

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

WYNN RESORTS, LIMITED,

Petitioner,

v.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF  
NEVADA, IN AND FOR THE  
COUNTY OF CLARK; AND THE  
HONORABLE ELIZABETH GOFF  
GONZALEZ, DISTRICT JUDGE,  
DEPT. 11,

Respondents,

and

KAZUO OKADA, UNIVERSAL  
ENTERTAINMENT CORP. AND  
ARUZE USA, INC.,

Real Parties in

Interest.

Supreme Court No. 68439

Electronically Filed

District Court Case No. 106.2015 02:59 p.m.

A-12-656710-B

Tracie K. Lindeman

Clerk of Supreme Court

**SUPPLEMENTAL CITATION OF  
AUTHORITY IN RESPONSE TO  
QUESTIONS FROM THE COURT  
AT ORAL ARGUMENT ON  
NOVEMBER 3, 2015 REGARDING  
FINDINGS**

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Defendants/Counterclaimants Universal Entertainment Corp. and Aruze USA, Inc.*

This writ proceeding challenges the District Court's order granting the Aruze Parties'<sup>1</sup> motion to compel production of certain documents. The challenged order is characterized, in the words of petitioner Wynn Resorts, Limited, as the "District Court's unbounded order of production of 78 different requests [for production of documents]." The petitioner condemns the order as a "blanket discovery order" regarding which "[t]he District Court made no relevancy analysis whatsoever." Pet. at 34:2-4. At the oral argument on the petition on November 3, some of the justices asked whether the District Court had made findings of fact on relevancy that would support her challenged order compelling production of the documents in question. In responding to questions on this subject, neither party mentioned, nor did their briefs address, NRCP 52, "Findings by the Court," which the Court should have in mind as it deliberates its decision on this issue of importance to the bench and bar. Hence, this supplemental citation to Rule 52(a).

NRCP 52(a) says, in pertinent part, "**Findings of fact or conclusions of law are unnecessary on decisions of motions under Rule 12 or 56 or any other motion except as provided in subsection (c) of this rule** [which deals with a judgment on partial findings]." (Emphasis added.)

DATED this 6th day of November 2015.

  
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<sup>1</sup> The Aruze Parties consist of Defendant Kazuo Okada and Defendants/Counterclaimants Universal Entertainment Corp. and Aruze USA, Inc.

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## CERTIFICATE OF SERVICE

Pursuant to NRAP 25, I hereby certify that I am an employee of Holland & Hart; that I am familiar with the firm's practice of collection and processing documents for mailing; that, in accordance therewith, I caused the following document, **SUPPLEMENTAL CITATION OF AUTHORITY IN RESPONSE TO QUESTIONS FROM THE COURT AT ORAL ARGUMENT ON NOVEMBER 3, 2015 REGARDING FINDINGS**, to be served as indicated below on the 6th day of November 2015:

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DATED this 6th day of November 2015

By:   
An Employee of Holland & Hart