

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

3 WYNN RESORTS, LIMITED,

4 Petitioner,

5 v.

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

13 Respondent,

14 and

15 ELAINE P. WYNN,

16 Real Party in Interest.

Case No.: 74063

Electronically Filed  
Oct 10 2017 02:49 p.m.

**AMENDED EMERGENCY  
MOTION UNDER NRAP 27(e)  
FOR STAY OF ORDER GRANTING  
MOTION TO COMPEL  
PRODUCTION OF WORK  
PRODUCT PROTECTED  
MATERIALS PURSUANT  
TO NRAP 8**

***(RULING REQUESTED BEFORE  
OCTOBER 12, 2017)***

17 **I. INTRODUCTION**

18 Petitioner Wynn Resorts, Limited ("Wynn Resorts" or the "Company")  
19 moves this Court for a stay pending disposition of its Petition for Writ of  
20 Prohibition or Alternatively, Mandamus (the "Petition"), which seeks to halt the  
21 District Court's ordered production of work product protected/privileged  
22 communications with its September 14, 2017 Order (the "Order") entered on  
23 October 10, 2017. (Ex. 1.) The District Court entered a temporary stay to allow  
24 Wynn Resorts to file its writ petition. (Ex. 1 at 2:10-13.) Wynn Resorts filed its  
25 petition and then moved to extend the stay on shortened time. During the  
26 October 9, 2017 hearing on Wynn Resorts' motion to extend the stay, after hearing  
27 that the Supreme Court has not yet directed an answer to the petition, the  
28 District Court denied Wynn Resorts' motion to extend the stay, stating that it can  
seek stay relief from the Supreme Court. Accordingly, with the temporary stay  
expired, and in accordance with the NRAP 27(e) certificate attached hereto,  
Wynn Resorts seeks a ruling as soon as possible or by October 12, 2017.

1 As set forth in the Petition, the District Court's Order compels production of  
2 work product protected materials over which Wynn Resorts claims privilege. The  
3 District Court concluded that the underlying documents were not protected  
4 materials, and applied an interpretation of the work product standard recently  
5 adopted by this Court in *Wynn Resorts, Limited v. Eighth Judicial District Court*,  
6 133 Nev. Adv. Op. 52 (2017) that is at odds with this Court's decision and  
7 reasoning.

8 The District Court's ordered production of the work product materials should  
9 be stayed pending this Court's review.

## 10 **II. ARGUMENT**

11 In accordance with NRAP 8, Wynn Resorts now moves this Court for an  
12 additional stay as directed by the District Court. In deciding whether to enter a  
13 stay, this Court considers: (1) whether the object of the writ petition will be  
14 defeated if the stay is denied; (2) whether petitioner will suffer irreparable injury if  
15 the stay is denied; (3) whether the real party in interest will suffer irreparable harm  
16 if a stay is granted; and (4) whether petitioner is likely to prevail on the merits of  
17 the writ petition. NRAP 8(c). No single factor is dispositive and, "if one or two  
18 factors are especially strong, they may counterbalance other weak factors." *Mikohn*  
19 *Gaming Corp. v. McCrea*, 120 Nev. 248, 251, 89 P.3d 36, 38 (2004). Here, each  
20 factor weighs in favor of a stay.

### 21 **A. Wynn Resorts' Petition is Meritorious.**

22 Wynn Resorts agrees "discovery matters typically are addressed to the  
23 district court's sound discretion." *Las Vegas Sands v. Eighth Jud. Dist. Ct.*,  
24 130 Nev. Adv. Op. 13, 319 P.3d 618, 621 (2014). However, this Court has found  
25 two circumstances where its intervention is proper: "when (1) the trial court issues  
26 blanket discovery orders without regard to relevance, or [when] (2) a discovery  
27 order requires disclosure of privileged information." *Id.*; see also *Valley Health*  
28 *Sys., LLC v. Eighth Jud. Dist. Ct.*, 127 Nev. Adv. Op. 15, 252 P.3d 676, 679 (2011).

1 In such circumstances, "[e]xtraordinary relief is a proper remedy to prevent  
2 improper discovery." *Schlatter v. Eighth Jud. Dist. Ct.*, 93 Nev. 189, 193, 561 P.2d  
3 1342, 1344 (1977) (citation omitted). The reason that such extraordinary relief is  
4 appropriate in these circumstances is because forced disclosure of privileged  
5 information cannot be remedied later on appeal. *Wynn Resorts*, 133 Nev.  
6 Adv. Op. 52 at 9.

7 In this instance, and as addressed in Wynn Resorts' Petition, the  
8 District Court denied Wynn Resorts' motion for protective order related to  
9 handwritten notes, made by a then-employee of Wynn Resorts, concerning a claim  
10 that resulted in the immediate retention of and consultation with legal counsel. The  
11 District Court rejected Wynn Resorts' claims of work product, characterizing them  
12 as a human resource-type report even though the witness testified that [REDACTED]

13 [REDACTED]  
14 [REDACTED].

15 However, and more problematic, was the District Court's interpretation of  
16 this Court's work product standard articulated in *Wynn Resorts*. The District Court  
17 stated that Nevada's new standard omits protection for documents created with a  
18 dual purpose. The District Court's same misinterpretation of this Court's work  
19 product decision in *Wynn Resorts* is the subject of another writ petition pending  
20 before this Court, No. 73949. In Case No. 73949, Wynn Resorts challenges the  
21 District Court's ruling that the Freeh Report was created for a business purpose and  
22 that any dual purpose is not to be considered when assessing work product. These  
23 two pending writ petitions concern the same legal issue and challenge; namely, did  
24 this Court reject all consideration of the dual purpose nature of a document when  
25 considering whether a document constitutes protected work product under the  
26 totality of the circumstances standard under the "because of" test. Given that this  
27 Court expressly stated in its *Wynn Resorts* decision that "'a document . . . does not  
28 lose protection under this formulation merely because it is created in order to assist

1 in a business decision," 133 Nev. Adv. Op. 52, pp. 25-26 (citing *United States v.*  
2 *Adlman*, 134 F.3d 1194, 1202 (2d Cir. 1998), Wynn Resorts believes that its  
3 position and petition are meritorious.

4 Wynn Resorts' Petition confirms a reasonable likelihood of success on the  
5 merits and warrants a stay pending this Court's consideration.

6 **B. Wynn Resorts Will Suffer Irreparable Harm and the Object of the**  
7 **Writ Petition is Defeated Absent a Stay.**

8 "Although irreparable or serious harm remains part of the stay analysis, this  
9 factor will not generally play a significant role in the decision whether to issue a  
10 stay." *Mikohn Gaming Corp.*, 120 Nev. at 253, 89 P.3d at 39. Nonetheless, this  
11 Court holds that the forced disclosure of privileged documents constitutes  
12 irreparable harm because the disclosure is irretrievable once made. *See Schlatter*,  
13 93 Nev. at 193, 561 P.2d at 1344. Following production, a party is effectively  
14 deprived of any remedy as one cannot unring the bell. This, of course, is true here.

15 **C. Ms. Wynn Suffers No Irreparable Harm by a Stay.**

16 Conversely, staying such an order does not unfairly prejudice Ms. Wynn.  
17 Ms. Wynn is not irreparably harmed by being deprived of work product materials to  
18 which she – and any other adversary – is not entitled under the law. While she may  
19 want protected material, her desire does not overcome Wynn Resorts' privilege and  
20 protections.

21 **III. CONCLUSION**

22 This Court should stay the District Court's Order pending resolution of  
23 Wynn Resorts' Petition. Wynn Resorts has shown a reasonable likelihood  
24 of success, and that it will suffer the irreparable harm of producing protected  
25  
26  
27  
28

documents. The object of the Petition cannot be undone after the fact. A stay is warranted.

DATED this 10th day of October, 2017.

PISANELLI BICE PLLC

By: /s/ Debra L. Spinelli  
James J. Pisanelli, Esq., Bar No. 4027  
Todd L. Bice, Esq., Bar No. 4534  
Debra L. Spinelli, Esq., Bar No. 9695  
400 South 7th Street, Suite 300  
Las Vegas, Nevada 89101

Robert L. Shapiro, Esq. (*pro hac vice admitted*)  
GLASER WEIL FINK HOWARD  
AVCHEN & SHAPIRO LLP  
10250 Constellation Boulevard  
19th Floor  
Los Angeles, California 90067

Mitchell J. Langberg, Esq.  
Bar No. 10118  
BROWNSTEIN HYATT FARBER  
SCHRECK LLP  
100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106

Attorneys for Wynn Resorts, Limited, Linda Chen, Russell Goldsmith, Ray R. Irani, Robert J. Miller, John A. Moran, Marc D. Schorr, Alvin V. Shoemaker, Kimmarie Sinatra, D. Boone Wayson, and Allan Zeman

**NRAP 27(e) CERTIFICATION OF COUNSEL**

DEBRA L. SPINELLI, ESQ., declares as follows:

1. I am one of the attorneys representing Petitioner Wynn Resorts, Limited ("Wynn Resorts") on its Petition for Writ of Prohibition or Alternatively, Mandamus (the "Petition") currently pending before this Court.

2. I make this certification in support of Wynn Resorts' Amended Emergency Motion under NRAP 27(e) for Stay of Order Granting Motion to Compel Pending Writ Pursuant to NRAP 8. As set forth in the motion, Wynn Resorts filed its Petition concerning the District Court's September 14, 2017 Order, entered on October 10, 2017.

3. Because it ordered the production of materials over which Wynn Resorts asserted work product protection, the District Court had entered a temporary stay of the ordered production until Wynn Resorts filed a writ petition and moved to extend the stay. Wynn Resorts' motion to extend the stay was heard on shortened time, and denied during a hearing on October 9, 2017.

4. As such, pursuant to NRAP 27(e), relief is needed in less than 14 days – as soon as possible or by October 12, 2017 – in the face of the District Court's ruling and denial of an extension of the stay.

5. The telephone numbers and office address of the attorneys for the parties are:

James J. Pisanelli, Esq.  
Todd L. Bice, Esq.  
Debra L. Spinelli, Esq.  
PISANELLI BICE PLLC  
400 South 7th Street, Suite 300  
Las Vegas, NV 89101  
Telephone: 702.214.2100

Robert L. Shapiro, Esq.  
GLASER WEIL FINK HOWARD  
AVCHEN & SHAPIRO LLP  
10250 Constellation Boulevard, 19th Floor  
Los Angeles, CA 90067  
Telephone: 310.553.3000

1 Mitchell J. Langberg, Esq., Bar No. 10118  
2 BROWNSTEIN HYATT FARBER SCHRECK LLP  
3 100 North City Parkway. Suite 1600  
4 Las Vegas, NV 89106  
5 Telephone: 702.382.2101

6 *Attorneys for Wynn Resorts, Limited, Linda Chen, Russell Goldsmith,*  
7 *Ray R. Irani, Robert J. Miller, John A. Moran, Marc D. Schorr,*  
8 *Alvin V. Shoemaker, Kimmarie Sinatra, D. Boone Wayson, and Allan Zeman*

9 William R. Urga, Esq.  
10 JOLLEY URGa WOODBURY HOLTHUS & ROSE  
11 330 S. Rampart Boulevard, Suite 380  
12 Las Vegas, NV 89145  
13 Telephone: 702.699.7500

14 Mark E. Ferrario, Esq.  
15 Tami D. Cowden, Esq.  
16 GREENBERG TRAURIG, LLP  
17 3773 Howard Hughes Parkway, #400  
18 Las Vegas, NV 89169  
19 Telephone: 702.792.3773

20 James M. Cole, Esq.  
21 SIDLEY AUSTIN LLP  
22 1501 K Street, N.W.  
23 Washington, DC 20005  
24 Telephone: 202.736.8000

25 Scott D. Stein, Esq.  
26 SIDLEY AUSTIN LLP  
27 One South Dearborn Street  
28 Chicago, IL 60603  
Telephone: 312.853.7000

Daniel F. Polsenberg, Esq.  
Marla J. Hudgens, Esq.  
Joel D. Henriod, Esq.  
LEWIS ROCA ROTHGERBER CHRISTIE LLP  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169  
Telephone: 702.949.8200

*Attorneys for Real Party in Interest Elaine Wynn*

Donald J. Campbell, Esq.  
J. Colby Williams, Esq.  
CAMPBELL & WILLIAMS  
700 South 7th Street  
Las Vegas, NV 89101  
Telephone: 702.382.5222

*Attorneys for Stephen Wynn*

1 J. Stephen Peek, Esq.  
2 Bryce K. Kunimoto, Esq.  
3 Robert J. Cassity, Esq.  
4 HOLLAND & HART LLP  
5 9555 Hillwood Drive, Second Floor  
6 Las Vegas, NV 89134  
7 Telephone: 702.669.4600

8 *Attorneys for Kazuo Okada*

9 J. Randall Jones, Esq.  
10 Mark M. Jones, Esq.  
11 Ian P. McGinn, Esq.  
12 KEMP, JONES & COULTHARD, LLP  
13 3800 Howard Hughes Parkway, 17th Floor  
14 Las Vegas, NV 89169

15 David S. Krakoff, Esq.  
16 Benjamin B. Klubes, Esq.  
17 Joseph J. Reilly, Esq.  
18 BUCKLEY SANDLER LLP  
19 1250 – 24th Street NW, Suite 700  
20 Washington, DC 20037  
21 Telephone: 202.349.8000

22 *Attorneys for Universal Entertainment Corp.; Aruze USA, Inc.*

23 6. I have notified the clerk of this Court as well as opposing counsel of  
24 the filing of this motion. Opposing counsel was notified of our intent based upon  
25 the District Court's instructions at the October 9 hearing, an email exchange on  
26 October 9, 2017, and during another hearing on October 10, 2017 when discussing  
27 the entry of the underlying order. Opposing counsel has been served with a copy of  
28 this motion.

DATED this 10th day of October, 2017.

/s/ Debra L. Spinelli  
DEBRA L. SPINELLI



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 10th day of October, 2017, I electronically filed and served by electronic mail a true and correct copy of the above and foregoing **AMENDED EMERGENCY MOTION UNDER NRAP 27(e) FOR STAY OF ORDER GRANTING MOTION TO COMPEL PRODUCTION OF WORK PRODUCT PROTECTED MATERIALS PENDING WRIT PURSUANT TO NRAP 8** to the following:

J. Stephen Peek, Esq.  
Bryce K. Kunimoto, Esq.  
Robert J. Cassity, Esq.  
HOLLAND & HART LLP  
9555 Hillwood Drive, Second Floor  
Las Vegas, NV 89134

*Attorneys for Kazuo Okada*

J. Randall Jones, Esq.  
Mark M. Jones, Esq.  
Ian P. McGinn, Esq.  
KEMP, JONES & COULTHARD, LLP  
3800 Howard Hughes Pkwy, 17th Floor  
Las Vegas, NV 89169

David S. Krakoff, Esq.  
Benjamin B. Klubes, Esq.  
Joseph J. Reilly, Esq.  
BUCKLEY SANDLER LLP  
1250 – 24th Street NW, Suite 700  
Washington, DC 20037

*Attorneys for Universal Entertainment Corp.; Aruze USA, Inc.*

Donald J. Campbell, Esq.  
J. Colby Williams, Esq.  
CAMPBELL & WILLIAMS  
700 South 7th Street  
Las Vegas, NV 89101

*Attorneys for Stephen Wynn*

William R. Urga, Esq.  
JOLLEY URGa WOODBURY  
HOLTHUS & ROSE  
330 S. Rampart Blvd., Suite 380  
Las Vegas, NV 89145

Mark E. Ferrario, Esq.  
Tami D. Cowden, Esq.  
GREENBERG TRAURIG, LLP  
3773 Howard Hughes Parkway, #400  
Las Vegas, NV 89169

James M. Cole, Esq.  
SIDLEY AUSTIN LLP  
1501 K. Street N.W.  
Washington, D.C. 20005

Scott D. Stein, Esq.  
SIDLEY AUSTIN, LLP  
One South Dearborn St.  
Chicago, IL 60603

Daniel F. Polsenberg, Esq.  
Joel D. Henriod, Esq.  
Abraham G. Smith, Esq.  
LEWIS ROCA ROTHGERBER  
CHRISTIE LLP  
3993 Howard Hughes Pkwy, Ste. 600  
Las Vegas, NV 89169

*Attorneys for Real Party in Interest  
Elaine Wynn*

Steve Morris, Esq.  
Rosa Solis-Rainey, Esq.  
MORRIS LAW GROUP  
411 E. Bonneville Avenue, Suite 360  
Las Vegas, NV 89101  
*Attorneys for Defendants*

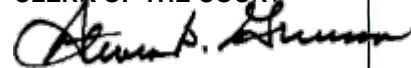
**SERVED VIA HAND-DELIVERY**

The Honorable Elizabeth Gonzalez  
Eighth Judicial District court, Dept. XI  
Regional Justice Center  
200 Lewis Avenue  
Las Vegas, Nevada 89155

*Respondent*

/s/ Kimberly Peets  
An employee of PISANELLI BICE PLLC

# **EXHIBIT 1**



James J. Pisanelli, Esq., Bar No. 4027

[JJP@pisanellibice.com](mailto:JJP@pisanellibice.com)

Todd L. Bice, Esq., Bar No. 4534

[TLB@pisanellibice.com](mailto:TLB@pisanellibice.com)

Debra L. Spinelli, Esq., Bar No. 9695

[DLS@pisanellibice.com](mailto:DLS@pisanellibice.com)

PISANELLI BICE PLLC

400 South 7th Street, Suite 300

Las Vegas, Nevada 89101

Telephone: 702.214.2100

Facsimile: 702.214.2101

Robert L. Shapiro, Esq. (*admitted pro hac vice*)

[RS@glaserweil.com](mailto:RS@glaserweil.com)

GLASER WEIL FINK HOWARD

AVCHEN & SHAPIRO

10250 Constellation Boulevard, 19th Floor

Los Angeles, California 90067

Telephone: 310.553.3000

Mitchell J. Langberg, Esq., Bar No. 10118

[mlangberg@bhfs.com](mailto:mlangberg@bhfs.com)

BROWNSTEIN HYATT FARBER SCHRECK

100 North City Parkway, Suite 1600

Las Vegas, Nevada 89106-4614

Telephone: 702.382.2101

Attorneys for Wynn Resorts, Limited, Linda Chen,  
Russell Goldsmith, Ray R. Irani, Robert J. Miller,  
John A. Moran, Marc D. Schorr, Alvin V. Shoemaker,  
Kimmarré 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 DENYING WYNN RESORTS,  
LIMITED'S MOTION FOR PROTECTIVE  
ORDER**

Date of Hearing: August 25, 2017

Time of Hearing: 9:00 a.m.

Wynn Resorts, Limited's Motion for Protective Order on Order Shortening Time, came on for hearing on August 14, 2017 and August 25, 2017 ("Motion"). William J. Urga, Esq., of Jolley Urga Woodbury Holthus & Rose, Mark E. Ferrario, Esq., of Greenberg Traurig, LLP, and Scott D. Stein, Esq. of Sidley Austin, LLP appeared on behalf of Counterdefendant/Counterclaimant/Crossclaimant Elaine P. Wynn ("Ms. Wynn"). James J. Pisanelli, Esq., Todd L. Bice, Esq., and Debra L. Spinelli, Esq., of Pisanelli Bice PLLC, appeared on behalf of Plaintiff/Counterdefendant Wynn Resorts, Limited ("Wynn Resorts") and Counterdefendants Linda Chen, Russell Goldsmith, Ray R. Irani, Robert J. Miller, John A. Moran, Marc D. Schorr, Alvin V. Shoemaker, Kimmarie Sinatra, D. Boone Wayson, and Allan Zeman (collectively the "Wynn Parties"). J. Stephen Peek, Esq. and Robert J. Cassity, Esq., of Holland & Hart LLP, appeared on behalf of Defendant Kazuo Okada ("Okada"). Randall Jones, Esq., of Kemp, Jones, and Coulthard, LLC and David S. Krakoff, Esq. of Buckley Sandler, LLP appeared on behalf of Defendants/Counterclaimants/Counterdefendants Aruze USA, Inc. ("Aruze USA") and Universal Entertainment Corp. ("Universal") (collectively the "Aruze Parties"). J. Colby Williams, Esq., of Campbell & Williams, appeared on behalf of Counterdefendant/Cross-defendant Stephen A. Wynn ("Mr. Wynn"). Bruce Leslie, Esq. appeared on behalf of non-party Doreen Whennen.

The Court having considered the Motion; the Opposition filed by Ms. Wynn on August 10, 2017; the Reply filed by Wynn Resorts on August 14, 2017; the Supplement to Wynn Resorts' Motion filed on August 18, 2017; the Supplement to Wynn Resorts' Motion filed on August 24, 2017; and the Supplemental Memorandum in Opposition filed by Ms. Wynn on August 23, 2017; as well as the arguments of counsel presented at the hearings on August 14, 2017 and August 25, 2017, and good cause appearing therefor, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion is DENIED, as follows:

1. Wynn Resorts' work-product claim over the documents subject to the Subpoena Duces Tecum Ms. Wynn issued to Ms. Whennen on July 14, 2017 (the "Subpoena") is overruled because the document does not appear to be one that, in and of itself, would fit the "because of" test under the Nevada

Supreme Court's decision, *Wynn Resorts, Limited, v. the Eighth Judicial District Court*, 133 Nev. 52.

2. The Court vacates its previous suspension of Ms. Whennen's obligation to respond to the Subpoena, and Ms. Whennen must comply therewith.

3. The Court acknowledges that there may be an issue about ownership of the notes, but that is not an issue over which this Court has jurisdiction. If Wynn Resorts pursues a separate action to address the ownership issue, the court presiding over that separate action shall coordinate with this Court related to the subject documents.

IT IS FURTHER ORDERED THAT this Order shall be stayed for 30 days from August 25, 2017, *i.e.*, through September 25, 2017, to permit Wynn Resorts to file a writ petition with the Nevada Supreme Court. Once the petition is filed, Wynn Resorts can request an additional stay from this Court.

IT IS SO ORDERED.

DATED this 1<sup>st</sup> day of September 2017.

  
THE HONORABLE ELIZABETH GONZALEZ  
EIGHTH JUDICIAL DISTRICT COURT

Respectfully submitted by:

(Resigned due to loss 10/10/17)

PISANELLI BICE PLLC

By:  (12698)

James J. Pisanelli, Esq., Bar No. 4027  
Todd L. Bice, Esq., Bar No. 4534  
Debra L. Spinelli, Esq., Bar No. 9695  
400 South 7th Street, Suite 300  
Las Vegas, Nevada 89101

Robert L. Shapiro, Esq. (*admitted pro hac vice*)  
GLASER WEIL FINK HOWARD  
AVCHEN & SHAPIRO, LLP  
10259 Constellation Boulevard, 19th Floor  
Los Angeles, California 90067

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Mitchell J. Langberg, Esq., Bar No. 10118  
BROWNSTEIN HYATT FARBER SCHRECK  
100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106

Attorneys for Wynn Resorts, Limited, Linda Chen,  
Russell Goldsmith, Ray R. Irani, Robert J. Miller,  
John A. Moran, Marc D. Schorr, Alvin V. Shoemaker,  
Kimmarie Sinatra, D. Boone Wayson, and Allan Zeman

CAMPBELL & WILLIAMS

By: /s/ J. Colby Williams  
Donald J. Campbell, Esq., Bar No. 1216  
J. Colby Williams, Esq., Bar No. 5549  
700 South Seventh Street  
Las Vegas, NV 89109

*Attorneys for Stephen A. Wynn*