

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.

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Sep 07 2016 04:02 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

Supreme Court No. 70452

District Court Case No. A-12-656710-
B

**MOTION TO FILE PORTIONS OF
MOTION TO STRIKE FOOTNOTE
8 IN PETITIONER'S REPLY
BRIEF and TO PUBLICLY
ADMONISH OR SANCTION
WYNN RESORTS FOR
PRESENTING A FALSE
STATEMENT OF MATERIAL
FACT TO THE COURT, AND ITS
EXHIBITS UNDER SEAL**

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

Pursuant to Part VII of the Supreme Court Rules Governing Sealing and Redacting Court Records, Real Parties in Interest Defendant Kazuo Okada and Defendants/Counterclaimants Universal Entertainment Corp. and Aruze USA, Inc. hereby move this Court to seal portions of Real Parties' Motion To Strike Footnote 8 In Petitioner's Reply Brief And To Publicly Admonish Or Sanction Wynn Resorts For Presenting A False Statement Of Material Fact To The Court *and* the two exhibits referenced therein under seal.

Nevada Supreme Court Rule 3.4 of part VII states "the court may order the court files and records, or any part thereof, in a civil action to be sealed or redacted . . ." provided that "public interest in privacy or safety interests. . . outweigh the public interest in open court records include findings that: . . . (b) The sealing or redaction furthers an order entered under NRCP 12(f) or JCRCP 12(f) or a protective order entered under NRCP 26(c) or JCRCP 26(c)." The parties have entered into a Stipulated Protective Order with Respect to Confidentiality, approved and executed by Judge Elizabeth Gonzalez, filed in district court on February 14, 2013. A true and correct copy is attached hereto as Exhibit A.

The Motion to Strike and the corresponding exhibits reference or include documents that have been marked as "Confidential" or "Highly Confidential" in the underlying action. Based on the foregoing, Real Parties in Interest Defendant Kazuo Okada and Defendants/Counterclaimants Universal Entertainment Corp. and Aruze USA, Inc. respectfully request the Court to permit them to redact the

portions of their Motion referencing the confidential information, and to file the two confidential exhibits under seal.

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By: /s/ STEVE MORRIS

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CERTIFICATE OF SERVICE

Pursuant to Nev. R. App. P. 25, I certify that I am an employee of Holland & Hart LLP, that in accordance therewith, I caused a copy of **MOTION TO FILE PORTIONS OF MOTION TO STRIKE FOOTNOTE 8 IN PETITIONER'S REPLY BRIEF and TO PUBLICLY ADMONISH OR SANCTION WYNN RESORTS FOR PRESENTING A FALSE STATEMENT OF MATERIAL FACT TO THE COURT, AND ITS EXHIBITS UNDER SEAL** to be served as indicated below, on the date and to the addressee(s) shown below:

VIA HAND DELIVERY ON September 7, 2016

Judge Elizabeth Gonzalez
Eighth Judicial District Court of
Clark County, Nevada
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

VIA ELECTRONIC AND U.S. MAIL ON September 7, 2016

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DATED this 7th day of September, 2016

By: /s/ PATRICIA FERRUGIA