

IN THE SUPREME COURT OF THE STATE OF NEVADA

SANDS CHINA LTD.,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
ELIZABETH GOFF GONZALEZ,  
DISTRICT JUDGE,

Respondents,  
and

STEVEN C. JACOBS,  
Real Party in Interest.

No. 68265

**FILED**

**JUL 01 2015**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

SANDS CHINA LTD., A CAYMAN  
ISLANDS CORPORATION,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
ELIZABETH GOFF GONZALEZ,  
DISTRICT JUDGE,

Respondents,  
and

STEVEN C. JACOBS,  
Real Party in Interest.

No. 68275

LAS VEGAS SANDS CORP., A NEVADA  
CORPORATION; SANDS CHINA LTD.,  
A CAYMAN ISLANDS CORPORATION;  
AND SHELDON G. ADELSON, AN  
INDIVIDUAL,  
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE

No. 68309

ELIZABETH GOFF GONZALEZ,  
DISTRICT JUDGE,  
Respondents,  
and  
STEVEN C. JACOBS,  
Real Party in Interest.

### ORDER

These original petitions for writs of mandamus or prohibition challenge district court orders arising from the same case and involving the same parties. In the interest of judicial efficiency, we consolidate these matters in this court.

The petition in Docket No. 68309 challenges a district court order scheduling a trial date and related pretrial matters. Petitioners have filed a motion to stay *all* proceedings in the district court pending this court's resolution of these writ proceedings. In determining whether to grant a stay pending resolution of a writ petition, this court considers: (1) whether the object of the writ petition will be defeated if the stay is not granted, (2) whether petitioner will suffer irreparable or serious injury if the stay is denied, (3) whether real party in interest will suffer irreparable or serious injury if the stay is granted, and (4) whether petitioner is likely to prevail on the merits on the writ petition. NRAP 8(c); *Fritz Hansen A/S v. Eighth Judicial Dist. Court*, 116 Nev. 650, 657, 6 P.3d 982, 986 (2000). Having considered petitioners' motion, as well as the real party in interest's opposition and petitioners' reply, we grant the motion to the following extent: The trial date is stayed and vacated, as are the portions of the district court's order that pertain to pretrial motions. However, with the exception of the stay entered in Docket No. 68275 on June 23, 2015, of the deposition of David Turnbull, discovery is otherwise *not* stayed and may continue as to all parties. We note that the stays entered

in these matters toll the five-year period set forth in NRCP 41(e). *Boren v. City of North Las Vegas*, 95 Nev. 5, 6, 638 P.2d 404, 405 (1982) ("Any period during which the parties are prevented from bringing an action to trial by reason on a stay order shall not be computed in determining the five-year period of [NRCP] 41(e).")

Further, our review of the petition in Docket No. 68309 indicates that petitioners have set forth issues of arguable merit and that they may have no plain, speedy, and adequate remedy at law. Therefore, real party in interest, on behalf of respondents, shall have 20 days from the date of this order within which to file and serve an answer, including authorities, against issuance of the requested writ. NRAP 21(b)(1). Petitioners may file a reply within 11 days of the answer being served.

It is so ORDERED.<sup>1</sup>

*Hardesty*, C.J.  
Hardesty

*Douglas*, J.  
Douglas

*Saitta*, J.  
Saitta

*Cherry*, J.  
Cherry

*Gibbons*, J.  
Gibbons

<sup>1</sup>In the motion for stay, petitioners also note that when this court entered an order in Docket No. 68265 directing the real party in interest to file an answer, "it did not specify that [petitioner Sands China Ltd.] would have an opportunity to file a reply," and requests this court clarify that it may file such a reply. Petitioners may file a reply in support of the petition in Docket No. 68265 within 11 days from the date of this order.

cc: Hon. Elizabeth Goff Gonzalez, District Judge  
Kemp, Jones & Coulthard, LLP  
Holland & Hart LLP/Las Vegas  
Morris Law Group  
Pisanelli Bice, PLLC  
Alan M. Dershowitz  
Eighth District Court Clerk