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8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 WYNN LAS VEGAS, LLC
11 Plaintiff,

Case No.: A-22-855182-C

Dept. No.: III

12 vs.

**[PROPOSED] ORDER GRANTING
TEMPORARY RESTRAINING ORDER
AND MOTION FOR PRELIMINARY
INJUNCTION**

13 FONTAINEBLEAU LAS VEGAS II, LLC;
14 FONTAINEBLEAU DEVELOPMENT, LLC;
15 BOWTIE HOSPITALITY LV LLC d/b/a
Fontainebleau Las Vegas; DAVID SNYDER;
16 and ROE DEFENDANTS 1-10

17 Defendants.

18 Plaintiff Wynn Las Vegas, LLC (“Plaintiff” or “WLV”), by and through its counsel, the
19 law firm of Snell & Wilmer L.L.P., filed their Complaint against Defendants Fontainebleau Las
20 Vegas II, LLC, Fontainebleau Development, LLC, Bowtie Hospitality LV LLC d/b/a
21 Fontainebleau Las Vegas (collectively, “Fontainebleau Defendants”) and David Snyder
22 (“Snyder”) on July 8, 2022 and submitted their *Ex Parte* Application for Temporary Restraining
23 Order and Motion for Preliminary Injunction (the “Application”) against Defendants.
24 (Fontainebleau Defendants and Snyder are collectively referred to as “Defendants.”)

25 Having reviewed and considered the Application, the related factual Declaration, and
26 good cause appearing therefore, **THE COURT HEREBY FINDS THAT:**

- 27 1. Plaintiff met its burden under NRCP 65(b) for issuance of an *Ex Parte* Temporary
28

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LLP.
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1 Restraining Order against Defendants, pending a hearing on the preliminary injunction, as the
2 facts set forth in the Application for TRO support a finding that:

- 3 a. Plaintiff will suffer immediate and irreparable harm, should the temporary
4 restraining order not issue
5 b. The *Ex Parte* Temporary Restraining Order is necessary to preserve the
6 status quo and prevent said irreparable harm; and

7 There is insufficient time for Defendants to be heard regarding the Temporary Restraining
8 Order.

9 **THEREFORE, IT IS HEREBY ORDERED THAT:**

10 A. Plaintiff's Application for TRO is **GRANTED**;

11 B. **The Court further orders that Defendant David Snyder is prohibited and**
12 **enjoined from:**

- 13 i. **providing services to a business competing with Wynn Las Vegas that are**
14 **the same as or similar in purpose or function to those he provided to**
15 **Plaintiff or any of its affiliates during the last two (2) years of his**
16 **employment with Plaintiff or that are likely to result in the use or**
17 **disclosure of Confidential Information, in Clark County Nevada including**
18 **any hotel, casino, restaurant, lounge, nightclub, day club or beach club**
19 **and including any Fontainebleau location;**
20 ii. **retaining, using, and/or disclosing Plaintiff's confidential information; and**
21 iii. **soliciting WLV's (or its affiliate's) employees to work in a competing**
22 **business.**

23 C. **The Court further orders that the Fontainebleau Defendants are prohibited**
24 **and enjoined from:**

- 25 i. **interfering with Plaintiff's contractual relationships, including by**
26 **soliciting employment of or hiring Defendant David Snyder or any other**
27 **employee of Plaintiff or Plaintiff's affiliates.**

28 C. The Court further orders the hearing on Plaintiff's Motion for Preliminary

1 Injunction is scheduled for the 19th of July, 2022, at the hour of 9:30
2 o'clock a.m. in Department 3 of the Eighth Judicial District Court. The
3 hearing will not be an evidentiary hearing;

4 D. The Court further orders that Plaintiffs shall serve Defendant with the Complaint
5 and the Application for Temporary Restraining Order and Motion for Preliminary
6 Injunction;

7 E. This Temporary Restraining Order shall expire at the conclusion of the preliminary
8 injunction hearing on July 19, 2022, unless otherwise ordered by the Court;

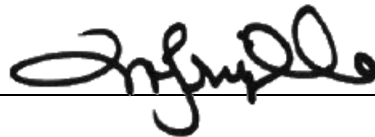
9 F. Defendant's Opposition brief shall be filed and electronically served on Plaintiffs
10 and the Court by July 18, 2022 at 12 p.m;

11 G. ~~The Plaintiffs' Reply brief shall be filed and electronically served on Defendant by~~
12 ~~_____ at _____ .m;~~ No written replies allowed.

13 H. The Court further order that Plaintiffs shall post a bond in the amount of
14 \$ 500. This security shall be deposited with the Clerk of the Court.

Dated this 12th day of July, 2022

15 IT IS SO ORDERED.

16 

17
18 D6A 6EE FDBC 7E28
19 Monica Trujillo
20 District Court Judge

21 Respectfully submitted by:

22 SNELL & WILMER L.L.P.

23 By: /s/ Erik J. Foley
24 Patrick G. Byrne, Esq.
25 Erik J. Foley, Esq.
26 3883 Howard Hughes Parkway, Suite 1100
27 Las Vegas, Nevada 89169
28 Attorneys for Plaintiff Wynn Las Vegas, LLC

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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5
6 Wynn Las Vegas, LLC,
Plaintiff(s)

CASE NO: A-22-855182-C

7 vs.

DEPT. NO. Department 3

8
9 Fountainebleau Las Vegas II,
LLC, Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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13 This automated certificate of service was generated by the Eighth Judicial District
14 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 7/12/2022

16 Jeanne Forrest

jforrest@swlaw.com

17 Docket Docket

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