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IN THE SUPREME COURT OF THE STATE OF NEVADA

KAZUO OKADA, 2 3 Petitioner. 4 VS. THE EIGHTH JUDICIAL DISTRICT 5 COURT OF THE STATE OF NEVADA. IN AND FOR CLARK 6 THE HONORABLE ELIZABETH GONZALEZ, 7 DISTRICT JUDGE, DEPT. 11, 8 Respondent, 9 and 10 WYNN RESORTS, LIMITED. 11 Real Party in Interest. 12

Case No. 68310

NOTICE OF SUGSESTEON 20Fa.m.
RECUSAL Tracie K. Lindeman
Clerk of Supreme Court

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

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

Justice Parraguirre recused himself due to his relationship with the law firm Kemp, Jones & Coulthard, LLP, and Justice Pickering recused herself due to her relationship with the law firm Morris Law Group.

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

DATED this 27th day of July, 2015.

PISANELLI BICE PLLC

By /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
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400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Real Party in Interest Wynn Resorts, Limited

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1 CERTIFICATE OF SERVICE 2 I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and 3 that on this 27th day of July, 2015, I electronically filed and served a true and 4 correct copy of the above and foregoing NOTICE OF SUGGESTION OF 5 **RECUSAL** properly addressed to the following: 6 J. Stephen Peek, Esq. David S. Krakoff, Esq. Bryce K. Kunimoto, Esq. 7 Benjamin B. Klubes, Esq. Joseph J. Reilly, Esq. BUCKLEY SANDLER LLP 1250 – 24th Street NW, Suite 700 Washington, DC 20037 Robert J. Cassity, Esq. Brian G. Anderson, Esq. HOLLAND & HART LLP 9555 Hillwood Drive, Second Floor Las Vegas, NV 89134 Attorneys for Petitioner-Defendant Attorneys for Petitioner-Defendant 10 Kazuo Okada Kazuo Ökada 11 Donald J. Campbell, Esq. William R. Urga, Esq. Martin A. Little, Esq. JOLLEY URGA WOODBURY 12 J. Colby Williams, Esq. CAMPBELL & WILLIAMS 700 South 7th Street Las Vegas, NV 89101 13 & LITTLE 3800 Howard Hughes Parkway 14 16th Floor Attorneys for Stephen A. Wynn Las Vegas, NV 89169 15 Attorneys for Elaine P. Wynn Robert L. Shapiro, Esq. 16 Ronald L. Olson, Esq. GLASER WEIL FINK HOWARD Mark B. Helm, Esq. Jeffrey Y. Wu, Esq. MUNGER TOLLES & OLSON LLP 17 AVCHEN & SHAPIRO, LLP 10250 Constellation Boulevard 18 355 South Grand Avenue, 35th Floor 19th Floor Los Angeles, CA 90067 Los Angeles, CA 90071-1560 19 Attorneys for Wynn Resorts, Limited Attorneys for Elaine P. Wynn 20 SERVED VIA HAND-DELIVERY 21 The Honorable Elizabeth Gonzalez Eighth Judicial District court, Dept. XI 22 Regional Justice Center 200 Lewis Avenue 23 Las Vegas, Nevada 89155 24 25 /s/ Shannon Thomas An employee of PISANELLI BICE PLLC