

In the Supreme Court of Nevada

ELAINE P. WYNN, an individual,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT
of the State of Nevada, in and for the
County of Clark, and THE HONORABLE
ELIZABETH GONZALEZ, District Judge,
Respondent,

and

WYNN RESORTS, LIMITED, a Nevada
Corporation,

Real Party in Interest.

Electronically Filed
Dec 07 2016 08:22 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**JOINDER TO WYNN RESORTS' OPPOSITION TO
"MOTION TO DESIGNATE THE ARUZE PARTIES
AS REAL PARTIES IN INTEREST"**

Petitioner Elaine Wynn joins Wynn Resorts' opposition to the Aruze parties' designation as real parties in interest. In the district court, the Aruze parties did not participate, or even ask to participate, in the proceedings relevant to the writ petition. Then, in this Court, they expressly disavowed a position on the merits of the petition. (Aruze Parties' Response to Motion to Extend Stay, at 5.) Under these circumstances, they are not real parties in interest.

This conclusion is consistent with appellate practice, even in this litigation. Ms. Wynn has been omitted from the caption of and from participation in several petitions in this litigation where she was not part of the dispute in the district court. (See Case Nos. 68439, 70050, 70452, 71432.) For the reasons stated in Wynn Resorts' opposition, this Court should deny the Aruze parties' motion to now become real parties in interest to this petition.¹

Dated this 6th day of December, 2016.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

JOHN B. QUINN*
MICHAEL T. ZELLER *
IAN S. SHELTON *
QUINN EMANUEL URQUHART &
SULLIVAN LLP
865 South Figueroa Street
Los Angeles, CA 90017
213-443-3000
**Admitted Pro Hac Vice*

By: /s/ Daniel F. Polsenberg
DANIEL F. POLSENBERG (SBN 2376)
MARLA J. HUDGENS (SBN 11,098)
JOEL D. HENRIOD (SBN 8492)
ABRAHAM G. SMITH (SBN 13,250)
3993 Howard Hughes Parkway
Suite 600
Las Vegas, Nevada 89169
(702) 474-2616

Attorneys for Petitioner

¹ Despite the Aruze parties' representation that "Ms. Wynn did not oppose the Aruze Parties' motion" (Aruze Reply, at 1 n.1), this joinder in the opposition is timely under NRAP 27(a)(3)(A) and NRAP 26(a)(2).

CERTIFICATE OF SERVICE

I certify that on December 6, 2016, I submitted the foregoing JOINDER TO WYNN RESORTS' OPPOSITION TO "MOTION TO DESIGNATE THE ARUZE PARTIES AS REAL PARTIES IN INTEREST" for filing *via* the Court's eFlex electronic filing system. Electronic notification will be sent to the following:

James J. Pisanelli
Todd L. Bice
Debra L. Spinelli
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, at Las Vegas, Nevada, addressed as follows:

J. Stephen Peek
Bryce K. Kunimoto
Robert J. Cassity
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

Honorable Elizabeth Gonzalez
Department 11
EIGHTH JUDICIAL DISTRICT COURT
200 Lewis Avenue
Las Vegas, Nevada 89155

Steve Morris
Rosa Solis-Rainey
MORRIS LAW GROUP
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

David S. Krakoff
Benjamin B. Klubes
Adam Miller
BUCKLEYSANDLER LLP
1250 24th Street NW, Suite 700
Washington, DC 20037

/s/ Jessie M. Helm
An Employee of Lewis Roca Rothgerber Christie LLP