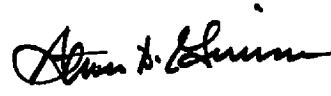


EXHIBIT A



CLERK OF THE COURT

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John A. Moran, Marc D. Schorr, Alvin V. Shoemaker,

Kimmarie Sinatra, D. Boone Wayson, and Allan Zeman

DISTRICT COURT

CLARK COUNTY, NEVADA

WYNN RESORTS, LIMITED, a Nevada
Corporation,

Plaintiff,

vs.

KAZUO OKADA, an individual, ARUZE
USA, INC., a Nevada corporation, and
UNIVERSAL ENTERTAINMENT CORP.,
a Japanese corporation,

Defendants.

AND ALL RELATED CLAIMS

Case No.: A-12-656710-B

Dept. No.: XI

**ORDER ON WYNN RESORTS,
LIMITED'S MOTION TO STAY
PENDING PETITION FOR WRIT OF
PROHIBITION OR ALTERNATIVELY
MANDAMUS; ON ORDER
SHORTENING TIME**

Hearing Date: November 3, 2016

Hearing Times: 8:30 a.m.

PISANELLI BICE PLLC
400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101

1 Wynn Resorts, Limited's Motion to Stay Pending Petition for Writ of Prohibition or
2 Alternatively Mandamus; On Order Shortening Time, filed on November 1, 2016 (the "Motion"),
3 came before this Court for hearing on November 3, 2016 at 8:30 a.m. James J. Pisanelli, Esq.,
4 Todd L. Bice, Esq., and Debra L. Spinelli, Esq. of Pisanelli Bice PLLC, appeared on behalf of
5 Plaintiff/Counterdefendant Wynn Resorts, Limited and Counterdefendants Linda Chen, Russell
6 Goldsmith, Ray R. Irani, Robert J. Miller, John A. Moran, Marc D. Schorr, Alvin V. Shoemaker,
7 Kimmarie Sinatra, D. Boone Wayson, and Allan Zeman (collectively the "Wynn Parties"). J. Colby
8 Williams, Esq., of Campbell & Williams, appeared on behalf of Counterdefendant/Cross-defendant
9 Stephen A. Wynn ("Mr. Wynn"). David J. Malley, Esq., of Jolley Urga Woodbury & Little,
10 Daniel F. Polsenberg, Esq. of Lewis Roca Rothgerber Christie LLP, and Michael T. Zeller, Esq. of
11 Quinn Emanuel, appeared on behalf of Counterdefendant/ Counterclaimant/Cross-claimant
12 Elaine P. Wynn ("Ms. Wynn"). And, J. Stephen Peek, Esq. and Robert J. Cassity, Esq., of Holland
13 & Hart LLP, appeared on behalf of Defendant Kazuo Okada ("Okada") and
14 Defendants/Counterclaimants/Counterdefendants Aruze USA, Inc. ("Aruze USA") and Universal
15 Entertainment Corp. ("Universal") (collectively the "Okada Parties").

16 The Court having considered the Motion, the Opposition filed by the Okada Parties, as well
17 as the arguments of counsel presented at the hearing, and good cause appearing therefor,

18 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion is GRANTED
19 as follows:

- 20 1. The Order Granting in Part the Okada Parties' Motion to Compel Production of
21 Wynn Resorts, Limited's Improperly Redacted Documents and Motion for
22 Sanctions, and Attorneys' Fees entered by this Court on November 1, 2016 shall be
23 and hereby is stayed for thirty (30) days from the date of the hearing on the Motion,
24 thus expiring on December 5, 2016;

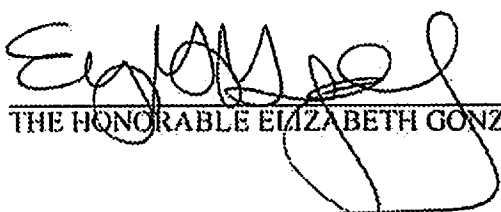
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- 2. If the Nevada Supreme Court directs an answer to Wynn Resorts' Petition for Writ of Prohibition or Alternatively Mandamus ("Wynn Resorts' Petition") during the stay, then the stay shall continue until the Nevada Supreme Court rules on Wynn Resorts' Petition; and
- 3. If the Nevada Supreme Court does not direct an answer to Wynn Resorts' Petition on or before December 5, 2016, then the stay shall expire and any requests to extend the stay shall be brought before the Nevada Supreme Court.

IT IS SO ORDERED.

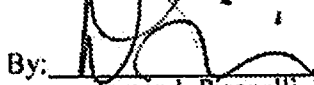
DATED: 2 Dec 16




 THE HONORABLE ELIZABETH GONZALEZ
 Jw

Submitted by:
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HOLLAND & HART LLP

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Attorneys for Defendants Kazuo Okada, Aruze USA, Inc. and Universal Entertainment Corp.

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

2
3 WYNN RESORTS LIMITED,

4 Petitioner,

5 vs.

6 THE EIGHTH JUDICIAL DISTRICT
7 COURT OF THE STATE OF
8 NEVADA, IN AND FOR THE
9 COUNTY OF CLARK; AND
10 THE HONORABLE ELIZABETH
11 GONZALEZ, DISTRICT JUDGE,
12 DEPT. XI

13 Respondent,

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

17 Real Parties in Interest.

Case No. 71638

Electronically Filed
Dec 16 2016 09:42 a.m.
**REPLY IN SUPPORT OF MOTION
TO EXTEND THE DISTRICT COURT
Clerk of Supreme Court
COURT'S STAY PENDING WRIT
PETITION AND RULE 27(E)
EMERGENCY MOTION FOR
INTERIM EXTENSION OF STAY**

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LAS VEGAS, NEVADA 89101

18 The opposition to a stay submitted by the Real Parties in Interest (collectively,
19 the "Okada Parties") confirms Wynn Resorts, Limited's ("Wynn Resorts")
20 entitlement to writ relief. Contrary to what the Okada Parties represent, the
21 District Court made it abundantly clear that if this Court decided to entertain the writ
22 petition, its stay continues. (Exhibit A to Wynn Resorts' Motion at 3. ("I'm going to
23 grant the stay for a period of 30 days. *If we do not have* a response from the
24 Supreme Court ordering an answer at that time, *the stay will expire . . .*").¹

25 Again, contrary to what the Okada Parties write, the case law is clear as to the
26 jurisdictional overreach in ordering production of documents from foreign
27 non-parties through their United States affiliates. (Petition at 27-30.) And that is

28
¹ Nor is there merit to the Okada Parties' suggestion that Wynn Resorts somehow
delayed in bringing the stay issue to this Court's attention. (Opp'n at 1, n.1.) Indeed,
the District Court did not even enter its written order until the day Wynn Resorts
sought relief in this Court. (Ex. A hereto.)

1 precisely what the Okada Parties sought and the District Court ordered. As
2 Wynn Resorts has detailed in its Petition, the Okada Parties issued sweeping
3 discovery requests specifically requesting documents from Wynn Macau, which is
4 not a party to this case and is not subject to jurisdiction in the United States.
5 (Petition at 8-9.) Cognizant that it had no actual evidence in which to establish
6 Wynn Resorts' "control" over the documents that are held by a separate
7 publicly-traded foreign corporation, the Okada Parties offered none, despite the law's
8 clear requirement that such proof exist before an order compelling production can be
9 had. (Petition at 24-26.)

10 The Okada Parties notably fail to address the critical legal significance of the
11 documents belonging to a separate publicly-traded foreign corporation that has
12 minority shareholders, a point addressed in the Petition and by the Delaware
13 Supreme Court. *See Weinstein Enterprises, Inc. v. Orloff*, 87 A.2d 499, 508-09
14 (Del. 2005) (reversing an order of production that had been stayed pending appellate
15 review because Delaware courts lack jurisdiction to order a parent corporation to
16 produce documents from its subsidiary, where that subsidiary is not subject to
17 jurisdiction and was a separate publicly-traded corporation with its own board of
18 directors).

19 Respectfully, United States courts do not have jurisdiction to order a separate
20 publicly-traded foreign corporation to disregard the laws of its home government
21 simply because it is majority-owned by a United States company. (Petition at 27-30.)
22 And, contrary to what the Okada Parties now say, that is exactly what they sought
23 and precisely what the District Court has done.

24 Nor are the Okada Parties in any way harmed by a stay or having to follow the
25 actual law. They are free to follow the rules for non-party discovery and to seek
26 production of documents from non-party Wynn Macau in Macau. After all, the
27 Okada Parties are currently engaged in litigation with Wynn Macau in the Macau
28 courts concerning Macau's laws for the handling of these documents.

1 (Petition at 6-7.) Respectfully, the Okada Parties simply do not want to follow the
2 appropriate non-party discovery procedures because they are presently taking the
3 opposite legal position in Macau that they have taken before the District Court.
4 Besides that, the district court proceedings are presently stayed. The Okada Parties
5 can simply identify no harm from having to comply with the ordinary rules for
6 seeking discovery from non-parties.

7 And also contrary to what the Okada Parties write, the district court has ordered
8 a production of documents that are protected from disclosure pursuant to Macau law.
9 (Petition at 12-14.) Those protections are permanently lost in violation of Macau law
10 as the bell cannot be unrung.² Once again, the Okada Parties are simply wrong in
11 claiming that the purpose of Wynn Resorts' Petition will not be defeated absent an
12 extension of the stay.

13 Wynn Resorts is entitled to writ relief. If the Okada Parties want discovery
14 from non-parties that are not subject to the Court's jurisdiction, they must follow the
15 discovery procedures for non-parties. The Macau courts can then address the validity
16 of the Okada Parties' discovery requests, including their claims that Macau law
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27 ² The Okada Parties also represent to this Court that Wynn Resorts "has not
28 sought" any relief from Macau's Office of Personal Data Protection. (Opp'n at 4.)
Notably, there is no citation for this representation. *Id.* There could not be any
citation because the statement is not accurate.

1 should not protect its regulatory documents from disclosure without the consent of
2 the Macau gaming regulators.

3 DATED this 15th day of December, 2016.

4 PISANELLI BICE PLLC

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12 Attorneys for Real Party in Interest
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 15th day of December, 2016, I electronically filed and served all parties on the Court's service list and United States Mail a true and correct copy of the above and foregoing **REPLY IN SUPPORT OF MOTION TO EXTEND THE DISTRICT COURT'S STAY PENDING WRIT PETITION AND RULE 27(E) EMERGENCY MOTION FOR INTERIM EXTENSION OF STAY** properly addressed to the following:

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