



Docket 58740 Document 2011-20219

1 20th day of June, 2011.

2 DATED this 1st day of July, 2011.

3

4

Respectfully submitted,

5

CAMPBELL & WILLIAMS

6

By /s/ J. Colby Williams

7

DONALD J. CAMPBELL, ESQ. (#1216)

8

J. COLBY WILLIAMS, ESQ. (#5549)

9

700 South Seventh Street

Las Vegas, Nevada 89101

Telephone: (702) 382-5222

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10

Attorneys for Plaintiff

11

Steven C. Jacobs

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& WILLIAMS
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PHONE: 702/382-5222
FAX: 702/382-0540

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 1st day of July, 2011, I served via e-mail and U.S. Mail, first
3 class postage pre-paid, a true and correct copy of the foregoing **Notice of Appeal** to the following
4 counsel of record:

5
6 Glaser Weil Fink Jacobs Howard Avchen & Shapiro, LLP
7 Patricia Glaser, Esq.
8 Stephen Ma, Esq.
9 3763 Howard Hughes Parkway, Suite 300
10 Las Vegas, NV 89169
11 E-Mail: pglasser@glaserweil.com
12 mkrum@glaserweil.com

13 *Attorneys for Defendant Sands China Ltd.*

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15 Holland & Hart, LLP
16 J. Stephen Peek, Esq.
17 Justin C. Jones, Esq.
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20 E-Mail: speek@hollandhart.com
21 jcjones@hollandhart.com

22 *Attorneys for Defendant Las Vegas Sands Corp.*

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24 Steve Morris, Esq.
25 Morris Peterson
26 300 South Fourth Street, #900
27 Las Vegas, Nevada 89169
28 E-Mail: SM@morrislawgroup.com

Attorneys for Sheldon G. Adelson

s/Lucinda Martinez



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Page 1 of 4

1 **C. Name of Appellant and Counsel:** Steven C. Jacobs (Plaintiff/Appellant); Donald
2 J. Campbell; J. Colby Williams; Campbell & Williams, 700 South Seventh Street, Las Vegas,
3 Nevada 89101.

4 **D. Names of Respondents and Counsel:**

5 Steve Morris, Esq.
6 Morris Peterson
7 300 South Fourth Street, #900
8 Las Vegas, Nevada 89169
9 *Attorneys for Sheldon G. Adelson (Respondent)*

10 Glaser Weil Fink Jacobs Howard Avchen & Shapiro, LLP
11 Patricia Glaser, Esq.,
12 Stephen Ma, Esq.
13 3763 Howard Hughes Parkway, Suite 300
14 Las Vegas, NV 89169
15 *Attorneys for Defendant Sands China Ltd. (Respondent)*

16 Holland & Hart, LLP
17 J. Stephen Peek, Esq.
18 Justin C. Jones, Esq.
19 3800 Howard Hughes Parkway, 10th Fl.
20 Las Vegas, NV 89169
21 *Attorneys for Defendant Las Vegas Sands Corp. (Respondent)*

22 **E. Counsel appearing *pro hac vice*:** Patricia Glaser, Esq. is participating in this
23 matter *pro hac vice*. A copy of the order granting her permission to participate in this case is
24 attached hereto as Exhibit 1.

25 **F. Appointed Counsel:** Not applicable.

26 **G. Parties appearing *in forma pauperis*:** Not applicable.

27 **H. Date proceedings commenced in district court:** October 20, 2010.

28 **I. Brief description of the action:** Plaintiff Steven C. Jacobs filed his original
Complaint against Las Vegas Sands Corp. and Sands China Ltd. on October 20, 2010 alleging
claims for breach of contract, breach of the implied covenant of good faith and fair dealing, and



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1 tortious discharge in violation of public policy resulting from his termination as an executive with
2 the foregoing entities on July 23, 2010. These claims remain pending in the district court.

3 On March 16, 2011, Plaintiff amended his Complaint to assert a cause of action for
4 defamation against Las Vegas Sands Corp., Sands China Ltd., and Sheldon G. Adelson.
5 Defendants moved to dismiss the defamation claim. The Honorable Elizabeth Gonzalez granted
6 Defendants' motions on June 9, 2011 and entered final judgment in favor of Mr. Adelson
7 pursuant to NRCP 54(b) as the defamation claim was the only claim pending against him
8 personally. Notice of entry of this order was filed and served on June 20, 2011, a copy of which
9 is attached hereto as Exhibit 2. Plaintiff now appeals from the order dismissing the defamation
10 claim and the final judgment entered in favor of Mr. Adelson.
11

12
13 **J. Prior proceedings before the Nevada Supreme Court:** Sands China Ltd. has
14 filed a writ petition with the Nevada Supreme Court challenging the district court's denial of its
15 motion to dismiss based on a lack of personal jurisdiction. On June 24, 2011, the Supreme Court
16 directed Plaintiff to answer the writ petition in 30 days (*i.e.*, July 25, 2011). The writ petition
17 proceedings have been assigned Case No. 58294.

18 **K. Child custody or visitation:** Not applicable

19 **L. Possibility of Settlement:** Unlikely

20
21 DATED this 1st day of July, 2011.

22 CAMPBELL & WILLIAMS

23 By /s/ J. Colby Williams

24 DONALD J. CAMPBELL, ESQ. (#1216)

25 J. COLBY WILLIAMS, ESQ. (#5549)

26 700 South Seventh Street

27 Las Vegas, Nevada 89101

28 *Attorneys for Plaintiff*

Steven C. Jacobs



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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 1st day of July, 2011, I served via e-mail and U.S. Mail, first
3 class postage pre-paid, a true and correct copy of the foregoing **Case Appeal Statement** to the
4 following counsel of record:
5

6 Glaser Weil Fink Jacobs Howard Avchen & Shapiro, LLP
7 Patricia Glaser, Esq.
8 Stephen Ma, Esq.
9 3763 Howard Hughes Parkway, Suite 300
10 Las Vegas, NV 89169
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22 Steve Morris, Esq.
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25 Las Vegas, Nevada 89169
26 E-Mail: SM@morrislawgroup.com

27 *Attorneys for Sheldon G. Adelson*

28 s/Lucinda Martinez



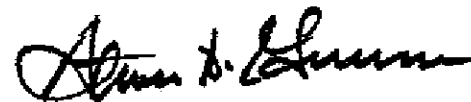
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& WILLIAMS
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EXHIBIT 1

EXHIBIT 1

Electronically Filed
02/25/2011 10:02:06 AM
02/25/2011 10:02:06 AM



CLERK OF THE COURT

1 **ORDER**
Mark G. Krum, Esq.
2 Nevada Bar No. 10913
Andrew D. Sedlock, Esq.
3 Nevada Bar No. 9183
GLASER, WEIL, FINK, JACOBS,
4 HOWARD, AVCHEN & SHAPIRO, LLP
3763 Howard Hughes Parkway, Suite 300
5 Las Vegas, Nevada 89169
Telephone: (702) 650-7900
6 Facsimile: (702) 650-7950

7 *Attorneys for Defendant Sands China, Ltd.*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 STEVEN C. JACOBS,

11 Plaintiff,

12 v.

13 LAS VEGAS SANDS CORP., a Nevada
corporation; SANDS CHINA LTD., a Cayman
14 Island corporation; DOES I through X; and
ROE CORPORATIONS I through X,

15 Defendants.

Case No.: A-10-627691

Dept. No.: XI

ORDER ADMITTING TO PRACTICE

DATE OF HEARING: 02/18/11

TIME OF HEARING: CHAMBERS

16 **PATRICIA L. GLASER, ESQ.**, having filed her Motion to Associate Counsel under Nevada
17 Supreme Court Rule 42, together with a Verified Application for Association of Counsel, a
18 Certificate of Good Standing for the State of California, and the State Bar of Nevada Statement; said
19 application having been noticed, no objections having been made, and the Court being fully
20 apprised in the premises, and good cause appearing, it is hereby
21

22 ///

23 ///

24 ///

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27 ///

28

LAW OFFICES
GLASER, WEIL, FINK, JACOBS, HOWARD & SHAPIRO, LLP
3763 HOWARD HUGHES PARKWAY, SUITE 300
LAS VEGAS, NEVADA 89169
(702) 650-7900
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02-09-11P02:16 RCVD

4 DATED this 23 day of February, 2011.


DISTRICT COURT JUDGE

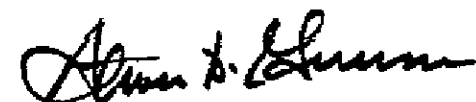
10 GLASER, WEIL, FINK, JACOBS,
HOWARD AVCHEN & SHAPIRO, LLC

12 Mark G. Krum, Esq. (NBN 10913)
13 Andrew D. Sedlock, Esq. (NBN 9183)
3763 Howard Hughes Parkway, Suite 300
14 Las Vegas, Nevada 89169
Attorneys for Sands China, LTD

EXHIBIT 2

EXHIBIT 2

Electronically Filed
06/20/2011 03:05:51 PM
06/20/2011 03:05:51 PM



CLERK OF THE COURT

1 **NEOJ**
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3 Steve Morris, Bar No. 1543
sm@morrislawgroup.com
4 Ryan M. Lower, Bar No. 9108
rml@morrislawgroup.com
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6 Telephone: (702) 474-9400
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7 Attorneys for Defendant
8 Sheldon Adelson

9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 STEVEN C. JACOBS,)	CASE NO. A-10-627691-C
12 Plaintiff,)	DEPT NO. XI
13 v.)	
14 LAS VEGAS SANDS CORP., a Nevada)	NOTICE OF ENTRY OF ORDER
15 corporation, SANDS CHINA LTD., a)	
16 Cayman Islands corporation; SHELDON)	
17 G. ADELSON, in his individual and)	
18 representative capacity, DOES I through)	
X; and ROE CORPORATIONS I through)	
X,)	
Defendants.)	

19
20 PLEASE TAKE NOTICE that an Order Granting Motions to Dismiss and
21 Directing Entry of Final Judgment in Favor of Sheldon G. Adelson [NRCP 54(b)]
22 was entered on the 20th day of June, 2011. A copy of the Order is attached.

23 MORRIS PETERSON

24 By: 
25 Steve Morris, Bar No. 1543
26 Ryan M. Lower, Bar No. 9108
27 900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

Attorneys for Defendant Sheldon Adelson

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of MORRIS PETERSON, and I am familiar with the firm's practice of collection and processing documents for mailing; that in accordance therewith, I caused the following to be deposited with the U.S. Postal Service at Las Vegas, Nevada, in a sealed envelope, with first class postage prepaid, on the date and to the addressee(s) shown below: **NOTICE OF ENTRY OF ORDER**

Donald J. Campbell
J. Colby Williams
CAMPBELL & WILLIAMS
700 South Seventh Street
Las Vegas, Nevada 89101

Attorneys for Plaintiff
Steven C. Jacobs

J. Stephen Peek
HOLLAND & HART LLP
3800 Howard Hughes Parkway
10th Floor
Las Vegas, Nevada 89169

Attorneys for Defendant
Las Vegas Sands Corp.

Patricia Glaser
GLASER WEIL FINK JACOBS
HOWARD AVCHEN & SHAPIRO LLP
3763 Howard Hughes Parkway
Suite 300
Las Vegas, Nevada 89161

Attorneys for Defendant
Sands China Ltd.

DATED this 20th day of June, 2011.

By Patty Camm

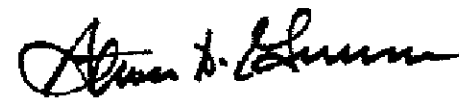
EXHIBIT A

EXHIBIT A

Electronically Filed

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06/20/2011 11:25:36 AM



CLERK OF THE COURT

1 OGM
2 MORRIS PETERSON
3 Steve Morris, Bar No. 1543
4 sm@morrislawgroup.com
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6 rml@morrislawgroup.com
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11 Attorneys for Defendant
12 Sheldon G. Adelson

13 DISTRICT COURT

14 CLARK COUNTY, NEVADA

15 STEVEN C. JACOBS,
16 Plaintiff,

17 CASE NO. A-10-627691-C
18 DEPT. NO. XI

19 v.

20 LAS VEGAS SANDS CORP., a Nevada
21 corporation, SANDS CHINA LTD., a
22 Cayman Islands corporation; SHELDON
23 G. ADELSON, in his individual and
24 Representative capacity, DOES I
25 through X; and ROE CORPORATIONS
26 I through X,

27 ORDER GRANTING
28 MOTIONS TO DISMISS
AND
DIRECTING ENTRY OF
FINAL JUDGMENT IN
FAVOR OF SHELDON G.
ADELSON [NRCP 54(b)]

29 Defendants.

30 On June 9, 2011, the Court heard Sheldon Adelson's, Las
31 Vegas Sands Corp.'s and Sands China Ltd.'s Motions to Dismiss the Fifth
32 Cause of Action for Defamation. Steve Morris appeared on behalf of
33 defendant Sheldon G. Adelson; Donald Campbell and Colby Williams
34 appeared on behalf of plaintiff Steven C. Jacobs; J. Stephen Peek appeared
35 on behalf of defendant Las Vegas Sands Corp.; and Patricia Glaser
36 appeared on behalf of Sands China Ltd.

1 The Court has considered the motion papers of the parties and
2 heard the arguments of counsel and finds as follows:

3 Plaintiff Steven Jacobs is suing the Las Vegas Sands Corp. and
4 Sands China Ltd. for breach of an alleged contract of employment and, as
5 to defendant Las Vegas Sands Corp., "tortious discharge in violation of
6 public policy." Defendant Sheldon G. Adelson is alleged to be the
7 Chairman of the Board and Chief Executive Officer of Las Vegas Sands
8 Corp. and acting Chairman of the Board of Sands China Ltd. Mr. Adelson
9 made a statement to the *Wall Street Journal* on March 15, 2011, following a
10 hearing in this Court attended by members of the media, including a
11 reporter for the *Wall Street Journal*. As a result of the *Wall Street Journal's*
12 publication of his statement, the plaintiff filed an amended complaint the
13 following day, alleging defamation against Mr. Adelson and the two
14 corporate defendants as the fifth cause of action. Mr. Adelson's statement
15 relates to the litigation and the allegations made against him in the
16 plaintiff's complaint. The allegations were widely published by the *Wall*
17 *Street Journal* and other media before and after the hearing on March 15,
18 2011.

19 Based on the controlling law of privilege articulated by the
20 Nevada Supreme Court in *Circus Circus Hotels, Inc. v. Witherspoon*, 99 Nev.
21 56, 657 P.2d 101 (1983) and *Clark County School Dist. v. Virtual Educ.*
22 *Software, Inc.*, 125 Nev. Adv. Op. 31, 213 P.3d 496 (2009), the Court FINDS
23 that Mr. Adelson's statement on March 15, 2011, to the *Wall Street Journal*
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1 was made during the course of this lawsuit and that the statement was and
2 is absolutely privileged and is not actionable.¹

3 Therefore, it is hereby ORDERED that:

4 (1) Adelson's, Las Vegas Sands Corp.'s and Sands China Ltd.'s
5 Motions to Dismiss the Fifth Cause of Action are GRANTED;

6 (2) the First Amended Complaint against defendant Sheldon
7 G. Adelson is dismissed with prejudice;

8 (3) the Fifth Cause of Action (defamation per se) is dismissed
9 as to all defendants;

10 (4) the Court finds that there is no just reason to delay entry of
11 final judgment in favor of defendant Sheldon G. Adelson; and

12 (5) accordingly, it is ORDERED that this Order granting
13 Sheldon Adelson's Motion Dismiss is and shall be entered as a final
14 judgment on plaintiff's fifth cause of action (defamation per se) against
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25 ¹ The Court is familiar with *State v. Eighth Jud. Dist. Ct.*, 118 Nev. 140, 42
26 P.3d 233 (2002) ("Anzalone") which addresses the conditional privilege of
27 reply. In view of my conclusion that Mr. Adelson's statement was
28 absolutely privileged, I need not further consider the *Anzalone* decision.

defendant Sheldon G. Adelson, in accordance with Nevada Rule of Civil
Procedure 54(b).

DATED this 20 day of June, 2011.


DISTRICT COURT JUDGE

Submitted by:

MORRIS PETERSON

By: 

Steve Morris, Bar No. 1543
Ryan M. Lower, Bar No. 9108
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

Attorneys for Defendant
Sheldon G. Adelson

Approved as to form:

CAMPBELL & WILLIAMS

By:  #9655 for

Donald J. Campbell
J. Colby Williams
700 South Seventh Street
Las Vegas, Nevada 89101

Attorneys for Plaintiff
Steven C. Jacobs



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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 1st day of July, 2011, I served via e-mail and U.S. Mail, first
3 class postage pre-paid, a true and correct copy of the foregoing **Notice of Posting Bond Pursuant**
4 **to NRAP 7** to the following counsel of record:

5 Glaser Weil Fink Jacobs Howard Avchen & Shapiro, LLP
6 Patricia Glaser, Esq,
7 Stephen Ma, Esq.
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mkrum@glaserweil.com

11 *Attorneys for Defendant Sands China Ltd.*

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27 s/Lucinda Martinez
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PHONE: 702/382-5222
FAX: 702/382-0540

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-627691-B

Steven Jacobs, Plaintiff(s)
vs.
Las Vegas Sands Corp, Defendant(s)

§
§
§
§
§
§

Location: **Department 11**
Judicial Officer: **Gonzalez, Elizabeth**
Filed on: **10/20/2010**
Case Number History: **A-10-627691-C**
Conversion Case Number: **A627691**

CASE INFORMATION

Case Type: **Business Court**
Case Flags: **Discovery heard by Department**
Appealed to Supreme Court
Jury Demand Filed
Request for Exemption Pending

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-10-627691-B
Court Department 11
Date Assigned 12/29/2010
Judicial Officer Gonzalez, Elizabeth



PARTY INFORMATION

Plaintiff	Jacobs, Steven C	<i>Lead Attorneys</i> Campbell, Donald Jude <i>Retained</i> 7023825222(W)
Defendant	Adelson, Sheldon G Removed: 06/20/2011 Dismissed	Morris, Steve L. <i>Retained</i> 7024749400(W)
	Las Vegas Sands Corp	Jones, Justin C. <i>Retained</i> 7026694600(W)
	Sands China LTD	Krum, Mark G. <i>Retained</i> 310-282-6272(W)
Counter Claimant	Las Vegas Sands Corp	Jones, Justin C. <i>Retained</i> 7026694600(W)
Counter Defendant	Jacobs, Steven C	Campbell, Donald Jude <i>Retained</i> 7023825222(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

10/20/2010	 Complaint Filed By: Plaintiff Jacobs, Steven C <i>Complaint</i>
10/20/2010	Case Opened
10/21/2010	 Initial Appearance Fee Disclosure Filed By: Plaintiff Jacobs, Steven C <i>Initial Appearance Fee Disclosure</i>


DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-627691-B

10/21/2010	 Demand for Jury Trial Filed By: Plaintiff Jacobs, Steven C <i>Demand for Jury Trial</i>
10/28/2010	 Summons Filed by: Plaintiff Jacobs, Steven C <i>Summons</i>
11/05/2010	 Summons Filed by: Plaintiff Jacobs, Steven C <i>Summons</i>
12/22/2010	 Motion to Dismiss Filed By: Defendant Las Vegas Sands Corp <i>Las Vegas Sands Corp.'s Motion to Dismiss Pursuant to NRCP 12(B)(6) and 19 for Failure to Join an Indispensible Party</i>
12/22/2010	 Request to Transfer to Business Court Filed by: Defendant Las Vegas Sands Corp <i>Request to Transfer to Business Court</i>
12/22/2010	 Initial Appearance Fee Disclosure Filed By: Defendant Las Vegas Sands Corp <i>Initial Appearance Fee Disclosure</i>
12/22/2010	 Request Filed by: Defendant Sands China LTD <i>Request For Transfer To Business Court</i>
12/22/2010	 Motion to Dismiss Filed By: Defendant Sands China LTD <i>Defendant Sands China Ltd.'s Motion To Dismiss For Lack of Personal Jurisdiction, Or In The Alternative, Plaintiff's Failure To Join An Indispensible Party</i>
12/23/2010	 Errata Filed By: Defendant Sands China LTD <i>Errata To Defendant Sands China LTD's Motion To Dismiss For Personal Jurisdiction, Or In The Alternative, Plaintiff's Failure To Join An Indispensible Party</i>
12/29/2010	 Initial Appearance Fee Disclosure Filed By: Defendant Sands China LTD <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
12/29/2010	 Notice of Motion Filed By: Defendant Sands China LTD <i>Notice of Motion</i>
12/29/2010	 Notice of Department Reassignment
01/03/2011	 Notice of Hearing Filed By: Defendant Las Vegas Sands Corp <i>Notice of Hearing</i>

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-627691-B

01/08/2011	 Business Court Order <i>Business Court Order</i>
01/13/2011	 Motion to Associate Counsel Filed By: Defendant Sands China LTD <i>Motion to Associate Counsel</i>
02/08/2011	 Certificate of Mailing Filed By: Defendant Las Vegas Sands Corp <i>Certificate of Mailing (Motion to Associate Counsel)</i>
02/09/2011	 Opposition Filed By: Plaintiff Jacobs, Steven C <i>Plaintiff's Opposition to Las Vegas Sands Corp.'s Motion to Dismiss Pursuant to NRCP 12(B)(6) and 19 for Failure to Join an Indispensable Party</i>
02/09/2011	 Opposition Filed By: Plaintiff Jacobs, Steven C <i>Plaintiff's Opposition to Sands China Ltd.'s Motion to Dismiss for Lack of Personal Jurisdiction, or in the Alternative, Failure to Join an Indispensable Party</i>
02/18/2011	 Motion to Associate Counsel (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 01/13/2011 Motion to Associate Counsel <i>Deft Sands China's Motion to Associate Counsel</i>
02/25/2011	 Order Filed By: Defendant Sands China LTD <i>Order Admitting To Practice</i>
02/28/2011	 Reply Filed by: Defendant Sands China LTD <i>Defendant Sands China LTD's Reply In Support Of Motion To Dismiss For Lack Of Personal Jurisdiction, Or In The Alternative, Plaintiff's Failure To Join An Indispensable Party</i>
02/28/2011	 Notice of Entry of Order Filed By: Defendant Sands China LTD <i>Notice of Entry of Order Admitting to Practice</i>
02/28/2011	 Reply in Support Filed By: Defendant Las Vegas Sands Corp <i>Las Vegas Sands Corp.'s Reply in Support of Motion to Dismiss Pursuant to NRCP 12(B)(6) and 19 for Failure to Join an Indispensable Party</i>
03/07/2011	 Opposition Filed By: Defendant Sands China LTD <i>Defendants' Objection To Media Request</i>
03/08/2011	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
03/11/2011	 Response Filed by: Plaintiff Jacobs, Steven C <i>Plaintiff's Response to Defendants' Objection to Media Request</i>

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-627691-B

03/11/2011	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
03/14/2011	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
03/14/2011	 Media Request and Order <i>Media Request and Order for Camera Access to Court Proceedings</i>
03/15/2011	Motion to Dismiss (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 12/22/2010 Motion to Dismiss <i>Deft Las Vegas Sands Corp.'s Motion to Dismiss Pursuant to NRCP 12(B)(6) and 19 for Failure to Join an Indispensible Party</i> 02/01/2011 Continued to 03/15/2011 - At the Request of Interested Parties - Las Vegas Sands Corp; Jacobs, Steven C; Sands China LTD
03/15/2011	Motion to Dismiss (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 12/22/2010 Motion to Dismiss <i>Defendant Sands China Ltd.'s Motion To Dismiss For Lack of Personal Jurisdiction, Or In The Alternative, Plaintiff's Failure To Join An Insidpensable Party</i> 02/01/2011 Continued to 03/15/2011 - At the Request of Counsel - Las Vegas Sands Corp; Jacobs, Steven C; Sands China LTD
03/15/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
03/16/2011	 Amended Complaint Filed By: Plaintiff Jacobs, Steven C <i>First Amended Complaint</i>
03/18/2011	 Transcript of Proceedings <i>Transcript of Proceedings Hearing on Defendant's Motions to Dismiss Tuesday March 15 2011</i>
03/23/2011	 Notice Filed By: Plaintiff Jacobs, Steven C <i>Notice of Filing Copies of Demonstrative Exhibits and Evidence Presented At Hearing On March 15, 2011</i>
03/25/2011	 Certificate of Service Filed by: Plaintiff Jacobs, Steven C <i>Certificate of Service</i>
03/31/2011	 Summons Filed by: Plaintiff Jacobs, Steven C <i>Summons</i>
04/01/2011	 Order Filed By: Plaintiff Jacobs, Steven C <i>Order Denying Defendants' Motions to Dismiss</i>
04/08/2011	 Notice of Entry of Order Filed By: Plaintiff Jacobs, Steven C <i>Notice of Entry of Order</i>
04/20/2011	 Motion to Dismiss

DEPARTMENT 11
CASE SUMMARY
CASE NO. A-10-627691-B

	Filed By: Defendant Sands China LTD <i>Defendant Sands China LTD.'s Motion To Dismiss For Failure To State A Claim</i>
04/20/2011	 Request for Judicial Notice Filed By: Defendant Sands China LTD <i>Defendant Sands China LTD.'s Request For Judicial Notice In Support Of Motion To Dismiss For Failure To State A Claim</i>
04/20/2011	 Motion to Dismiss Filed By: Defendant Las Vegas Sands Corp <i>Las Vegas Sands' Motion to Dismiss Pursuant to NRCP 12(B)(5)</i>
04/20/2011	 Answer to Amended Complaint Filed By: Defendant Las Vegas Sands Corp <i>Las Vegas Sands' Answer to First Amended Complaint and Counterclaim</i>
04/21/2011	 Notice of Hearing Filed By: Defendant Las Vegas Sands Corp <i>Notice of Hearing</i>
04/21/2011	 Notice of Motion Filed By: Defendant Sands China LTD <i>Notice of Motion</i>
04/22/2011	 Mandatory Rule 16 Conference (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 01/08/2011 Business Court Order
04/22/2011	 Status Report Filed By: Defendant Las Vegas Sands Corp <i>Joint Status Report</i>
04/27/2011	 Transcript of Proceedings Party: Plaintiff Jacobs, Steven C <i>Transcript of Proceedings Mandatory Rule 16 Conference Friday, April 22, 2011</i>
05/03/2011	 Motion to Dismiss Filed By: Defendant Adelson, Sheldon G <i>Motion to Dismiss on Behalf of Sheldon Adelson</i>
05/04/2011	 Initial Appearance Fee Disclosure Filed By: Defendant Adelson, Sheldon G <i>Initial Appearance Fee Disclosure</i>
05/10/2011	 Declaration Filed By: Defendant Adelson, Sheldon G <i>Declaration of Susan Anderson in Support of Motion to Dismiss on Behalf of Sheldon Adelson</i>
05/13/2011	 Notice Filed By: Defendant Sands China LTD <i>Notice of Filing Petition For Writ Of Mandamus, Or In The Alternative, Writ Of Prohibition</i>
05/17/2011	 Motion to Stay Filed By: Defendant Sands China LTD <i>Defendant Sands China Ltd.'s Motion to Stay Proceedings Pending Writ Petition on Order</i>

DEPARTMENT 11
CASE SUMMARY
CASE NO. A-10-627691-B

Shortening Time

05/18/2011	 Receipt of Copy Filed by: Defendant Sands China LTD <i>Receipt of Copy of Defendant Sands China LTD.'s Motion to Stay Proceedings Pending Writ Petition on Order Shortening Time (Steve Morris)</i>
05/18/2011	 Receipt of Copy Filed by: Defendant Sands China LTD <i>Receipt of Copy of Defendant Sands China Ltd.'s Motion to Stay Proceedings Pending Writ Petition on Order Shortening Time (Stephen Peek)</i>
05/18/2011	 Receipt of Copy Filed by: Defendant Sands China LTD <i>Receipt of Copy of Defendant Sands China Ltd.'s Motion to Stay Proceedings Pending Writ Petition on Order Shortening Time (Donald Campbell)</i>
05/23/2011	 Response Filed by: Plaintiff Jacobs, Steven C <i>Plaintiff's Omnibus Response in Opposition to the Defendants' Respective Motions to Dismiss the Fifth Cause of Action Alleging Defamation Per Se</i>
05/23/2011	 Opposition Filed By: Plaintiff Jacobs, Steven C <i>Plaintiff's Motion to Sands China Ltd.'s Motion to Dismiss His Second Cause of Action (Breach of Contract)</i>
05/24/2011	 Answer to Counterclaim Filed By: Plaintiff Jacobs, Steven C <i>Plaintiff's Reply to Las Vegas Sands Corp.'s Counterclaim</i>
05/25/2011	 Opposition Filed By: Plaintiff Jacobs, Steven C <i>Plaintiff's Opposition to Sands China Ltd.'s Motion to Stay Proceedings Pending Writ Petition on Order Shortening Time</i>
05/26/2011	 Motion to Stay (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 05/17/2011 Motion to Stay <i>Defendant Sands China Ltd.'s Motion to Stay Proceedings Pending Writ Petition on Order Shortening Time</i>
06/03/2011	 Reply in Support Filed By: Defendant Las Vegas Sands Corp <i>Reply In Support of Las Vegas Sands Corp.'s Motion To Dismiss Pursuant To NRCP 12(B)(5)</i>
06/03/2011	 Reply in Support Filed By: Defendant Adelson, Sheldon G <i>Reply in Support of Sheldon Adelson's Motion to Dismiss</i>
06/03/2011	 Reply in Support Filed By: Defendant Sands China LTD <i>Reply Brief In Support Of Defendant Sands China Ltd.'s Motion To Dismiss For Failure To State A Claim</i>
06/03/2011	 Appendix

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-627691-B

Filed By: Defendant Sands China LTD
Appendix To Reply Brief In Support Of Defendant Sands China Ltd.'s Motion To Dismiss For Failure To State A Claim

06/06/2011	 Transcript of Proceedings <i>Transcript of Proceedings Hearing On Defendant Sands China, LTD.'S Motion To Stay Proceedings Thursday, May 26, 2011</i>
06/09/2011	Motion to Dismiss (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 04/20/2011 Motion to Dismiss <i>Defendant Sands China LTD.'s Motion To Dismiss For Failure To State A Claim</i>
06/09/2011	Motion to Dismiss (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 04/20/2011 Motion to Dismiss <i>Deft Las Vegas Sands' Motion to Dismiss Pursuant to NRCP 12(B)(5)</i>
06/09/2011	Status Check: Trial Setting (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
06/09/2011	Motion to Dismiss (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Events: 05/03/2011 Motion to Dismiss <i>Motion to Dismiss on Behalf of Sheldon Adelson</i>
06/09/2011	 All Pending Motions (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
06/10/2011	 Status Check (2:00 PM) (Judicial Officer: Gonzalez, Elizabeth) 06/10/2011, 06/24/2011
06/16/2011	 Transcript of Proceedings <i>Transcript of Proceedings Hearing On Defendants' Motions To Dismiss Thursday, June 9, 2011</i>
06/20/2011	 Notice of Entry of Order Filed By: Defendant Adelson, Sheldon G <i>Notice of Entry of Order</i>
06/20/2011	 Order Granting Motion Filed By: Defendant Adelson, Sheldon G <i>Order Granting Motions to Dismiss and Directing Entry of Final Judgment in Favor of Sheldon G. Adelson</i>
06/20/2011	Order of Dismissal (Judicial Officer: Gonzalez, Elizabeth) Debtors: Steven C Jacobs (Plaintiff) Creditors: Las Vegas Sands Corp (Defendant), Sands China LTD (Defendant), Sheldon G Adelson (Defendant) Judgment: 06/20/2011, Docketed: 06/29/2011 Comment: Certain Cause
06/20/2011	Order of Dismissal With Prejudice (Judicial Officer: Gonzalez, Elizabeth) Debtors: Steven C Jacobs (Plaintiff) Creditors: Sheldon G Adelson (Defendant) Judgment: 06/20/2011, Docketed: 06/29/2011
06/20/2011	Judgment (Judicial Officer: Gonzalez, Elizabeth) Debtors: Steven C Jacobs (Plaintiff) Creditors: Sheldon G Adelson (Defendant) Judgment: 06/20/2011, Docketed: 06/29/2011
06/23/2011	

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-627691-B

	 Stipulation and Order Filed by: Defendant Sands China LTD <i>Stipulation And Order Regarding ESI Discovery</i>
06/23/2011	 Notice of Entry of Stipulation and Order Filed By: Defendant Sands China LTD <i>Notice of Entry of Stipulation And Order Regarding ESI Discovery</i>
07/01/2011	 Notice of Appeal Filed By: Plaintiff Jacobs, Steven C <i>Notice of Appeal</i>
07/01/2011	 Case Appeal Statement Filed By: Plaintiff Jacobs, Steven C <i>Case Appeal Statement</i>
07/05/2011	 Notice of Posting of Cost Bond Filed By: Plaintiff Jacobs, Steven C <i>Notice of Posting Bond Pursuant to NRAP 7</i>
07/06/2011	 Order Filed By: Plaintiff Jacobs, Steven C <i>Order Denying Defendant Sands China Ltd's Motion to Stay Proceedings Pending Writ Petition on Order Shortening Time</i>
07/06/2011	 Order Filed By: Plaintiff Jacobs, Steven C <i>Order Denying Defendant Sands China Ltd's Motion to Dismiss Plaintiff's Second Cause of Action</i>
06/01/2012	Pre Trial Conference (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
06/21/2012	Calendar Call (9:15 AM) (Judicial Officer: Gonzalez, Elizabeth)
06/25/2012	Jury Trial (1:30 PM) (Judicial Officer: Gonzalez, Elizabeth)

DATE	FINANCIAL INFORMATION
	Defendant Adelson, Sheldon G Total Charges 1,483.00 Total Payments and Credits 1,483.00 Balance Due as of 7/6/2011 0.00
	Defendant Las Vegas Sands Corp Total Charges 1,486.50 Total Payments and Credits 1,486.50 Balance Due as of 7/6/2011 0.00
	Defendant Sands China LTD Total Charges 1,556.50 Total Payments and Credits 1,556.50 Balance Due as of 7/6/2011 0.00
	Plaintiff Jacobs, Steven C Total Charges 633.00 Total Payments and Credits 633.00 Balance Due as of 7/6/2011 0.00

DEPARTMENT 11
CASE SUMMARY
CASE No. A-10-627691-B

Plaintiff Jacobs, Steven C
APPEAL BOND Balance as of 7/6/2011

500.00

CIVIL COVER SHEET

Clark County, Nevada

Case No. _____
(Assigned by Clerk's Office)A- 10- 627691- C
XXV**I. Party Information**

Plaintiff(s)

STEVEN C. JACOBS

Attorney (name/address/phone):

J. Colby Williams, Esq.

Donald J. Campbell, Esq.

700 S. Seventh Street, Las Vegas, Nevada 89101

702-382-5222

Defendant(s)

LAS VEGAS SANDS CORP., a Nevada corporation; SANDS CHINA LTD., a Cayman Islands corporation; DOES I through X; and ROE CORPORATIONS I through X

Attorney (name/address/phone):

II. Nature of Controversy (Please check applicable bold category and☐ Arbitration Requested

applicable subcategory, if appropriate)

Civil Cases

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence – Auto <input type="checkbox"/> Negligence – Medical/Dental <input type="checkbox"/> Negligence – Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence – Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
<input type="checkbox"/> Probate Estimated Estate Value: _____ <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Other Civil Filing Types <input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input checked="" type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input checked="" type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Foreclosure Mediation <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	

III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only.)

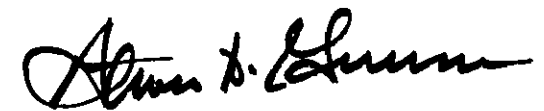
- | | | |
|---|--|---|
| <input type="checkbox"/> NRS Chapters 78-88 | <input type="checkbox"/> Investments (NRS 104 Art. 8) | <input type="checkbox"/> Enhanced Case Mgmt/Business |
| <input type="checkbox"/> Commodities (NRS 90) | <input type="checkbox"/> Deceptive Trade Practices (NRS 598) | <input type="checkbox"/> Other Business Court Matters |
| <input type="checkbox"/> Securities (NRS 90) | <input type="checkbox"/> Trademarks (NRS 600A) | |

10.26.10

Date

Signature of initiating party or representative

See other side for family-related case filings.



CLERK OF THE COURT

OGM
MORRIS PETERSON
Steve Morris, Bar No. 1543
sm@morrislawgroup.com
Ryan M. Lower, Bar No. 9108
rml@morrislawgroup.com
300 South Fourth Street – Suite 900
Las Vegas, Nevada 89101
Telephone: (702) 474-9400
Facsimile: (702) 474-9422

Attorneys for Defendant
Sheldon G. Adelson

DISTRICT COURT
CLARK COUNTY, NEVADA

STEVEN C. JACOBS,
Plaintiff,

v.

LAS VEGAS SANDS CORP., a Nevada
corporation, SANDS CHINA LTD., a
Cayman Islands corporation; SHELDON
G. ADELSON, in his individual and
Representative capacity, DOES I
through X; and ROE CORPORATIONS
I through X,

Defendants.

CASE NO. A-10-627691-C

DEPT. NO. XI

ORDER GRANTING
MOTIONS TO DISMISS
AND
DIRECTING ENTRY OF
FINAL JUDGMENT IN
FAVOR OF SHELDON G.
ADELSON [NRCP 54(b)]

On June 9, 2011, the Court heard Sheldon Adelson's, Las Vegas Sands Corp.'s and Sands China Ltd.'s Motions to Dismiss the Fifth Cause of Action for Defamation. Steve Morris appeared on behalf of defendant Sheldon G. Adelson; Donald Campbell and Colby Williams appeared on behalf of plaintiff Steven C. Jacobs; J. Stephen Peek appeared on behalf of defendant Las Vegas Sands Corp.; and Patricia Glaser appeared on behalf of Sands China Ltd.

1 The Court has considered the motion papers of the parties and
2 heard the arguments of counsel and finds as follows:

3 Plaintiff Steven Jacobs is suing the Las Vegas Sands Corp. and
4 Sands China Ltd. for breach of an alleged contract of employment and, as
5 to defendant Las Vegas Sands Corp., "tortious discharge in violation of
6 public policy." Defendant Sheldon G. Adelson is alleged to be the
7 Chairman of the Board and Chief Executive Officer of Las Vegas Sands
8 Corp. and acting Chairman of the Board of Sands China Ltd. Mr. Adelson
9 made a statement to the *Wall Street Journal* on March 15, 2011, following a
10 hearing in this Court attended by members of the media, including a
11 reporter for the *Wall Street Journal*. As a result of the *Wall Street Journal's*
12 publication of his statement, the plaintiff filed an amended complaint the
13 following day, alleging defamation against Mr. Adelson and the two
14 corporate defendants as the fifth cause of action. Mr. Adelson's statement
15 relates to the litigation and the allegations made against him in the
16 plaintiff's complaint. The allegations were widely published by the *Wall*
17 *Street Journal* and other media before and after the hearing on March 15,
18 2011.

19 Based on the controlling law of privilege articulated by the
20 Nevada Supreme Court in *Circus Circus Hotels, Inc. v. Witherspoon*, 99 Nev.
21 56, 657 P.2d 101 (1983) and *Clark County School Dist. v. Virtual Educ.*
22 *Software, Inc.*, 125 Nev. Adv. Op. 31, 213 P.3d 496 (2009), the Court FINDS
23 that Mr. Adelson's statement on March 15, 2011, to the *Wall Street Journal*
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1 was made during the course of this lawsuit and that the statement was and
2 is absolutely privileged and is not actionable.¹

3 Therefore, it is hereby ORDERED that:

4 (1) Adelson's, Las Vegas Sands Corp.'s and Sands China Ltd.'s
5 Motions to Dismiss the Fifth Cause of Action are GRANTED;

6 (2) the First Amended Complaint against defendant Sheldon
7 G. Adelson is dismissed with prejudice;

8 (3) the Fifth Cause of Action (defamation per se) is dismissed
9 as to all defendants;

10 (4) the Court finds that there is no just reason to delay entry of
11 final judgment in favor of defendant Sheldon G. Adelson; and

12 (5) accordingly, it is ORDERED that this Order granting
13 Sheldon Adelson's Motion Dismiss is and shall be entered as a final
14 judgment on plaintiff's fifth cause of action (defamation per se) against
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25 ¹ The Court is familiar with *State v. Eighth Jud. Dist. Ct.*, 118 Nev. 140, 42
26 P.3d 233 (2002) ("Anzalone") which addresses the conditional privilege of
27 reply. In view of my conclusion that Mr. Adelson's statement was
28 absolutely privileged, I need not further consider the *Anzalone* decision.

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defendant Sheldon G. Adelson, in accordance with Nevada Rule of Civil Procedure 54(b).

DATED this 20 day of June, 2011.


DISTRICT COURT JUDGE

Submitted by:

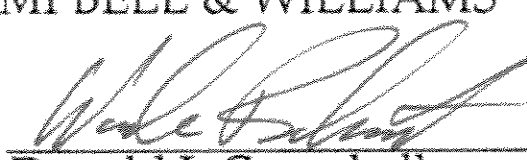
MORRIS PETERSON

By: 
Steve Morris, Bar No. 1543
Ryan M. Lower, Bar No. 9108
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

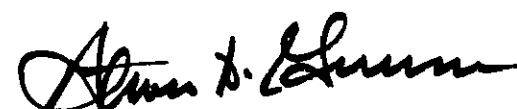
Attorneys for Defendant
Sheldon G. Adelson

Approved as to form:

CAMPBELL & WILLIAMS

By:  #9655 for
Donald J. Campbell
J. Colby Williams
700 South Seventh Street
Las Vegas, Nevada 89101

Attorneys for Plaintiff
Steven C. Jacobs



CLERK OF THE COURT

1 **NEOJ**
2 **MORRIS PETERSON**
3 Steve Morris, Bar No. 1543
4 sm@morrislawgroup.com
5 Ryan M. Lower, Bar No. 9108
6 rml@morrislawgroup.com
300 South Fourth Street - Suite 900
Las Vegas, Nevada 89101
Telephone: (702) 474-9400
Facsimile: (702) 474-9422

7 Attorneys for Defendant
8 Sheldon Adelson

9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 **STEVEN C. JACOBS,**

12 Plaintiff,

13 v.

14 **LAS VEGAS SANDS CORP.,** a Nevada
15 **corporation, SANDS CHINA LTD.,** a
16 **Cayman Islands corporation; SHELDON**
17 **G. ADELSON,** in his individual and
representative capacity, DOES I through
X; and ROE CORPORATIONS I through
X,

18 Defendants.

) CASE NO. A-10-627691-C

) DEPT NO. XI

) **NOTICE OF ENTRY OF ORDER**

19
20 PLEASE TAKE NOTICE that an Order Granting Motions to Dismiss and
21 Directing Entry of Final Judgment in Favor of Sheldon G. Adelson [NRCP 54(b)]
22 was entered on the 20th day of June, 2011. A copy of the Order is attached.

23 **MORRIS PETERSON**

24 By: 

25 Steve Morris, Bar No. 1543
26 Ryan M. Lower, Bar No. 9108
27 900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

28 Attorneys for Defendant Sheldon Adelson

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CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of MORRIS PETERSON, and I am familiar with the firm's practice of collection and processing documents for mailing; that in accordance therewith, I caused the following to be deposited with the U.S. Postal Service at Las Vegas, Nevada, in a sealed envelope, with first class postage prepaid, on the date and to the addressee(s) shown below: **NOTICE OF ENTRY OF ORDER**

Donald J. Campbell
J. Colby Williams
CAMPBELL & WILLIAMS
700 South Seventh Street
Las Vegas, Nevada 89101

Attorneys for Plaintiff
Steven C. Jacobs

J. Stephen Peek
HOLLAND & HART LLP
3800 Howard Hughes Parkway
10th Floor
Las Vegas, Nevada 89169

Attorneys for Defendant
Las Vegas Sands Corp.

Patricia Glaser
GLASER WEIL FINK JACOBS
HOWARD AVCHEN & SHAPIRO LLP
3763 Howard Hughes Parkway
Suite 300
Las Vegas, Nevada 89161

Attorneys for Defendant
Sands China Ltd.

DATED this 20th day of June, 2011.

By Patty Gamm

EXHIBIT A

EXHIBIT A



CLERK OF THE COURT

1 OGM
2 MORRIS PETERSON
3 Steve Morris, Bar No. 1543
4 sm@morrislawgroup.com
5 Ryan M. Lower, Bar No. 9108
6 rml@morrislawgroup.com
7 300 South Fourth Street - Suite 900
8 Las Vegas, Nevada 89101
9 Telephone: (702) 474-9400
10 Facsimile: (702) 474-9422

11 Attorneys for Defendant
12 Sheldon G. Adelson

13 DISTRICT COURT
14 CLARK COUNTY, NEVADA

15 STEVEN C. JACOBS,
16 Plaintiff,

17 v.

18 LAS VEGAS SANDS CORP., a Nevada
19 corporation, SANDS CHINA LTD., a
20 Cayman Islands corporation; SHELDON
21 G. ADELSON, in his individual and
22 Representative capacity, DOES I
23 through X; and ROE CORPORATIONS
24 I through X,

25 Defendants.

CASE NO. A-10-627691-C

DEPT. NO. XI

ORDER GRANTING
MOTIONS TO DISMISS
AND
DIRECTING ENTRY OF
FINAL JUDGMENT IN
FAVOR OF SHELDON G.
ADELSON [NRCP 54(b)]

26 On June 9, 2011, the Court heard Sheldon Adelson's, Las
27 Vegas Sands Corp.'s and Sands China Ltd.'s Motions to Dismiss the Fifth
28 Cause of Action for Defamation. Steve Morris appeared on behalf of
defendant Sheldon G. Adelson; Donald Campbell and Colby Williams
appeared on behalf of plaintiff Steven C. Jacobs; J. Stephen Peek appeared
on behalf of defendant Las Vegas Sands Corp.; and Patricia Glaser
appeared on behalf of Sands China Ltd.

1 The Court has considered the motion papers of the parties and
2 heard the arguments of counsel and finds as follows:

3 Plaintiff Steven Jacobs is suing the Las Vegas Sands Corp. and
4 Sands China Ltd. for breach of an alleged contract of employment and, as
5 to defendant Las Vegas Sands Corp., "tortious discharge in violation of
6 public policy." Defendant Sheldon G. Adelson is alleged to be the
7 Chairman of the Board and Chief Executive Officer of Las Vegas Sands
8 Corp. and acting Chairman of the Board of Sands China Ltd. Mr. Adelson
9 made a statement to the *Wall Street Journal* on March 15, 2011, following a
10 hearing in this Court attended by members of the media, including a
11 reporter for the *Wall Street Journal*. As a result of the *Wall Street Journal's*
12 publication of his statement, the plaintiff filed an amended complaint the
13 following day, alleging defamation against Mr. Adelson and the two
14 corporate defendants as the fifth cause of action. Mr. Adelson's statement
15 relates to the litigation and the allegations made against him in the
16 plaintiff's complaint. The allegations were widely published by the *Wall*
17 *Street Journal* and other media before and after the hearing on March 15,
18 2011.

19 Based on the controlling law of privilege articulated by the
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21 56, 657 P.2d 101 (1983) and *Clark County School Dist. v. Virtual Educ.*
22 *Software, Inc.*, 125 Nev. Adv. Op. 31, 213 P.3d 496 (2009), the Court FINDS
23 that Mr. Adelson's statement on March 15, 2011, to the *Wall Street Journal*
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1 was made during the course of this lawsuit and that the statement was and
2 is absolutely privileged and is not actionable.¹

3 Therefore, it is hereby ORDERED that:

4 (1) Adelson's, Las Vegas Sands Corp.'s and Sands China Ltd.'s
5 Motions to Dismiss the Fifth Cause of Action are GRANTED;

6 (2) the First Amended Complaint against defendant Sheldon
7 G. Adelson is dismissed with prejudice;

8 (3) the Fifth Cause of Action (defamation per se) is dismissed
9 as to all defendants;

10 (4) the Court finds that there is no just reason to delay entry of
11 final judgment in favor of defendant Sheldon G. Adelson; and

12 (5) accordingly, it is ORDERED that this Order granting
13 Sheldon Adelson's Motion Dismiss is and shall be entered as a final
14 judgment on plaintiff's fifth cause of action (defamation per se) against
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25 ¹ The Court is familiar with *State v. Eighth Jud. Dist. Ct.*, 118 Nev. 140, 42
26 P.3d 233 (2002) ("Anzalone") which addresses the conditional privilege of
27 reply. In view of my conclusion that Mr. Adelson's statement was
28 absolutely privileged, I need not further consider the *Anzalone* decision.

1 defendant Sheldon G. Adelson, in accordance with Nevada Rule of Civil
2 Procedure 54(b).

3 DATED this 20 day of June, 2011.

4
5 
6 DISTRICT COURT JUDGE
7

8 Submitted by:

9 MORRIS PETERSON

10 By: 

11 Steve Morris, Bar No. 1543
12 Ryan M. Lower, Bar No. 9108
13 900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

14 Attorneys for Defendant
Sheldon G. Adelson

15
16 Approved as to form:

17 CAMPBELL & WILLIAMS

18 By:  #9655
for

19 Donald J. Campbell
20 J. Colby Williams
700 South Seventh Street
Las Vegas, Nevada 89101

21 Attorneys for Plaintiff
22 Steven C. Jacobs

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

February 18, 2011

A-10-627691-B Steven Jacobs, Plaintiff(s)
vs.
Las Vegas Sands Corp, Defendant(s)

**February 18, 2011 3:00 AM Motion to Associate
Counsel**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Upon review of the papers and pleadings on file in this matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(b) the Motion to Associate Counsel (Glaser) is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERKS NOTE: A copy of this minute order placed in attorney folders in third floor clerks office for Mark Krum, Esq. (GLASER, WEIL FINK), Donald Campbell, Esq. (CAMPBELL & WILLIAMS), and for J. Stephen Peek, Esq. (HOLLAND & HART) (DS 2/23/11).

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

March 15, 2011

A-10-627691-B Steven Jacobs, Plaintiff(s)
vs.
Las Vegas Sands Corp, Defendant(s)

March 15, 2011 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Campbell, Donald Attorney
Jude
Glaser, Patricia Attorney
Jacobs, Steven C Plaintiff
Jones, Justin C. Attorney
Peek, J. Stephen Attorney
Sedlock, Andrew D., Attorney
ESQ
Williams, J. Colby Attorney

JOURNAL ENTRIES

- Defendant Las Vegas Sands Corp.'s Motion to Dismiss Pursuant to NRCP 12(B)(6) and 19 for Failure to Join an Indispensable Party...Defendant Sands China Ltd.'s Motion To Dismiss For Lack of Personal Jurisdiction, Or In The Alternative, Plaintiff's Failure To Join An Indispensable Party

Recorder Cheryl Carpenter also present.

COURT DISCLOSED prior working relationships with Sands. Matter TRAILED.

MATTER RECALLED. After arguments by counsel, COURT STATED ITS FINDINGS AND ORDERED, Motions DENIED as fully stated on the record. Upon request of counsel, COURT ORDERED, 4/1/11 Rule 16 Conference VACATED and RESET.

PRINT DATE: 07/06/2011

Page 2 of 10

Minutes Date:

February 18, 2011

A-10-627691-B

4/22/11 9:00 AM MANDATORY RULE 16 CONFERENCE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

April 22, 2011

A-10-627691-B Steven Jacobs, Plaintiff(s)
vs.
Las Vegas Sands Corp, Defendant(s)

**April 22, 2011 9:00 AM Mandatory Rule 16
Conference**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT: Campbell, Donald Attorney
Jude
Glaser, Patricia Attorney
Jacobs, Steven C Plaintiff
Morris, Steve L. Attorney
Peek, J. Stephen Attorney
Williams, J. Colby Attorney

JOURNAL ENTRIES

- Anne Salt, Esq. , appeared via videoconference from Macau on behalf of Sands China LTD.

Colloquy regarding electronic search protocol and terms; counsel to draft a protocol. Further colloquy regarding trial scheduling; discovery status; and, location and videotaping of depositions. COURT NOTED, Rule 16.1 requirements regarding Statement of Damages. Upon STIPULATION of counsel, COURT SUSPENDED Joint Case Conference Report.

Upon advise of Mr. Morris that he intends to file Motions, COURT ORDERED, file Motions soon and Calendar to SET on 6/9/11, 9:00 AM. COURT FURTHER ORDERED, 5/24/11 Motions RESET to 6/9/11. Counsel advised trial time estimate is three (3) weeks.

6/9/11 9:00 AM STATUS CHECK: TRIAL SETTING / DEFENDANT SANDS CHINA LTD'S

PRINT DATE: 07/06/2011

Page 4 of 10

Minutes Date:

February 18, 2011

MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM / LAS VEGAS SANDS' MOTION TO DISMISS PURSUANT TO NRCP 12(B)(5)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

May 26, 2011

A-10-627691-B Steven Jacobs, Plaintiff(s)
vs.
Las Vegas Sands Corp, Defendant(s)

May 26, 2011 9:00 AM Motion to Stay

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Campbell, Donald	Attorney
	Jude	
	Krum, Mark G.	Attorney
	Morris, Steve L.	Attorney
	Peek, J. Stephen	Attorney
	Williams, J. Colby	Attorney

JOURNAL ENTRIES

- After arguments by counsel, COURT STATED ITS FINDINGS AND ORDERED, Motion DENIED WITHOUT PREJUDICE.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

June 09, 2011

A-10-627691-B Steven Jacobs, Plaintiff(s)
vs.
Las Vegas Sands Corp, Defendant(s)

June 09, 2011 9:00 AM All Pending Motions

HEARD BY: Gonzalez, Elizabeth **COURTROOM:** RJC Courtroom 14C

COURT CLERK: Sandra Harrell

RECORDER: Jill Hawkins

REPORTER:

PARTIES

PRESENT:	Campbell, Donald	Attorney
	Jude	
	Glaser, Patricia	Attorney
	Jacobs, Steven C	Plaintiff
		Counter
		Defendant
	Morris, Steve L.	Attorney
	Peek, J. Stephen	Attorney
	Williams, J. Colby	Attorney

JOURNAL ENTRIES

- STATUS CHECK: TRIAL SETTING...DEFENDANT SANDS CHINA LTD.'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM...DEFENDANT SANDS CHINA LTD.'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM...DEFENDANT LAS VEGAS SAND'S MOTION TO DISMISS PURSUANT TO NRCP 12(B)(5)...MOTION TO DISMISS ON BEHALF OF SHELDON ADELSON

Mr. David Fleming also present via video conference.

MOTION TO DISMISS ON BEHALF OF SHELDON ADELSON:

Argument by Mr. Morris regarding defamation claim. Argument by Mr. Campbell. COURT

PRINT DATE: 07/06/2011

Page 7 of 10

Minutes Date:

February 18, 2011

NOTED, paragraph 62 of amended complaint is basis for 5th cause of action which sights only one statement alleged defamatory (statement to Wall Street Journal). COURT FINDS, single statement absolutely privileged as it relates to the litigation. FURTHER, Nevada Supreme Court decision in Clark County School District v. Virtual Education Software Inc. provides for Court to make legal determination as to application of privilege and for purposes of single statement briefed today, COURT ORDERED, Motion to Dismiss is GRANTED. Court will issue 54b certification regarding Mr. Adelson. Mr. Morris to prepare Order and circulate to counsel for approval as to form and content.

DEFENDANT SANDS CHINA LTD.'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM:

COURT NOTED, it does not typically take judicial notice of anything not already in this court or another court's file, therefore, DECLINES to take judicial notice of Exhibit H of proposed documents (newspaper article).

DEFENDANT SANDS CHINA LTD.'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM:

Argument by Ms. Glaser regarding second claim of breach of contract. Copy of charts used during argument, marked as Court's Exhibits 1 and 2. Argument by Mr. Williams. COURT FINDS, because this is a motion to dismiss, Court cannot make determination today, issue should be renewed on motion for summary judgment, not at motion to dismiss stage.

Ms. Glaser advised she will be filing motion for summary adjudication. Ms. Glaser further advised of privacy act in Macau requiring documents be viewed in Macau and have begun process. Further, documents not allowed to leave Macau, must have stipulation and Court order to remove documents to bring to this litigation. COURT NOTED, will deal with when happens, however, COURT SUGGESTED filing protective order soon.

Upon Court's inquiry, counsel stated ESI search almost worked out. COURT ORDERED, matter SET for Conference Call tomorrow 6/10/11 @ 2:00 pm to verify. Mr. Jones in charge of conference call.

STATUS CHECK: TRIAL SETTING:

Colloquy regarding trial dates. COURT ORDERED, matter SET for Trial.

6/10/11 2:00 PM CONFERENCE CALL: STATUS OF ESI SEARCH

6/1/12 9:00 AM PRE TRIAL CONFERENCE

6/21/12 9:15 AM CALENDAR CALL

6/25/12 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

June 10, 2011

A-10-627691-B Steven Jacobs, Plaintiff(s)
vs.
Las Vegas Sands Corp, Defendant(s)

June 10, 2011 2:00 PM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Billie Jo Craig

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT: Jones, Justin C. Attorney
 Krum, Mark G. Attorney
 Williams, J. Colby Attorney

JOURNAL ENTRIES

- All counsel appeared telephonically.

Upon inquiry of the Court, Mr. Williams advised counsel to meet to define search terms. This morning he sent counsel further revised search terms. There is one item left and Tuesday morning counsel to finalize. Mr. Krum advised they would contact the Court for further assistance if needed. They would not be finished until they ran the search terms and saw preliminary results. Mr. Jones agreed they were making progress. They would finalize and bring problems to the Court. COURT ORDERED, matter CONTINUED on the Chambers Calendar in two weeks.

CONTINUED TO: 6/24/11 - CHAMBERS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Business Court

COURT MINUTES

June 24, 2011

A-10-627691-B Steven Jacobs, Plaintiff(s)
vs.
Las Vegas Sands Corp, Defendant(s)

June 24, 2011 3:00 AM Status Check

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Damedia Scott

RECORDER:

REPORTER:

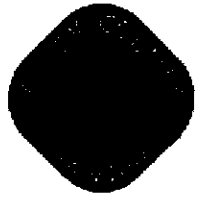
**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, given stip and order on ESI, matter OFF CALENDAR.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT



DONALD J. CAMPBELL, ESQ.
700 S. SEVENTH ST.
LAS VEGAS, NV 89101

DATE: July 7, 2011
CASE: A627691

RE CASE: STEVEN C. JACOBS vs. LAS VEGAS SANDS CORP.; SANDS CHINA LTD.,
SHELDON G. ADELSON

NOTICE OF APPEAL FILED: July 1, 2011

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

State of Nevada } **SS:**
County of Clark }

NOTICE OF APPEAL; CASE APPEAL STATEMENT; NOTICE OF POSTING BOND PURSUANT TO NRAP 7; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING MOTIONS TO DISMISS AND DIRECTING ENTRY OF FINAL JUDGMENT IN FAVOR OF SHELDON G. ADELSON; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

Plaintiff(s),
vs.

Defendant(s),

Case No: A627691
Dept No: XI

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 7 day of July 2011.

Steven`D. Grierson, Clerk of the Court

Heather Lofquist, Deputy Clerk