

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS SANDS CORP., A NEVADA CORPORATION; SANDS CHINA LTD., A CAYMAN ISLANDS CORPORATION; SHELDON G. ADELSON, IN HIS INDIVIDUAL AND REPRESENTATIVE CAPACITY; AND VENETIAN MACAU LTD., A MACAU CORPORATION,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK; AND THE HONORABLE DAVID B. BARKER, DISTRICT JUDGE,
Respondents,

and

STEVEN C. JACOBS,
Real Party in Interest.

No. 69802

FILED

FEB 26 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

*ORDER DIRECTING ANSWER TO WRIT PETITION
AND RESOLVING MOTIONS*

This is an original petition for a writ of prohibition or mandamus challenging district court orders denying motions to disqualify Judge Elizabeth Gonzalez. Having considered the petition and appendix, it appears that an answer to the petition will assist this court in resolving the matter. *See Ivey v. Eighth Judicial Dist. Ct.*, 129 Nev., Adv. Op. 16, 299 P.3d 354 (2013); *Towbin Dodge, LLC v. Eighth Judicial Dist. Ct.*, 121 Nev. 251, 112 P.3d 1063 (2005). Therefore, real party in interest, on behalf of respondents, shall have until March 3, 2016, to file an answer, including authorities, against issuance of the requested writ. Petitioners

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shall have until March 7, 2016, to file and serve a reply in support of the petition.¹

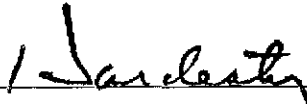
In addition to the petition, petitioners have filed (1) a motion to submit portions of the appendix under seal or in alternate form and (2) a motion to stay all proceedings in the district court pending this court's decision on the writ petition. Cause appearing, we grant the motion to submit portions of the appendix under seal or in alternate form. The clerk shall file the DVD recording received on February 25, 2016, and shall file under seal Volume 13 of the appendix received on February 25, 2016.

In their motion for stay, petitioners state that they seek expedited resolution of the motion because of an imminent deposition. We note that the writ petition here does not concern the reasonableness of such a deposition and, even if it did, discovery orders are generally not subject to review by way of a petition for an extraordinary writ except in limited situations not applicable here. *Las Vegas Sands Corp. v. Eighth Judicial Dist. Court*, 130 Nev., Adv. Op. 61, 331 P.3d 876, 878 (2014) (citing *Aspen Fin. Servs., Inc. v. Eighth Judicial Dist. Court*, 128 Nev., Adv. Op. 57, 289 P.3d 201, 204 (2012); *Valley Health Sys., LLC v. Eighth Judicial Dist. Court*, 127 Nev. 167, 171, 252 P.3d 676, 679 (2011)). Having considered the motion for stay and opposition thereto in light of the foregoing, as well as the factors generally governing stays in this court, see NRAP 8(c); *Fritz Hansen A/S v. Eighth Judicial Dist. Court*, 116 Nev. 650,


¹All documents submitted in response to this order shall be filed and served personally, electronically, or by facsimile transmission with the clerk of this court in Carson City, see NRAP 2; NRAP 25(a)(2)(B)(i); NRAP 25(a)(4), and we suspend application of NRAP 25(a)(2)(B)(ii)-(iv) and NRAP 26(b)(1)(B) with respect to them.

657, 6 P.3d 982, 986 (2000), we conclude that a stay is not warranted, and we therefore deny the motion to stay all proceedings in the district court pending this court's decision on the writ petition.

It is so ORDERED.

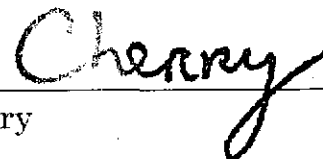
 J.
Hardesty


 J.
Douglas

 J.
Saitta

CHERRY, J., with whom GIBBONS, J., agrees, dissenting, in part:

While I agree with ordering an answer, as I believe the petition presents issues of arguable merit, and with granting petitioners' motion regarding its appendix, I respectfully disagree with denying the motion for stay. Sheldon Adelson has already provided 48 hours of testimony in this and a related case—the scheduled additional 49 hours appears unreasonably burdensome, especially with the issues presented in the writ proceeding pending. I would grant the motion to stay, and therefore dissent from the portion of the order denying it.

 J.
Cherry

I concur:
 J.
Gibbons

cc: Hon. David B. Barker, District Judge
Hon. Elizabeth Gonzalez, District Judge
Kemp, Jones & Coulthard, LLP
Holland & Hart LLP/Las Vegas
Morris Law Group
Pisanelli Bice, PLLC
Eighth District Court Clerk