

IN THE SUPREME COURT OF THE STATE OF NEVADA

WYNN RESORTS, LIMITED,

Petitioner,

vs.

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,

Respondents,

and

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

Real Parties in Interest.

No. 70452

FILED

OCT 12 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER

Petitioner has filed unopposed motions to redact portions of its reply in support of the petition for writ of mandamus or prohibition and to file documents in its supplemental appendix under seal. Cause appearing, we grant the motions. The clerk of this court shall file the redacted reply received on August 30, 2016, and shall file under seal the unredacted reply and Volume V of the supplemental appendix, both received on September 6, 2016.

Real parties in interest have filed a motion to strike footnote 8 from petitioner's reply and for petitioner to be publicly admonished or sanctioned. Petitioner filed a response in which it agrees the footnote should be amended and requests that this court strike portions of the appendix to the answer to the petition. Real parties in interest oppose the countermotion. Having considered these documents, we grant the motions to the extent that in reviewing the reply, this court will substitute the

amended language in footnote 8 as stated in petitioner's response at pages 1-2. We deny the motions to the extent that they request admonishment or sanctions and to strike the portions of the appendix to the answer. Nevertheless, we advise the parties that in resolving this matter, this court will not consider material not properly in the record or considered by the district court. *See Carson Ready Mix v. First Nat'l Bk.*, 97 Nev. 474, 635 P.2d 276 (1981).

It is so ORDERED.¹

1. J. J. J., A.C.J.

cc: Wachtell, Lipton, Rosen & Katz
Pisanelli Bice, PLLC
Glaser Weil Fink Jacobs Howard Avchen & Shapiro, LLC/Los Angeles
BuckleySandler LLP
Holland & Hart LLP/Las Vegas
Wright Stanish & Winckler
Morris Law Group

¹Cause appearing, we grant real parties' motions to file under seal portions of the motion to strike and exhibits to the motion. The clerk shall file under seal the unredacted motion and exhibits received on September 12, 2016.