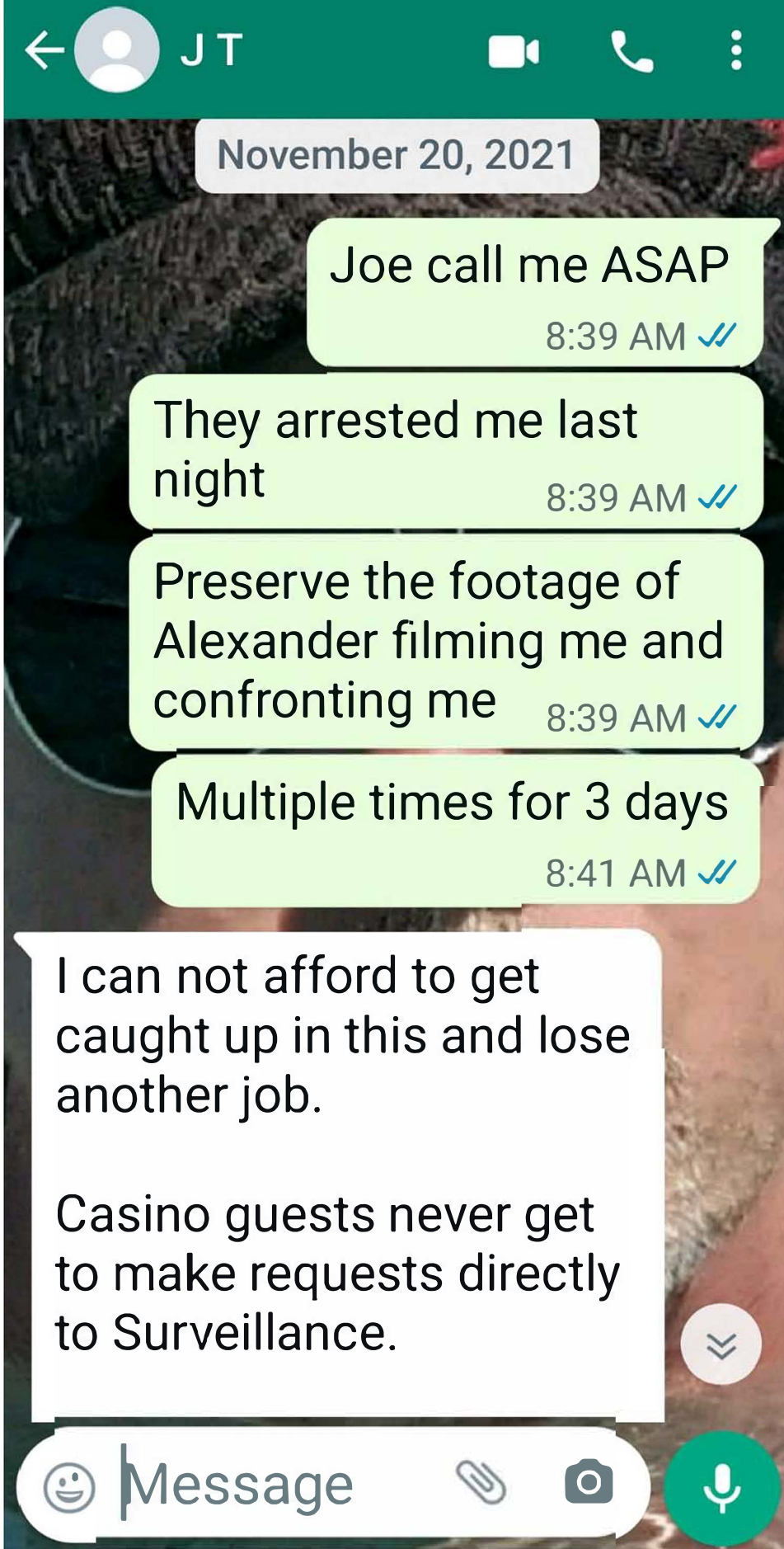
Casino guests never get to make requests directly to Surveillance.

Go through your host or Scott or whoever you deal with directly there and make your requests.

9:34 AM

Believe me I know and I don't want to jeopardize you.

I just want to make sure YOU can get it and have it when a formal request



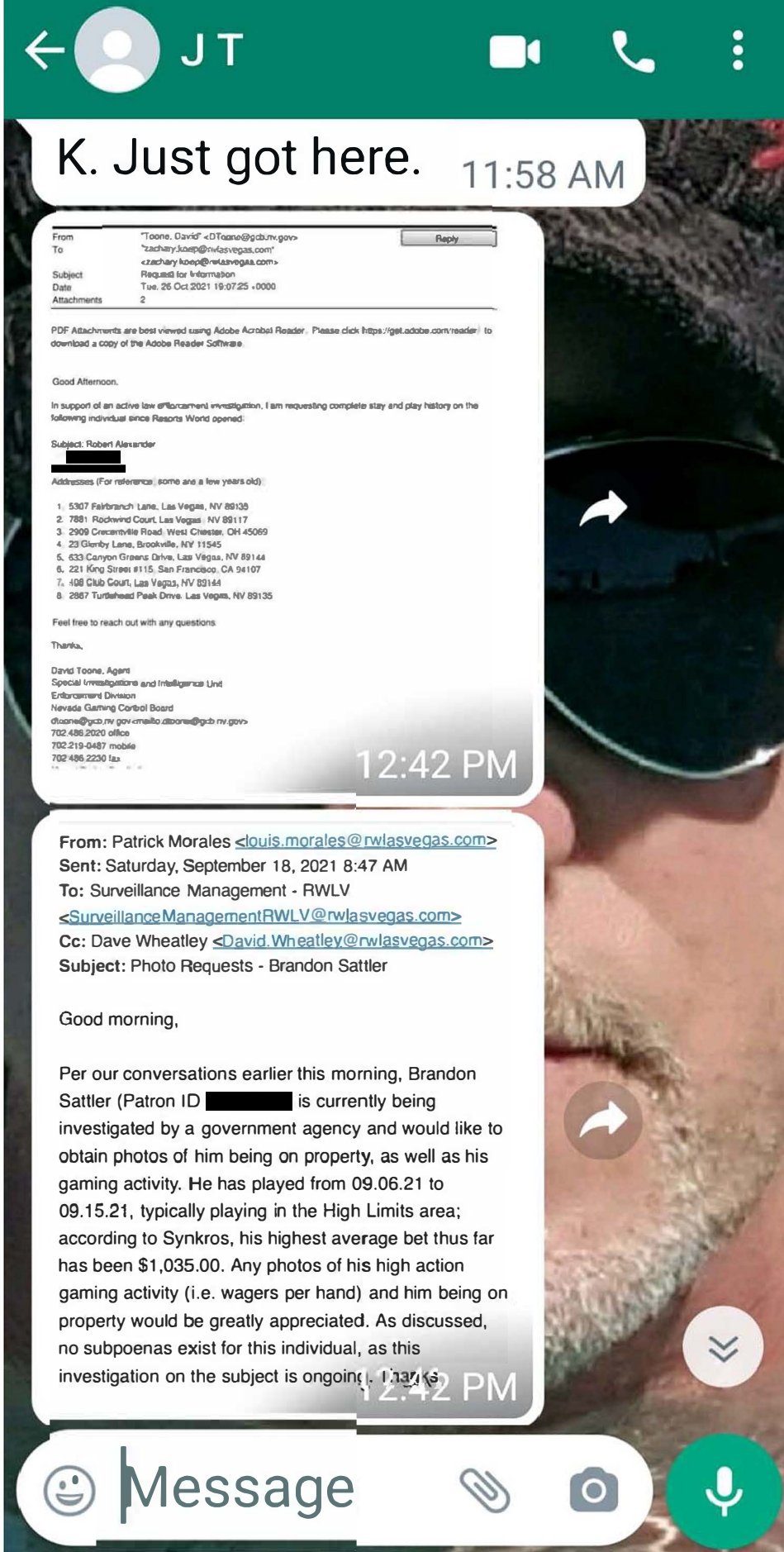


EXHIBIT 3

Internal RWLV email

From: Patrick Morales <louis.morales@rwlasvegas.com>
Sent: Saturday, September 18, 2021 8:47 AM
To: Surveillance Management - RWLV
<SurveillanceManagementRWLV@rwlasvegas.com>
Cc: Dave Wheatley <David.Wheatley@rwlasvegas.com>
Subject: Photo Requests - Brandon Sattler

Good morning,

Per our conversations earlier this morning, Brandon Sattler (Patron ID [REDACTED]) is currently being investigated by a government agency and would like to obtain photos of him being on property, as well as his gaming activity. He has played from 09.06.21 to 09.15.21, typically playing in the High Limits area; according to Synkros, his highest average bet thus far has been \$1,035.00. Any photos of his high action gaming activity (i.e. wagers per hand) and him being on property would be greatly appreciated. As discussed, no subpoenas exist for this individual, as this investigation on the subject is ongoing. Thanks,

EXHIBIT 4

Email from Cipriani to Lim

From: **Robin Hood** <robinhoodvegas@gmail.com>
Date: Mon, Dec 6, 2021, 8:33 AM
Subject: SCOTT SIBELLA PRESIDENT OF RESORTS WORLD LAS VEGAS
To: <Kt.Lim@genting.com>, <hui.lim@rwlasvegas.com>
Cc: <kevin.jones@rwnewyork.com>

Mr. Lim,

Hope you're well.

My name is RJ Cipriani. I've been coming to your property at Resorts World Las Vegas on a regular basis for over four months.

I connected and brought my friend and business associate, Harvey Mason Jr, CEO of the Recording Academy and his two Co-Presidents, to meet with Scott Sibella and Kevin Jones on November 15th, to discuss various business opportunities at Resorts World Las Vegas, including a GRAMMYs Museum.

This meeting took many months to arrange. Looking back I feel I have made a lapse in judgment for even letting that meeting take place, based on disturbing and troubling information I have witnessed as a guest of the new resort. I also feel I've put the Recording Academy in a precarious situation.

As the Chairman of Genting Corporation, you should be made aware of what's been going at the property since it opened.

I have personally witnessed criminals gambling at Resorts World Las Vegas that are not welcome to gamble anywhere else in the United States. I have seen a friend of Scott Sibella's, Alan Richardson, operate and control the private poker rooms in Crockfords that appears were built for this purpose. This same friend is given access by Scott to other property business decisions, as he and Alan have spoken about the search for a new VP of hotel operations.

I have spoken directly with other individuals who have told me they are partners with Scott in restaurants at the property. It's common knowledge by many guests and employees at the property that other friends of Scott's are operating 3rd party services at the resort. These services range from concierge to outsourcing the purchasing of show tickets by the concierge. I'm sure if you looked at all of your 3rd party deals you'd find more that are connected to Scott and his friends. Many of the 3rd party operators, owners or partners, are criminals or well connected lawyers and businessman in Las Vegas. None would list their primary livelihood or career experience in the service area they are now contracted to provide to Resorts World Las Vegas.

These issues should be of concern to you, to Genting's investors and to gaming boards in Las Vegas, New York and Singapore.

I believe you're unaware of these issues and I'd like to meet to personally discuss. I want this email to prove you've been made aware of these issues and extend an opportunity to meet with me before the issues become a problem for your company in New York or Singapore where Scott is not insulated and protected.

No one seems to be protecting your Las Vegas investment or your legacy!

Call me anytime.

RJ Cipriani

[310 770-0334](tel:3107700334)

EDWIN TING

<https://www.pokernews.com/news/2014/01/edwin-ting-sentenced-17319.htm>

ROBERT ALEXANDER

<https://nypost.com/2020/01/16/grand-theft-auto-kingpin-pleads-guilty-to-fraud-charges/>

BRANDEN SATTLER

https://www.pacermonitor.com/public/case/28664589/RUSSELL_et_al_v_SATTLER

UNITED STATES BUREAU OF PRISONS

Name: JOSEPH ANGELO BRAVO

Register Number: [REDACTED]

Race: White Sex: Male

Released On: 07/23/1999

EXHIBIT 5

Nevada Gaming Control Board Report, Witness



Nevada Gaming Control Board (Las Vegas)

Report for Incident 21LV10497

Nature: FRAUD ACTS

Address: 3000 S LAS VEGAS BLVD;
RESORTS WORLD
LAS VEGAS NV 89109

Location: HLR

Offense Codes: 39A

Received By: Garcia, I

How Received: T

Agency: LV

Responding Officers: Dickenson, A

Responsible Officer: Dickenson, A

Disposition: ACT 11/22/21

When Reported: 13:44:24 11/22/21

Occurred Between: 13:43:56 11/22/21 and **:**:** **/**/**

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported:

Observed:

Additional Offense: 39A BETTING/WAGERING

Circumstances

Responding Officers:

Unit :

Dickenson, A

C609

Responsible Officer: Dickenson, A

Agency: LV

Received By: Garcia, I

Last Radio Log: 14:50:04 11/22/21 CMPLT

How Received: T Telephone

Clearance: RTF Report to Follow

When Reported: 13:44:24 11/22/21

Disposition: ACT Date: 11/22/21

Judicial Status:

Occurred between: 13:43:56 11/22/21

Misc Entry:

and: **:**:** **/**/**

Modus Operandi:

Description :

Method :

Involvements

Date	Type	Description	Relationship
------	------	-------------	--------------

*Report for Incident 21LV10497**Page 2 of 6*

12/13/21	Name	KOEP, ZACHARY PATRICK	Witness
12/12/21	Name	LEYVA, GABRIEL	Witness
12/12/21	Name	JAMES, KAILIE YVONNE	Witness
12/12/21	Name	THORBJORNSEN, ERIN MARIE	Witness
12/08/21	Name	CIPRIANI, ROBERT	Suspect
12/08/21	Name	RESORTS WORLD LAS VEGAS,	Licensee
12/13/21	Property	Thumb Drive 0	Evidence
12/13/21	Evidence	USB thumb drive w/ surveillanc	Evidence Incident

12/16/21

Report for Incident 21LV10497

Page 3 of 6

Property**Property Number:** 34497**Item:** Thumb Drive**Owner Applied Nmbr:****Brand:****Year:** 0**Meas:****Total Value:** \$0.00**Owner:****Agency:** LV Las Vegas Enforcement**Accum Amt Recov:** \$0.00**UCR:** RAV Recordings, Audio or Visual**Local Status:****Crime Lab Number:****Date Released:** **/**/****Released By:****Released To:****Reason:****Comments:****Model:****Quantity:** 1**Serial Nmbr:****Color:****Tag Number:****Officer:** Dickenson, A**UCR Status:****Storage Location:****Status Date:** **/**/****Date Recov/Revd:** **/**/****Amt Recovered:** \$0.00**Custody:** **.*.* **/**/**

Report for Incident 21LV10497

Page 4 of 6

Narrative

REPORTED BY AGENT ALEXANDRA DICKENSON

INTRODUCTION

On November 22, 2021, Resorts World Director of Security Zachary Koep contacted the Nevada Gaming Control Board (NGCB) regarding Patron Robert Cipriani past-posting wagers while playing blackjack.

FRAUDULENT ACTS

Nevada Revised Statute 465.070 (5) states it is unlawful for any person to place or increase a bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including past-posting and pressing bets.

BLACKJACK

Blackjack is a statutorily approved gambling game wherein players make an initial wager in return for two cards. Players may then decide to Hit (Receive a card), stand (receive no cards), double down (double the original wager in return for only one card), or split (create two hands to be played independently in return for another wager equal to the original wager). The double down option is usually employed when the player's hand is equal to ten or eleven, and is made by placing a wager of equal value next to the original wager. A player wins when their hand total is higher than the dealer's hand without exceeding twenty-one. Blackjack is obtained when the player's original hand consists of a ten value card and an ace and automatically wins unless the dealer also has a blackjack which causes a tie or push.

Resorts World House Rules (13F.004: Standard Blackjack Wagers) state no wager shall be increased, decreased, or withdrawn after the first card of the round has been pulled from the shoe. Wagers may be increased, decreased, or withdrawn after a decision has been made on that hand.

SURVEILLANCE

On November 23, 2021, I responded to Resorts World to pick up the surveillance footage and documentation associated with the incident. Upon arrival, I reviewed the surveillance footage which showed the following:

On November 19, 2021, at approximately 1003 hours, Cipriani approached Blackjack Table BP805 which was manned by Dealer Gabriel Leyva. Cipriani ~~had two large stacks of yellow \$1,000 chips (approximately 40 in total) and a medium stack of approximately 11 gray chips already on the table. Cipriani played Blackjack from 1003 to 1204 hours, when the surveillance footage ended. Cipriani's gameplay behavior was out of the ordinary on almost every hand.~~

For example, Cipriani continually kept a stack of chips in both hands and hovered the stacks next to the original wager of the spot Leyva was currently dealing a new card to. Cipriani would not place the chips on the table, but would occasionally double down after seeing the newest card. Cipriani played dozens of hands without incident except for the past posted wager discussed below:

10:16:00 hours - Cipriani placed a \$500 wager on Spot 4 and a \$625 wager on Spot 5. Leyva dealt Spot 4 an Ace of Diamonds and then proceeded to deal Spot 5 a 2 of Hearts. Cipriani hovered his right hand, holding a single yellow chip, behind his original \$500 wager at Spot

#4. As Leyva dealt the second card, a 10 of Clubs for a blackjack, Cipriani switched the \$500 chip for the yellow \$1,000 chip - fraudulently increasing his wager to a total of \$1,000.

Leyva proceeded to deal the second card (6 of Hearts) to Spot 5 for a hand total of eight. Leyva halted dealing. Leyva and Cipriani appeared to converse. Cipriani placed the \$500 chip from his Spot 4 wager behind his original \$625 wager on Spot 5, picked up the stack of \$625, and placed it on top of the \$500 chip increasing the wager for his second hand to a total of \$1,125 after acquiring knowledge which was the subject of the bet.

Leyva looked towards the Floor Manager Kailee James. James approached the table and appeared to converse with Cipriani regarding the wager, indicated by Cipriani pointing at his wagers. Cipriani then removed the \$500 chip from Spot 5 and replaced the \$1,000 yellow chip at Spot 4, returning to his original wagers. Leyva returned to dealing the remainder of the hand. Subsequently, Leyva paid Cipriani for the winning hand of 21 on Spot 4. Cipriani's hand in Spot 5 lost to Leyva's hand, with a hand total of 18 versus dealer 17.

I received surveillance reports that detailed the above. The reports are included with the case file. I seized a thumb drive containing the digital surveillance coverage and booked it in the GCB Evidence Vault.

INVESTIGATION

Dealer Gabriel Leyva provided the following paraphrased summary via written voluntary statement and phone interview. Leyva stated he had been dealing to Cipriani on a high-limit table game on November 19, 2021. Leyva had dealt to Cipriani approximately four separate times before and advised Cipriani was an experienced Blackjack player. Leyva noted Cipriani continually changed his minimum wager. Leyva described Cipriani as sporadic with his movements and described his actions as "OCD." For example, Cipriani would hover his chips next to his original wager each hand. Additionally, Cipriani would flip the "cut card" approximately 43 times when a new shoe was being shuffled. Leyva stated he believed this movements were meant to distract and desensitize him while he was dealing.

On this particular incident, Cipriani asked for the minimum wager to be \$1,000. Cipriani then proceeded to place a \$500 wager for two hands on Spot 4 and 5. Leyva stated Cipriani received a Blackjack and midway through his deal Cipriani switched his bet on Spot 4 from \$500 to \$1,000. Leyva stopped the game and called over James. James witnessed what occurred and told Cipriani to switch back to his original wagers. Cipriani argued with James about the table minimum, stating it needed to be \$1,000. Leyva paid Cipriani for his original wager of \$500. Leyva continued to deal to Cipriani until 12:00 p.m. when Leyva left the table. Leyva stated he believed Cipriani's past post to be intentional. Leyva's Voluntary Statement is included in the case file.

Floor Supervisor Kailee James provided a written voluntary statement which stated she was supervising play in the Blackjack section of Crockford High Limit. Cipriani was playing on Blackjack Table 805. James turned to look at the play on Blackjack Table 807 when she heard Leyva gasp. According to James, Cipriani stated he was supposed to play a \$1,000 minimum. James noticed the two \$500 wagers were now \$1,000 wagers and one of the hands was a Blackjack. James told Cipriani to return his original wagers and he would be paid accordingly. James and Cipriani argued back-and-forth about table limits until Cipriani returned his original wagers. The game proceeded. James notified Pit Manager Crockford of the situation. James' Voluntary Statement is included in the case file.

Cipriani's Resorts World player history showed he played Blackjack 275 times with 28,975 minutes of live gameplay which is equivalent to over 482 hours or 20 days, confirming Cipriani as an experienced Blackjack player. Cipriani's Play History is included in the case file.

Report for Incident 21LV10497

Page 6 of 6

On the same date as the aforementioned Fraudulent Act, Cipriani was arrested by the Las Vegas Metropolitan Police Department from Resorts World for Larceny From a Person (F) after he stole a cell phone from another patron. I compared Cipriani's booking photograph with the digital surveillance coverage verifying Cipriani's identity.

CONCLUSION

Based on the findings of the investigation, probable cause exists to find Robert Cipriani in violation of NRS 465.070 (5) Fraudulent Acts.

In conclusion, surveillance footage provided coverage on November 19, 2021 at approximately 1016 hours, of Cipriani past-posting. Cipriani was observed exchanging one \$500 chip for one \$1,000 chip, resulting in an addition of \$500 to his wager on Spot 4. Additionally, Cipriani added one \$500 chip to his \$625 wager, resulting in an addition of \$500 to his wager on Spot 5. Furthermore, both of these actions were completed after the outcome or some other event of the game was known to Cipriani. Cipriani had a winning hand comprised of an Ace and a 10 for a Blackjack, and ultimately lost the wager associated with the second hand.

Floor Supervisor Kailee James had Cipriani reverse his past posted wagers, resulting in Cipriani getting paid for his original wagers. Though Cipriani did not fraudulently obtain any payment, he intentionally past-posted at the moment he gained knowledge of his hand outcome. If successful, Cipriani would have fraudulently obtained an extra \$1,500 which he was not entitled to receive.

An arrest affidavit was submitted for Robert Cipriani.



STATE OF NEVADA
GAMING CONTROL BOARD

VOLUNTARY STATEMENT

OFFICIAL USE ONLY	
CASE #	
CASE TYPE	
DATE OCCURRED	TIME OCCURRED
ID #	

NAME (LAST / FIRST / MIDDLE) Leyva Guadalupe						DATE OF BIRTH [REDACTED]		SOCIAL SECURITY # [REDACTED]	
RACE M	SEX M	HEIGHT 5'9	WEIGHT 170	HAIR Brown	EYES Brown	HOME # [REDACTED]			
RESIDENCE ADDRESS (NUMBER & STREET) [REDACTED]				CITY [REDACTED]		STATE [REDACTED]		ZIP CODE [REDACTED]	
EMPLOYER ADDRESS [REDACTED]				CITY Las Vegas		STATE NV		ZIP CODE [REDACTED]	
EMPLOYER RESULTS WORKERS LAS VEGAS				OCCUPATION Table Games Dealer		WORK # [REDACTED]		WORK SCHOL. [REDACTED]	
								DAYS OFF Sun/Mon	

I DO HEREBY MAKE THE FOLLOWING VOLUNTARY STATEMENT ON November 23 2021 AT 7:00 AM/PM
MONTH DAY YEAR

I was dealing the Robert in high-limit when he wanted continuously change his bet minimum on his table. He asked for the minimum to be at \$1000. He then placed a bet at \$500 for two of his hands, (Spot 4 & 5) with his first hand receiving a blackjack. Before the hand was finished, mixing with me dealing out cards he switches his bet (Spot 4) from \$500 to \$1000. After this occurs I stop the game immediately & call my floor over. The floor saw what occurred & told him to put the correct wager back. He tried to argue his bet needed to be the minimum of \$1000. I paid his blackjack for the first amount of \$500. After this occurred we continued dealing to him until I left at 12:00 p.m.

I HAVE REVIEWED THIS STATEMENT OF _____ PAGE(S) AND BELIEVE IT TO BE TRUE AND ACCURATE TO THE BEST OF MY RECOLLECTION.

[Signature]
[REDACTED]
[REDACTED]

WITNESS

[Signature]
[REDACTED]
11-23-21 DATE

ENF-12 (Rev. 01-07)

THIS COMPLETED FORM IS THE PROPERTY OF THE STATE OF NEVADA GAMING CONTROL BOARD PURSUANT TO NRS 463.120, AND MAY NOT BE DISTRIBUTED WITHOUT THE PERMISSION OF THE NEVADA GAMING CONTROL BOARD, OR ITS AUTHORIZED AGENTS, OR BY ORDER OF A COURT OF COMPETENT JURISDICTION



STATE OF NEVADA
GAMING CONTROL BOARD

VOLUNTARY STATEMENT


OFFICIAL USE ONLY	
CASE #	
CASE TYPE	
DATE OCCURRED	TIME OCCURRED
ID #	

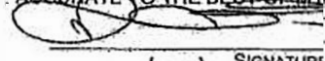
NAME (LAST / FIRST / MIDDLE) JAMES NAILEE						DATE OF BIRTH	SOCIAL SECURITY #
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	HOME #	
RESIDENCE ADDRESS (NUMBER & STREET)			CITY			STATE	ZIP CODE
EMPLOYER ADDRESS			CITY			STATE	ZIP CODE
EMPLOYER			OCCUPATION	WORK #	WORK SCHOL.	DAYS OFF	

I DO HEREBY MAKE THE FOLLOWING VOLUNTARY STATEMENT ON NOVEMBER 24 2021 AT 345 AM PM
MONTH DAY YEAR

While supervising play in the Blackjack section of Crooked High Limit, RJ was playing on table 805. I turned my attention away for a moment to check on the play at 807. As I turned back to 805 I heard the dealer gasp. RJ then said, "I'm supposed to play \$1000 minimum!" I noticed that the two \$500 bets were now \$1000 bets and one of the hands was a Black jack. I requested that RJ return his original bets and he would only be paid a Black jack payout for the original bet. After some back and forth about table limits RJ replaced his bet and the game proceeded. I called the Crooked pit manager to make him aware of the situation.

I HAVE REVIEWED THIS STATEMENT OF _____ PAGE(S) AND BELIEVE IT TO BE TRUE AND ACCURATE TO THE BEST OF MY RECOLLECTION.


WITNESS
PAGE OF PAGES


SIGNATURE
11/24/21

ENF-12 (REV. 01-07)

THIS COMPLETED FORM IS THE PROPERTY OF THE STATE OF NEVADA GAMING CONTROL BOARD PURSUANT TO NRS 463.120, AND MAY NOT BE DISTRIBUTED WITHOUT THE PERMISSION OF THE NEVADA GAMING CONTROL BOARD, OR ITS AUTHORIZED AGENTS, OR BY ORDER OF A COURT OF COMPETENT JURISDICTION

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

ROBERT CIPRIANI #7111343,

Defendant.

21CR057146

11

DA CASE NO: 202158657C

CRIMINAL COMPLAINT

The Defendant above named having committed the crime of COMMISSION OF A FRAUDULENT ACT IN A GAMING ESTABLISHMENT (Category C Felony - NRS 465.070, 465.088 - NOC 62102), in the manner following, to wit: That the said Defendant, on or about the 19th day of November, 2021, at and within the County of Clark, State of Nevada, did willfully, unlawfully, and feloniously place or increase a bet, after acquiring knowledge of the outcome of the game, or other event which is the subject of the bet, to wit: Blackjack, located on the premises of RESORTS WORLD LAS VEGAS, 3000 South Las Vegas Boulevard, Las Vegas, Clark County, Nevada, in the following manner, to wit: by increasing his bet by \$500.00, after the winning hand had been determined.

All of which is contrary to the form, force and effect of Statutes in such cases made and provided and against the peace and dignity of the State of Nevada. Said Complainant makes this declaration subject to the penalty of perjury.

12/21/21

/vw
LVMPD EV# 21LV10497
(TK11)

EXHIBIT 6

Email from Cipriani to Clark County Sheriff

From: **Robin Hood** <robinhoodvegas@gmail.com>
Date: Tue, Feb 22, 2022, 5:36 PM
Subject: Fwd: Nevada Gaming Control Board Agent/Witnesses inconsistent reports
To: Sheriff Joe Lombardo <J3602L@lvmpd.com>

----- Forwarded message -----

From: **Robin Hood** <robinhoodvegas@gmail.com>
Date: Tue, Feb 22, 2022, 5:36 PM
Subject: Nevada Gaming Control Board Agent/Witnesses inconsistent reports
To: Sheriff Joey Herring Text <J5241H@lvmpd.com>

Joey,

I hope you and your family are well.

Resorts World and their dirty execs and their dirty associates are 100% trying to railroad me and you and Sheriff Joe Lombardo have to step in and stop this.

If you're the man I believe you are, you can't let this vindictive behavior go on in your beautiful city. They're directing the DA's office to put me in jail at all costs just to silence me and violate my First Amendment rights.

This is an abomination of the Justice system.

You have already told me multiple times by phone, that based on the evidence you reviewed on my bogus Larceny of Person charge, (including the Surveillance footage) your position was, that "you" would not have arrested me or had me charged for that phone incident.

Now this bogus gambling fraud case.

It's absurd how they were able to send an arrest warrant for me based on complete nonsense from three inconsistent reports.

What is going on in the

Las Vegas justice system?

Steven Wolfson and the DA's office were supposed to drop both charges, as they should.

Now, they reneged on that and want me to plea to lesser charges.

I will NEVER do that.

These charges are retaliation from Resorts World, Sibella, Chesnoff and Gardner.

Please help right the wrongs that have been done to me.

It's your responsibility and your duty as a Lieutenant of the Criminal Intelligence Dept of LVMPD to get involved and correct this miscarriage of justice.

First, according to the dealer's and floorperson's reports I bet 2 hands, \$500 per hand.

According to GCB report I bet 2 spots \$500 on spot 4 and \$625 on spot 5.

That's not what the dealer and the floorperson said in their reports.

Who's telling the truth?

Why did both the dealer and floorperson allow me to bet \$500 per hand if the minimum on the table was a \$1000 per hand.

They were both watching my game, as stated in their reports.

They both should have stopped action immediately and told me to bet the minimum.

The dealer did not do that until after the cards were out when the dealer reminded me to bet the minimum of \$1000.

That's why and when I increased my bets to fulfill the minimum.

I changed the bet to achieve the minimum betting limit for the table of \$1000.
First there was a "gasps" heard on the floorperson's report, the dealer's report said, he called the floorperson over.
Which was it?
Floorperson said she was watching my game and she took her attention away for a moment to look at (table) 807. My table was 805.

According to GCB report,
I had a Blackjack (Ace and a 10) on spot 4 and an 18 on spot 5.
"Subsequently, Leyva paid Cipriani for the winning hand of 21 on Spot 4.
Cipriani's hand in Spot 5 lost to Leyva's hand, with a hand total of 18 versus dealer 17."

According to GCB, I got paid for winning on spot 4 by having a Blackjack.
and then on spot 5 by having an 18 and the dealer had 17.
According to GCB report
"Cipriani had a winning hand comprised of an Ace and a 10 for a Blackjack, and ultimately lost the wager associated with the second hand."
Wait what ???
Yes!
According to GCB report, I lost the hand with an 18 against dealer's 17.
I won and didn't get paid.
They took my money on that hand instead of paying me?
The GCB agent said that twice in their report so they can't say it's a typo.
GCB issued a warrant for my arrest based on these misleading and inaccurate reports.
Really?
How is this possible?
That GCB agent should lose their job.
Oh that's right, it's an appointed position.
They don't ever lose their jobs.

Another statement of fact from GCB that was false under--Conclusion:
"If successful, Cipriani would have fraudulently obtained an extra \$1,500 which he was not entitled to receive.
An arrest affidavit was submitted for Robert Cipriani."

If I was able to bet the minimum bet of \$1000 for the table:
My one hand, Spot 5 which, according to GCB I lost, would have been \$1125, the other hand Spot 4, would have been \$1000.
So in reality, based on betting the minimum of the table of \$1000, I would have lost \$1125 on Spot 5 but won \$1500 for Blackjack on Spot 4.
Based on that, I would have only won \$375, not \$1500 as the GCB report claims.
But I really should have won Spot 5.

What really should have happened is:
I should have won \$625 on Spot 5 with an 18 versus dealers 17 instead of losing \$625 and Spot 4, I won \$750 due to a Blackjack.
My total win should have been \$1375 (\$625 Spot 5 plus \$750 Spot 4).
Instead, based on GCB report I won only \$125.

But why didn't the dealer or floorperson catch the mistake?
That's their job!
Why didn't they call GCB immediately and have me arrested, if I cheated?
Why did the casino deal to me for hours more, that same day?

According to GCB report, I played Blackjack, at Resorts World, 275 separate times at the table, for a total of 482 hours!

Can you imagine how many hands of Blackjack I played in that time frame?

Why did Resorts World wait 4 days to file criminal those reports with GCB that I cheated???

Did Resorts World casino ops file end of day or end of shift reports that I cheated?

Where are those same reports and why are they not in my discovery from Resorts World?

Why won't Resorts World, Gerald Gardner give my attorneys the surveillance footage of the hand of Blackjack in question that allowed GCB to issue a warrant for my arrest on a bullshit gambling fraud???

I'll tell you why, they wanted me out of Resorts World because I knew too much about all of the dirty activity going on at Resorts World with Scott Sibella and David Chesnoff along with the criminals involved in gambling and/or in business at Resorts World, including Robert Alexander, Joseph Angelo Bravo, Edwin Ting, David Stroj, Brandon Sattler and others!

Please review all of this information call me to discuss.

I need your guidance.

Thanks so much

RJ

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

R. J. Cipriani

(b) County of Residence of First Listed Plaintiff Los Angeles

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

David J. Merrill, P.C., 10161 Park Run Drive, Suite 150,
Las Vegas, NV 89145**DEFENDANTS**

Resorts World Las Vegas, LLC; Resorts World Las Vegas

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. § 1332

Brief description of cause:

Defendants inflicted emotional distress upon plaintiff by failing to protect him from harassment and seeking baseless criminal charges against him

VII. REQUESTED IN COMPLAINT:☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.DEMAND \$
75000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

10/09/2023

/s/ David J. Merrill

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.