

1                                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2                   KAZUO OKADA,

Case No. 68310

3                                   Petitioner,

4                   vs.

Electronically Filed  
**NOTICE OF SUGGESTION OF  
RECUSAL**     9/28/15 10:26 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

5                   THE EIGHTH JUDICIAL DISTRICT  
6                   COURT OF THE STATE OF  
7                   NEVADA, IN AND FOR CLARK  
8                   COUNTY; THE HONORABLE  
9                   ELIZABETH GONZALEZ,  
10                   DISTRICT JUDGE, DEPT. 11,

11                                   Respondent,

12                   and

13                   WYNN RESORTS, LIMITED.

14                                   Real Party in Interest.

15                   On September 1, 2015, the Court will hear oral argument *en banc* in two  
16 cases involving the same question – whether the District Court may compel a  
17 foreign defendant or a foreign director of a defendant corporation to travel to the  
18 United States for deposition. That is the ultimate question presented in the  
19 above-captioned writ proceeding as well as the unrelated matter of  
20 *Sands China, Ltd. v. District Court (Jacobs)*, Case No. 68275 (the  
21 “*Jacobs Matter*”). In the *Jacobs Matter*, Justices Ron Parraguirre and Kristina  
22 Pickering have recused themselves due to their relationships with legal counsel for  
23 the Petitioner in that case, Sands China Ltd.<sup>1</sup>

24                   Accordingly, Real Party in Interest Wynn Resorts, Limited (“Wynn Resorts”)  
25 wishes to alert Justices Parraguirre and Pickering to the unavoidable overlap  
26 between these two writ proceedings. While Wynn Resorts acknowledges that the

27 <sup>1</sup> Justice Parraguirre recused himself due to his relationship with the law firm  
28 Kemp, Jones & Coulthard, LLP, and Justice Pickering recused herself due to her  
relationship with the law firm Morris Law Group.

1 two law firms necessitating recusal in the *Jacobs* Matter are not counsel of record in  
2 this writ proceeding, it must nonetheless respectfully suggest that  
3 Justices Parraguirre and Pickering should consider recusing themselves from the  
4 instant matter. The ultimate decision on the merits of Petitioner Kazuo Okada's  
5 Writ Petition necessarily involves the same legal and overlapping factual issues in  
6 the *Jacobs* Matter. *See, e.g., Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813, 106 S.Ct.  
7 1580 (1986) (holding that Alabama Supreme Court justice's participation in the  
8 underlying appeal violated the appellant's constitutional due process rights where  
9 the decision involved the same legal issues that were present in unrelated litigation  
10 in which the justice had an interest).

11 DATED this 27th day of July, 2015.

12 PISANELLI BICE PLLC

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