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6 Attorneys for Plaintiff DAN RAIDER,
an individual on his own behalf and
7 on behalf of others similarly situated

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 DAN RAIDER, an individual on his own
behalf and on behalf of others similarly
11 situated,

Case No.: A-15-712113-B

Dept. No.: XII

12 Plaintiff,

THE PARTIES' STIPULATION
THAT AN ORDER ISSUE THAT
THE CLASS DEFINITION BE AMENDED,
and
(PROPOSED) ORDER

13 v.

14 ARCHON CORPORATION, a Nevada
corporation; PAUL W. LOWDEN, an
15 individual; and SUZANNE LOWDEN, an
individual,

16 Defendants.

17 _____/

18 The Parties ("Parties"), Plaintiff DAN RAIDER, as an individual on his own behalf and
19 on behalf of others similarly situated, by his attorneys, Steven J. Parsons of LAW OFFICES OF
20 STEVEN J. PARSONS, and Steven E. Goren, admitted for this case, only, and Defendants ARCHON
21 CORPORATION, a Nevada corporation; PAUL W. LOWDEN, an individual; and SUZANNE
22 LOWDEN, an individual, by their attorneys, John P. Desmond and Justin J. Bustos of DICKINSON
23 WRIGHT PLLC, hereby stipulate and agree to seek the Court's Order that the class definition be
24 amended, to define the class as follows:

25 All beneficial owners of outstanding Archon Exchangeable Redeemable Preferred Stock
26 as of the close of business on August 31, 2007, with the exception of:

27 a. Paul W. Lowden, Suzanne Lowden, John W. Delaney, William J. Raggio, Howard

DISTRICT COURT DEPT# 13

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1 Foster, Richard H. Taggart, and any other Officer or Director of Archon Corporation; and, the
2 immediate family of Paul Lowden (which includes Paul Lowden's children), and Paul Lowden's
3 siblings; however, the beneficial owners whose shares were held by Howard Foster for others
4 shall be members of the class;

5 b. D.E. Shaw Laminar Portfolios, LLC, LC Capital Master Fund, Ltd., LC
6 Capital/Capital Z SPV, LP, Magten Asset Management Corp, Mercury Real Estate Securities
7 Fund LP, Mercury Real Estate Securities Offshore Fund Limited, Black Horse Capital LP, Black
8 Horse Capital (QP) LP, Black Horse Capital Offshore Ltd. and Plainfield Special Situations
9 Master Fund Limited, Leeward Capital, L.P., Stephen Haberkorn, P. Michael Jung and Gretchen
10 Lee Megowen;


11 c. LICO.

12 Dated: Monday, September 9, 2019.

13 STEVEN E. GOREN; and
14 LAW OFFICES OF STEVEN J. PARSONS


15 STEVEN J. PARSONS
16 Nevada Bar No. 363

17 Attorneys for Plaintiff
18 DAN RAIDER, an individual on his own
19 behalf and on behalf of others similarly
20 situated

DICKINSON WRIGHT, PLLC

9/9/19 For:

JUSTIN J. BUSTOS
Nevada Bar No. 10320

Attorneys for Defendants
ARCHON CORP., PAUL W. LOWDEN
and SUZANNE LOWDEN

19 **ORDER**

20 Upon the foregoing Stipulation of the Parties, and good cause appearing, and this
21 appearing to be an appropriate case,

22 **IT IS HEREBY ORDERED** that the class definition be amended to define the class as
23 follows:

24 All beneficial owners of outstanding Archon Exchangeable Redeemable Preferred Stock
25 as of the close of business on August 31, 2007, with the exception of:

26 a. Paul W. Lowden, Suzanne Lowden, John W. Delaney, William J. Raggio, Howard
27 Foster, Richard H. Taggart, and any other Officer or Director of Archon Corporation; and, the

1 immediate family of Paul Lowden (which includes Paul Lowden's children), and Paul Lowden's
2 siblings; however, the beneficial owners whose shares were held by Howard Foster for others
3 shall be members of the class;

4 b. D.E. Shaw Laminar Portfolios, LLC, LC Capital Master Fund, Ltd., LC
5 Capital/Capital Z SPV, LP, Magten Asset Management Corp, Mercury Real Estate Securities
6 Fund LP, Mercury Real Estate Securities Offshore Fund Limited, Black Horse Capital LP, Black
7 Horse Capital (QP) LP, Black Horse Capital Offshore Ltd. and Plainfield Special Situations
8 Master Fund Limited, Leeward Capital, L.P., Stephen Haberkorn, P. Michael Jung and Gretchen
9 Lee Megowen;

10 c. LICO.

11 Dated: Sept 16th 10, 2019.



DISTRICT JUDGE


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