

EXHIBIT 1

1 LAS VEGAS, NEVADA, THURSDAY, JULY 2, 2015, 8:14 A.M.

2 (Court was called to order)

3 THE COURT: As soon as I get Mr. Bice on the phone
4 we're going to start with Jacobs versus Sands. Everyone
5 should remember the Mr. Dushoff/Mr. Peek rule is in effect.

6 Mr. Dushoff, you're here; right? Yeah.

7 MR. SMITH: For Mr. Bice, Your Honor, we would give
8 him a couple more minutes. He's in between flights.

9 THE COURT: It's okay.

10 MR. SMITH: He said that if it gets messed up,
11 though, I can cover for him sufficiently.

12 THE COURT: Okay. Mr. Bice is on the phone. Bring
13 him up here.

14 If everybody could come closer, that way everybody
15 can hear. Mr. Bice can be heard in here.

16 Good morning, Mr. Bice. I hope your travels are
17 going safely.

18 MR. BICE: Good morning, Your Honor.

19 THE COURT: I have everyone else here. So it's Mr.
20 Jones's motion, so I'm going to let him start.

21 MR. RANDALL JONES: Thank you, Your Honor. The
22 issue is pretty straightforward, whether or not we need to --
23 and we're happy to do it today, if we -- if the Court says we
24 need to do it. But we believe, anyway, that based on the
25 order of the Supreme Court that the discovery as to Sands

1 China is stayed and therefore the issue related to the
2 completion of the confidentiality analysis or a meeting and
3 confer would be stayed, as well.

4 THE COURT: Thank you.

5 Mr. Bice.

6 MR. BICE: Yes, Your Honor. Our belief is that this
7 motion is moot. Yesterday afternoon the Supreme Court entered
8 an order clarifying that discovery is not stayed as to any
9 party, number one. And Mr. Smith has a copy of that order for
10 the Court. And number two --

11 THE COURT: I don't have a copy. Can I have a copy.
12 They only send the order when they actually stay things, not
13 when they change the stay. Thank you.

14 MR. BICE: They issued that order yesterday.

15 THE COURT: Hold on a second, Mr. Bice. I'm
16 reading.

17 MR. BICE: Thank you, Your Honor.

18 THE COURT: The trial date is stayed and vacated.
19 Okay. And pretrial motion dates are vacated. "Other than
20 the Turnbull deposition, no other discovery is stayed. The
21 stays in these matters toll the five-year period set forth
22 in NRCP 41(e)." So they've clarified that.

23 Okay. Anything else?

24 MR. BICE: No, other than even if there was a stay,
25 which we don't believe there is, we're asking the Court to

1 withdraw the order that we saw yesterday, because the Supreme
2 Court has now clarified that there is no stay. But other than
3 that, I have nothing else.

4 THE COURT: Okay. Anything else, Mr. Jones?

5 MR. RANDALL JONES: Yes, Your Honor. I read the
6 order. I see what it says. And I think that it's -- at best
7 it's ambiguous in connection with -- or at least in reading it
8 as it relates to the prior order that talked about staying the
9 order with respect to jurisdiction, and if the order -- and
10 this kind of follows along an argument that Mr. Morris made
11 with respect to the order staying the ruling on jurisdiction
12 over Sands China, if that is stayed. And I certainly believe
13 that is still -- that order is still in effect from the
14 Supreme Court. And that would mean essentially by default we
15 go back to the prior Supreme Court order that stayed all
16 discovery and certainly as it relates to Sands China. Because
17 if there's still a question about jurisdiction over Sands
18 China, then merits discovery would be inappropriate.

19 And I see that order, and I see what it says. And
20 so I think at a minimum we would like to have some opportunity
21 to get some clarification from the Supreme Court on that
22 issue. Because at least in my experience -- and I have had
23 some experience with this, including the Viega case that is at
24 issue in this particular instance, where I was on the
25 plaintiff's side, merits discovery against the German company

1 was stayed while that matter proceeded to the Supreme Court.
2 We actually tried that case, I think as you know, in front of
3 Judge Johnson for about five and a half months as to the other
4 defendants who did not have an issue over jurisdiction. So it
5 would certainly be my position that discovery should still
6 remain stayed as to Sands China. And to the extent that the
7 most recent order is unclear, we should be afforded the
8 opportunity to maybe get some clarity from the Supreme Court
9 on that issue.

10 And if I'm correct in my belief that merits
11 discovery should still remain stayed against Sands China, then
12 the issue of the confidentiality would also be stayed.

13 THE COURT: I can only go with what the Supreme
14 Court writes. And they wrote, "However, with the exception of
15 the stay entered in Docket Number 68275 on June 23, 2015, of
16 the deposition of David Turnbull, discovery is otherwise not
17 stayed and may continue as to all parties." So it sounds like
18 for me that's pretty clear. So I think they've given us
19 direction. The trial date's vacated, and all pretrial hearing
20 motions are vacated, but discovery is wide open.

21 MR. RANDALL JONES: All right. In that case, Your
22 Honor, then we certainly intend to proceed with a 2.34 meet
23 and confer this afternoon, so that would be within -- as our
24 calculation, within the deadline. I understand Mr. Bice and
25 Mr. Smith may disagree that -- and have some other objections

1 about that issue down the road; but just so it's clear on the
2 record, we want to proceed with a 2.34 conference on that
3 issue.

4 THE COURT: Okay. Since Mr. Bice is out of town, I
5 don't know how effective that'll be. I'll let you guys work
6 that out. I assume you'll extend each other professional
7 courtesies.

8 MR. RANDALL JONES: Well, certainly. The deadline
9 is -- just so you -- well, the deadline is arguably tomorrow,
10 which actually, since it's a holiday, arguably puts it to
11 Monday. But the way the confidentiality protective order is
12 written it talks about calendar days.

13 THE COURT: I know.

14 MR. RANDALL JONES: So --

15 THE COURT: I understand.

16 MR. RANDALL JONES: -- I just want to make sure it's
17 clear to the Court --

18 THE COURT: You're making the offer to have it this
19 afternoon.

20 MR. RANDALL JONES: Okay.

21 THE COURT: Okay.

22 MR. RANDALL JONES: So there's no argument that
23 we've waived the 10-day rule. And I would certainly be happy
24 to make accommodations with Mr. Bice and reserve any rights
25 that he wants to argue later that we on some other grounds

1 didn't comply with the order.

2 THE COURT: Or blew the days earlier.

3 MR. RANDALL JONES: Or blew the date. Exactly. I
4 certainly --

5 THE COURT: And we'll deal with that another day.

6 MR. RANDALL JONES: That's fine. So I just want to
7 make that offer.

8 THE COURT: Mr. Bice, it sounds like they're willing
9 now, given the Supreme Court's order, to have a 2.34
10 conference with you. After you conduct it, if you aren't
11 successful, then I assume you'll file a motion, and I'll deal
12 with all the issues.

13 Now one other agenda item. Given Mr. Morris's prior
14 calculation of the number of days that the case had been
15 stayed, and I'm not including this stay because I'm unclear as
16 to whether this stay now extends time under 41(e), can you
17 give me your position, Mr. Bice, within one week as to when
18 the stay -- or when the time under Rule 41(e) would expire.

19 MR. BICE: So you're asking me within a week of
20 today to give you that date?

21 THE COURT: Unless you're on vacation for the whole
22 week.

23 MR. BICE: No, I'm not. I'm actually back in the
24 office on Monday. So I have no objection to holding the 2.34
25 that Mr. Jones is [inaudible] on Monday, and I will have our

1 answer to you within a week of today as to that date.

2 THE COURT: Okay. Since the Supreme Court has
3 vacated and stayed the trial, after I get your information as
4 to when you think the day that 41(e) would at its earliest run
5 I will then issue a separate discovery scheduling order to
6 deal with the issues we're dealing with. I would usually
7 connect that with a trial setting order, but I'm not going to,
8 given the language of the order filed yesterday by the Nevada
9 Supreme Court.

10 MR. RANDALL JONES: Your Honor, the only other issue
11 I would raise, then, is we have the media motions I think set
12 for a couple weeks out. And, as I said, I think -- I don't
13 know for sure, but I'm anticipating I'll probably seek some
14 clarification from the Supreme Court with respect to merits
15 discovery for Sands China and this later order.

16 THE COURT: Okay.

17 MR. RANDALL JONES: And depending on what happens
18 with that, we may ask the Court to hold those hearings in
19 abeyance, as well.

20 THE COURT: If you get further direction from the
21 Nevada Supreme Court, it is always helpful for me to know what
22 they said.

23 MR. RANDALL JONES: Understood.

24 MR. MORRIS: Me, too.

25 THE COURT: Anything else?

1 So, Mr. Morris, your calculations were indeed
2 correct, at least it seems like. We'll see what Mr. Bice's
3 position is, and then I will work off of those in setting up a
4 discovery schedule.

5 MR. MORRIS: So what I said last time, this is the
6 first occasion on which we've agreed on a point?

7 THE COURT: Well, no. We've agreed a couple other
8 times. We kept a record -- in CityCenter we kept a list.

9 MR. MORRIS: I do want Mr. Bice to confirm before he
10 leaves, though, that yesterday, unrelated to this case,
11 although we're adversaries, we were in agreement on the same
12 point, and that was noted, I believe, by the court.

13 THE COURT: Really, Mr. Bice.

14 MR. BICE: Well, I wasn't there. Mr. Morris had to
15 call me to inform me of that fact. But I'm confident he's
16 accurate in what he told me yesterday.

17 THE COURT: All right. You all have a lovely day.
18 And I will probably see you in the near future.

19 MR. BICE: Thank you, Your Honor.

20 MR. RANDALL JONES: Thank you, Your Honor.

21 MR. MORRIS: Enjoy the Fourth.

22 THE COURT: Thank you. Have a nice weekend,
23 gentlemen.

24 THE PROCEEDINGS CONCLUDED AT 8:24 A.M.

25 * * * * *

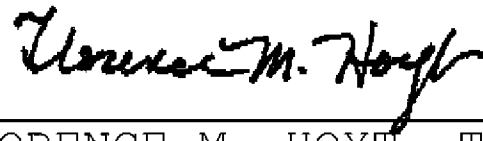
CERTIFICATION

I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM THE AUDIO-VISUAL RECORDING OF THE PROCEEDINGS IN THE ABOVE-ENTITLED MATTER.

AFFIRMATION

I AFFIRM THAT THIS TRANSCRIPT DOES NOT CONTAIN THE SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER OF ANY PERSON OR ENTITY.

**FLORENCE HOYT
Las Vegas, Nevada 89146**



FLORENCE M. HOYT, TRANSCRIBER

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

2 *****

3 SANDS CHINA, LTD.,
4 Petitioner,
5 v.

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

12 Respondents,

13 and

14 STEVEN C. JACOBS,

15 Real Party in Interest.

16 SANDS CHINA LTD., A CAYMAN
17 ISLANDS CORPORATION

18 Petitioner,

19 v.

20 THE EIGHTH JUDICIAL DISTRICT
21 COURT OF THE STATE OF
22 NEVADA, IN AND FOR THE
23 COUNTY OF CLAK; AND THE
24 HONORABLE ELIZABETH GOFF
25 GONZALEZ, DISTRICT JUDGE,

26 Respondents,

27 and

28 STEVEN C. JACOBS,

 Real Party in Interest,

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

 Petitioners,

v.

Case No.: 68265 Electronically Filed
 Jul 06 2015 03:14 p.m.
District Court Case No. A627691-B
 Trace K. Lindeman
 Clerk of Supreme Court

**REAL PARTY IN INTEREST
STEVEN C. JACOBS' OPPOSITION
TO EMERGENCY MOTION TO
CLARIFY JULY 01, 2015 ORDER
IMMEDIATE RELIEF NEEDED TO
PREVENT PREJUDICT TO SANDS
CHINA LTD. AND TO
FACILITATE PRETRIAL
PROCEEDINGS IN DISTRICT
COURT**

Case No.: 68275

Case No. 68309

1 THE EIGHTH JUDICIAL DISTRICT
2 COURT OF THE STATE OF
3 NEVADA, IN AND FOR THE
4 COUNTY OF CLARK; AND THE
5 HONORABLE ELIZABETH GOFF
6 GONZALEZ, DISTRICT JUDGE

7 Respondents,

8 and

9 STEVEN C. JACOBS,

10 Real Party in Interest.

11 Sands China, Ltd. ("Sands China") returns to this Court with the yet *another*
12 false cry of emergency, hoping to obtain hasty and ill-advised relief before the
13 actual facts and law come to light. Despite styling its motion as needing
14 "immediate relief" so as to "prevent prejudice to Sands China, Ltd. and to facilitate
15 pretrial proceedings in district court," Sands China has identified neither a need for
16 immediate relief nor actual prejudice.¹ Once again, the supposed prejudice is that
17 discovery will permit evidence to be preserved while Sands China continues to
18 ignore its pervasive Nevada contacts, which the district court has already found
19 based principally upon the admissions of its own board members.

20 This Court's precedents do not counsel for a discovery stay under such
21 circumstances, as Sands China erroneously says. Rather, this Court has held the
22 exact opposite. *See Hansen v. Eighth Judicial Dist. Ct.*, 116 Nev. 650, 657, 6 P.3d
23 982, 986 (2000) (Denying stay of discovery despite the fact that defendant disputed
24 existence of personal jurisdiction). Here, the facts – as proven by Jacobs and found
25 by the district court – are far more compelling in favor of discovery. The district
26 court held an extensive evidentiary hearing and entered detailed findings as to
27 Sands China's extensive contacts with Nevada. Contrary to the hopes and wants of
28 defendants who seeks to procure delay by disputing personal jurisdiction – ignoring

¹ This Court should put an end to these false claims of emergency under NRAP 38.

1 the actual evidence found by the district court as well as the law – provides no basis
2 for a stay. That is particularly so in a case where the Petitioners have already
3 improperly sabotaged the case with excessive delays based upon their concealment
4 of discoverable information and deception of the district court.

5 Nor did this Court secretly grant Sands China a stay of discovery, as it
6 likewise erroneously suggests, with its order in Docket No. 68265. This Court
7 simply stayed the district court's order of May 28, 2015. That in no way imposed a
8 stay on the preservation of evidence through discovery. Indeed, Sands China's own
9 position is contradictory. If this Court's order concerning a stay of the May 28,
10 2015 decision had the effect of staying discovery, there would have been no need
11 for this Court to have entered a stay specifically as to the deposition of Sands China
12 board member, David Turnbull. This Court granted Sands China no sweeping
13 discovery stay.

14 Equally desperate is Sands China's reference to the district court's order
15 entered on July 1, 2015, which even the district court immediately recognized as
16 inconsistent with this Court's own July 1 Order denying the request for a discovery
17 stay. Sands China had erroneously led the district court into the belief that this
18 Court had somehow ordered a merits stay as to Sands China with its June 23
19 Order.² But the district court did not have the benefit of this Court's July 1 Order,
20 and when brought to its attention, recognized the inconsistency and announced that
21 this Court's instructions are "pretty clear. So I think they've given us direction. The
22 trial date's vacated, and all pretrial hearing motions are vacated, but discovery is
23 wide open." (Ex. 1 hereto at p.5).

24 As set forth in Jacobs' opposition to the prior mislabeled emergency motion
25 for stay, none of the Petitioners, including Sands China, provide any basis for a
26 discovery stay. Evidence has already been lost in this case due to the extraordinary

27 ² Again, even Sands China could not explain to the district court how a broad
28 stay of discovery had been entered but required a separate motion for a stay of the
Turnbull deposition.

1 delay that Petitioners secured. They identify no harm, let alone irreparable harm,
2 from having evidence preserved so that there can be an actual trial where the truth
3 is determined. *See Aspen Financial Services, Inc. v. Eighth Judicial Dist. Ct.*, 128
4 Nev. Adv. Op., 57, 289 P.3d 201, 206 (2012) (There is a strong presumption in
5 favor of allowing discovery to proceed because a stay interferes with a plaintiff's
6 ability to preserve evidence as witnesses become unavailable, "'memories of
7 conversation and dates fade, and documents can be lost or destroyed.'") (citations
8 omitted).

9 Simply because a defendant hopes to benefit by further delay provides no
10 legal basis for a discovery stay, particularly where the district court already held an
11 evidentiary hearing and entered detailed findings as to the existence of personal
12 jurisdiction. If disputing jurisdiction were enough, then every defendant could
13 perpetually delay litigation, despite the actual evidence of its contacts, so as to
14 procure delay, in the hopes that the passage of time will allow adverse evidence to
15 disappear. That is precisely what Sands China has already done and seeks to
16 perpetuate. And, that alone, defeats its purported request for "clarification"
17 requesting even more unprecedented delay of Jacobs' rights.

18
19 DATED this 6th day of July, 2015.

20 PISANELLI BICE PLLC

21 By: /s/ Todd L. Bice

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23 Todd L. Bice, Esq., Bar No. 4534
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Steven C. Jacobs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 6th day of July, 2015, I electronically filed and served a true and correct copy of the above and foregoing **REAL PARTY IN INTEREST STEVEN C. JACOBS' OPPOSITION TO EMERGENCY MOTION TO CLARIFY JULY 01, 2015 ORDER IMMEDIATE RELIEF NEEDED TO PREVENT PREJUDICE TO SANDS CHINA LTD. AND TO FACILITATE PRETRIAL PROCEEDINGS IN DISTRICT COURT** properly addressed to the following:

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SERVED VIA HAND-DELIVERY ON 06/30/15
The Honorable Elizabeth Gonzalez
Eighth Judicial District court, Dept. XI
Regional Justice Center
200 Lewis Avenue
Las Vegas, Nevada 89155

/s/ Shannon Thomas
An employee of PISANELLI BICE PLLC