

THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA GAMING COMMISSION
and NEVADA GAMING CONTROL
BOARD,

Appellants,

vs.

STEPHEN A. WYNN,

Respondent.

Electronically Filed
Case No. 82263 Dec 29 2021 09:39 a.m.
Elizabeth A. Brown
District Court No. A-20-80730 Clerk of Supreme Court

**NOTICE AND REQUEST FOR GUIDANCE REGARDING ORAL
ARGUMENT SET FOR MONDAY, JANUARY 3, 2022**

Oral argument in the above matter is set for Monday, January 3, 2022 at 1:30 p.m. in Carson City, Nevada. On the evening of December 28, 2021, undersigned counsel for Respondent Stephen A. Wynn tested positive for Covid-19. As the attorney who will be arguing this matter, the undersigned promptly contacted Appellants' counsel and advised:

- a) that the undersigned had tested positive, but generally feels fine;
- b) that the undersigned believes—given the new 5-day isolation protocols announced by the Centers for Disease Control and Prevention—he will be able to participate in the oral argument set for January 3, 2022 in person so long as he remains asymptomatic and tests negative over the weekend; and

c) that the undersigned desired to proceed with the argument as scheduled and was willing to participate in the argument remotely if he continued to test positive and/or out of an abundance of caution for the safety and health of other participants in the oral argument proceeding.

Deputy Attorney General Kiel B. Ireland, promptly responded to the undersigned and kindly advised he was fine with the undersigned participating in person if he remained asymptomatic and tested negative over the weekend. Mr. Ireland further advised he was fine with the undersigned participating in the argument remotely if he continued testing positive through the weekend. Finally, Mr. Ireland advised it was his preference to participate in person at oral argument even if the undersigned is only able to participate remotely.

The undersigned recognizes that the parties' respective counsel are not the only participants in an oral argument proceeding as the Justices of this Court, Court staff, and members of the public will also be present during the hearing. Accordingly, the undersigned seeks the Court's guidance how it wishes to proceed. To summarize, if the undersigned clears Covid protocols over the weekend, he is prepared to be in Carson City for Monday's argument provided all participants are comfortable with this approach. Toward that end, the undersigned will obviously keep Appellants' counsel and the Court apprised of his status throughout the weekend. If remote participation is an option, perhaps that can be set up as an

alternative method of participation if the undersigned continues testing positive through the weekend and/or the Court believes that is the best approach under the circumstances. Of course, the undersigned will abide by any other approach the Court deems appropriate.

DATED this 29th day of December, 2021.

CAMPBELL & WILLIAMS

By /s/ J. Colby Williams

J. COLBY WILLIAMS, ESQ. (5549)

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Attorneys for Respondent

Stephen A. Wynn

CERTIFICATE OF SERVICE

I certify that I am an employee of Campbell & Williams and that I did, pursuant to NRAP 25(c), electronically file the foregoing **Notice and Request for Guidance Regarding Oral Argument Set for January 3, 2022** with the Clerk of Court by using its electronic filing system on the 29th day of December, 2021, which will deliver notice of the same to all registered electronic filing system users in this action.

By: John Y. Chong
An employee of Campbell & Williams