

1 and through their attorneys, Leon Greenberg Professional  
2 Corporation, The Thierman Law Firm, and Kemp & Kemp, as and for  
3 a Complaint for Violation of Nevada State Statutes and Breach of  
4 Contract and Damages alleges as follows:

5

6

PARTIES AND PRELIMINARY STATEMENT

7

8

1. The plaintiffs are residents of Clark County, Nevada, and  
current or former employees of the defendants.

9

10

11

12

13

2. The defendants WYNN LAS VEGAS, LLC., WYNN RESORTS  
HOLDINGS, LLC., WYNN RESORTS, LIMITED (the "corporate  
defendants") are corporations or other entities existing and  
established pursuant to the laws of the State of Nevada with their  
principal place of business in the County of Clark, State of Nevada.

14

15

16

17

18

19

3. The defendants ANDREW PASCAL and STEVE WYNN are managers  
and/or owners and/or partners and/or members and/or directors and/or  
shareholders and/or have other positions of authority with one or  
more of the corporate defendants, and as such are "employers" of the  
plaintiffs along with such corporate defendants within the meaning  
of N.R.S. § 608.011

20

21

22

23

24

25

26

4. The defendants JOHN DOES, actual names and number  
unknown, are one or more individuals or entities that are claimed  
to be liable, as a matter of law, for the various violations of  
statute, and breach of contract, claims made by the plaintiffs  
herein, and when such persons are properly identified it is intended  
that they will be named as defendants in this case under their  
proper names.

27

28

5. The acts complained of herein took place solely, or

1 primarily, in Clark County Nevada.

2 THE PROPOSED CLASS CLAIMS AND PARTIES

3 6. There are numerous persons who are similarly situated to  
4 the named plaintiffs in respect to the named plaintiffs' claims  
5 under Nevada Law, in that such similarly situated persons, like the  
6 named plaintiffs, performed substantial work, labor and services for  
7 the defendants and did not receive the compensation required by the  
8 various Nevada Statutes alleged herein, and/or failed to receive the  
9 compensation required by their contracts of employment and as  
10 detailed hereafter such circumstances warrant the granting of class  
11 certification on such claims of the plaintiffs pursuant to N.R.C.P.  
12 Rule 23.

13 7. That the persons similarly situated to the named  
14 plaintiffs and described in paragraph 6 constitute a class of  
15 persons that are so numerous that joinder of all such persons  
16 individually is impractical, such class consisting of all casino  
17 dealers who, as more fully described herein, since September 1,  
18 2006, have been improperly required by the defendants to, against  
19 their consent, share their tips with other persons in a fashion that  
20 violates both the statutes of Nevada and their contracts of  
21 employment, upon information and belief the number of such persons  
22 being in excess of 500.

23 8. There are questions of law and fact common to the plaintiff  
24 class that predominates over any questions affecting only individual  
25 members of the plaintiff class, specifically whether the defendants  
26 have any legal obligation to the class members under Nevada Law and  
27 if so what is the extent of such obligation.

28

1           9.    The claims of the named plaintiffs are typical of the  
2 claims of the above described plaintiff class, in that the interests  
3 of the named plaintiffs are co-extensive with the interests of the  
4 other members of the plaintiff class, there is a lack of adverse  
5 interests between the named plaintiffs and the other members of the  
6 plaintiff class, and common questions of law and fact exist as to  
7 the claims of the named plaintiffs and the claims of the members of  
8 the plaintiffs class.

9           10.   The named plaintiffs will fairly and adequately protect  
10 the interests of the plaintiff class and serve as adequate  
11 representative plaintiffs on behalf of the plaintiff class and have  
12 retained experienced counsel that are qualified to represent the  
13 plaintiff class.

14           11.   A class action pursuant to N.R.C.P. Rule 23 is superior to  
15 other available methods for the fair and efficient adjudication of  
16 the plaintiff class members' claims under Nevada Law.

17                           AS AND FOR A FIRST CLAIM FOR RELIEF  
18                           ON BEHALF OF PLAINTIFFS UNDER THE STATUTES OF NEVADA

19           12.   The named plaintiffs bring this First Claim for Relief  
20 against the defendants pursuant to NRS § 608.100 for payment of  
21 their full earned compensation and all compensation owed to them  
22 under statute or contract and for any compensation that they were  
23 required to rebate, return or refund to their employer in violation  
24 of such statute, NRS § 608.160, for improper withholding or taking  
25 of their earned tips, and NRS § 613.120, for being required to pay a  
26 commission or fee to continue their employment, on behalf of  
27 themselves and the proposed plaintiff class members.

28           13.   Pursuant to NRS § 608.100 the plaintiffs were entitled to

