

# AFFINITY Interactive™

## VIA EMAIL

October 18, 2024

Mr. Vincent Queano, Director  
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### **RE: Proposed Temporary Closure of Whiskey Pete's**

Director Queano and Ms. Arellano:

Thank you again for your time last week. As requested, set forth below are additional details and context regarding our proposed plan to temporarily close Whiskey Pete's Hotel & Casino to the public, while continuing to operate the Whiskey Pete's Truck Stop per normal.

As we discussed, the Whiskey Pete's Hotel & Casino (the "Casino") and the adjacent Whiskey Pete's Truck Stop (the "Truck Stop") sit on the same parcel and operate under a common set of business licenses issued to The Primadonna Company, LLC (as can be seen in the images below, the buildings are adjacent and share a parking lot).



From a business licensing perspective, the Casino and Truck Stop have always been treated as if they were part of the same establishment and operations. For example, the 22 slot machines that are within the Truck Stop operate pursuant to the same Nevada non-restricted gaming

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license that the slot machines in the Casino operate under (please see enclosed email from then-Nevada Gaming Control Board Chairman Mark Lipparelli approving of the 'addition of the truck stop to the premises of Whiskey Pete's'). Likewise, the various Clark County business licenses at the location – including the Clark County gaming licenses and the service station license for the Truck Stop – are all issued to 'Whiskey Pete's Hotel & Casino' at 100 Primm Blvd.

In recent years, and particularly post-pandemic, the traffic at the state line has proved to be heavily weighted towards weekend activity and is insufficient to support three full-time casino properties. The positive news is that, expected development of an airport and ancillary businesses has created the prospect of a resurgence for the area in the coming years. However, in the interim, it is not feasible to keep all three casino properties staffed, supported, and open to the public on a full-time basis. As a result, we are requesting your approval to close the Casino portion of the business, while continuing to operate the Truck Stop under the existing business licenses. In fact, given the Casino and Truck Stop have been treated as a single location for business licensing purposes, the temporary closure of the Casino might better be thought of as a contraction of the footprint of the business, with the Casino portion closing and the Truck Stop remaining open, and the business licenses remaining current and active.

We acknowledge that, during the pendency of the closure of the Casino, the requirements of a 'Resort Hotel' under Clark County Code 8.04.010.145 would not be met. Thus, in connection with this proposal, we are requesting flexibility, or if appropriate, a waiver with respect to such requirements. Note that the Casino originally opened in 1977, prior to the current state and Clark County resort hotel requirements. Furthermore, I respectfully suggest that, with the Casino to be temporarily closed and only the Truck Stop remaining open to the public, the legislative purpose of the requirements of a 'Resort Hotel' is mooted (especially considering this remote non-strip, non-residential location).

Lastly, while former Chairman Lipparelli, on behalf of the Nevada Gaming Control Board, previously approved of the operation of the Truck Stop slot machines as a being a part of the Casino establishment and operations, we have nonetheless approached GCB Tax & License Chief Chen Lengsavath to confirm the GCB does not have concerns with the proposed course of action. We will apprise you of the GCB's response when received.

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Thank you for your consideration. We will be available to address any questions you may have or provide additional information.

Sincerely,

*Erin Barnett*

Erin Barnett  
SVP & General Counsel

cc: Stephanie Allen  
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Amy McCane, VP, Compliance

**Bob Swadkins**

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**From:** "Lipparelli, Mark" <[MLipparelli@gcb.nv.gov](mailto:MLipparelli@gcb.nv.gov)>  
**Date:** March 17, 2011 12:38:55 PM PDT  
**To:** 'Ferenc Szony' <[fszony@terribleherbst.com](mailto:fszony@terribleherbst.com)>, 'David Ross' <[dross@herbstgaming.com](mailto:dross@herbstgaming.com)>, 'Rumbolz, Mike' <[mrumbolz@gcmail.com](mailto:mrumbolz@gcmail.com)>  
**Cc:** "Labadie, Mike" <[MLabadie@gcb.nv.gov](mailto:MLabadie@gcb.nv.gov)>  
**Subject:** Whiskey Pete's

David, Ferenc, and Mike:

There are some considerations with respect to the addition of the truck stop to the premises of Whiskey Pete's but I believe (if the following are met) you are good to go without structural changes required.

1. The building containing the convenience store must be located on the parcel of land on which was part of the gaming premises when Whiskey Pete's received its nonrestricted gaming license.
2. The area within the convenience store where the gaming devices are located must remain under the ownership and control of Whiskey Pete's. The space cannot be leased to a third party.
3. The gaming devices must remain under the control and ownership of Whiskey Pete's. Responsibility for the gaming devices (i.e., security, surveillance, maintenance, drop/count, etc...) must remain with Whiskey Pete's and its employees. Such responsibilities cannot be assigned to a third party.

Additionally, you will need to make appropriate notice to audit and enforcement of your change in operation and all regulatory other requirements.

Let me know if you require more formal correspondence or follow up.

Mark Lipparelli  
Chairman  
State Gaming Control Board