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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEVEN E. KROLL,

Plaintiff,

vs.

INCLINE VILLAGE GENERAL IMPROVEMENT
DISTRICT, a/k/a IVGID, a governmental subdivi-
sion of the State of Nevada; et al.,

Defendants.

Case No. 3:08-cv-166-ECR-VPC

**Plaintiff's Requests for Admissions
to Defendant IVGID (First Set)**

Exhibits (3)

and

Certificate of Service

**TO defendant INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT
(hereinafter IVGID) and its attorneys of record:**

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Plaintiff STEVEN E. KROLL requests that defendant IVGID¹ admit within thirty days after service hereof, for the purposes of this action only, the truth of the facts, application of law to fact, or opinions about either as set forth hereafter.

Defendant IVGID's Responses to these Requests for Admissions shall specifically admit or deny each separately stated matter, or set forth in detail the reasons why it cannot truthfully

¹ As used in these Requests for Admissions, the term "Incline Village General Improvement District" or "IVGID" or "you" are used interchangeably and include, in addition to the named defendant, the Trustees, attorneys, agents, servants, employees, representatives, private investigators, or others who are in the possession of or who may have obtained information for or on behalf of the named defendant.

admit or deny the matter. **A denial shall fairly meet the substance of the requested Admission,** and when good faith requires that defendant IVGID qualify its answer or deny only a part of the matter of which an admission is requested, it shall specify so much of it as is true and qualify or deny the remainder. **Defendant IVGID may not give lack of information or knowledge as a reason for failure to admit or deny unless it states that it has made reasonable inquiry** and that the information known or readily obtainable by it is insufficient to enable it to admit or deny. If in responding to these Requests for Admissions defendant IVGID considers that a matter of which an admission has been requested presents a genuine issue for trial, it may not on that ground alone object to the Request.

Defendant IVGID is further advised that **each matter hereinafter set forth will be deemed admitted by it unless, within 30 days after being served therewith it serves upon Plaintiff its written answer or objection** addressed to the matter and signed by its duly authorized spokesperson or its attorney. Further, **if said Defendant denies any matter herein sought to be admitted and Plaintiff later proves a document to be genuine or the matter true, Plaintiff may move that the party who failed to admit pay his reasonable expenses, including attorney's fees, incurred in making that proof.** Finally, defendant IVGID is advised that Rule 37(a)(4) of the Federal Rules of Civil Procedure provides that **an evasive or incomplete response to any of the following Requests will be treated as a failure to respond** for purposes of compelling discovery and/or seeking sanctions in court.

DEFENDANT IVGID IS REQUESTED TO ADMIT THAT EACH OF THE FOLLOWING STATEMENTS IS TRUE:

1. Each of the following documents exhibited with this Request is genuine:
 - (a) Exhibit A (Plaintiff's Exhibit 206), being a letter to you dated November 12, 2008 from IVGID General Manager William B. Horn
 - (b) Exhibit B (Plaintiff's Exhibit 207), being the Reporter's transcript of portions of the deposition of TOM BRUNO taken July 23, 2008 with emphasis added
 - (c) Exhibit C (Plaintiff's Exhibit 85), being a portion of the 2008 Red White and Tahoe Blue² Commemorative Program
2. William B. Horn was (as of the date of these Requests for Admissions) Chairman of the Red, White & Tahoe Blue Organizing Committee for 2009.

² Also sometimes referred to herein as "RWTB"

3. The Chairman of the Red, White & Tahoe Blue Organizing Committee for 2008 and Mr. Horn's immediate predecessor in that office was TOM BRUNO.
4. In Mr. Horn's November 12, 2008 letter to IVGID, he declares that Red, White & Tahoe Blue "does not conduct events which discriminate", and that "RWTB does not discriminate against anyone."
5. Among others, the following RWTB events are announced in its 2008 Red White and Tahoe Blue Commemorative Program, a portion of which is attached hereto marked Exhibit C: Thursday, July 3 Noon: Barbecue at Incline Beach; 2:15 p.m. 2nd Annual Rubber Ducky Race, at Incline Beach; Friday, July 4 Noon: Community Picnic at Incline Beach.
6. Each of the events set forth in Request Number 5 above took place at one of IVGID's Beach Properties³.
7. On July 3 and 4, 2008 IVGID's Beach Properties were closed to the general public.⁴
8. On July 3 and 4, 2008 IVGID's Beach Properties were open for entry only to certain Incline Village property owners and their guests.
9. On July 3 and 4, 2008 District property owners in Crystal Bay who were not also owners of property in Incline Village or guests of owners of property in Incline Village were discriminated against in participating in the RWTB events set forth in Request for Admission Number 5.
10. The following testimony was given by TOM BRUNO at pages 105-106 of his deposition taken July 23, 2008:

15 Q Now, in terms of this Red, White and Tahoe Blue
 16 Committee and activities, it is true, isn't it, that as you
 17 said, you obtained permission to use the beaches from IVGID,
 18 and those beaches were still not open to people who were not
 19 1968 deed holders or their guests; is that correct?

20 A Yes.

21 Q So any events happening on the beach were not
 22 open to non-Incline Village residents or their guests; is
 23 that correct?

24 A Say that again.

25 Q Any activities of the Tahoe --

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1 A Red, White and Tahoe Blue. Okay.

³ "Beach Properties" refers to Burnt Cedar Beach, Incline Beach, Ski Beach, or Hermit Beach.

⁴In responding to this Request for Admission, you are to use the following definition of "general public" found in Longman Dictionary of Contemporary English Online: "the general public ... the ordinary people in a country, rather than people belonging to a particular group: *health education aimed at the general public*".

2 Q Red, White and Tahoe Blue Committee. Any
3 activity that occurred on the beaches were not available to
4 non-1968 deed holders which are Incline Village owners or
5 their guests; is that correct?

6 A Yes. Incline Village owners or properties
7 within Incline Village until 1968, and their guests, would
8 have access to the beaches.

9 Q For purposes of enjoying the Red, white and
10 Tahoe Blue activities?

11 A Yes.

12 Q And people who did not have those ownership
13 connections would not?

14 A Yes.

11. The testimony of TOM BRUNO set forth in the foregoing Request for Admission Number 10 is essentially accurate.
12. The following testimony was given by TOM BRUNO at pages 125-126 of his deposition taken July 23, 2008:

125

1 Q I have one final question. No, two final
2 questions.

3 Showing you again, Exhibit 85, which is your
4 glossy Red, White and Blue commemorative program, and turning
5 to pages 24 and 25, which I'm showing you now.

6 MR. BALKENBUSH: Do you have that marked as an
7 exhibit or no?

8 MR. KROLL WITNESS: Yes, that's Exhibit 85.

9 MR. BALKENBUSH: Okay.

10 BY MR. KROLL:

11 Q I would like to call your attention to the
12 events on Thursday, July 3rd.

13 A Um-hum.

14 Q "Noon, barbecue at Incline Beach sponsored by
15 the two Incline Village rotary clubs."

16 A Yes.

17 Q That would not have been accessible to Crystal
18 Bay residents, would it?

19 A No.

20 Q Nor to anybody --

21 A Unless they have a beach pass.

22 Q Unless they had a guest pass from a resident of
23 Incline Village, yes?

24 A Yes.

25 Q And then there's the Second Annual Rubber Ducky

126

1 Race at Incline Beach?

2 A Same venue.

3 Q And same answer?

4 A Yes.

5 Q Not accessible to Crystal Bay people, unless

6 they knew an Incline Village resident that would sponsor them

7 as a guest, basically?

8 A Correct.

9 Q "On Friday, July 4th, the 10:00 a.m. boat parade

10 arranged by Music Giants, Crystal Bay to Incline Beach."

11 Same question, same answer?

12 A The boats, any boat could be in that parade.

13 They did not land on any of the Incline -- any land. They

14 started out someplace out near Crystal Bay, I don't know

15 exactly where, then they paraded by Incline Beach.

16 Q And the noon event on Friday, July 4th,

17 community picnic sponsored by the Optimist Club at Incline

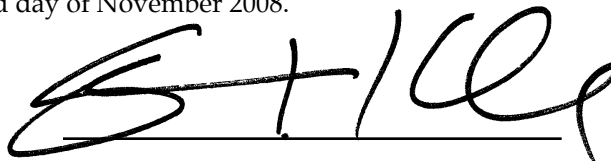
18 Beach that would be closed to [Crystal Bay] residents unless they

19 knew somebody that would sponsor them from Incline Village?

20 A Yes.

13. The testimony of TOM BRUNO set forth in the foregoing Request for Admission Number 12 is accurate in all material ways.
14. Prior to hiring William B. Horn as IVGID General Manager in November of 2001 the District allowed access to the Beach Properties for viewing of the fireworks after 8:00 p.m. every July 4th.
15. Prior to receiving Mr. Horn's letter to you dated November 12, 2008 (Exhibit A attached), you were not aware that "Board members of RWTB have for the past two years purchased punch cards which they have provided to anyone who requested access to RWTB events" as stated in Mr. Horn's letter.

DATED: at Crystal Bay, Nevada this 22nd day of November 2008.



Steven E. Kroll, Esq.
Attorney for Plaintiff

Exhibit A

(Plaintiff's Exhibit No. 206)

**Letter of William B. Horn to Incline Village General Improvement
District, Attention Board of Trustees dated November 12, 2008**

Steven E. Kroll • Attorney at Law
P.O. Box 8 • Crystal Bay, NV 89402
Tel: 775-831-8281
eMail: KrollLaw@mac.com

GENERAL IMPROVEMENT DISTRICT

November 12, 2008

Incline Village General Improvement District
893 Southwood Boulevard
Incline Village, Nevada 89451

Attention of Board of Trustees

Dear Board Members,

Chairwoman Bea Epstein has requested I respond to Mr. Mark Alexander, through you, regarding two e-mails dated September 11, 2008, 2:53 PM and November 4, 2008, 9:24:10 PM. I did not receive these two e-mails and have checked with the District's Information Technology team to confirm that these e-mails were not received by me; it has been confirmed that our District e-mail server does not show receipt of the September 11, 2008 e-mail.

Answers to Mr. Mark Alexander's questions and his comments/statements:

1. Is Red, White & Tahoe Blue, under its 501 c 3 classification, a "Private Foundation" or a "Public Charity"? Answer: Public Charity
2. In its filing with the IRS did Red, White & Tahoe Blue declare that it conducts discriminatory events that excluded selected members of the community (as well as the general public) from participation? If yes, please forward a copy of that declaration. Answer: RWTB does not conduct events which discriminate; therefore, the RWTB declaration was that it does not discriminate. The Board of Trustees, prior to my employment with the District and involvement with RWTB, allowed access to the beaches for viewing of the fireworks after 8:00 PM every July 4. The fireworks can be viewed from a multitude of venues around Incline Village and Crystal Bay. Board members of RWTB have for the past two years purchased punch cards which they have provided to anyone who requested access to RWTB events.
3. Do you maintain a separate time record for those hours that have been and will be expended on your participation in Red, White & Tahoe Blue? If yes, please forward an accounting of hours for the past two years and an explanation as to how these hours have been allocated pursuant to the existing accounting practices.



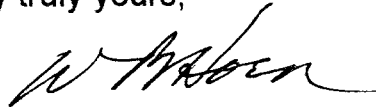
Answer: The Board of Trustees does not require me nor does my job description to maintain a separate time record. My job description states "Represents IVGID to the media, community groups and various government agencies. Confers with and responds to citizens and customers regarding requests for services, suggestions and complaints". The Board of Trustees that hired me asked me to repair, through my active participation in Incline Village and Crystal Bay events, the deplorable relationship the community had with the District and I responded to that direction and to continue to respond to that direction.

4. Can you please confirm that your workday hours involved in the past and forthcoming period in support of Red, White & Tahoe Blue activities and events have not nor will be paid through other means beyond your IVGID salary? Answer: RWTB members do not receive any type of compensation for their involvement; all members are unpaid volunteers.
5. Can you please confirm that expenses that you have or will incur related to or in support of Red, White & Tahoe Blue have not nor will in the future be reimbursed by IVGID? Answer: To the best of my knowledge, I have not nor will I in the future incur expenses as a result of my volunteering to serve on the RWTB Board.
6. Has the IVGID BOT endorsed your role in Red, White & Tahoe Blue? If yes, please advise which set of BOT Meeting Minutes stipulate that endorsement. Answer: The Board of Trustees has always supported my involvement in the community and has never asked me to stop officially from my involvement; however, I was asked by one Board member in the past to resign as the Chairman of Independent Incline after serving as Chairman for two years. As previously mentioned, my involvement in the community is included in my job description; a copy of which is hereto attached.

As the General Manager of the Incline Village General Improvement District, I have done nothing wrong; however, if the Board of Trustees believes my leadership roles in the community leaves one ounce of question as to my integrity or perceptions for the District, then the Board of Trustees has the option of requesting that the General Manager resign from all community Boards and activities immediately; the appropriate job description changes will be made as well at that time. And/or, if you want me to start keeping a separate time record for the activities I undertake each day, please direct me to do so.

Responding to Mr. Alexander's concern related to RWTB and the IRS, RWTB does not discriminate against anyone, and RWTB welcomes an investigation by the IRS.

Very truly yours,



William B. Horn
General Manager

Attachments: November 4, 2008 e-mail (Alexander to Epstein
November 6, 2008 e-mail (Horn to Alexander)

cc: Mark Alexander
T. Scott Brooke, District General Counsel
Gordon Muir, Attorney
Charles Woodman, Attorney
Kevin McMillan, Editor - North Lake Tahoe Bonanza
RWTB Board of Directors

Exhibit B

(Plaintiff's Exhibit No. 207)

Excerpts from Certified Transcript of Deposition of TOM BRUNO
taken in this case by Plaintiff on July 23, 2008

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UNITED STATES DISTRICT COURT
DISTRICT OF WASHOE

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STEVEN E. KROLL,)	
)	
Plaintiff,)	
)	Case No.
vs.)	3:08-cv-00166-ECR-
)	RAM
INCLINE VILLAGE GENERAL)	
IMPROVEMENT DISTRICT, a/k/a a)	
governmental subdivision of the)	
State of Nevada; et al.,)	
)	
Defendants.)	
)	

DEPOSITION OF
TOM BRUNO
Wednesday, July 23, 2008
Reno, Nevada

CERTIFIED COPY

Reported By: EVELYN J. STUBBS, CCR #356
BONANZA REPORTING, 1111 FOREST, RENO, NEVADA
Telephone: (775) 786-7655

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APPEARANCES :

For the Plaintiff:

STEVEN E. KROLL, ESQ.
Attorney at Law
550 Gonowabie Road, Box 8
Crystal Bay, Nevada 89402

For the Defendants:

STEPHEN C. BALKENBUSH, ESQ.
Thorndal, Armstrong, Delk, Balkenbush & Eisinger
6590 South McCarran Boulevard
Suite B
Reno, Nevada 89509

WORD INDEX

1 PURSUANT TO NOTICE, and on Wednesday, the 23rd
2 day of July, 2008, at the hour of 9:05 a.m. of said day, at
3 the offices of Bonanza Reporting, 1111 Forest Street, Reno,
4 Nevada, before me, Evelyn Stubbs, a notary public, personally
5 appeared TOM BRUNO.

6
7 TOM BRUNO,
8 Called as a witness by the plaintiff herein, being first duly
9 sworn, was examined and testified as follows:

10
11 EXAMINATION

12 BY MR. KROLL:

13 Q State your name, please.

14 A Thomas Bruno.

15 Q And your address?

16 A PO box or physical?

17 Q Physical, please.

18 A 563 Antler Court, Incline Village, Nevada,
19 89531.

20 Q And your date of birth, please.

21 A 7-6-43.

22 Q Have you had your testimony taken by deposition
23 or in a court?

24 A Never.

25 Q Have you ever been a party to a lawsuit --

10 Q I'm going to show you Exhibit 168 for
11 identification. I have only one copy, I'm sorry. And ask
12 you if that doesn't say -- it is, by the way, the Red, White
13 and Tahoe Blue, July 2nd, 2008, parade entry form.

14 A Okay.

15 Q Did you have anything to do with the --

16 A I didn't design the form. I probably read it.

17 And to know where the money was being sent -- okay. You're

18 saying that it's being sent to IVGID, which it is.

19 Q That's all I wanted. And this Red, White and

20 Tahoe Blue Committee obtained federal tax benefits, did it
21 not?

22 A It's a tax deferred organization -- or it's a
23 charitable organization, a 501(c)(3).

24 Q Right, 501(c)(3). Do you have any idea -- I'll

25 withdraw that. How did you obtain that 501-3?

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1 A 501(c)(3).

2 Q How did you obtain that exemption?

3 A The Parasol Foundation.

4 Q So the Parasol Foundation?

5 A Yes.

6 Q They made the application?

7 A Yes.

8 Q But it's the Tahoe Red, White and Blue Committee

9 that is the exempt organization, not Parasol.

10 **A To start off with, Parasol, the moneys were sent**
11 **to Parasol. When we got our 501(c)(3), then the moneys came**
12 **to Red, White and Tahoe Blue.**

13 **Now as far as the application for the parade,**
14 **yes, it did go to IVGID.**

15 Q Now, in terms of this Red, White and Tahoe Blue
16 Committee and activities, it is true, isn't it, that as you
17 said, you obtained permission to use the beaches from IVGID,
18 and those beaches were still not open to people who were not
19 1968 deed holders or their guests; is that correct?

20 A Yes.

21 Q So any events happening on the beach were not
22 open to non-Incline Village residents or their guests; is
23 that correct?

24 A Say that again.

25 Q Any activities of the Tahoe --

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1 A Red, White and Tahoe Blue. Okay.

2 Q Red, White and Tahoe Blue Committee. Any

3 activity that occurred on the beaches were not available to

4 non-1968 deed holders which are Incline Village owners or

5 their guests; is that correct?

6 A Yes. Incline Village owners or properties

7 within Incline Village until 1968, and their guests, would

8 have access to the beaches.

9 Q For purposes of enjoying the Red, white and

10 Tahoe Blue activities?

11 A Yes.

12 Q And people who did not have those ownership

13 connections would not?

14 A Yes.

15 Q So I'm going to hand you a picture here from the

16 newspaper. It's [Exhibit 154](#) for identification. Again, I

17 only have one copy, I'm sorry. You've probably seen these.

18 These appeared in the July 6th, 2008, Sunday edition of the

19 Tahoe Bonanza. Do you recognize those?

20 A Yes.

21 Q And so these pictures, the first page here,

22 pictures of the rubber ducky race?

23 A Yes.

24 Q Those children standing outside --

25 A The ducks did not have passes, by the way.

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1 Q Okay. So they were inanimate objects that were
2 not within the scope of the restrictive covenant; is that
3 what you're saying?

4 A Right.

5 **Q Now you see a lot of people on the side of the**
6 **stream where these rubber duckies are going down and a number**
7 **of children.**

8 **A Um-hum.**

9 **Q One would have to assume that all these people,**
10 **including the children, are residents of Incline Village or**
11 **their guests; is that a fair statement?**

12 **A If that's the assumption, yes.**

13 Q Well, I mean --

14 A I don't know. I don't know.

15 Q Let's put it this way. If everyone is following

16 the rules that were established by both IVGID and Tahoe

17 Committee, the 4th of July Committee, then these people would

18 have had to be Incline residents or their guests; isn't that

19 true?

20 A It wasn't Red, White and Tahoe Blue's

21 responsibility to make sure that every one of these people

22 had passes.

23 Q I understand. If it was done right, and as your

24 understanding, having just discussed all this business about

25 letting non-68 people onto the beach, but these people would,

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1 if the rules were followed, would have to be Incline Village

2 residents or their guests?

3 A If that's what IVGID's policy is, that's what

4 IVGID's policy is, yes.

5 Q Well, now, Mr. Bruno --

6 A Yes.

17 and Tahoe Blue work, but because it highlighted Lake Tahoe as
18 a whole?

19 A Lake Tahoe as a whole, which we were a part of.

20 And Lake Tahoe got classified in the top 10 according to the
21 Travel and Leisure gal.

22 Q And you're saying that the rest of the committee
23 joins you in this sense of appreciation for Lake Tahoe's
24 focus, not of Incline Village?

25 A Yes.

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1 Q I have one final question. No, two final
2 questions.

3 Showing you again, [Exhibit 85](#), which is your
4 glossy Red, White and Blue commemorative program, and turning
5 to pages 24 and 25, which I'm showing you now.

6 MR. BALKENBUSH: Do you have that marked as an
7 exhibit or no?

8 MR. KROLL WITNESS: Yes, that's Exhibit 85.

9 MR. BALKENBUSH: Okay.

10 BY MR. KROLL:

11 Q I would like to call your attention to the

12 events on Thursday, July 3rd.

13 A Um-hum.

14 Q "Noon, barbecue at Incline Beach sponsored by

15 the two Incline Village rotary clubs."

16 A Yes.

17 Q That would not have been accessible to Crystal

18 Bay residents, would it?

19 A No.

20 Q Nor to anybody --

21 A Unless they have a beach pass.

22 Q Unless they had a guest pass from a resident of

23 Incline Village, yes?

24 A Yes.

25 Q And then there's the Second Annual Rubber Ducky

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1 Race at Incline Beach?

2 A Same venue.

3 Q And same answer?

4 A Yes.

5 Q Not accessible to Crystal Bay people, unless

6 they knew an Incline Village resident that would sponsor them

7 as a guest, basically?

8 A Correct.

9 Q "On Friday, July 4th, the 10:00 a.m. boat parade

10 arranged by Music Giants, Crystal Bay to Incline Beach."

11 Same question, same answer?

12 A The boats, any boat could be in that parade.

13 They did not land on any of the Incline -- any land. They

14 started out someplace out near Crystal Bay, I don't know

15 exactly where, then they paraded by Incline Beach.

16 Q And the noon event on Friday, July 4th,

17 community picnic sponsored by the Optimist Club at Incline

18 Beach that would be closed to Incline residents unless they

19 knew somebody that would sponsor them from Incline Village?

20 A Yes.

21 Q And then finally at 9:30 p.m., the fireworks

22 that were held over Incline Beach and Ski Beach and so forth.

23 Those fireworks would not have been able to be viewed outside

24 the First Amendment areas of those beaches; is that correct?

25 MR. BALKENBUSH: Counsel, you could see them

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1 from the lake from this report you just showed, you can see
2 them from all other locations.

3 MR. KROLL: I'm asking a specific question about
4 this location. You know, the fact that you can see them from
5 my house --

6 MR. BALKENBUSH: Right.

7 MR. KROLL: So that's, you know -- okay. Your
8 objection is noted.

9 BY MR. KROLL:

10 Q My question to you, sir, is, is it fair to say
11 that Crystal Bay residents, Crystal Bay children who did not
12 have an Incline Village property owner sponsoring them with a
13 guest pass could not have watched these fireworks from the
14 IVGID beaches?

15 A That's correct.

16 Q Okay.

17 A They should not have. I don't know if they did
18 or not.

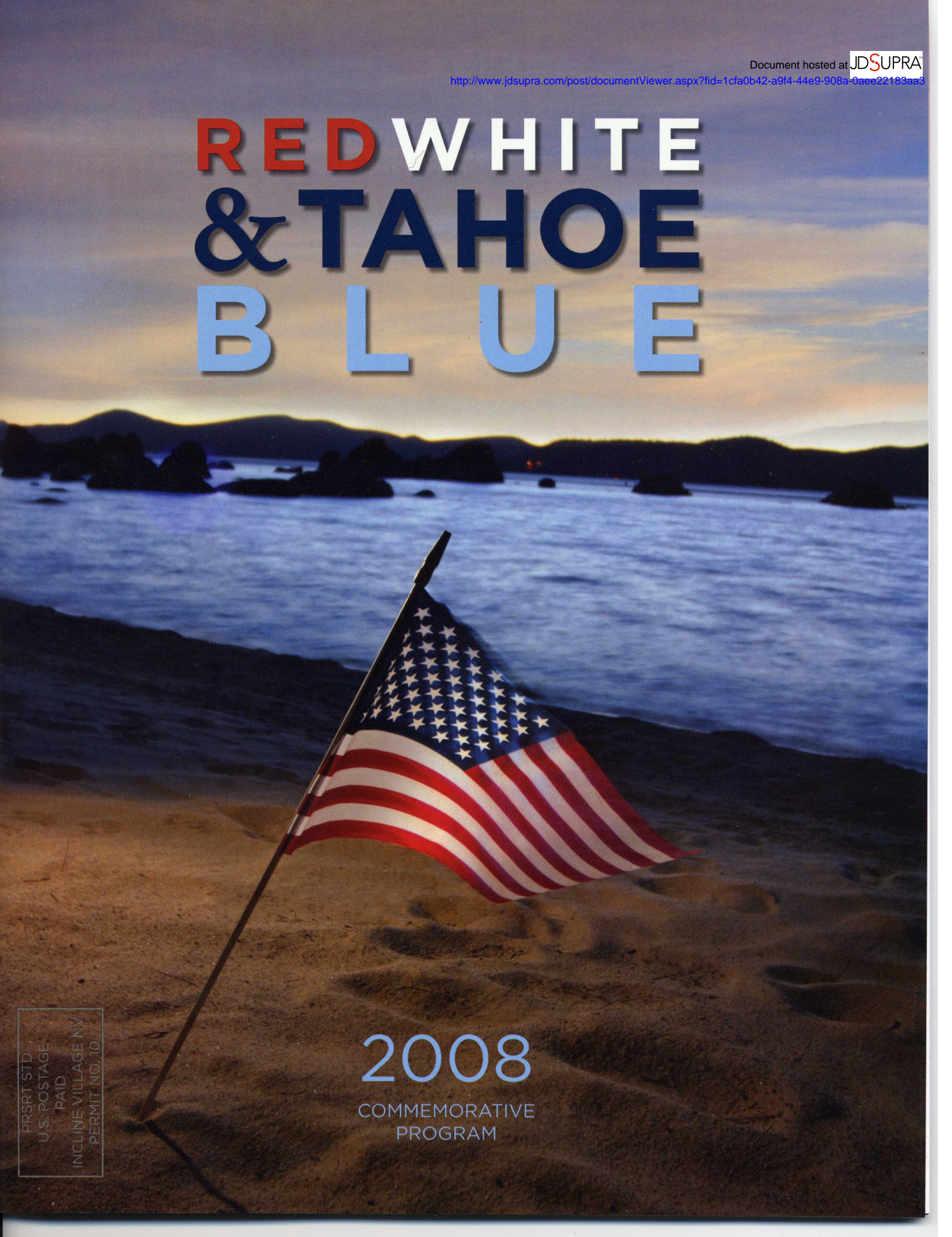
19 Q Of course. So here's my last question.

Exhibit C (Plaintiff's Exhibit No. 85)

**Portion of the 2008 Commemorative Program for Red, White and
Tahoe Blue**

Steven E. Kroll • Attorney at Law
P.O. Box 8 • Crystal Bay, NV 89402
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RED WHITE & TAHOE BLUE



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INCLINE VILLAGE NV
PERMIT NO. 10

2008

COMMEMORATIVE
PROGRAM

WELCOME



Photos: [L-R] Greg McKay, Allen Ferris, Tom Bruno, Ed Guowitz, Tom Masterson, Bill Hoffman, Bill Horn, Bea Epstein. Photo by John Thomas. [Below] Terrie Drago. Photo by Jen Schmidt.

Dear Valued Residents and Visitors: The year 2007 was a special one for the communities of Incline Village and Crystal Bay. The inaugural July 4th celebration exceeded all expectations. From the opening parade to the “bombs bursting in air” finale, it was a smashing success.



It was wonderful to see so many locals together, enjoying the festivities. Families rejoiced. Scrumptious food and fantastic entertainment abounded. Our veterans were recognized. Smiles were noticed everywhere.

The mission statement of Red, White and Tahoe Blue—*Celebrating our country's independence while promoting community spirit, charitable causes, and our local merchants*—is the compass of our efforts. Your feedback tells us that with our first collaborative Independence Day event, we achieved what we intended.

Yet, this year, we have fine tuned our efforts to offer the community an even grander bash. Not

only have we enhanced the existing events the public embraced, but we also have initiated new ones as well. They include the Veterans Lunch, the “Dress Up Doggie Contest” and the Boat Parade.

Through the synergistic efforts of many individuals, we again endeavor to honor, unify and give back. Please unite with us by participating in and giving to the most fantastic July 4th celebration you'll ever experience.

Sincerely,
The RWTB Organizing Committee

Noon

Opening Ceremonies: Tribute to Veterans Program, at the Village Green
Reciting of the Declaration of Independence by McAvoy Layne
Fly Over by Nevada Air National Guard

1 p.m.

"USO" Canteen Show featuring Emcee Tom D'Andrea; The Andrews Sisters Revisited; The John Shipley Orchestra; and vocalist Jakki Ford as Josephine Baker, at the Village Green

3 p.m.

Ice Cream Social and Hot Dog Party for Kids, at the Village Center.
Doc-O and Squeaky the Clowns will appear with their car, "Clarabell," family, friends and marching band! **Magician Gary Carson and Hawaiian band, Da Big Tsunami**, will perform. (3-5 p.m.)

7 p.m.

"I'll be Seeing You," at the Village Green. **Music by the Reno Jazz Orchestra and vocals by Cami Thompson** (7-10 p.m.)
Dinner, wine, beer available (Admission: Free)

8 p.m.

Flag Lowering, at the Main Firehouse

9 p.m.

Chicago Afrobeat Project, at the Crystal Bay Club

Thursday, July 3

8 a.m.

Flag Raising, at Sierra Nevada College

Noon

Barbecue, at Incline Beach, sponsored by the two Incline Village Rotary Clubs (noon-2 p.m.)

2:15 p.m.

2nd Annual Rubber Ducky Race, at Incline Beach

4 p.m.

Wine and Cheese Tasting, at Aspen Grove (Cost: \$20) (4-6 p.m.)
Entertainment: Pianist Tim Callicrate (4-6 p.m.)

7 p.m.

Sol'Jibe Concert, at the Village Green (7-10 p.m.)
Dinner, wine, beer available (Admission: Free)

Picnic 2007. Photo by Sandra "Sam" Beckerman.

8 p.m.

Flag Lowering, at Sierra Nevada College

9 p.m.

Todd Wolf, former Sheryl Crow guitarist, at the Crystal Bay Club

Friday, July 4

8 a.m.

Flag Raising, at Aspen Grove
Pancake Breakfast, sponsored by North Tahoe Lions Club, at Aspen Grove (8 a.m.-noon)

10 a.m.

Boat Parade, arranged by MusicGiants (Crystal Bay to Incline Beach) (10 a.m.-noon)

Noon

Community Picnic, sponsored by the Optimist Club, at Incline Beach (noon-4 p.m.)

8:30 p.m.

Reno Philharmonic Orchestra concert, with Timm Rolek conducting, at the Village Green
Dinner, wine, beer available (Admission: \$55 to \$65)

9:30 p.m.

Fireworks synchronized to live music by The Reno Philharmonic! (9:30-10 p.m.)

10 p.m.

Stymie and the Pimp Jones Love Orchestra, at the Crystal Bay Club



Join the hundreds of Incline Village Crystal Bay residents and visitors who have contributed to make Red, White and Tahoe Blue happen!

We need your support. Please don't wait. Mail the attached form and your check or credit card number today!
The families and children of Incline Village/Crystal Bay residents and visitors join the RWTB organizers in thanking you.

Your donation is tax deductible, and is needed to make sure Red, White and Tahoe Blue happens in 2009 and beyond. Any amount of donation is important. Mail in what you feel you can afford to help support the best fireworks around, outstanding entertainment and the parade, not to mention the rubber duck race, boat parade, breakfasts and barbeques, military jet fly overs and great dining.

Donate \$500 or more and you'll be thanked along with our other sponsors in advertising in the Bonanza newspaper.

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Our 501-3 tax exempt number is: 20-597-8751

Mail your check and this form to: RWTB, P.O. Box 3149, Incline Village, NV 89450

Questions? Contact Tom Bruno @ 775-832-4609, tbruno@CBIVR.com or
Allen Ferris @ 775-843-4637, AFerris417@aol.com
Information: www.RedWhiteAndTahoeBlue.com

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- I would like to volunteer, Phone _____
 - I would like to advertise in the 2009 Commemorative Program, Phone _____
- (Deadline for advertising commitment is 3/1/09)

CERTIFICATE OF SERVICE BY MAIL and EMAIL

Pursuant to Rule 5(b) FRCP, I certify that I am the attorney for Plaintiff in the above entitled action, and that on this date I caused a true and correct copy of the “**Plaintiff’s Requests for Admissions to Defendant IVGID (First Set) Exhibits (3)**” herein to be served upon the parties or attorneys by depositing the same with the U.S. Post Office from a point within the State of Nevada, first class postage pre-paid, and addressed to:

**Stephen C. Balkenbush, Esq.
Thorndal, Armstrong, Delk, Balkenbush & Eisinger
6590 South McCarran Blvd. Suite B
Reno, Nevada 89509**

and also electronically by eMail to said parties or attorneys addressed to:

Stephen C. Balkenbush
smb@thorndal.com

DATED: this 22nd day of November, 2008.



STEVEN E. KROLL