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

WYNN RESORTS, LIMITED, and  
STEPHEN A. WYNN

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,  
DEPT. XI,

Respondent,

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

Real Parties in Interest.

Case No. 74591

District Court Case No. 2017-02470  
Electronically Filed  
Dec 19, 2017 6:49 p.m.

Elizabeth A. Brown  
Clerk of Supreme Court

**EMERGENCY MOTION UNDER  
NRAP 27(e) TO STAY  
PROCEEDINGS PENDING  
DISPOSITION OF PETITION FOR  
WRIT OF MANDAMUS OR  
ALTERNATIVELY, PROHIBITION**

**(IMMEDIATE REVIEW  
REQUESTED)**

Wynn Resorts, Limited ("Wynn Resorts" or the "Company") moves this Court on an emergency basis for entry of a stay pending this Court's disposition of Wynn Resorts' Petition for Writ of Mandamus or Alternative, Prohibition No. 74591 (the "Petition"), a matter for which this Court has already ordered expedited briefing. Yesterday, December 18, 2017, the District Court denied the request for stay and instead announced its intention to immediately issue a short-form jury notification to some 10,000 potential jurors – a copy is attached hereto as Exhibit A. The District Court believes that it must have the Jury Commissioner issue a notice to canvas potential jurors to serve for as much as six (6) months, a duration predicated on its continued view that the Business Judgment Rule does not apply to the actions that the Company took based upon a vote of its directors.

As part of its request for stay, Wynn Resorts objected to that notice because suggesting to jurors that they will have to serve for as much as six (6) months – while the present Petition would fundamentally change the duration of any trial – will influence

1 potential juror responses. After all, such a notice will encourage claims of  
2 financial/personal hardship and inability to serve.<sup>1</sup> In addition to the imminent jury vetting  
3 process now being put in motion and its cost, millions of dollars in private resources will  
4 be expended in preparation for such an unauthorized trial – including the depositions of  
5 over 20 expert witnesses, pretrial preparations, motions and a jury questionnaire predicated  
6 on the Business Judgment Rule not applying – matters overwhelming eliminated should  
7 the Petition be granted.

8 With due respect to the District Court's approach, the effect of the Business  
9 Judgment Rule under this Court's rulings is straight forward: a company cannot be liable  
10 for its board's exercise of discretionary powers under its Articles of Incorporation when the  
11 District Court has simultaneously determined that a majority of the board acted in  
12 conformity with the Business Judgment Rule. This case continues to consume massive  
13 public and private resources – now including an imminent public notice – all tied to the  
14 flawed proposition that the Business Judgment Rule is but a limitation on director liability,  
15 as opposed to a substantive rule that governs corporate action based upon a board vote.

16 There is good cause to stay this action while this Court expeditiously addresses the  
17 Petition. Absent a stay, this case will proceed down a wholly defective legal path.  
18 Obviously, there is a fundamental difference between who could serve on a routine trial of  
19 the claims that could maybe remain in this case as opposed to a trial lasting six (6) months  
20 as the District Court assumes based upon its present ruling under the Business Judgment  
21 Rule.

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22  
23  
24  
25 <sup>1</sup> As noted in Wynn Resorts' Petition, there are few issues that would remain  
26 after proper enforcement of the Business Judgment Rule, more specifically, claims  
27 asserted by Elaine P. Wynn ("Ms. Wynn"). The scope of any trial is fundamentally  
28 transformed, if as Wynn Resorts contends, the Company cannot be sued on the exact  
same claims when a court has ruled that a majority of the Board acted in conformity  
with the Business Judgment Rule in voting for the corporate action at issue.

1 **I. ARGUMENT**

2 There is good cause to stay this action pending this Court's resolution of the  
3 Petition. NRAP 8(a)(1)(A); *see also Hansen v. Eighth Jud. Dist. Ct.*, 116 Nev. 650,  
4 657, 6 P.3d 982, 986 (2000). As shown in the Petition, Wynn Resorts has a strong  
5 likelihood of success on the merits and that fact will fundamentally alter what  
6 matters remain for trial with the Okada Parties, if anything. The basis for action is  
7 particularly acute in light of the District Court's decision to immediately issue  
8 notices to 10,000 potential jurors in anticipation of a six-month long trial. There is  
9 no reason for the consumption of such resources in light of the District Court's  
10 finding that a majority of Wynn Resorts' directors voted in conformity with the  
11 Business Judgment Rule. Under the law, the Company can only act pursuant to the  
12 vote of a majority of its directors, and under those circumstances, the Business  
13 Judgment Rule protects the Board's decision just as it protects the Board members  
14 from liability.

15 The four factors for stay are well known to this Court. NRAP 8(c). No single  
16 factor is dispositive and "if one or two factors are especially strong, they may  
17 counterbalance other weak factors." *Mikohn Gaming Corp. v. McCrea*, 120 Nev.  
18 248, 251, 89 P.3d 36, 38 (2004). The balancing of these interests warrants the  
19 imposition of a stay of the proceedings.

20 **A. The Petition is Meritorious and Changes the Landscape of any**  
21 **Trial.**

22 Wynn Resorts' Petition makes a strong showing that its position is  
23 meritorious, including under the law of case doctrine. This Court has already  
24 rejected the Okada Parties' arguments and held that the Business Judgment Rule is  
25 not just a limitation on director liability, and also precludes second guessing of the  
26 corporate action pursuant to the Board's vote. *Wynn Resorts, Ltd. v. Eighth Jud.*  
27 *Dist. Ct.*, 133 Nev. Adv. Op., 57, 399 P.3d 339 (2017).  
28

1 A "party opposing a stay motion can defeat the motion by making a strong  
2 showing that appellate relief is unattainable." *Mikohn Gaming*, 120 Nev. at 253, 89  
3 P.3d at 40. The Okada Parties can make no such showing here. Again, the Petition  
4 focuses on the applicability of the Business Judgment Rule to the corporate  
5 action/decision based upon a board vote. As this Court stated in *Wynn Resorts*, the  
6 Business Judgment Rule protects not only the Board but also the corporate decision  
7 taken by the Board. *Wynn Resorts*, 133 Nev. Adv. Op. 57, 399 P.3d at 342. And  
8 that is necessarily true where the District Court has already ruled that a majority of  
9 the directors acted in conformity with the Business Judgment Rule in casting their  
10 votes for that action.

11 **B. The Object of The Writ Will be Defeated absent a Stay.**

12 The object of Wynn Resorts' Petition would also be defeated absent a stay.  
13 The purpose of the Petition is to enforce Nevada's Business Judgment Rule, as that  
14 is a matter that materially alters the contours of this case in light of the District  
15 Court's granting of summary judgment for a majority of the Director Defendants.  
16 That is not something for which Wynn Resorts has "a plain, speedy and adequate  
17 remedy at law." *Millen v. District Ct.*, 122 Nev. 1245, 1250-51, 148 P.3d 694, 698  
18 (2006).

19 This Court teaches that "we determine in each particular case whether a future  
20 appeal is *sufficiently adequate and speedy* by considering a number of factors,  
21 including 'the underlying proceedings' status, the types of issues raised in the writ  
22 petition, and whether a future appeal will permit this Court to immediately review  
23 the issues presented." *Beazer Homes Holding Corp. v. Eighth Jud. Dist. Ct.*, 128  
24 Nev. Adv. Op. 66, 291 P.3d 128, 133 (2012) (emphasis added) (quoting *D.R. Horton*  
25 *v. Dist. Ct.*, 123 Nev. 468, 474-75, 168 P.3d, 731, 736 (2007)).

26 Again, the purpose of the Petition is to establish the appropriate scope of any  
27 trial in this matter in light of the District Court's granting of summary judgment for  
28

1 a majority of the Director Defendants. That is not something that can be fairly and  
2 effectively reviewed later.

3 **C. Petitioners Will Suffer Irreparable and Serious Injury if the Stay**  
4 **is Denied.**

5 Similarly, Wynn Resorts will suffer harm absent a stay and the parties are  
6 forced to continue down a legally flawed litigation path. Of course, ordinary  
7 litigation costs are not typically a basis for entering a stay. *Mikohn Gaming Corp.*  
8 *v. McCrea*, 120 Nev. 248, 253, 89 P.3d 36, 39 (2004). But here, the parties are not  
9 talking about ordinary litigation costs. As the District Court has itself observed, a  
10 full trial in this action of the claims addressed by the Petition will consume as much  
11 as six months of public and private resources. Additionally, it is unclear exactly  
12 what the issues are that remain for trial in light of its summary judgment ruling.  
13 After all, the District Court has already found that a vast majority of the Board – the  
14 very votes that caused the redemption – comport with the requirements of Nevada's  
15 Business Judgment Rule, being that they were cast in good faith with an eye towards  
16 the Company's best interest.

17 Claiming that the company should have to proceed to trial, expert discovery  
18 and all the related pretrial matters on the exact same claims that the Court has already  
19 found may not proceed against the Director Defendants is untenable and sets up the  
20 potential for conflicting results. And, as stated, the District Court intends to  
21 immediately send out some 10,000 notices to prospective jurors based upon the  
22 assumption of a six (6) month trial. Such a notice will influence potential juror  
23 behavior and encourage prospective jurors to claim financial hardship when a trial  
24 of such an extreme duration will be avoided by the present Petition. There is no  
25 good cause for having the potential pool influenced in such a fashion and consuming  
26 public resources when the present Petition resolves that very issue.

1           **D. The Okada Parties Will Not Suffer Cognizable Harm if a Stay is**  
2           **Granted.**

3           The Okada Parties will not suffer irreparable harm or significant injury if the  
4           proceedings are stayed pending the Petition. This Court has already ordered  
5           expedited briefing. Just as litigation costs alone do not constitute irreparable harm,  
6           neither does a delay in the proceedings. *Mikohn Gaming*, 120 Nev. at 253, 89 P.3d  
7           at 39. Indeed, all the parties to this case would benefit from a definitive ruling by  
8           this Court as the appropriate scope of this case in light of the District Court's  
9           summary judgment ruling.

10           Moreover, the public policy concerns of judicial efficiency and fairness  
11           support a stay of this case. *Massey v. Sunrise Hosp.*, 102 Nev. 367, 370, 724 P.2d  
12           208, 210 (1986) ("Proceeding to trial against one defendant during the pendency of  
13           such an appeal is unduly burdensome to the plaintiff as well as to the judiciary").

14           **II. CONCLUSION**

15           As set forth herein, good cause exists to stay the District Court's proceedings  
16           and resolve the present Petition before even more public and private resources are  
17           consumed.

18           DATED this 19th day of December, 2017.

19           PISANELLI BICE PLLC

20  
21           By: /s/ Todd L. Bice  
22                   James J. Pisanelli, Esq., Bar No. 4027  
23                   Todd L. Bice, Esq., Bar No. 4534  
24                   Debra L. Spinelli, Esq., Bar No. 9695  
25                   400 South 7th Street, Suite 300  
26                   Las Vegas, Nevada 89101

27           Attorneys for Real Party in Interest  
28           Wynn Resorts, Limited

**NRAP 27(e) CERTIFICATE**

**A. Contact Information**

Attorney for Petitioners:

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  
(702) 214-2100

Donald J. Campbell, Esq.  
J. Colby Williams, Esq.  
CAMPBELL & WILLIAMS  
700 South 7th Street  
Las Vegas, NV 89101  
(702) 382-5222

Attorneys for Real Parties in Interest:

J. Stephen Peek, Esq.  
Bryce K. Kunimoto, Esq.  
Robert J. Cassity, Esq.  
Brian G. Anderson, Esq.  
HOLLAND & HART LLP  
9555 Hillwood Drive, Second Floor  
Las Vegas, NV 89134  
(702) 669-4600

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  
(702) 385-6000

David S. Krakoff, Esq.  
Benjamin B. Klubes, Esq.  
Joseph J. Reilly, Esq.  
BUCKLEY SANDLER LLP  
1250 – 24th Street NW, Suite 700  
Washington, DC 20037  
(202) 349-8000

Steve Morris, Esq.  
Rosa Solis-Rainey, Esq.  
MORRIS LAW GROUP  
411 E. Bonneville Avenue, Suite 360  
Las Vegas, NV 89101  
(702) 474-9400

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

1 Attorneys for proposed Intervenor:

2 Daniel F. Polsenberg, Esq.  
3 Joel D. Henriod, Esq.  
4 Abraham G. Smith, Esq.  
5 LEWIS ROCA ROTHGERBER CHRISTIE LLP  
6 3993 Howard Hughes Pkwy, Ste. 600  
7 Las Vegas, NV 89169  
8 (702) 949-8200

9 Mark E. Ferrario, Esq.  
10 Tami D. Cowden, Esq.  
11 GREENBERG TRAUERIG, LLP  
12 3773 Howard Hughes Parkway, #400  
13 Las Vegas, NV 89169  
14 (702) 792-3773

15 James M. Cole, Esq.  
16 SIDLEY AUSTIN LLP  
17 1501 K. Street N.W.  
18 Washington, D.C. 20005  
19 (202) 736-8246

20 Scott D. Stein, Esq.  
21 SIDLEY AUSTIN, LLP  
22 One South Dearborn St.  
23 Chicago, IL 60603  
24 (312) 853-7520

25 **B. Nature of Emergency**

26 On December 18, 2017, the District Court denied Wynn Resorts' motion for  
27 stay pending this Court's resolution of the present Petition, one for which the Court  
28 has already expedited briefing. In denying that stay, the District Court announced  
that it would be directing the Jury Commissioner to send out some 10,000 notices  
to potential jurors to assess their availability to serve on a trial that will last as long  
as six (6) months. The basis for that duration is the District Court's belief that a trial  
of the remaining claims between the Okada Parties and Wynn Resorts – subject  
matters of the present Petition – could last that long. Wynn Resorts objected to such  
a notice and requested a stay as it believes that there is no basis for such a duration  
in face of the present Petition and such a notice will influence potential jurors into  
claiming extreme hardship/inconvenience to avoid serving, when the scope/duration  
will be substantially reduced or eliminated by the present Petition before this Court.



1 Wynn Resorts maintains that the resolution of the Petition will not only negate the  
2 basis for such a notice to potential jurors, it will avoid any influencing of prospective  
3 jurors with the prospect of a trial of six (6) months in length.

4 **C. Notice and Service**

5 I, Todd L. Bice, personally gave notice to counsel for the Real Parties in  
6 Interest of this motion. On filing, I will email copies to each of the attorneys for  
7 Real Parties in Interest.

8 DATED this 19th day of December, 2017.

9 PISANELLI BICE PLLC

10  
11 By: /s/ Todd L. Bice  
12 James J. Pisanelli, Esq., Bar No. 4027  
13 Todd L. Bice, Esq., Bar No. 4534  
14 Debra L. Spinelli, Esq., Bar No. 9695  
15 400 South 7th Street, Suite 300  
16 Las Vegas, Nevada 89101

17  
18 Attorneys for Real Party in Interest  
19 Wynn Resorts, Limited  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 19th day of December, 2017, I electronically filed and served by electronic mail and U.S. mail, a true and correct copy of the above and foregoing **EMERGENCY MOTION UNDER NRAP 27(e) TO STAY PROCEEDINGS PENDING DISPOSITION OF PETITION FOR WRIT OF MANDAMUS OR ALTERNATIVELY, PROHIBITION** properly addressed 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 TRAUERIG, 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 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*

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

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**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/ Shannon Dinkel  
An employee of PISANELLI BICE PLLC

# **EXHIBIT A**

**YOU HAVE BEEN SUMMONED FOR JURY SERVICE**

You are required to respond to this notice immediately at  
[eJuror.clarkcountycourts.us](http://eJuror.clarkcountycourts.us)

Enter juror ID # \_\_\_\_\_, provide the last three letters of your last name and date of birth to proceed. If you are unable to respond online, please contact the Jury Services Office at the number below and press 0#.

**Failure to respond may result in contempt and fine of up to \$500.00**

You will complete a qualification survey and pre-questionnaire regarding your ability to serve on a civil trial in the Eighth Judicial District Court that may take up to six months. Those not excused will be required to appear in Court **on or after February 20, 2018** and a separate Summons will be sent to you approximately one week prior to your reporting date.

EIGHTH JUDICIAL DISTRICT COURT  
JURY SERVICES  
200 LEWIS AVE., 3<sup>RD</sup> FLOOR  
LAS VEGAS, NV 89155  
(702) 455-4472 PHONE, (702) 671-4515 FAX  
0# to reach an operator  
EMAIL: EJUROR@CLARKCOUNTYCOURTS.US  
(Include name & Juror ID # on all correspondence)

To request a reasonable accommodation for disability, call (702) 455-4472. For TT/TDD hearing speech impaired, please call Relay Nevada Services at 800-326-686 (within local area) or 800-492-3177 (outlying areas in Clark County). This number is not for out of state callers.

JUROR ID: 105121786

JANE DOE, BADGE #: 01-0205

|||||

Eighth Judicial District Court Jury Services  
200 Lewis Ave., 3<sup>rd</sup> Fl.  
Las Vegas, NV 89155

PRESORTED  
FIRST CLASS  
MAIL, PERMIT  
NO. 1804

**OFFICIAL JURY DUTY NOTICE**  
**ID # 105121786**  
**Badge # 01-0205**

**JANE DOE**  
**1234 MOCKINGBIRD LANE**  
**LAS VEGAS, NV 89123**

|||||

## TEXT AS IT APPEARS IN ONLINE ABILITY TO SERVE QUESTIONNAIRE IN AGILE JURY

### Questionnaire

You are being considered as a juror in a civil trial in the Eighth Judicial District Court that may take up to six months.

Prospective jurors will be required to appear in Court on or after **February 20, 2018**, to complete a Pre-trial Questionnaire. Unless you are excused, or your jury service is rescheduled, confirmation of your Summons will be sent to you approximately one week prior to your reporting date. This will include reporting instructions and a map with parking instructions.

### TRIAL SCHEDULE

Trial will begin on Monday, April 16, 2018, and your presence in court will be required every Monday through Friday from 9am to 5pm (with a lunch recess) until trial is concluded, except for the following Court holidays and off days:

Memorial Day - May 28, 2018  
Independence Day/Break – July 4, 2018  
Labor Day – September 3, 2018  
Rosh Hashanah – September 10, 2018  
Yom Kippur – September 18, 2018  
Nevada Day – October 26, 2018

There may be additional dates the trial will be in recess as determined by the Court. Jurors will be informed as necessary. It is your responsibility to verify your employer's policy concerning payment of your salary while on jury service *prior* to completing the *Ability to Serve Questionnaire*. Requests are not processed by phone unless in the case of a true emergency.

DO NOT assume your request for excusal or postponement is granted. Requesting and receiving excusal from this trial does not necessarily excuse you from further jury service. Should the Court feel your circumstances would not allow you to reasonably serve on this trial, the Court may conclude you would be able to serve on a trial of less duration. In that case, your jury service would not be excused, but postponed until a later date. You will receive the decision of the Court by mail, E-mail or text denying your request, postponing your jury service, or excusing you from this jury service. Please provide your E-mail address, cellular phone number and cellular phone carrier if you would like to receive notifications by E-mail or text.

If you answer "No" on the Ability to Serve Questionnaire, please explain why you cannot serve as a juror in this case for the time period described. If you have questions regarding completing this questionnaire, you may call the Jury Services Office at 702-455-4472, and press 0# to speak to an operator. If you have TRAVEL PLANS, you must provide the dates of travel, whether you have purchased tickets, and indicate if the tickets are refundable. DO NOT send documentation unless it is requested by the Jury Services Office, but be ready to provide it if required by the Court.

If you claim FINANCIAL HARDSHIP, state your EMPLOYER'S NAME and POLICY concerning paying you while on jury service. NOTE: Financial hardship to you IS a basis to be postponed to a shorter trial and in extreme instances excused altogether. Hardship to your employer is NOT. No employer may discharge or threaten to discharge any permanent employee based upon jury service. If you are self-employed, you must explain why you cannot temporarily adjust your schedule. DO NOT send documentation unless it is requested by the Jury Services Office.

If you claim CHILD CARE needs, indicate the AGE(S) of your child(ren), the EARLIEST/LATEST TIMES you can drop off/pick up your child(ren) at school or daycare, AND, IF YOU ARE MARRIED, explain why your spouse cannot temporarily handle this duty in your place. You must be the sole daytime, physical care provider to claim care of the elderly.

If you are a STUDENT, you must include your DAILY CLASS SCHEDULE and the LAST DATE OF THE TERM in the space provided.

If you claim a MEDICAL and/or PHYSICAL DISABILITY, state the nature of the disability and why you believe it prevents you from serving as a juror. If you are employed, state your EMPLOYER'S NAME and why you are able to work but unable to serve as a juror, i.e. why your medical disability cannot be accommodated. DO NOT send documentation unless it is requested by the Jury Services Office.

If you wish to be excused for ANY OTHER REASON, please explain where indicated below.

What is your Badge # listed on the postcard summons? *(space is alpha numeric)*

Are you able to serve as a juror in a trial beginning April 16, 2018 which may last up to six months? *(Drop down question with selection YES or NO)*

IF your answer above was NO, state the reason(s) why you would not be available. *(alpha numeric field with 1,000 characters).*

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**ASQ is followed by the normal Qualification Questionnaire which is in accordance with NRS 6 as follows:**

Are you a citizen of the United States?  Yes  No

Are you a resident of Clark County?  Yes  No

Are you 18 years of age or older?  Yes  No

Are you a convicted felon whose civil rights have not been restored?  Yes  No

*If Yes is selected, Date of Offense (date selection calendar) and Charges field appears.*

Have you been adjudicated mentally incompetent or insane?  Yes  No

*If Yes is selected, the following text appears: Please be prepared to upload, scan & email or fax proof, i.e. doctor's letter or guardianship papers.*

*Upon completion of questions, the following text appears:*

This information is sworn to be true under the penalties of perjury. *(selection is Confirm or Cancel)*

**Summons for Jury Service  
Ability to Serve Questionnaire**

Badge Number: \_\_\_\_\_ Juror Number: \_\_\_\_\_

You are being considered as a juror in a civil trial in the Eighth Judicial District Court that may take up to six months.

Prospective jurors will be required to appear in Court on or after **February 20, 2018**, to complete a Pre-trial Questionnaire. Unless you are excused, or your jury service is rescheduled, confirmation of your Summons will be sent to you approximately one week prior to your reporting date. This will include reporting instructions and a map with parking instructions.

Within 5 business days complete the enclosed *Ability to Serve Questionnaire* and return it to the Jury Commissioner by one of the following methods: Scan it and email it to: [eJuror@clarkcountycourts.us](mailto:eJuror@clarkcountycourts.us); fax it to: 702-671-4515; or send it in the envelope provided. If you answered "NO" on the *Ability to Serve Questionnaire*, please remember to complete both sides of the Questionnaire. If returning by e-mail or by fax, please be sure to scan both sides of the questionnaire. The *Ability to Serve Questionnaire* must be received by no later than **February 9, 2018**. Keep this page for your records.

**TRIAL SCHEDULE**

Trial will begin on Monday, April 16, 2018, and your presence in court will be required every Monday through Friday from 9am to 5pm (with a lunch recess) until trial is concluded, except for the following Court holidays and off days:

Memorial Day - May 28, 2018  
Independence Day/Break – July 4, 2018  
Labor Day – September 3, 2018  
Rosh Hashanah – September 10, 2018  
Yom Kippur – September 18, 2018  
Nevada Day – October 26, 2018

There may be additional dates the trial will be in recess as determined by the Court. Jurors will be informed as necessary.

It is your responsibility to verify your employer's policy concerning payment of your salary while on jury service *prior* to completing the *Ability to Serve Questionnaire*.

Requests for excusal or postponement will be considered only if the completed *Ability to Serve Questionnaire* is returned to the Court. Requests are not processed by phone unless in the case of a true emergency.

DO NOT assume your request for excusal or postponement is granted. Requesting and receiving excusal from this trial does not necessarily excuse you from further jury service. Should the Court feel your circumstances would not allow you to reasonably serve on this trial, the Court may conclude you would be able to serve on a trial of less duration. In that case, your jury service would not be excused, but postponed until a later date. You will receive the decision of the Court by mail or E-mail, denying your request, postponing your jury service, or excusing you from this jury service.

**IMPORTANT:** Review the *Instructions* on the reverse side of this letter prior to completion of the *Ability to Serve Questionnaire*.



## INSTRUCTIONS

Badge Number: \_\_\_\_\_

Juror Number: \_\_\_\_\_

If you answer "No" on the Ability to Serve Questionnaire, please explain in the space provided on the back why you cannot serve as a juror in this case for the time period described. If you have questions regarding completing this form, you may call the Jury Services Office at 702-455-4472, and press 0# to speak to an operator. If you have TRAVEL PLANS, you must provide the dates of travel, whether you have purchased tickets, and indicate if the tickets are refundable. DO NOT send documentation unless it is requested by the Jury Services, but be ready to provide it if required by the Court.

If you claim FINANCIAL HARDSHIP, state your EMPLOYER'S NAME and POLICY concerning paying you while on jury service. NOTE: Financial hardship to you IS a basis to be postponed to a shorter trial and in extreme instances excused altogether. Hardship to your employer is NOT. No employer may discharge or threaten to discharge any permanent employee based upon jury service. If you are self-employed, you must explain why you cannot temporarily adjust your schedule. DO NOT send documentation unless it is requested by the Jury Services.

If you claim CHILD CARE needs, indicate the AGE(S) of your child(ren), the EARLIEST/LATEST TIMES you can drop off/pick up your child(ren) at school or daycare, AND, IF YOU ARE MARRIED, explain why your spouse cannot temporarily handle this duty in your place. You must be the sole daytime, physical care provider to claim care of the elderly.

If you are a STUDENT, you must include your DAILY CLASS SCHEDULE and the LAST DATE OF THE TERM in the space provided.

If you claim a MEDICAL and/or PHYSICAL DISABILITY, state the nature of the disability and why you believe it prevents you from serving as a juror. If you are employed, state your EMPLOYER'S NAME and why you are able to work but unable to serve as a juror, i.e. why your medical disability cannot be accommodated. DO NOT send documentation unless it is requested by the Jury Office.

If you wish to be excused for ANY OTHER REASON, please explain on the enclosed sheet.

DO NOT attach or include any additional documentation with this form.

**RETURN THIS PAGE**

**Ability to Serve Questionnaire**

Badge Number: \_\_\_\_\_ Juror Number: \_\_\_\_\_

Are you a citizen of the United States?  Yes  No

Are you a resident of Clark County?  Yes  No

Are you 18 years of age or older?  Yes  No

Are you a convicted felon whose civil rights have not been restored?  Yes  No

If yes, what was the date of the offense and what were the charges? \_\_\_\_\_

Have you been adjudicated mentally incompetent or insane?  Yes  No

If yes, please be prepared to upload, scan & email or fax proof, i.e. doctor's letter or guardianship papers.

Are you available to serve as a juror in a trial beginning April 16, 2018 which may last up to six months?

Yes

No

If your answer above was "NO", state the reason(s) why you would not be available to serve below on this page and provide the required information as indicated in the Instructions. Should the Court feel you could reasonably serve on a trial of less duration you may be postponed to a later date. If you answered "YES" nothing is required.

**You will need to certify below that the information contained in this Ability to Serve Questionnaire is true and correct.**

I am unable to serve as a juror in the trial as described in the summons because:

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Requests for excuse or deferral will not be processed if the information provided above is not complete.

I certify the information contained in this Ability to Serve Questionnaire is true and correct.

Signature: \_\_\_\_\_

Dated: \_\_\_\_\_, 2017

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TO THE PROSPECTIVE JUROR:

**THIS ABILITY TO SERVE QUESTIONNAIRE HAS BEEN DEVELOPED FOR USE IN JURY SELECTION IN THIS CASE. THE INFORMATION WHICH YOU GIVE IN RESPONSE TO THIS QUESTIONNAIRE MAY BE CONSIDERED PUBLIC INFORMATION AND MAY NOT KEPT IN CONFIDENCE. See Stephens Media, LLC. v. Eighth Judicial District Court, 221 P.3d 1240 (2009).**

Badge Number: \_\_\_\_\_ Juror Number: \_\_\_\_\_

In an effort to better serve you and to assist Jury Services, if you would like to be contacted via E-mail, text and/or by cellular telephone, please provide your E-mail address, cellular phone number, and cellular phone carrier.

E-MAIL ADDRESS: \_\_\_\_\_

CELL NUMBER: \_\_\_\_\_

CELLULAR PHONE CARRIER: \_\_\_\_\_

RETURN THIS PAGE