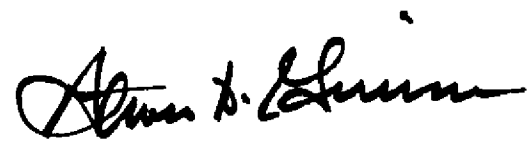
EXHIBIT 9

EXHIBIT 9

Electronically Filed
08/06/2015 04:53:49 PM



CLERK OF THE COURT

TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA
* * * * *

STEVEN JACOBS	.	
	.	
Plaintiff	.	CASE NO. A-627691
	.	
vs.	.	
	.	DEPT. NO. XI
LAS VEGAS SANDS CORP., et al.	.	
	.	**Transcript of Proceedings**
Defendants	.	

BEFORE THE HONORABLE ELIZABETH GONZALEZ, DISTRICT COURT JUDGE

HEARING ON PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DISCOVERABLE DOCUMENTS

THURSDAY, AUGUST 6, 2015

APPEARANCES:

FOR THE PLAINTIFF:	JAMES J. PISANELLI, ESQ. TODD BICE, ESQ. JORDAN T. SMITH, ESQ.
FOR THE DEFENDANTS:	J. STEPHEN PEEK, ESQ. JON RANDALL JONES, ESQ. STEVE L. MORRIS, ESQ.
COURT RECORDER:	TRANSCRIPTION BY:
JILL HAWKINS District Court	FLORENCE HOYT Las Vegas, Nevada 89146

Proceedings recorded by audio-visual recording, transcript produced by transcription service.

LAS VEGAS, NEVADA, THURSDAY, AUGUST 6, 2015, 8:40 A.M.

(Court was called to order)

THE COURT: My only other case on this morning is Jacobs versus Sands. You have a total of 17 minutes among you to use. You can have a little more, Mr. Peek, if you need it.

MR. PEEK: You saw that shock, Your Honor?

THE COURT: I was here on time.

MR. RANDALL JONES: I noted that you said that with a smile on your face. Is that some humor [inaudible]?

MR. PEEK: Mr. Peek can get more time if he needs it. I have a jury trial that I need to start back up at 9:30. I've got to settle jury instructions as soon after I finish with you as possible. You know, I'm doing multiple things all the time.

MR. RANDALL JONES: Understood.

THE COURT: Mr. Jones, will you come up here before you leave and come up in the witness box. Laura has something you want to take with you.

MR. RANDALL JONES: Yes, Your Honor. I heard about that yesterday when we were in the deposition. The only concern is --

THE COURT: Just take it first so that it's not part of my record, because I'd never really had it. And then we can talk about what you do with it next.

MR. PEEK: Recycle bin's a good spot.

THE COURT: No, I think he needs to do something else. But that's for him to do.

MR. MORRIS: So what is the something else he should do?

THE COURT: These are the documents that he wanted sealed that were part of the offer of proof. They haven't been filed, they haven't been offered through the exhibit process, and I don't have them. So what I think needs to happen, since in my minute order denying without prejudice the motion, is a more specific motion needs to be filed related to those, and then he needs to file them under seal. The risk with that is if I rule that many of those documents are not appropriate to be sealed, then they're in the public realm. But I'll let you guys make that judgment call.

MR. MORRIS: We probably will come back on that with an appropriate motion.

THE COURT: Yeah. Absolutely. And I anticipated that. That's why we've given them back to you so you don't have to regather them and -- those are the offer of proof documents that were under seal that he never filed.

MR. BICE: It's all of them. Oh. Okay.

THE COURT: They were never filed.

MR. BICE: Got it. Okay.

THE COURT: He handed them to I think Laura, maybe Dulce, and said. here's the motion with it. And then we

stayed it while we had that confusing order from the Supreme Court. And so --

MR. RANDALL JONES: Mr. Bice had this. We filed a copy of what we gave him. But I will make another copy of the index and the receipt that I got from Laura and give him [inaudible].

THE COURT: Laura's going to go do that right now so nobody's got to wait.

(Pause in the proceedings)

THE COURT: Mr. Bice, this is your motion.

MR. BICE: Thank you, Your Honor. I know you are pressed for time, so I will try and expedite.

Your Honor, this is a motion to compel. I have a couple of problems with the opposition that we got yesterday. Number one, I think it confirms some of our grievance that the 2.34 process is being used as a delay mechanism, not as a legitimate attempt to resolve issues. And let me tell you why that is the case and why I'm asking the Court's permission to make sure that in the future that we record these communications. Because here is exactly what we filed. We filed a motion to compel limiting it to the requests that LVSC told us they would not answer. They told us that in their written responses, and they told us that at the 2.34 conference. There were a few other ones that they said they would reconsider or think about their objections. That was on

July 10 when I was told that they were going to think about their objections and get back to us. It's now nearly August the 10th, and, of course, I have received crickets on those -- what I've heard are crickets on those other ones where they said they would think about and get back to us on their objections.

So our only motion here is limited to the ones they told us they would not answer. Then they file an opposition, representing to you that we jumped the gun on this because these -- they're going to respond to these at some unidentified future point. That's why, Your Honor, we need to record these, because this is -- what is in this opposition is opposite of what they represented to us at this 2.34 conference. So I have an issue with that, number one.

Number two, then let's go to some of the just general objections. First they tell you that it's improper -- all of our discovery requests are improper because we asked them to identify and respond with all responsive documents and information. They claim it's inappropriate to send discovery requests that -- those are just completely overbroad. I would ask the Court or invite the Court to look at Exhibit 5, which are their discovery requests to us, which are worded the exact same of what they are now representing to the Court are so inappropriate about our discovery requests. So that obviously -- they obviously don't believe that, unless they're telling

you, well, we sent -- we, LVSC, sent a whole bunch of inappropriate discovery requests.

Next sort of general complaint that they have is they try to use the ESI protocol to now limit the scope of all discovery in this case, and that, of course, has become a complete impropriety, Your Honor. Again, to prove the point, the ESI protocol, Your Honor, has Section 13 in it that specifically talks about how this ESI protocol -- because remember what this was about. They were supposed -- this is before the stay went into effect. This was --

THE COURT: The first stay.

MR. BICE: The first stay. They were obligated to be searching for discoverable information right out of the chute, without any requests for production from anybody. And, as we now know, they didn't do any of that at all. And if they did, they certainly haven't identified what they did or what the search terms supposedly were. But here's what Section 13 of it says. It specifically says, "This is not intended to create any precedent for or constitute a waiver or relinquishment of any party's objections or arguments pertaining to particular search terms or custodians or any potential ESI productions or phases of ESI discovery.

So, again, they're now trying to convert this ESI protocol that was entered into for the first phases of this, they're now trying to convert that into a wholesale limitation

on the scope of discovery of this case. And as further proof, Your Honor, that they know that's not true, look at their own discovery request to us, which is Exhibit Number 5. They don't limit their requests to what they're now saying the ESI protocol limits them to producing. They don't in any way, shape, or form live up to the very standards and the very arguments that they are making to you in this opposition.

That then brings us finally, Your Honor, around to -- let's look at the specific objections that they have.

One other broad sort of objection they make is, if you don't allege specific facts in the complaint about every issue you can't do discovery in the case. Of course, that is completely inconsistent with Rule 8, which says that a complaint is supposed to be a short and plain statement of the claim. They're trying to convert that into, if you now don't allege every name or every person in the complaint that could have any impact on this they're not relevant to discovery.

So let's deal with the requests, Your Honor. Request Number --

THE COURT: And that's Exhibit 2.

MR. BICE: That's Exhibit Number 2.

Exhibit Number 29, Your Honor, they now say, well, we'll produce some of these requests, after previously telling us they weren't going to produce any. And, of course, these responses were due at the end of June.

Request Number 33, Your Honor, they again now try to limit the discovery to just the issues -- 33. They say they're going to answer it, but only with respect to a particular time frame, which is, again, not what this case is about.

Number 34, Your Honor, they claim that they can't respond to this because they do not know. Well, that's interesting, because all these same names are in their own discovery request to us about communications that Mr. Adelson had. So they obviously do know and they obviously are just simply trying to stifle us.

Number 34, Your Honor. Broken Tooth. They know who he is. He was in prison, he was a junket representative, and he got out of prison, and they know precisely who he is. And they know precisely why they were dealing with him.

Number 39, Your Honor, they say, well, they'll produce, but only with respect to documents that existed in the time frame in which Mr. Jacobs was there. Your Honor, 39 deals with defamation. These people are claiming -- Mr. Jacobs has sued them for defamation. And they've also filed a counterclaim for business disparagement. We are entitled to show anytime that they have claimed or threatened defamation against people that they are claiming they know the value of reputation and they are willing to smear Mr. Jacobs. And that again goes to demonstrate their malice. And it also goes to

undercut their claims that they were damaged by Mr. Jacobs's statements when in fact they're accusing other people of defamation.

Number 40, Your Honor. Again, they have asked us for this exact same information when they are claiming that they shouldn't have to produce it. And then they're trying to limit it to just a very narrow time frame that is only while Mr. Jacobs was there, nothing after and during the last five years this case has been going on.

Number 49, Your Honor. Again, they're now saying they're going to produce them, but only with respect to that very narrow time frame, even though they previously told us they wouldn't.

Number 50. Again, they don't want to produce -- they acknowledge they should have to produce some, but just not all these, even though these are the same requests for Number 50 that they effectively sent to us. They try and claim that, well, our request was only with respect to communications with Mr. Adelson involving all these same people, so that somehow is distinguishing. Obviously you think that all these people are relevant or all these entities are relevant, because you're seeking discovery on them yourself.

Number 51. Again, Your Honor, they claim it's not relevant in this case and all that you know about it to know

whether or not they were having complimentaries, granting gaming credit and the like to Chinese Government and military officials. They know precisely why that is relevant in this case, and it has been discussed extensively.

With respect to WDR, Your Honor, WDR was an entity they now -- previously told us, we won't produce anything on that. They now say, well, we will, but only with respect to a very narrow time frame, because they're trying to say they know that the entity didn't do anything exactly during that time frame, it was created before and dissolved after, so they're going to come back and magically tell us how they don't have to produce anything.

Then on the CDC case, Your Honor, which is Number 54, again Mr. Jacobs has specifically pointed out how that is relevant to this case, because that is the basis for the claim, and Mr. Leven during the jurisdictional hearing even admitted that they claim that there was some agreement with the chief executive officer of Macau about the sale of those apartment hotels. And, as Mr. Jacobs has claimed specifically, it's the alleged settlement of the CDC case that was supposedly the consideration for that agreement, at least per Mr. Adelson's position.

Number 59. They claim, well, they'll get around to producing -- oh. They claim that there are no responsive documents to this request with respect to their position.

That's odd, Your Honor, because they previously told us they weren't going to answer that request, and they haven't produced any accounting information as to whether or not that is true or not.

And then lastly, Your Honor, is Number 86. And again on Number 86, Your Honor, they claim they shouldn't be required to produce this because it's overbroad. As Your Honor knows, our point here is very simple. You have the standard language in your agreement, you know what it means, we want to demonstrate that you have manufactured this for-cause standard as to Mr. Jacobs that is completely inconsistent with how you have applied it to everybody else in the past and the fact that you make up claims after the fact. Thank you, Your Honor.

THE COURT: Thank you.

Mr. Peek.

MR. PEEK: I'm pleased to report, Your Honor, that we agree with Mr. Bice that our 2.34 conferences should be recorded. In fact, I mentioned that to them last Tuesday -- or no, last Thursday when we were here.

THE COURT: I think that was the practice while I was still an attorney.

MR. PEEK: To record them?

THE COURT: In many cases, unfortunately.

MR. PEEK: Yeah. And we actually started that in

this matter, Your Honor, early on, when Ms. Glaser was a part of this. But, in any event, what Mr. Bice does not point out to you is that, one, I was on vacation, I was just getting back from vacation when the letter came in about the objections, I was not able to deal with it until I got back into the office on I believe it was the 6th of July. And so I certainly wasn't idly sitting by, not addressing this issue.

With respect to the 2.34 conferences what he fails to mention to you is that we continued the 2.34 conference of July 10th to July 13th, and we had another hour, plus or minus, conference at the conclusion of that conference. We expected, because we were told we'd be receiving a letter confirming exactly what the position was about narrowing. So that deals with the 2.34. And I'm surprised that Mr. Bice left out the fact that we did actually continue that conference to the 13th.

With respect to the fact that our RFPs are the same remember that at the time that we were submitting our RFPs we were faced with an August 6th deadline for close of discovery. And so in an abundance of caution, because we didn't know what the Court's ruling would be on the time frame, we certainly did send mirror images to them. Because, had we not done that and the Court was going to rule against us on the time frame, we certainly wanted to preserve it.

But let me go to the ESI protocol, because that is

exactly something which Mr. Bice nor Mr. Pisanelli were involved in the negotiations of that. I negotiated that with Mr. Campbell and Mr. Williams, and we agreed that the protocol and the time frame for the litigation and the search and collection was for the period of January 2009 up to and including the time of the filing of the complaint. I negotiated that. There's been no request for relief from that on their part, and now they just come in and say, oh, well, we didn't waive it so now we're going to expand it just because we want to, not because the parties have agreed to it. And I think that's something that needs to be addressed to the Court. Certainly it may or may not be addressed here today, but I think that's something, Your Honor, that needs to be addressed to the Court, and we should be heard on that.

That ESI protocol is an order of the Court, it does say January 1, 2009, and it does end in October. We addressed this issue with the Court during the evidentiary hearing on jurisdiction with respect to documents to be produced by Mr. Reese. And remember that we talked then, Your Honor, you said all the way to the present, and we asked the Court to at least back down a little bit on that and they did, and did say March. Although the defamation occurred in March of 2011, they extended the time frame to June 30th -- or they limited the time frame to June 30 of 2011.

So I think that, Your Honor, with respect to the

time frame it is when Mr. Jacobs would have come on in May, March, April, May period, all the way up to and including the time when he filed his complaint, and not many years beforehand. For example, the AML is something that happened in 2006 on the anti money laundering. Now they want to go all the way back to 2006 and say, oh, well, let's talk about the anti money laundering issues that occurred at time when there was no Sands China Limited and at a time that had nothing to do with Sands China Limited or VML even.

So those are the reasons, Your Honor, that we think the time frames should be enforced here and they should not be allowed broad discovery both before and after the litigation period.

Let me now address, Your Honor, some of the RFPs. I'll lump triads certainly. We have said with respect to triads that we will certainly produce some documents with respect to some of those triads, for example -- so-called triads -- and, again, I'm not sure I know exactly what a triad is. Counsel seems to know it and Mr. Jacobs seems to know it. So with respect to triads we are saying that that was not something that was ever raised or framed by the complaint. It still is not. There certainly were issues regarding Cheung Chi Tai, there are issues regarding Charles Heung, and I think there was one other individual Lee Ching Ming, that was also involved in that claim of theirs. So, yes, we've agreed to

produce those documents that relate to those individuals, but not just a broad search of all of the dealings we had with triads at a time when Mr. Jacobs was the president and CEO of Sands China Limited. He's not presented any evidence that he knows or that he is familiar with or he had some dealings with a triad for which he complained to the management of the company or the counsel of the company about whether or not there were dealings with so-called triads. Now he just wants to go on some fishing expedition to see how we did or did not deal with so-called triads and so-called junkets.

Junkets, again, as I said, relate to Cheung Chi Tai and others, but not just so-called -- first they say key junkets. It's not defined. I don't know what key junkets are. There certainly are names. And what do those junkets or dealings with those junkets have to do with the case other than those related to defined individuals that they have outlined in paragraph 31 and 32 of their complaint? They don't relate to a so-called wrongful termination on the part -- kind of a whistleblower-type relief, and he hasn't said, well, I called to the attention of the company during the time I was there that they were doing business with certain junkets and the Gaming Commission in Macau is not doing their job, I'm concerned about how it might impact my business here. Nothing was said. Now all of a sudden we want to come back and look at every junket for a long period of time and how you did

business with them. So that deals with 34.

35. Now I'm hearing for the first time that -- and I didn't hear this during the meet and confer, nor did I see it in their papers, that Broken Tooth was somebody who was a convicted individual who then came later to have a junket operation in the Venetian Macau, something if they'd known about it -- they're now on their fourth amended complaint. If they'd known about it and had called it to our attention and said, you ignored it and that is a reason for my termination, we should have seen that. If they know it now, they knew it then, because the fourth amended complaint is a very recent filing on their part and we're now, what, three months after the filing or two months after the filing of the fourth amended complaint. They would have and could have mentioned Broken Tooth. But they didn't. This is another one of their fishing expeditions that they want to talk about.

I've talked about Tracy and Sisk. What relevance is there about Tracy's and David Sisk's employment after August of 2010 or even in the period past October of 2010 that would relate to a wrongful termination or so-called whistleblower activities of Mr. Jacobs? There is nothing.

Then they get into lawsuits with the defamation. What is it that that has to do with anything other than through that period of January 1st, 2009, through June 30th of 2011? I picked the date June 30, 2011, because that's the

date the Court ordered that it could be extended to with respect to Mr. Reese. So that was addressed in the jurisdictional hearing.

Surveillance of Jacobs or any other witness, we said we would produce that during that period of time of January 1 through October 2010. And it's surveillance specifically targeting Jacobs. Your Honor, that is something that, you know, what does it have to do now with this case? What if we did in fact surveil Mr. Jacobs after 2010? What does that have to do with this lawsuit here?

We've said we would produce nonprivileged, publicly available documents with respect to compensation of individuals.

And then RFP 50, documents concerning witnesses. We said we would produce documents during that time frame reflecting communications between Sheldon Adelson, Cheung Chi Tai, Leonel Alves, Charles Heung, and Lee Ching Ming, and/or Sheldon Adelson's emails concerning so-called Chairmans Club. Again, for that time period and for those discrete individuals, because those are the individuals that we've heard about during both the sanctions hearing, as well as the evidentiary hearing. And those are the individuals to which Mr. Adelson and Mr. Leven testified.

They now talk about gaming credit or comp of Chinese Government -- Chinese Macau officials. Again, that is

something, Your Honor, that is one -- I'm not sure I even recognize who a Chinese Government official is, nor is it anything that they mentioned or brought up in their first amended complaint. They're just on a fishing expedition to see if they could maybe turn over some information related to the granting of credit. So what does the granting of credit have to do with this case at all? Is there something that they say is a violation of the law, is there something that they would say, that is not only a violation of the law but I called it to your attention? Neither of those are framed nor part of their first amended complaint.

CDC, Your Honor, that's a new one on me, too. I didn't hear it from Mr. Adelson, I didn't hear it from Mr. Leven that there was a promise made by Edmond Ho that if we settled the CDC lawsuit that we would get strata title. So that's all brand new on their part.

I'll rely, Your Honor, on my objections in the pleadings with respect to --

THE COURT: Thanks.

MR. PEEK: -- 59 and 86.

THE COURT: Thank you.

The motion is granted in part. The limitation that is in the ESI protocol is the limitation that the parties agreed to at the outset of the case for the search of electronically stored information. To the extent that

information is not in an electronically stored format that limitation does not apply. But I am not going to force you to re-search those custodians within excess limitation without a further showing.

With respect to 29 the motion is granted with the limitation on the time that is included in the ESI protocol for that information that is electronically stored.

For Number 33 the same ruling.

Number 34, can we give a better definition of "key junket." And then we will also have that for five years prior to Mr. Jacobs's termination.

With respect --

MR. PEEK: How many, Your Honor? Five?

THE COURT: Five. Five years prior to his termination.

MR. PEEK: On ESI, or just --

THE COURT: No. Not on ESI. On other stuff. I anticipate there are other documents, not just ESI. But I'm not going to make you redo the ESI searches, because those custodians have already been searched.

With respect to 35, that one will be responded to.

With respect to 39, that would be limited to within 10 years of today.

Number 40 will be responded to.

Number 49 will be responded to for the period that

is identified in the ESI protocol for electronic exhibits and for a period not to exceed five years for the others.

With respect to 50 those items will be produced for a period of five years unless they're electronically stored.

Number 51 the objection is sustained. There will have to be a further showing as to why this information would be relevant. Based upon what I currently have, I don't have it. It's without prejudice for you to renew it after you do some additional discovery.

With respect to 52, that is granted with a period of -- it's never been subject to the ESI protocol, so for a period of five years prior to Mr. Jacobs's termination.

MR. PEEK: I'm sorry, Your Honor. On that one again?

THE COURT: 52. That's the WDR. Five years prior to the termination.

CDC --

MR. PEEK: Did you say it wasn't part of the ESI protocol, or it's only hard documents?

THE COURT: WDR does not appear to be part of the ESI protocol. So a search does not appear to have been previously run under those custodians that would relate to WDR from my review.

The same for CDC.

I am sustaining --

MR. PEEK: What do you mean same for CDC?

THE COURT: The same time period. That does not appear to be part of what was previously searched.

MR. PEEK: Nor does it appear to be part of the complaint, Your Honor. So how would I be able to negotiate -- respectfully, how would I be able --

THE COURT: Here's the problem, Mr. Peek. I sort of having a moving target that I heard about in the evidentiary hearing as to what the reasons are for the termination. At some point in time I've got to know what those reasons are, and your client's going to tell us what all those reasons were and we're going to hear about it in substantive discovery. I may be in a better position then to limit some of the responses, but based upon what I've heard so far I don't think so.

And I am sustaining your objections on 59 and 86 because at this time this does not appear to be any potentially relevant material that will be elicited as a result of discovery.

Anything else?

MR. PEEK: Your Honor, with respect to 54 on the CDC case --

THE COURT: Yes.

MR. PEEK: -- certainly there would have been communications with Campbell and Williams, who were opposing

counsel on the settlement. And I want to just make sure that it's not an overly broad request that would require me to get into anything other than perhaps communications with Mr. Ho or any other -- let me just check for sure.

Yeah. It's, "Produce all documents and communications that concern, reference, or relate to settlement of the CDC case."

THE COURT: Yes.

MR. PEEK: Since the allegation in the relevancy argument is that strata title was promised as a result of the settlement of the CDC case, if you settle the CDC case we'll give you strata title. That would relate really not to just all general communications. This is overbroad, Your Honor, and should be limited --

THE COURT: I understand what you said. I overruled your objection.

MR. PEEK: So even our correspondence with Mr. Williams and Mr. Campbell and others related to that for a period -- I think you said, what --

THE COURT: Five years prior to termination.

MR. PEEK: -- five years before that?

THE COURT: I don't know when -- I don't know when the case was settled, so that, you know, makes it a little hard for me.

MR. BICE: Settled as part of the IPO.

THE COURT: Okay.

MR. PEEK: No. I understand that there's a period of time. But now we're talking about -- if the allegation, Your Honor, and the relevance -- and I know I'm arguing again with the Court about relevancy. But if the issue is we had communications with anybody at the Chinese Government or the Macau Government related to the settlement, saying that, if you settle this case then we will give you strata title, it should only be limited to those communications, if any exist whatsoever, with any Chinese Government official or any Macau Government official.

THE COURT: I disagree with you. But I did agree with you on 51.

MR. PEEK: Okay.

THE COURT: Anything else?

MR. PEEK: That's going to be a broad, broad, broad brush, Your Honor.

THE COURT: It may be.

MR. PEEK: And I don't even know what -- I mean, if I --

THE COURT: It may be.

MR. BICE: Your Honor, I just want to be clear on something, because I think that this ESI protocol is --

THE COURT: I'm having the criminal lawyers come in to put pressure on you.

MR. BICE: Understood, Your Honor.

I think this ESI protocol is being misused. I just want to be clear. You're not saying we cannot come to you consistent with the express reservation under Section 13 that specifically --

THE COURT: Absolutely not. I'm not precluding you from doing that. But based upon the ESI protocol as it currently exists and the language in that I'm not going to require them at this stage to do additional searches of those folks who were already identified as custodians given that there was an agreed-upon time frame. That's not saying that you might not come up with something, Judge, look what we found, we now need to do some additional discovery and have some additional searches run. But you're going to have to convince me of that.

MR. BICE: Understood. Because there are documents we --

THE COURT: And they have to have the opportunity to brief it.

MR. BICE: We will bring those documents and the bases for this to your attention, because these -- several of the events obviously -- let me just give you the following example. They claim that they shouldn't be required to produce any evidence of surveillance of Mr. Jacobs after the date --

THE COURT: I overruled that objection.

MR. BICE: I understand. But that's just an example, Your Honor. Communications that Ron Reese or other people were having admitting after Mr. Jacobs had filed the suit, for example, acknowledging that this matter that he was owed the money, as an example, that would be evidence of an admission or board communications after the date of him filing the complaint would serve as an admission. That's why we think that we're entitled to that information. So we'll come back to you on that.

THE COURT: And we'll see when I get a brief and I get a response and I have an argument.

MR. BICE: Understood, Your Honor.

THE COURT: Mr. Jones, good luck with figuring out the best way to handle that.

MR. BICE: Can I have a date on -- since this is now essentially two months --

THE COURT: How long do you need, Mr. Peek?

MR. PEEK: I don't know, Your Honor, given the broadened scope now.

THE COURT: It wasn't broad. This is what they asked for in June. And I understand that there's been some issues with vacations and other obligations and everything. I'm just trying to get a best guess so I don't give an unrealistic schedule to anyone given the fact that we have an

impending trial date although it's not in September or October. Best guess, Mr. Peek.

MR. PEEK: Best guess, end of September.

THE COURT: When are your depos scheduled?

MR. BICE: We started one yesterday.

MR. PEEK: Your Honor, I'll give you an example. This is another case that I have, with Wynn-Okada. A rolling production based on RFPs --

THE COURT: I know. They're late on their rolling production.

MR. PEEK: -- that went all the way to August 31 --

THE COURT: I know.

MR. PEEK: And so it's kind of like a goose-gander here.

THE COURT: I just thought it was funny that somebody asked some justices to not hear Wynn-Okada because, you know, of the relationships on this. What'd they say?

MR. PISANELLI: We haven't heard. But if we're going to talk about goose-gander --

THE COURT: I don't want to talk about it.

MR. BICE: Understood.

THE COURT: So we're going to set an aspirational goal --

MR. BICE: But we have --

THE COURT: Wait. We're setting an aspirational

goal of 30 days. If for any reason they're not produced 30 days from today, Mr. Peek, I need you at our next status conference to explain to me why.

MR. PEEK: Next status conference I think is next Thursday.

MR. BICE: Yes. We have --

THE COURT: Well, then you give me a better estimate at that time.

MR. PEEK: I will certainly -- we'll have another one, I think, after that, Your Honor, which would be -- two weeks from now would be the 27th. I'll come on the 27th and tell you.

THE COURT: Well, no. I want you to tell me if you anticipate there being a problem when I see you next week.

MR. BICE: Your Honor, we have initial experts due in mid September, and --

THE COURT: Then you're going to get the documents sooner or not designate your experts then, and I'm not sure I want to move the expert designation dates.

MR. BICE: Okay. Well, okay. We're going to have to be bringing multiple motions on this to your attention.

THE COURT: One would have thought that, yes.

MR. BICE: All right. Thank you, Your Honor.

THE COURT: Have a lovely day. Goodbye. Nice seeing you all again.

Mr. Jones, good luck with coming up with a way to handle that. But you understand what the issue is.

MR. RANDALL JONES: I do.

THE COURT: Okay.

THE PROCEEDINGS CONCLUDED AT 9:15 A.M.

* * * * *

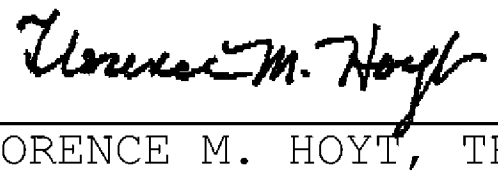
CERTIFICATION

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

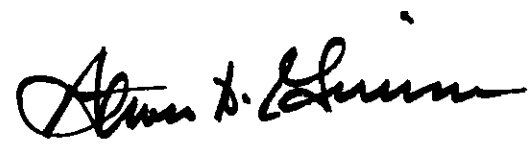


FLORENCE M. HOYT, TRANSCRIBER

EXHIBIT 8

EXHIBIT 8

Electronically Filed
08/25/2015 04:01:02 PM



CLERK OF THE COURT

TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA
* * * * *

STEVEN JACOBS	.	
	.	
Plaintiff	.	CASE NO. A-627691
	.	
vs.	.	
	.	DEPT. NO. XI
LAS VEGAS SANDS CORP., et al.	.	
	.	**Transcript of Proceedings**
Defendants	.	

BEFORE THE HONORABLE ELIZABETH GONZALEZ, DISTRICT COURT JUDGE

HEARING ON PLAINTIFF'S MOTION FOR PROTECTIVE ORDER RE THIRD-PARTY SUBPOENAS

MONDAY, AUGUST 24, 2015

APPEARANCES:

FOR THE PLAINTIFF:	JAMES J. PISANELLI, ESQ. TODD BICE, ESQ. JORDAN T. SMITH, ESQ.
FOR THE DEFENDANTS:	J. STEPHEN PEEK, ESQ. JON RANDALL JONES, ESQ. STEVE L. MORRIS, ESQ.
COURT RECORDER:	TRANSCRIPTION BY:
JILL HAWKINS District Court	FLORENCE HOYT Las Vegas, Nevada 89146

Proceedings recorded by audio-visual recording, transcript produced by transcription service.

LAS VEGAS, NEVADA, MONDAY, AUGUST 24, 2015, 8:37 A.M.

(Court was called to order)

THE COURT: Good morning.

(Pause in the proceedings)

THE COURT: Great. Why don't we get started.

Good morning, Mr. Morris. How you today?

MR. MORRIS: Good morning, Your Honor.

THE COURT: If I could have everybody come forward to deal with the protective order that's on file.

MR. MORRIS: Why is it that we're the only ones here this time of day?

THE COURT: Because it's Monday. I do criminal starting at 9:00 o'clock. So if you hear people coming in through that door, just don't worry.

Mr. Pisanelli, if you and your team would identify yourselves, please.

MR. BICE: Good morning, Your Honor. Todd Bice on behalf of plaintiff.

MR. SMITH: Jordan Smith also on behalf of plaintiff.

MR. PISANELLI: James Pisanelli on behalf of the plaintiff.

MR. RANDALL JONES: Randall Jones on behalf of Sands China Limited.

MR. PEEK: Good morning, Your Honor. Stephen Peek

on behalf of Las Vegas Sands Corporation.

MR. MORRIS: Good morning, Your Honor. Steve Morris on behalf of Sheldon Adelson.

THE COURT: Okay. It's your motion.

MR. BICE: Good morning, Your Honor. This is our motion for protective order concerning a series of subpoenas that were issued to and served on entities that Mr. Jacobs has had prior relationships with, and then as well as Facebook, Your Honor.

Just by way of background, as the Court might remember, the defendants in this case have taken the position that prior disputes are not relevant and actually asked you to sustain their objections, which you did, to our discovery along the same lines. And let's remember, Your Honor, what our position is in this case. Our position is that this company and Mr. Adelson in particular have a history of manufacturing for-cause excuses for breaching contracts after the fact so as to try and negotiate a heft discount for themselves on what they are owed. Mr. Pisanelli and I have some personal knowledge of those disputes, because we were involved in some of them, and they are both employment disputes and other disputes. We've mentioned one of them before being with the contractors that I know that the Court is familiar with. There are other employment disputes, including with Mr. William Weidner. There are convention

disputes where similar tactics were employed by the company. So our point is that there's been a long, long history of Mr. Adelson and his company taking the position of, if you don't give me a discount off of what I owe you you can sue me.

And we know that's what happened. We have substantial evidence, Your Honor, that that's exactly what happened here with Mr. Jacobs, as Mr. Leven admitted on the witness stand to Your Honor. When he met with Mr. Jacobs he didn't know whether or not they were terminating him for cause; he just simply said, we know we're not going to honor the agreement. And that's our position, is that's what happened here. They objected to that, and the Court said that we could not have discovery on that issue.

After the Court's ruling they then served subpoenas upon prior employers of Mr. Jacobs, claiming that they are entitled to all personnel records of any sort concerning the matter. And, again, Your Honor, our point here is that that is way overbroad, and under their own standard of relevancy it isn't relevant to this proceeding. If it is relevant to this proceeding, then their position that prior disputes that Mr. Adelson has been involved in in engaging similar tactics of, our position is, manufacturing reasons not to honor contracts after the fact would also be relevant. And having prevailed on the very argument that they are now seemingly abandoning, Your Honor, they shouldn't be allowed to do that. It's as

simple as that.

THE COURT: Thank you.

MR. BICE: Thank you.

MR. RANDALL JONES: Your Honor, first of all this motion should be denied on its face. They failed to comply with NRCP 26(c) or 2.34(d), period, end of the story. We have been called out so many times of having violated the rules. Mr. Bice gets up here and starts hammering away at all the bad conduct of the counsel and their client. He didn't even try to comply with the rules.

He sent me email that you'll note that he abandoned his argument about not getting notice. He did get notice. He apparently didn't look at it. Which, you know, I understand; we all get a lot of emails. But he did get notice.

He then sends me an email and says, I've got an issue here. I respond, and I respond right away, and I tell him early last week, hey, we've got one response from a subpoena, they didn't have any records, I'm happy to talk to you about it. His own email says, I'll get back to you about this. And then he doesn't. The rules say his motion is -- first of all is premature. It is void under our rules. And every time, and I believe it's happened in this case, that you said that you don't comply with your meet and confer the motion is premature.

And, by the way, Judge, these depositions were

intentionally set way out late in September to give everybody a time. I wanted a place set. That's all I wanted. I wanted to get some time set so that -- because there's a lot of lawyers to coordinate here, there's a lot of parties. I anticipated that we were going to have to move dates. So when I sent my email back --

I should also tell you when we first got the call from Mr. Bice's office they asked about that, and I told the secretary that called back say, make sure to tell them that these dates can be moved. I put that in my email. Why do we have to have the urgency. Mr. Bice knows my client is in Macau. I was waiting till 9:00 o'clock last night to get feedback, which was early, early morning, I think 7:00 o'clock in the morning on Monday in Macau I finally got some feedback from my client. Mr. Bice knows this. We've had this issue come up before with this Court so I could get some feedback from my client. He files his motion late on Thursday, I tried to get things done on Friday. I finally get some response at 9:00 o'clock last night. That's why it's so late, Judge. I would have otherwise got it in sooner.

THE COURT: That's okay.

MR. RANDALL JONES: So the point is there should be no discussion about this. You should at most --

THE COURT: So let me ask a couple questions. It sounds like that the issue that caused me the most concern was

the subpoenas were being served without notice has not been confirmed because they were served through the Wiznet system. Whether people actually got them or not is an entirely different issue. But they were served through the Wiznet system.

MR. RANDALL JONES: Right.

THE COURT: You're telling me that people are responding well in advance of the September 23rd noticed CR deposition?

MR. RANDALL JONES: The one response I had was from in-house counsel, saying, we have no have documents, they've all been destroyed. Which we passed on to Mr. Bice.

THE COURT: Okay. Here's my concern.

MR. RANDALL JONES: And I haven't had any other responses.

THE COURT: Here's my only concern. Because the reason I had it set had to do with the fact that subpoenas were being served and notice wasn't being provided, which is disturbing to me.

MR. RANDALL JONES: Of course it would have been. Understood.

THE COURT: But apparently that wasn't an issue. So I always have a concern when subpoenas are being served on third parties that the opportunity to object if there's a privilege issue or some sort of other personal protection

issue that we would recognize either under protective orders that have been issued in this case or the sealing or redacting of records that those are respected.

MR. RANDALL JONES: Understood.

THE COURT: If you have people who are responding a month before the subpoena's due, that causes me concern, because we set the custodian of records deposition as a return date so that we can have the time for people to file their objections to the subpoenas.

MR. RANDALL JONES: I totally get that, Your Honor. That's why I was waiting for Mr. Bice to call me.

THE COURT: You've only got one who's responded?

MR. RANDALL JONES: Only had one. And they said they have no documents. And here's the point. Mr. Bice said, I'll get back to you. All he had to do is call me and say, hey, look, I've got some real issues with your subpoenas, if you get any more documents I would ask you that if you get any you don't look at anything until we are able to sort this out. In which case I would have said, absolutely --

THE COURT: Okay.

MR. RANDALL JONES: -- I would be happy to accommodate you in that regard. I didn't anticipate -- I didn't call anybody ahead of time, I didn't anticipate anybody giving me information back that quickly, but I would have been more than happy -- you know, I believe I have been willing to

work with Mr. Bice on these kind of issues in the past. If he would have told me, I'm concerned about these issues and I would like to have a discussion, if you do get anything back I would ask you please don't look at anything, I would have been happy to accommodate that as an officer of the court, I would have put that in writing, we could have had a meet and confer, and we wouldn't have had to spend the time and I wouldn't have had to spend the weekend frantically trying to get a hold of my client so we could get some response to this. And I think they should pay the attorneys' fees and costs associated with this motion which is on its face violative of the rules. It was unnecessary. And the Court has ordered costs to be paid by my client in other circumstances where you felt we did something inappropriate. This is on its face inappropriate, and we should get those costs.

THE COURT: Thank you.

Mr. Bice, anything else?

MR. BICE: Yes, Your Honor. Your Honor, I'm going to give you the email exchange between myself and Mr. Jones. I don't think it is as advertised.

MR. RANDALL JONES: Well, it should have been attached to the motion.

THE COURT: Okay.

MR. BICE: All right. Your Honor, let me deal with a couple of substantive points. The assertion that we were

served I think is beyond misleading. If you look at the purported proofs of service attached to these documents, these subpoenas, they claim that Mr. Pisanelli, myself, Ms. Spinelli, and Jordan Smith were all served through the Wiznet system. They've now admitted in their opposition that's not true, that all of the proofs of service are inaccurate, number one. And if this is going to be latest maneuver now, is -- I think we've had a working relationship about making sure that everybody in the firms were served. They've asked us to make sure that certain associates, paralegals, other people in their offices are served with documents. We have done that. We've asked them to do the same. It's only -- and this is the first time where they didn't do that. In fact --

THE COURT: Well, the paralegals weren't served, the calendaring people.

MR. BICE: Well, secretaries, all of our litigation cartel wasn't served.

THE COURT: No, I understand. I've got you and Ms. Spinelli.

MR. BICE: That is true. Ms. Spinelli and I received an email.

THE COURT: Right.

MR. BICE: Just like everybody else in our office normally receives all the emails. We had no reason to understand that somebody had de-selected everybody else in our

firm for service of these documents. That wasn't the proper service, that's not consistent with what the certificates of service even say. The certificates of service are inaccurate, because they didn't serve all of those people just as they have been asking us to do. So if that's going to be the new norm in this case, fine. There are a number of people that can play that game if that's the way that they're -- if that's their position in this.

So when I found out that in fact these subpoenas had gone out I sent Mr. Jones an email, because he had sent me a lengthy email saying that they'd had this similar problem with Wiznet. And that's the email I just showed you. So we --

THE COURT: That document is Exhibit B to their opposition.

MR. BICE: We didn't understand that, so we then started looking into this. And what we determined was, again, Ms. Spinelli and I were apparently not de-selected from the service list, but everybody else in our firm was, and it didn't have anything to do with Wiznet, it had to do with who they decided to serve and who they decided not to serve. So, yes, they can we got service. Yep, that's right. We did. So if that's the way it's going to be in this case moving forward, we understand the game rules now -- or the game plan now.

So, that being the case, we got the subpoenas. Once

I found out about them I sent Mr. Jones the email in response to his lengthy email, and all I asked was, have they been served. It was obvious that they had been served, because he said, we've already gotten responses back from one of them. So that's why we had to file our motion when we did. He never offered to say, listen, we haven't gotten any of the others back and they haven't even been served. We had to act promptly in light of what we knew when we knew it. And that's why we acted promptly.

And so I'm not going to apologize for filing a motion for protective order. They're engaged in, with all due respect, a lot of doublespeak here on what the standard is. Because, again, their objection was, well, prior disputes involving the company and Mr. Adelson aren't relevant, Your Honor, they can't have that information. They also asked us for this information in requests for production of documents, which we noted the same objection. You notice they didn't come and file a motion to compel with the Court; instead, only after they got a ruling from you that we can't have this information they then go around and serve third parties with subpoenas, and I would submit to try and circumvent their own very -- to go around their own very successful argument in opposing our discovery on this point.

So with that, Your Honor, turning to the merits of this, again, as we have cited the caselaw, using their own

argument, this isn't appropriate discovery. You can't take the position that your prior disputes in litigation aren't relevant but anything that Mr. Jacobs has in terms of a prior dispute -- and this isn't even limited to disputes. This is just all personnel records from any prior employer that they could find. And then Facebook, Your Honor. There again under the Electronic Storage Act you can't obtain this information. This isn't even allowed discovery under federal law. That's our point, Your Honor. It's as simple as that.

THE COURT: Do you know how often Facebook comes in at trial in this department?

MR. BICE: I know, Your Honor.

THE COURT: Okay. Anything else?

MR. BICE: No, Your Honor.

THE COURT: All right.

MR. RANDALL JONES: Your Honor, there were a couple of statements that were made that --

THE COURT: That's okay, Mr. Jones. Thank you.

The motion for protective order is granted in limited part. First I'm going to reiterate that it is critical that the staff members who are responsible for receiving, reviewing, and calendaring be served; because, if they're not served, then the whole system fails. And both of you know that.

MR. RANDALL JONES: Your Honor, can I address that

point? Because there was an accusation made, but I didn't get a chance -- he didn't bring it up in his first statement. My secretary's been out all week on medical leave. When I found out that that was done, initially I thought it was just Wiznet's problem we had to get the courts involved with. That's why my email. When I found out that was done I made sure to go back and tell them -- Bill Coulthard's secretary did this. And when I found out about it I said, you screwed up, don't do that again. So it was --

THE COURT: It happens.

MR. RANDALL JONES: It does. And I resent the accusation --

THE COURT: That's how life is.

MR. RANDALL JONES: -- that this was a maneuver and this is the new norm. It is not. We have would intend to do that.

THE COURT: Nobody's saying it was a maneuver.

MR. RANDALL JONES: Yes. Mr. Bice exactly said it was a maneuver.

THE COURT: Guys. Gentlemen.

Okay. So it's really important that you make sure that the people who are responsible for actually receiving and calendaring receive them. So please don't de-select them even if it's by accident.

MR. RANDALL JONES: We will make sure, Your Honor.

THE COURT: The responsive documents to the subpoenas need to be provided in an unreviewed condition to Mr. Jacobs's counsel when they are received from any of the respondents. Mr. Jacobs's counsel will then have the opportunity to review and provide any additional objections or a privilege log for any documents. I will do an in-camera review, if appropriate, prior to the release of any of the information.

How long do you think, Mr. Bice, is a good timeline, given your other challenges, for review once documents are received?

MR. BICE: Depending upon the size of the amount, Your Honor, I don't know. I don't think it's going to be a lot of documents, and I wouldn't think that it would be all that long.

THE COURT: Don't we have an aspirational goal with two-week turnaround?

MR. BICE: Absolutely. Absolutely. And if there's some issue with that, then I'll raise it with the Court during one of our status conferences.

THE COURT: Okay. I'm not going to award attorneys' fees, because I was concerned about the service issues. My concern about the service issue even if it was a mistake remains, so I'm not going to award attorneys' fees at this time.

MR. RANDALL JONES: Your Honor, I just -- I have to ask, then, are we not required to meet and confer in the future? Because --

THE COURT: You are required to meet and confer.

MR. RANDALL JONES: Then is there no sanction for utterly failing to meet and confer when he said he was going to do that? We wouldn't have had to be here today.

THE COURT: Here's the issue, Mr. Jones. You served third parties with subpoenas, and those third parties are responding 30 days in advance of the due date.

MR. RANDALL JONES: And I immediately told him that.

THE COURT: To me that is a significant issue. And because of that particular issue is why I set this on a Monday morning at 8:30, as opposed to my usual civil calendar. Because I don't usually have the experience where people respond to a custodian of records subpoena 30 days in advance of the return date, and I was concerned we might have some documents that got produced. And, you know, usually I would just issue an order the same as I did today, you hand them over to him, he reviews them, we then go one way or the other. But I was concerned I wasn't going to get that chance given the early response.

MR. RANDALL JONES: And I understand that.

THE COURT: So that's why I set it.

MR. RANDALL JONES: That's makes total sense. And

guess how he found out? From me. I immediately told him I had a response so that he could then take whatever action he thought was appropriate. And he took we believe to be the inappropriate action under the rules.

THE COURT: Okay. Anything else?

MR. RANDALL JONES: No.

THE COURT: Have a lovely day. Thank you so much for coming in on Monday. Have a nice day.

MR. BICE: Thank you, Your Honor.

THE PROCEEDINGS CONCLUDED AT 8:56 A.M.

* * * * *

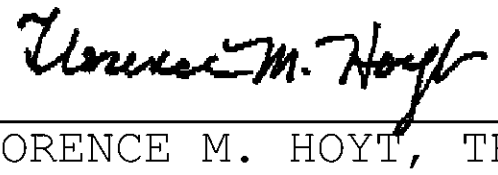
CERTIFICATION

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

EXHIBIT 7

EXHIBIT 7

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

SANDS CHINA LTD.'S OPPOSITION TO PLAINTIFF STEVEN C. JACOBS' MOTION FOR PROTECTIVE ORDER REGARDING THIRD PARTY SUBPOENAS

Date: August 24, 2015
Time: 8:30 a.m.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

For almost five years, despite the Nevada Supreme Court's stay on merits discovery, Plaintiff has sought and received (and now continues to seek and receive) broad discovery pre and post dating the time of his employment on topics involving third parties having nothing to do

with his brief time in Macau. Despite that lopsided record, Plaintiff now seeks to eliminate the most basic of inquiries into his work history. Moreover, despite being allowed inquiry into every non-public media contact or libel issue faced by LVSC, he objects to inquiry into his own social media comments. Citing cases that actually support the discovery sought and ignoring the procedural requirements of a meet and confer, Plaintiff fails to support his objections. Moreover, his claims of lack of notice are belied by the record. Further compounding these errors is the fact that Plaintiff provided almost no support for his request for an order shortening the time and provided only a single judicial day of notice to SCL—whose principal place of business is in Macau and operates more than 15 hours ahead of Nevada. Thus, SCL's counsel had very little time to prepare an opposition to a Motion. It is extremely difficult for SCL's attorneys in the United States to consult with their client in Macau under such circumstances. This frivolous motion on order shortening time should be rejected.

In addition, Plaintiff should pay all costs associated with responding to this motion. Plaintiff's counsel, who have consistently (and erroneously) accused Defendants of failing to comply with the rules of discovery in this case, and made no effort whatsoever to comply with their obligations under NRCP 26(c) or EDRC 2.34 to meet and confer with counsel for Sands China, Ltd. ("SCL") before seeking intervention from this Court. As a result, Plaintiff's motion is fatally premature, and Plaintiff should pay all costs associated with responding to it.

II. STATEMENT OF FACTS

On August 11, 2015, SCL served Plaintiff's counsel with notice of certain depositions of Jacobs' former employers and a Subpoena *Duces Tecum* to Facebook, Inc. Jacobs claims that he did not receive actual notice of the subpoenas until August 19, 2015. However, Wiznet's electronic records show that the notices were electronically served on both Todd Bice, Esq. and Debra L. Spinelli, Esq. on August 11. Copies of emails proving service to Mr. Bice and Ms. Spinelli on August 11 are attached hereto as Exhibit A. Following the questions from Plaintiff's counsel regarding service on August 19th, Randall Jones, Esq. sent an email to Todd Bice, Esq. offering to answer any questions and to further discuss the subpoenas. Exhibit B, attached hereto.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

Mr. Bice's response indicated that he would follow up as to the substance of Mr. Jones' email. *Id.* But Mr. Bice did not follow up prior to this Motion being filed, nor did he ever seek to arrange a meet-and-confer as the Nevada rules require.

Due to the Court's addition of non-parties to the e-service list for this case, SCL must now take precautions to ensure that non-public discovery documents are not disclosed to the public. While the Pisanelli Bice litigation portal may not have been served, it is inaccurate for Plaintiff's counsel to claim that they were not given actual notice on August 11, 2015, since it is evident that both Todd Bice, Esq. and Debra L. Spinelli, Esq. were electronically served on that date.[1]

SCL has served all of the subpoenas attached as exhibits to Plaintiff's Motion. However, the earliest deposition is not set to occur until September 21, 2015, and the response to the Subpoena *Duces Tecum* to Facebook is not due until September 25, 2015. As evidenced by Exhibit B, Mr. Jones also indicated in his email response that the deposition dates provided for in the third party subpoenas could be moved to accommodate the parties' schedules if need be. Thus, even if Plaintiff's counsel did not learn of the subpoenas until August 19—notwithstanding the fact that they were served on Mr. Bice and Ms. Spinelli on August 11—there was still plenty of time for a required meet and confer. The only urgency related to this motion was completely contrived by Plaintiff's counsel in direct violation of the rules. Moreover, only one subpoena recipient, Holiday Inn Worldwide, has contacted SCL, and that party has indicated that, due to its document retention policies, it does not possess any responsive documents, which information was also passed on to Plaintiff's counsel in the email.

III. ARGUMENT

A. The Motion is in direct violation of NRCP 26 (c) and EDRC 2.34 (d), and is therefore void on its face, and must be denied as premature.

"Discovery motions **may not be filed** unless an affidavit of moving counsel is attached thereto setting forth that after a discovery dispute conference or a good faith effort to confer,

---

[1] Because of this, the staff member for SCL who served the subpoenas was overly cautious and checked the service box only for those attorneys she believed to be Plaintiff's counsel, namely Todd Bice, Esq. and Debra L. Spinelli, Esq

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

counsel have been unable to resolve the matter." (Emphasis added) *See* EDCR 2.34(d). In addition, NRCP 26(c) specifically requires that a movant's motion for protective order must be "accompanied by a certification that the movant has in good faith conferred or attempted to confer with the other affected parties in an effort to resolve the dispute without court action." Plaintiff has completely disregarded these rules and requirements. It is clear from the Declaration of Todd Bice, Esq. attached to Plaintiff's Motion that Plaintiff did not even attempt to schedule a meet and confer conference, even though he promised to get back to SCL's counsel in his email. In short, the Plaintiff has not made any effort, let alone a good faith effort, to confer with SCL to try to resolve, or at least narrow, the discovery dispute without court action. Therefore, pursuant to Nevada law this Motion must be denied.

B. The subpoenas seek information that may lead to the discovery of admissible evidence, and are therefore, appropriate concerning the issue of Jacobs' termination and any post-termination disputes and/or settlements.

In any event, Jacobs' wholesale objection to the subpoenas should be rejected. The subpoenas seek to elicit documents and information reasonably calculated to lead to the discovery of admissible evidence. Specifically: (a) Jacobs' pattern and practice of not entering into written employment agreements, (b) his pattern of insubordination and being terminated from his jobs, and (c) his pattern and practice of using the legal system to coerce post-termination settlements from his employers. Documents and testimony regarding Jacobs' prior written employment agreements, the reasons for his termination from his prior positions, or any notes, memos, letters or similar documents involving disciplinary, insubordination or employee evaluation issues, and any disputes between Jacobs and his prior employers following his termination and the resolution of those disputes are all clearly relevant to Plaintiff's claims and the Defendants' defenses.

Under these circumstances, *Singletary v. Sterling Transport Co., Inc.*, 289 F.R.D. 237 (E.D. Va. 2012), which Plaintiff cites in his Motion at page 6, supports SCL's position, rather than Plaintiff's. In *Singletary*, the plaintiff alleged violations of the Fair Labor Standards Act ("FLSA"). The defendant served subpoenas *duces tecum* on the plaintiff's previous employers seeking his complete employment files. 289 F.R.D. at 238-239. The Court determined that a

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

request for the complete employment file was overbroad. However, the court noted that information relating to the plaintiff's FLSA claims against previous employers would be discoverable, noting, that "if Defendant possesses evidence indicating that Plaintiff previously engaged in FLSA litigation against any particular employer, Defendant need not seek the Court's permission before issuing a subpoena to that employer for documents relevant to that particular litigation." *Id.* at 242.

Singletary supports the propriety of SCL's subpoenas. SCL has evidence that Jacobs had disputes with several of his former employers related to his termination and contractual issues. Jacobs testified to that fact in his deposition in the Florida defamation action related to this case. SCL is entitled to follow up on this information from other sources. Due to the similarity of Jacobs' disputes with former employers to the instant action, *Singletary* supports the discovery of relevant documents and testimony from former employers. The information sought by the subpoenas related to Jacobs' contracts, disciplinary, insubordination or evaluation records, reasons for termination, and post-termination disputes are all reasonably calculated to lead to the discovery of admissible evidence in this case. SCL believes that evidence will show that, far from being a victim of any wrongful conduct, Plaintiff orchestrated events in a way that was designed to set up his employer for a significant settlement. While it is obvious and understandable why Plaintiff wants to hide this evidence from view, now that the shoe is on the other foot in the discovery process, this Court should hold Plaintiff to the same exacting discovery standards it has required of Defendants, and allow the subpoenas to stand, and the discovery to proceed.

C. Courts have allowed subpoenas to issue to social media providers.

Plaintiff relies on The Stored Communications Act ("SCA") for his contention that civil subpoenas may not compel production of records from social media providers like Facebook. Yet other courts have **allowed subpoenas to issue to social media providers**, see *Ledbetter v. Wal-Mart Stores, Inc.*, 2009 WL 1067018, (D. Colo. Apr. 21, 2009) (court found that the subpoenas were "reasonably calculated to lead to the discovery of admissible evidence as is relevant to the issues in this case.") and *Romano v. Steelcase Inc.*, 907 N.Y.S.2d 650, (Sup. Ct.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

2010) (court found that defendant's request fell within the scope of permissible discovery under New York evidence law and production of said documents did not violate the plaintiff's right to privacy).

SCL believes that Jacobs deleted his Facebook account as a direct result of this litigation because it contained posts related to his reasons for termination and statements regarding his employment and his employers. If this is true, Jacobs' has intentionally spoiled evidence and SCL is entitled to discover the information. Therefore, SCL respectfully requests that the Court deny a protective order in relation to the Subpoena *Duces Tecum* to Facebook.

IV. CONCLUSION

SCL asks this Court to deny the Motion for failure to comply with the pre-motion requirements of NRCP 26(c) and EDCR 2.34. If the Court is inclined to consider the Motion on its merits, the subpoenas should be allowed to the extent that they seek all information that may lead to the discovery of admissible evidenced based on the allegations, claims and defenses proffered in this case. In addition, the Defendants should be awarded attorneys' fees for having to respond to this procedurally defective and frivolous motion.

DATED August 24, 2015.

/s/ J. Randall Jones

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I certify that on August 24, 2015, the foregoing **SANDS CHINA LTD.'S OPPOSITION TO PLAINTIFF STEVEN C. JACOBS' MOTION FOR PROTECTIVE ORDER REGARDING THIRD PARTY SUBPOENAS** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
Pisanelli Bice PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134

/s/ David Blake

An employee of Kemp, Jones & Coulthard, LLP

EXHIBIT A

EXHIBIT A

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:20 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276847)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:12 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Deposition of Custodian of Records of Facebook, Inc.
Document code: Service Only Filing Type: SO
Repository ID: 7276847
Number of pages: 9
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a097d04e1d3a547382ec5c26e38cae9c3804cd9eef18e46ec322637c06cc662150e

This link will be active until 08/21/2015 03:03:12 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A097D04E1D3A547382EC5C26E38CAE9C3804CD9EEF18E46EC322889C2B1EBACEC00B4224FBA12BF29
CA221675867E675AC0
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:21 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276870)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:01 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking Deposition of Custodian of Records of Vagus Group, Inc.
Document code: Service Only Filing Type: SO
Repository ID: 7276870
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a098bcaea6b531697aabb2c80ae11d19c96c12db369355af81d7d61dad359f645f0

This link will be active until 08/21/2015 03:03:01 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A098BCAEA6B531697AABB2C80AE11D19C96C12DB369355AF81D2C6D2CD74FB5083035B909639758D
CCD0885BCEFF6843D22
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:24 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276900)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:22 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking NRCP 30(b)(6) Deposition of Vagus Group, Inc.
Document code: Service Only Filing Type: SO
Repository ID: 7276900
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a09cc5773dfb5316d8f4bd0d73303930e35f0e1cb01a178809b6390208e8021b11e

This link will be active until 08/21/2015 03:03:22 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A09CC5773DFB5316D8F4BD0D73303930E35F0E1CB01A178809BBFA6AC7A70DB7C9F0A2846870705AC
8FB79BFFE2D59B806C
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:25 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276921)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:49 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking Deposition of Custodian of Records of Starwood Hotels and Resorts
Document code: Service Only Filing Type: SO
Repository ID: 7276921
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a090e5b8c3ca4dea3def34c1e379bb5bb532b097fe3e092a8e69963b6030d97501c

This link will be active until 08/21/2015 03:03:49 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A090E5B8C3CA4DEA3DEF34C1E379BB5BB532B097FE3E092A8E6F48BACA809DCD2741907919F42B6E0
8053B591DC6142E9BA
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:27 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276941)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:37 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking NRCP 30(b)96) Deposition of Starwood Hotels and Resorts
Document code: Service Only Filing Type: SO
Repository ID: 7276941
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a093821dcea4acb7d1315c9d8bca423043dd8fc7305352d6e922edfc721f4909c02

This link will be active until 08/21/2015 03:03:37 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A093821DCEA4ACB7D1315C9D8BCA423043DD8FC7305352D6E92C868F0992BA8D9CC908497F236874
AAA1C57C765B5E3D348
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:33 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276997)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:06 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking Deposition of Custodian of Records of Deloitte & Touche, LLP
Document code: Service Only Filing Type: SO
Repository ID: 7276997
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a099274b5b3183c1aad44054763bd1ab1f37c845600adf012fbaa8b3b12414f850f

This link will be active until 08/21/2015 03:03:06 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A099274B5B3183C1AAD44054763BD1AB1F37C845600ADF012FB994520F5CDEA11A183D7148EC18028
7D516F8A086839A07D
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:32 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276985)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:40 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking NRCP 30(b)(6) Deposition of Deloitte & Touche, LLP
Document code: Service Only Filing Type: SO
Repository ID: 7276985
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a0968514cecb7431d0258926a474ec419843edadc6e6ca5a7113a9e54ed97e2869f

This link will be active until 08/21/2015 03:03:40 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A0968514CECB7431D0258926A474EC419843EDADC6E6CA5A7111C2890CFB4BE352406662607513C82F21989A9C3FC5C8C17
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:35 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7277011)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:35 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking Deposition of Custodian of Records of Holiday Inn Worldwide
Document code: Service Only Filing Type: SO
Repository ID: 7277011
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a095aad7bac7ec2b4d4faf5f3f3db6a714b8143e037f4f69537967c4ef8b36952a2

This link will be active until 08/21/2015 03:03:35 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A095AAD7BAC7EC2B4D4FAF5F3F3DB6A714B8143E037F4F69537DE8D4671DA2850DEE2A4AA1382B71
7F4119E92A3DB3EDC2E
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:56 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7277222)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:52 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking NRCP 30(b)(60 Deposition of Holiday Inn Worldwide
Document code: Service Only Filing Type: SO
Repository ID: 7277222
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=e48ab72996ebeb66e54592dd198b55424441ee74f7a3140116b84a9d19e944594f3b1b07463aba36

This link will be active until 08/21/2015 03:03:52 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

E48AB72996EBEB66E54592DD198B55424441EE74F7A3140116B84A9D19E94459F3EAF7BA551BEC2E49C8C806A279674
9B8A23D827ACFA3F2
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 5:03 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276968)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:53 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking Deposition of Custodian of Records of U.S. Franchise
Document code: Service Only Filing Type: SO
Repository ID: 7276968
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a09db1f63dab62e59d8ad48527759bf87beeb177c71247a442139eb6fd66fde5ff0

This link will be active until 08/21/2015 03:03:53 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A09DB1F63DAB62E59D8AD48527759BF87BEEB177C71247A442123FF8D31B1EAA651893898E17E9F9C
5AD8CE7EA16C96C607
mail.tylerhost.net

Ian McGinn

From: no-reply@tylerhost.net
Sent: Tuesday, August 11, 2015 4:29 PM
To: Ian McGinn
Subject: Service Notification of Filing Case(Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)) Document Code:(Service Only) Filing Type:(SO) Repository ID(7276957)

This is a service filing for Case No. A-10-627691-B, Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)

This message was automatically generated; do not reply to this email. Should you have any problems viewing or printing this document, please call (800)297-5377.

Submitted: 08/11/2015 03:03:19 PM

Case title: Steven Jacobs, Plaintiff(s)vs.Las Vegas Sands Corp, Defendant(s)
Document title: Notice of Taking NRCP 30(b)(60 Deposition of U.S. Franchise Systems
Document code: Service Only Filing Type: SO
Repository ID: 7276957
Number of pages: 8
Filed By: Kemp, Jones & Coulthard, LLP

To download the document, click on the following link shown below or copy and paste it into your browser's address bar.
https://wiznet.wiznet.com/clarknv/SDSubmit.do?code=ef828d3dc65d8a09494c28465859e79b779141227ab6e3c4d1a482b2fe5282466e17a381dc869b68

This link will be active until 08/21/2015 03:03:19 PM.

Service List Recipients:
Holland & Hart
Steve Peek

Holland & Hart LLP
Robert Cassity

Holland and Hart
J. Stephan Peek

Kemp Jones & Coulthard
Ian P. McGinn
Jon Randall Jones
Sandy Sell

Kemp, Jones & Coulthard
Erica Bennett
J. Randall Jones
Janet Griffin
Janet Griffin

Mark M. Jones
Spencer Gunnerson

Morris Law Group
Rosa Solis-Rainey
Steve Morris

Morris Legal Group
Steven L Morris

Pisanelli Bice
Todd Bice

Pisanelli Bice PLLC
Debra L. Spinelli
Todd Bice

Non Consolidated Cases
EFO $3.50EFS $5.50
SO $3.50

EF828D3DC65D8A09494C28465859E79B779141227AB6E3C4D1A482B2FE528246CF83FE93FEC49461847BD9B7682625D47F175AD51EFAD757
mail.tylerhost.net

EXHIBIT B

EXHIBIT B

Ian McGinn

Subject: FW: third party subpoenas and notices

From: Todd Bice <tlb@pisanellibice.com>
Date: August 19, 2015 at 4:33:45 PM PDT
To: Randall Jones <r.jones@kempjones.com>
Cc: Angela Embrey <a.embrey@kempjones.com>, Mark Jones <m.jones@kempjones.com>, "Jordan T. Smith" <JTS@pisanellibice.com>
Subject: Re: third party subpoenas and notices

> Randall: I will respond to you shortly as to the substance of this email. But in the meantime, have any actual subpoenas been served on the parties you have identified in the commissions? We also have received no proof of service or of the opening of any administrative actions in any other jurisdiction. Please let me know ASAP if any service has occurred.

-- Todd.

On Aug 19, 2015, at 2:28 PM, Randall Jones <r.jones@kempjones.com> wrote:

> Todd:
>
> It has been reported to me today that Kim from your office called and indicated that your office had not received any of the notices of third party depositions and attached subpoenas that SCL served. She asked Angela Embrey, who I have copied with this e-mail, if we had served them. Angela said yes, and then checked Wiznet while still on the phone with Kim and confirmed that all the notices were in Wiznet, but in looking at the filings saw that the service on your firm indicated that the documents had not been opened. Kim told Angela that when she accesses Wiznet she does not see these notices or subpoenas.
>
> I wanted to alert you to this problem with Wiznet as our firm has had the same problem in the recent past where Wiznet was blocking our firm's receipt of e-served documents. It took our firm weeks of fighting with Wiznet to get the issue straightened out, and we even had to get the court administration involved in the issue.
>
> Kim went on to ask that Angela send the documents to her via direct e-mail which we can do if need be, but since the documents are in Wiznet, and they will take considerable time and effort to rescan and resend I thought I would ask that you first check with Wiznet to straighten out this issue, which I assume you will want to do anyway, before we go to that effort. If you do not have access to the documents by the end of the day please have Kim get in touch with Angela and we'll redo everything and send it off to your office.
>
> On a related note, I arbitrarily set the deposition dates in late September just to get them set. I anticipated that there may be issues with the dates from the third parties that would need to be addressed, so I wanted you to know as well that if you have problems with any of the dates we will gladly work with your office to find more convenient dates for these depos.

Let me know if you have any questions.

Regards,

J. Randall Jones

Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
Telephone: (702) 385-6000
Facsimile: (702) 385-6001
E-Mail: r.jones@kempjones.com

EXHIBIT 6

EXHIBIT 6

MOT
James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
Jordan T. Smith, Esq., Bar No. 12097
JTS@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 214-2100
Facsimile: (702) 214-2101

Attorneys for Plaintiff Steven C. Jacobs

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVEN C. JACOBS,

Plaintiff,

v.

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

Defendants.

AND RELATED CLAIMS

Case No.: A-10-627691
Dept. No.: XI

PLAINTIFF STEVEN C. JACOBS' MOTION FOR PROTECTIVE ORDER REGARDING THIRD PARTY SUBPOENAS; ON ORDER SHORTENING TIME

Hearing Date:

Hearing Time:

Plaintiff Steven C. Jacobs ("Jacobs") hereby moves for a protective order concerning subpoenas issued to Deloitte & Touche, LLP, Holiday Inn Worldwide, Starwood Hotels & Resorts, U.S. Franchise Systems, and Facebook, Inc. These subpoenas seek what amounts to all of Jacobs' past employment records, as well as personal social media. The law as to the impropriety of such requests is quite clear. Moreover, both Defendants Sands China Ltd. ("Sands China") and Las Vegas Sands Corp. ("LVSC") have insisted that they are immune from producing employment records of any other disputes for themselves. After successfully making those objections to this Court, they then turned around and issued subpoenas seeking the exact same type of information.

Jacobs requests this matter on an order shortening time because the subpoenas were apparently filed on August 11, 2015, but Jacobs only received actual notice of them yesterday, August 19, 2015. There is a question regarding the service of these subpoenas through Wiznet, as its records indicate that the Pisanelli Bice litigation portal was not served with those subpoenas, despite the fact that all other documents in this case have been served to that registered account. At this time, Jacobs' counsel has not had sufficient opportunity to investigate what occurred. But since Sands China has apparently served these subpoenas and has already received some response without notice to Jacobs, and no proofs of service having been served upon Jacobs, he asks that this Motion be heard immediately.

DATED this 20th day of August, 2015.

PISANELLI BICE PLLC

By: _____

James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

ORDER SHORTENING TIME

Before this Court is the Request for an Order Shortening Time accompanied by the Declaration of counsel. Good cause appearing, the undersigned counsel will appear at Clark County Regional Justice Center, Eighth Judicial District Court, Las Vegas, Nevada, on the 27th day of August, 2015, at 9:00 a.m., in Department XI, or as soon thereafter as counsel may be heard, to bring this **PLAINTIFF STEVEN C. JACOBS' MOTION FOR PROTECTIVE ORDER REGARDING THIRD PARTY SUBPOENAS; ON ORDER SHORTENING TIME** on for hearing.

DATED: August 20, 2015

DISTRICT COURT JUDGE

Respectfully submitted by:

PISANELLI BICE PLLC

By: _____
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

DECLARATION OF TODD L. BICE, ESQ.
IN SUPPORT OF MOTION FOR PROTECTIVE ORDER REGARDING THIRD PARTY SUBPOENAS; ON ORDER SHORTENING TIME

I, TODD L. BICE, Esq., being first duly sworn, hereby declare as follows:

1. I am one of the attorneys representing Plaintiff Steven C. Jacobs ("Jacobs") in the action styled *Steven C. Jacobs v. Las Vegas Sands Corp., et al.*, Case No. A627691-B, pending before this Court. I make this declaration in support of Jacobs' Motion for Protective Order Regarding Third Party Subpoenas on Order Shortening Time. I have personal knowledge of the facts stated herein and am competent to testify as to those facts.

2. Prior to yesterday, August 19, 2015, I was aware that Sands China was seeking commissions for certain third party subpoenas. I was not aware that Sands China had in fact issued subpoenas and served them.

3. Yesterday, when my office contacted Sands China's counsel concerning the status of the subpoenas, we were informed that they had already been issued. We subsequently obtained copies of them and have questions regarding service. We have not had sufficient opportunity to figure out why these subpoenas were not delivered to our litigation team portal, which is the principal depository for service on our firm through Wiznet.

4. These subpoenas seek a host of information concerning prior employment of the Plaintiff, despite the fact that the Defendants have insisted that such discovery is not appropriate when directed at themselves. Accordingly, because I learned yesterday that at least one of the subpoenaed parties had already responded, indicating that it had no documents, we must move this Court on an emergency basis to address this protective order, because we do not know the communications that Sands China has been having with these third parties. Indeed, one of these parties, Facebook's resident agent served with the subpoena, is Mayer Brown, Sands China's very counsel.

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

5. I certify that the foregoing request for protective order is brought for a proper purpose and not to seek delay, but in fact to move the case forward.

I declare under penalties of perjury of the laws of the State of Nevada that the foregoing is true and correct.

/TODD L. BICE, ESQ.

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

MEMORANDUM OF POINTS AND AUTHORITIES

I. DISCUSSION

On or about August 11, 2015, Sands China filed Notices of Deposition and Subpoenas Duces Tecum for the following:

1. U.S. Franchise Systems (attached hereto as Exhibit 1);
2. Starwood Hotels & Resorts (attached hereto as Exhibit 2);
3. Holiday Inn Worldwide (attached hereto as Exhibit 3);
4. Deloitte & Touche, LLP (attached hereto as Exhibit 4); and
5. Facebook, Inc. (attached hereto as Exhibit 5).

These subpoenas seek records and testimony concerning any personnel or employment records for Jacobs from all of the individual entities except Facebook. They have no limitation and have no bearing on this case, a fact which Defendants have emphasized for themselves in precluding Jacobs from compelling production of documents about past employer disputes by LVSC and Sands China. (Hr'g Tr. at 21, Aug. 6, 2015, on file, (court ruling that LVSC did not have to produce records of other employment disputes concerning purported for cause termination).) It appears that Sands China waited until after this Court's ruling in its favor to then seek the exact same records pertaining to Jacobs.[1]

Because the subpoenas seek records that pertain to Jacobs, he has standing to object and to quash. *Singletary v. Sterling Transport Co., Inc.*, 289 F.R.D. 237, 240 (4th Cir. 2012). As courts routinely recognize, requesting personnel files from prior employers is subject to significant restraint. *Whittingham v. Amhearst College*, 164 F.R.D. 124, 127-28 (D. Mass. 1995) (personnel files are confidential, discovery concerning them should be limited). In *Singletary v. Sterling Transport Co., Inc.*, 289 F.R.D. 237, 240 (E.D. Va. 2012), the court issued a protective order quashing subpoenas seeking all of the plaintiff's prior employment records noting the impropriety of such a request. The court specifically held that the defendant would be required to first obtain

[1] In fact, both LVSC and Sands China had requested these records from Jacobs and he objected, in keeping with their own objections. Defendants' attempt to circumvent their own position by then subsequently issuing subpoenas to third parties is transparent.

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

leave of the court before issuing any subpoenas concerning the plaintiff's prior employment because of the overbroad nature of such requests. The court further warned that it would issue costs and sanctions against the defendants should they seek to use the subpoenas to engage in such a fishing expedition in the future. Similar subpoenas were at issue in *Perry v. Best Lock Corporation*, 1999 WL 33494858 at *3 (S.D. Ind. 1999), where the court noted that subpoenas to prior employers that seek all personnel records are not reasonably tailored to lead to discoverable information and "look like nothing more than a fishing expedition or, more accurately, an exercise in swamp-dredging and muck-raking."

Additionally, Facebook is precluded from responding to the subpoena on the basis of the Stored Communications Act. The Stored Communications Act unambiguously states that the contents of electronically stored communications shall not be disclosed to parties unless an enumerated exception applies. 18 U.S.C. § 2702. "***The case law confirms that civil subpoenas may not compel production of records from providers like Facebook***. To rule otherwise would run afoul of the 'specific [privacy] interests that the [SCA] seeks to protect.'" *In re Facebook, Inc.*, 923 F. Supp. 2d 1204, 1206 (N.D. Cal. 2012) (quoting *Theofel v. Farey-Jones*, 359 F.3d 1066, 1074 (9th Cir. 2004)) (emphasis added).

Sands China's attempt to circumvent the very objections that it has advanced concerning the permissible scope of discovery by issuing the subpoenas to third parties is improper. Jacobs' Motion for Protective Order and to quash these subpoenas should be granted.

DATED this 20th day of August, 2015.

PISANELLI BICE PLLC

By: _____

James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 20th day of August, 2015, I caused to be served via the Court's E-Filing system true and correct copies of the above and foregoing **PLAINTIFF STEVEN C. JACOBS' MOTION FOR PROTECTIVE ORDER REGARDING THIRD PARTY SUBPOENAS; ON ORDER SHORTENING TIME** to the following:

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134
speek@hollandhart.com
rcassity@hollandhart.com

J. Randall Jones, Esq.
Mark M. Jones, Esq.
KEMP, JONES & COULTHARD
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
r.jones@kempjones.com
m.jones@kempjones.com

Michael E. Lackey, Jr., Esq.
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006
mlackey@mayerbrown.com

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
MORRIS LAW GROUP
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101
sm@morrislawgroup.com
rsr@morrislawgroup.com

An employee of PISANELLI BICE PLLC

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

EXHIBIT 1

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

NOTICE OF TAKING DEPOSITION OF THE CUSTODIAN OF RECORDS OF U.S. FRANCHISE SYSTEMS

September 23, 2015 at 10:00 a.m.

PLEASE TAKE NOTICE that Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of the Custodian of Records of U.S. Franchise Systems, by stenographic means, on September 23, 2015, at the hour of 10:00 a.m., at the offices of Elizabeth Gallo Court Reporting, LLC, 2900 Chamblee Tucker Road, Building 13, Atlanta, GA

30341, upon oral examination, before a Notary Public or some other officer authorized by law to administer oaths and will be recorded. Your deposition will continue in the aforementioned manner thereafter from day to day until completed. You are invited to attend and cross examine.

A true and correct copy of the Subpoena to be served upon the deponent requiring his/her appearance and the matters on which he/she will testify is attached hereto.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of August, 2015, the foregoing **NOTICE OF TAKING DEPOSITION OF THE CUSTODIAN OF RECORDS OF U.S. FRANCHISE SYSTEMS** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

DEPOSITION SUBPOENA

(Custodian of Records of U.S. Franchise Systems, Inc.)

Date of Deposition: September 23, 2015
Time of Deposition: 10:00 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

Custodian of Records of U.S. Franchise Systems, Inc.
c/o Wyndham Worldwide Corporation
13 Corporate Square #250
Atlanta, GA 30329

YOU ARE HEREBY ORDERED TO APPEAR AS A WITNESS, and give testimony regarding the matters listed below at the following date, time, and place pursuant to NRCP 45:

Date: September 23, 2015
Time: 10:00 a.m.
Place: Elizabeth Gallo Court Reporting
2900 Chamblee Tucker Road, Building 13
Atlanta, GA 30341

YOU ARE HEREBY FURTHER ORDERED that all and singular, business and excuses set aside, to bring with you at the time of your appearance any items set forth below. If you fail to attend and produce and permit inspection and copying of the requested documents, you will be deemed guilty of contempt of Court and liable to pay all losses and damages caused by your failure to appear. Please see Exhibit A attached hereto for information regarding the rights of the persons subject to this subpoena.

DATED this 10th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

Documents to Be Produced

1. Any and all records or files related to or concerning Steven C. Jacobs, specifically including any personnel files or employment records, or any other memos, emails, letters, or the like, related to Steven C. Jacobs' post-employment.

2. Any and all documents related to or concerning any disputes, arbitration, litigation, demand letters, or threats of litigation, arbitration or alternative dispute resolution, mediation or the like made by Steven C. Jacobs to U.S. Franchise Systems, Inc., or any of its affiliates, subsidiaries, related companies, employees, agents, representatives or attorneys, or any settlement agreements, releases or agreements of compromise, whether purporting to be confidential by their terms or not.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT A

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED MATTERS.	CASE NO.: A627691-B DEPT NO.: XI **NOTICE OF TAKING 30(b)(6) DEPOSITION OF U.S. FRANCHISE SYSTEMS** September 23, 2015 at 10:30 a.m.

PLEASE TAKE NOTICE that pursuant to NRCP 30(b)(6), Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of the representative or other person with consent to testify on its behalf of U.S. Franchise Systems, by stenographic means, on September 23, 2015, at the hour of 10:30 a.m., at the offices of Elizabeth Gallo Court

Reporting, LLC, 2900 Chamblee Tucker Road, Building 13, Atlanta, GA 30341, upon oral examination, before a Notary Public or some other officer authorized by law to administer oaths and will be recorded. Your deposition will continue in the aforementioned manner thereafter from day to day until completed. You are invited to attend and cross examine.

A true and correct copy of the Subpoena to be served upon the deponent requiring his/her appearance and the matters on which he/she will testify is attached hereto.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of August, 2015, the foregoing **NOTICE OF TAKING 30(b)(6) DEPOSITION OF U.S. FRANCHISE SYSTEMS** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED MATTERS.	CASE NO.: A627691-B DEPT NO.: XI **DEPOSITION SUBPOENA** **(NRCP 30(b)(6) of U.S. Franchise Systems, Inc.)** Date of Deposition: September 23, 2015 Time of Deposition: 10:30 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

NRCP 30 (b)(6) of U.S. Franchise Systems, Inc.
c/o Wyndham Worldwide Corporation
13 Corporate Square #250
Atlanta, GA 30329

YOU ARE HEREBY ORDERED TO APPEAR AS A WITNESS, and give testimony regarding the matters listed below at the following date, time, and place pursuant to NRS 50.165, NRCP 30 and NRCP 45:

Date: September 23, 2015
Time: 10:30 a.m.
Place: Elizabeth Gallo Court Reporting
2900 Chamblee Tucker Road, Building 13
Atlanta, GA 30341

Since you are an organization, you must designate one or more officers, directors, representatives, or managing agents, or designate other persons who consent to testify on your behalf (regarding the matters identified below). *See* NRCP 30(b)(6).

Contempt: Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed in contempt of the court, NRCP 45(e), punishable by a fine not exceeding $500.00 and imprisonment not exceeding 25 days, NRS 22.100(2). Additionally, a witness disobeying a subpoena shall forfeit to the aggrieved party $100.00 and all damages sustained as a result of the failure to attend, and a warrant may issue for the witness' arrest. NRS 50.195, 50.205, and 22.100(3).

Please see the attached Exhibit A for information regarding your rights and responsibilities relating to this subpoena.

DATED this 16th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

Matters on Which Examination if Requested

1. Any and all records or files related to or concerning Steven C. Jacobs, specifically including any personnel files or employment records, or any other memos, emails, letters, or the like, related to Steven C. Jacobs post-employment.

2. The facts and circumstances related to or concerning any disputes, arbitration, litigation, demand letters, or threats of litigation, arbitration or alternative dispute resolution, mediation or the like made by Steven C. Jacobs to U.S. Franchise Systems, Inc., or any of its affiliates, subsidiaries, related companies, employees, agents, representatives or attorneys, or any demands, settlement agreements, releases or agreements of compromise, whether purporting to be confidential by their terms or not.

3. Steven C. Jacobs' employment with the company.

4. Steven C. Jacobs' job duties while employed with the company.

5. Steven C. Jacobs' performance while employed with the company.

6. The facts and circumstances regarding Steven Jacobs' departure from the company.

7. The facts and circumstances regarding any post-departure disputes, and/or threats of litigation.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT A

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT 2

ELECTRONICALLY SERVED
08/11/2015 03:24:49 PM

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

NOTICE OF DEPOSITION OF THE CUSTODIAN OF RECORDS OF STARWOOD HOTELS AND RESORTS

September 22, 2015 at 10:00 a.m.

PLEASE TAKE NOTICE that Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of the Custodian of Records of Starwood Hotels and Resorts, by stenographic means, on September 22, 2015, at the hour of 10:00 a.m., at the offices of Stamford Court Reporter, 6 Landmark Square, 4th Floor, Stamford, CT 06901, upon oral

examination, before a Notary Public or some other officer authorized by law to administer oaths and will be recorded. Your deposition will continue in the aforementioned manner thereafter from day to day until completed. You are invited to attend and cross examine.

A true and correct copy of the Subpoena to be served upon the deponent requiring his/her appearance and the matters on which he/she will testify is attached hereto.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of August, 2015, the foregoing **NOTICE OF DEPOSITION OF THE CUSTODIAN OF RECORDS OF STARWOOD HOTELS AND RESORTS** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED MATTERS.	CASE NO.: A627691-B DEPT NO.: XI **DEPOSITION SUBPOENA** **(Custodian of Records of Starwood Hotels and Resorts)** Date of Deposition: September 22, 2015 Time of Deposition: 10:00 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

Custodian of Records of Starwood Hotels and Resorts
One StarPoint
Stamford, CT 06902

YOU ARE HEREBY ORDERED TO APPEAR AS A WITNESS, and give testimony regarding the matters listed below at the following date, time, and place pursuant to NRCP 45:

Date: September 22, 2015
Time: 10:00 a.m.
Place: Stamford Court Reporter
6 Landmark Square, 4th Floor
Stamford, CT 06901

YOU ARE HEREBY FURTHER ORDERED that all and singular, business and excuses set aside, to bring with you at the time of your appearance any items set forth below. If you fail to attend and produce and permit inspection and copying of the requested documents, you will be deemed guilty of contempt of Court and liable to pay all losses and damages caused by your failure to appear. Please see Exhibit A attached hereto for information regarding the rights of the persons subject to this subpoena.

DATED this 10th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

Documents to Be Produced

1. Any and all records or files related to or concerning Steven C. Jacobs, specifically including any personnel files or employment records, or any other memos, emails, letters, or the like, related to Steven C. Jacobs' post-employment.

2. Any and all documents related to or concerning any disputes, arbitration, litigation, demand letters, or threats of litigation, arbitration or alternative dispute resolution, mediation or the like made by Steven C. Jacobs to Holiday Inn Worldwide, or any of its affiliates, subsidiaries, related companies, employees, agents, representatives or attorneys, or any settlement agreements, releases or agreements of compromise, whether purporting to be confidential by their terms or not.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

EXHIBIT A

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

NOTICE OF TAKING 30(b)(6) DEPOSITION OF STARWOOD HOTELS AND RESORTS

September 22, 2015 at 10:30 a.m.

PLEASE TAKE NOTICE that pursuant to NRCP 30(b)(6), Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of the representative or other person with consent to testify on its behalf of Starwood Hotels and Resorts, by stenographic means, on September 22, 2015, at the hour of 10:30 a.m., at the offices of

Stamford Court Reporter, 6 Landmark Square, 4th Floor, Stamford, CT 06901, upon oral examination, before a Notary Public or some other officer authorized by law to administer oaths and will be recorded. Your deposition will continue in the aforementioned manner thereafter from day to day until completed. You are invited to attend and cross examine.

A true and correct copy of the Subpoena to be served upon the deponent requiring his/her appearance and the matters on which he/she will testify is attached hereto.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of August, 2015, the foregoing **NOTICE OF TAKING 30(b)(6) DEPOSITION OF STARWOOD HOTELS AND RESORTS** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED MATTERS.	CASE NO.: A627691-B DEPT NO.: XI **DEPOSITION SUBPOENA** **(NRCP 30(b)(6) of Starwood Hotels and Resorts)** Date of Deposition: September 22, 2015 Time of Deposition: 10:30 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

NRCP 30(b)(6) of Starwood Hotels and Resorts
One StarPoint
Stamford, CT 06902

YOU ARE HEREBY ORDERED TO APPEAR AS A WITNESS, and give testimony regarding the matters listed below at the following date, time, and place pursuant to NRS 50.165, NRCP 30 and NRCP 45:

Date: September 22, 2015
Time: 10:30 a.m.
Place: Stamford Court Reporter
6 Landmark Square, 4th Floor
Stamford, CT 06901

Since you are an organization, you must designate one or more officers, directors, representatives, or managing agents, or designate other persons who consent to testify on your behalf (regarding the matters identified below). *See* NRCP 30(b)(6).

Contempt: Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed in contempt of the court, NRCP 45(e), punishable by a fine not exceeding $500.00 and imprisonment not exceeding 25 days, NRS 22.100(2). Additionally, a witness disobeying a subpoena shall forfeit to the aggrieved party $100.00 and all damages sustained as a result of the failure to attend, and a warrant may issue for the witness' arrest. NRS 50.195, 50.205, and 22.100(3).

Please see the attached Exhibit A for information regarding your rights and responsibilities relating to this subpoena.

DATED this 10th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

Matters on Which Examination if Requested

1. Any and all records or files related to or concerning Steven C. Jacobs, specifically including any personnel files or employment records, or any other memos, emails, letters, or the like, related to Steven C. Jacobs post-employment.

2. The facts and circumstances related to or concerning any disputes, arbitration, litigation, demand letters, or threats of litigation, arbitration or alternative dispute resolution, mediation or the like made by Steven C. Jacobs to Starwood Hotels and Resorts, or any of its affiliates, subsidiaries, related companies, employees, agents, representatives or attorneys, or any demands, settlement agreements, releases or agreements of compromise, whether purporting to be confidential by their terms or not.

3. Steven C. Jacobs' employment with the company.

4. Steven C. Jacobs' job duties while employed with the company.

5. Steven C. Jacobs' performance while employed with the company.

6. The facts and circumstances regarding Steven Jacobs' departure from the company.

7. The facts and circumstances regarding any post-departure disputes, and/or threats of litigation.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT A

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT 3

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED MATTERS.	CASE NO.: A627691-B DEPT NO.: XI **NOTICE OF TAKING 30(b)(6) DEPOSITION OF HOLIDAY INN WORLDWIDE** September 23, 2015 at 8:30 a.m.

PLEASE TAKE NOTICE that pursuant to NRCP 30(b)(6), Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of the representative or other person with consent to testify on its behalf of Holiday Inn Worldwide, by stenographic means, on September 23, 2015, at the hour of 8:30 a.m., at the offices of Elizabeth Gallo Court

Reporting, LLC, 2900 Chamblee Tucker Road, Building 13, Atlanta, GA 30341, upon oral examination, before a Notary Public or some other officer authorized by law to administer oaths and will be recorded. Your deposition will continue in the aforementioned manner thereafter from day to day until completed. You are invited to attend and cross examine.

A true and correct copy of the Subpoena to be served upon the deponent requiring his/her appearance and the matters on which he/she will testify is attached hereto.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of August, 2015, the foregoing **NOTICE OF TAKING 30(b)(6) DEPOSITION OF HOLIDAY INN WORLDWIDE** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED MATTERS.	CASE NO.: A627691-B DEPT NO.: XI **DEPOSITION SUBPOENA** **(NRCP 30(b)(6) of Holiday Inn Worldwide)** Date of Deposition: September 23, 2015 Time of Deposition: 8:30 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

NRCP 30(b)(6) of c/o Holiday Inn Corporate Office Headquarters
3 Ravina Drive #100
Atlanta, GA 30346

YOU ARE HEREBY ORDERED TO APPEAR AS A WITNESS, and give testimony regarding the matters listed below at the following date, time, and place pursuant to NRS 50.165, NRCP 30 and NRCP 45:

Date: September 23, 2015
Time: 8:30 a.m.
Place: Elizabeth Gallo Court Reporting, LLC
2900 Chamblee Tucker Road, Building 13
Atlanta, GA 30341

Since you are an organization, you must designate one or more officers, directors, representatives, or managing agents, or designate other persons who consent to testify on your behalf (regarding the matters identified below). *See* NRCP 30(b)(6).

Contempt: Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed in contempt of the court, NRCP 45(e), punishable by a fine not exceeding $500.00 and imprisonment not exceeding 25 days, NRS 22.100(2). Additionally, a witness disobeying a subpoena shall forfeit to the aggrieved party $100.00 and all damages sustained as a result of the failure to attend, and a warrant may issue for the witness' arrest. NRS 50.195, 50.205, and 22.100(3).

Please see the attached Exhibit A for information regarding your rights and responsibilities relating to this subpoena.

DATED this 10th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

Matters on Which Examination if Requested

1. Any and all records or files related to or concerning Steven C. Jacobs, specifically including any personnel files or employment records, or any other memos, emails, letters, or the like, related to Steven C. Jacobs post-employment.

2. The facts and circumstances related to or concerning any disputes, arbitration, litigation, demand letters, or threats of litigation, arbitration or alternative dispute resolution, mediation or the like made by Steven C. Jacobs to Holiday Inn Worldwide, or any of its affiliates, subsidiaries, related companies, employees, agents, representatives or attorneys, or any demands, settlement agreements, releases or agreements of compromise, whether purporting to be confidential by their terms or not.

3. Steven C. Jacobs' employment with the company.

4. Steven C. Jacobs' job duties while employed with the company.

5. Steven C. Jacobs' performance while employed with the company.

6. The facts and circumstances regarding Steven Jacobs' departure from the company.

7. The facts and circumstances regarding any post-departure disputes, and/or threats of litigation.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT A

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

NOTICE OF TAKING DEPOSITION OF THE CUSTODIAN OF RECORDS OF HOLIDAY INN WORLDWIDE

September 23, 2015 at 8:00 a.m.

PLEASE TAKE NOTICE that Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of the Custodian of Records of Holiday Inn Worldwide, by stenographic means, on September 23, 2015, at the hour of 8:00 a.m., at the offices of Elizabeth Gallo Court Reporting, LLC, 2900 Chamblee Tucker Road, Building 13, Atlanta, GA 30341,

upon oral examination, before a Notary Public or some other officer authorized by law to administer oaths and will be recorded. Your deposition will continue in the aforementioned manner thereafter from day to day until completed. You are invited to attend and cross examine.

A true and correct copy of the Subpoena to be served upon the deponent requiring his/her appearance and the matters on which he/she will testify is attached hereto.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of August, 2015, the foregoing **NOTICE OF TAKING DEPOSITION OF THE CUSTODIAN OF RECORDS OF HOLIDAY INN WORLDWIDE** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED MATTERS.	CASE NO.: A627691-B DEPT NO.: XI **DEPOSITION SUBPOENA** **(Custodian of Records of Holiday Inn Worldwide)** Date of Deposition: September 23, 2015 Time of Deposition: 8:00 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

Custodian of Records of Holiday Inn Corporate Office Headquarters
3 Ravina Drive #100
Atlanta, GA 30346

YOU ARE HEREBY ORDERED TO APPEAR AS A WITNESS, and give testimony regarding the matters listed below at the following date, time, and place pursuant to NRCP 45:

Date: September 23, 2015
Time: 8:00 a.m.
Place: Elizabeth Gallo Court Reporting, LLC
2900 Chamblee Tucker Road, Building 13
Atlanta, GA 30341

YOU ARE HEREBY FURTHER ORDERED that all and singular, business and excuses set aside, to bring with you at the time of your appearance any items set forth below. If you fail to attend and produce and permit inspection and copying of the requested documents, you will be deemed guilty of contempt of Court and liable to pay all losses and damages caused by your failure to appear. Please see Exhibit A attached hereto for information regarding the rights of the persons subject to this subpoena.

DATED this 10th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

Documents to Be Produced

1. Any and all records or files related to or concerning Steven C. Jacobs, specifically including any personnel files or employment records, or any other memos, emails, letters, or the like, related to Steven C. Jacobs' post-employment.

2. Any and all documents related to or concerning any disputes, arbitration, litigation, demand letters, or threats of litigation, arbitration or alternative dispute resolution, mediation or the like made by Steven C. Jacobs to Holiday Inn Worldwide, or any of its affiliates, subsidiaries, related companies, employees, agents, representatives or attorneys, or any demands, settlement agreements, releases or agreements of compromise, whether purporting to be confidential by their terms or not.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT A

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT 4

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

NOTICE OF TAKING 30(b)(6) DEPOSITION OF DELOITTE & TOUCHE, LLP

September 21, 2015 at 10:30 a.m.

PLEASE TAKE NOTICE that pursuant to NRCP 30(b)(6), Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of the representative or other person with consent to testify on its behalf of Deloitte & Touche, LLP, by stenographic means, on September 21, 2015, at the hour of 10:30 a.m., at the offices of Mayer Brown, 1221 Avenue

of the Americas, New York, NY 10020, upon oral examination, before a Notary Public or some other officer authorized by law to administer oaths and will be recorded. Your deposition will continue in the aforementioned manner thereafter from day to day until completed. You are invited to attend and cross examine.

A true and correct copy of the Subpoena to be served upon the deponent requiring his/her appearance and the matters on which he/she will testify is attached hereto.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of August, 2015, the foregoing **NOTICE OF TAKING 30(b)(6) DEPOSITION OF DELOITTE & TOUCHE, LLP** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

DEPOSITION SUBPOENA

(NRCP 30(b)(6) of Deloitte & Touche, LLP)

Date of Deposition: September 21, 2015
Time of Deposition: 10:30 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

NRCP 30(b)(6) of Deloitte & Touche, LLP
30 Rockefeller Plaza #4350
New York, NY 10112

YOU ARE HEREBY ORDERED TO APPEAR AS A WITNESS, and give testimony regarding the matters listed below at the following date, time, and place pursuant to NRS 50.165, NRCP 30 and NRCP 45:

Date: September 21, 2015
Time: 10:30 a.m.
Place: Mayer Brown
1221 Avenue of the Americas
New York, NY 10020

Since you are an organization, you must designate one or more officers, directors, representatives, or managing agents, or designate other persons who consent to testify on your behalf (regarding the matters identified below). *See* NRCP 30(b)(6).

Contempt: Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed in contempt of the court, NRCP 45(e), punishable by a fine not exceeding $500.00 and imprisonment not exceeding 25 days, NRS 22.100(2). Additionally, a witness disobeying a subpoena shall forfeit to the aggrieved party $100.00 and all damages sustained as a result of the failure to attend, and a warrant may issue for the witness' arrest. NRS 50.195, 50.205, and 22.100(3).

DATED this 19th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

Matters on Which Examination if Requested

1. Any and all records or files related to or concerning Steven C. Jacobs, specifically including any personnel files or employment records, or any other memos, emails, letters, or the like, related to Steven C. Jacobs post-employment.

2. The facts and circumstances related to or concerning any disputes, arbitration, litigation, demand letters, or threats of litigation, arbitration or alternative dispute resolution, mediation or the like made by Steven C. Jacobs to Deloitte & Touche, LLP, or any of its affiliates, subsidiaries, related companies, employees, agents, representatives or attorneys, or any demands, settlement agreements, releases or agreements of compromise, whether purporting to be confidential by their terms or not.

3. Steven C. Jacobs' employment with the company.

4. Steven C. Jacobs' job duties while employed with the company.

5. Steven C. Jacobs' performance while employed with the company.

6. The facts and circumstances regarding Steven Jacobs' departure from the company.

7. The facts and circumstances regarding any post-departure disputes, and/or threats of litigation.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

EXHIBIT A

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

NOTICE OF TAKING DEPOSITION OF THE CUSTODIAN OF RECORDS DELOITTE & TOUCHE, LLP

September 21, 2015 at 10:00 a.m.

PLEASE TAKE NOTICE that Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of the Custodian of Records of Deloitte & Touche, LLP, by stenographic means, on September 21, 2015, at the hour of 10:00 a.m., at the offices of Mayer Brown, 1221 Avenue of the Americas, New York, NY 10020, upon oral examination, before a

Notary Public or some other officer authorized by law to administer oaths and will be recorded. Your deposition will continue in the aforementioned manner thereafter from day to day until completed. You are invited to attend and cross examine.

A true and correct copy of the Subpoena to be served upon the deponent requiring his/her appearance and the matters on which he/she will testify is attached hereto.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of August, 2015, the foregoing **NOTICE OF TAKING DEPOSITION OF THE CUSTODIAN OF RECORDS DELOITTE & TOUCHE, LLP** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

DEPOSITION SUBPOENA

(Custodian of Records of Deloitte & Touche, LLP)

Date of Deposition: September 21, 2015
Time of Deposition: 10:00 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

Custodian of Records of Deloitte & Touche, LLP
30 Rockefeller Plaza #4350
New York, NY 10112

YOU ARE HEREBY ORDERED TO APPEAR AS A WITNESS, and give testimony regarding the matters listed below at the following date, time, and place pursuant to NRCP 45:

Date: September 21, 2015
Time: 10:00 a.m.
Place: Mayer Brown
1221 Avenue of the Americas
New York, NY 10020

YOU ARE HEREBY FURTHER ORDERED that all and singular, business and excuses set aside, to bring with you at the time of your appearance any items set forth below. If you fail to attend and produce and permit inspection and copying of the requested documents, you will be deemed guilty of contempt of Court and liable to pay all losses and damages caused by your failure to appear. Please see Exhibit A attached hereto for information regarding the rights of the persons subject to this subpoena.

DATED this 10th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

Documents to Be Produced

1. Any and all records or files related to or concerning Steven C. Jacobs, specifically including any personnel files or employment records, or any other memos, emails, letters, or the like, related to Steven C. Jacobs' post-employment.

2. Any and all documents related to or concerning any disputes, arbitration, litigation, demand letters, or threats of litigation, arbitration or alternative dispute resolution, mediation or the like made by Steven C. Jacobs to Deloitte & Touche, LLP, or any of its affiliates, subsidiaries, related companies, employees, agents, representatives or attorneys, or any settlement agreements, releases or agreements of compromise, whether purporting to be confidential by their terms or not.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

EXHIBIT A

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

EXHIBIT 5

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED MATTERS.	CASE NO.: A627691-B DEPT NO.: XI **NOTICE OF DEPOSITION OF CUSTODIAN OF RECORDS OF FACEBOOK, INC.** September 25, 2015 at 10:00 a.m.

PLEASE TAKE NOTICE that at 10:00 a.m. on September 25, 2015, at the offices of Mayer Brown, Two Palo Alto Square, Suite 300, Palo Alto, CA 94306, Defendant Sands China Ltd., by and through its attorneys of record, will take the deposition of THE CUSTODIAN OF RECORDS OF FACEBOOK, INC. A copy of the Subpoena Duces Tecum which will be

served upon the deponent is attached hereto and incorporated by reference as though fully set forth herein.

Oral examination will be taken pursuant to Nevada Rule of Civil Procedure 30, before a Notary Public, or before some other officer authorized by law to administer oaths and will be continue from day to day until complete. You are invited to attend and cross examine.

PLEASE TAKE FURTHER NOTICE that in lieu of appearing for testimony at the aforementioned place and time, the subpoenaed documents can be copied and mailed to the following address: Kemp, Jones & Coulthard, LLP, 3800 Howard Hughes Parkway, 17th Floor, Las Vegas, Nevada 89169, along with a completed Certificate of Authenticity, in advance of the date of appearance.

DATED this 10th day of August, 2015.

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Pkwy., 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of August, 2015, the foregoing **NOTICE OF DEPOSITION OF THE CUSTODIAN OF RECORDS OF FACEBOOK, INC.** was served on the following parties through the Court's electronic filing system:

James J. Pisanelli, Esq.
Todd L. Bice, Esq.
Debra L. Spinelli, Esq.
Jordan T. Smith, Esq.
PISANELLI BICE PLLC
400 South Fourth Street, Suite 300
Las Vegas, Nevada 89101
Attorneys for Plaintiff Steven C. Jacobs

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart, LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

An employee of Kemp, Jones & Coulthard, LLP

J. Randall Jones, Esq.
Nevada Bar No. 1927
jrj@kempjones.com
Mark M. Jones, Esq.
Nevada Bar No. 267
m.jones@kempjones.com
KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China, Ltd.

J. Stephen Peek, Esq.
Nevada Bar No. 1758
speek@hollandhart.com
Robert J. Cassity, Esq.
Nevada Bar No. 9779
bcassity@hollandhart.com
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED MATTERS.

CASE NO.: A627691-B
DEPT NO.: XI

SUBPOENA DUCES TECUM TO THE CUSTODIAN OF RECORDS OF FACEBOOK, INC.

Date: September 25, 2015
Time: 10:00 a.m.

THE STATE OF NEVADA SENDS GREETINGS TO:

Facebook, Inc.
1601 Willow Road
Menlo Park, CA 94025

YOU ARE HEREBY COMMANDED that all and singular, business and excuses set aside, you appear and attend on September 25, 2015 at the hour of 10:00 a.m., at the offices of

Mayer Brown, Two Palo Alto, Suite 300, Palo Alto, CA 94306. Your attendance is required to give testimony and/or to produce and permit inspection and copying of any and all Facebook Timeline Posts made by Steven C. Jacobs under the Facebook URL described as (https://www.facebook.com/steven.c.jacobs.1) as requested in Exhibit A attached hereto. You are required to bring with you at the time of your appearance any items set forth in Exhibit A. If you fail to attend and produce and permit inspection and copying of the requested documents, you will be deemed guilty of contempt of Court and liable to pay all losses and damages caused by your failure to appear. Please see Exhibit B attached hereto for information regarding the rights of the persons subject to this subpoena.

IN LIEU OF APPEARING FOR TESTIMONY AT THE AFOREMENTIONED PLACE AND TIME, THE SUBPOENAED DOCUMENTS CAN BE COPIED AND MAILED TO THE FOLLOWING ADDRESS IN ADVANCE OF THE DATE OF APPEARANCE:

Kemp, Jones & Coulthard, LLP
Attn: Jeri Gressman, Paralegal
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169

SHOULD THE SUBPOENAED DOCUMENTS BE PROVIDED TO THIS ADDRESS PRIOR TO THE DATE OF APPEARANCE, AN APPEARANCE NEED NOT BE MADE.

DATED this 18th day of August, 2015.

KEMP, JONES & COULTHARD, LLP

J. Randall Jones, Esq., #1927
Mark M. Jones, Esq., #267
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169
Attorneys for Sands China Ltd.

HOLLAND & HART LLP
J. Stephen Peek, Esq., #1758
Robert J. Cassity, Esq., #9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Las Vegas Sands Corp. and Sands China, Ltd.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT A

ITEMS TO BE PRODUCED

All records related to the account of Steven C. Jacobs, including but not limited to Facebook postings by Steven C. Jacobs ((https://www.facebook.com/steven.c.jacobs.1) from the inception of the account to the present.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

EXHIBIT B

NEVADA RULES OF CIVIL PROCEDURE

Rule 45

(c) ***Protection of persons subject to subpoena.***

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waive applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) ***Duties in responding to subpoena.***

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kic@kempjones.com

KEMP, JONES & COULTHARD, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000 • Fax (702) 385-6001
kjc@kempjones.com

CERTIFICATE OF AUTHENTICITY

STATE OF CALIFORNIA)
) ss:
COUNTY OF _____)

NOW COMES, _____, who after first being duly sworn deposes and says:

1. I am the _____ of Facebook, Inc.

2. That Facebook, Inc.'s corporate headquarters are in the State of California.

3. That on _____, 2015, I was served with a subpoena duces tecum in connection with District Court, Clark County, Nevada, Case Name *Steven C. Jacobs v. Las Vegas Sands Corp., et al.*, Case No. A627691, calling for the production of all records related to the account of Steven C. Jacobs, including all Facebook postings related to said account: ((https://www.facebook.com/steven.c.jacobs.1) from the inception of the account to the present.

4. That I have examined the original of those records and have made, or caused to be made, a reproduction of such records available to the law firm of Kemp, Jones & Coulthard, LLP.

5. That the original of those documents were made at or near the time the act or event, by or from information transmitted by a person with personal knowledge of the event or act, where such record is kept in the course of a regularly conducted business activity of Facebook, Inc., and it was the regular practice of the business to make such a record.

6. As to computer generated records, in addition to that set forth immediately above, the computer and the program used are generally accepted in the field, the computer was in good working order at all relevant times, and the computer operator possessed the knowledge and training to correctly operate the computer.

_____
Facebook, Inc.

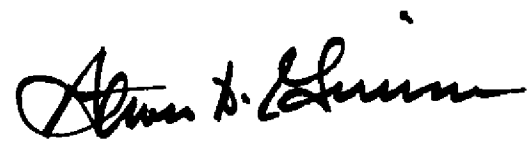
SUBSCRIBED and SWORN to before me, a Notary Public, on this ___ day of _____, 2015.

_____
NOTARY PUBLIC

EXHIBIT 5

EXHIBIT 5

Electronically Filed
08/14/2015 12:46:44 PM



CLERK OF THE COURT

TRAN

DISTRICT COURT
CLARK COUNTY, NEVADA
* * * * *

STEVEN JACOBS	.	
	.	
Plaintiff	.	CASE NO. A-627691
	.	
vs.	.	
	.	DEPT. NO. XI
LAS VEGAS SANDS CORP., et al.	.	
	.	**Transcript of Proceedings**
Defendants	.	

BEFORE THE HONORABLE ELIZABETH GONZALEZ, DISTRICT COURT JUDGE

HEARING ON DEFENDANTS' MOTION FOR PROTECTIVE ORDER AND PLAINTIFF'S MOTION FOR SANCTIONS

THURSDAY, AUGUST 13, 2015

APPEARANCES:

FOR THE PLAINTIFF:	JAMES J. PISANELLI, ESQ. TODD BICE, ESQ. JORDAN T. SMITH, ESQ. DEBRA SPINELLI, ESQ.
FOR THE DEFENDANTS:	J. STEPHEN PEEK, ESQ. JAMES FERGUSON, ESQ. STEVE L. MORRIS, ESQ.
COURT RECORDER:	TRANSCRIPTION BY:
JILL HAWKINS District Court	FLORENCE HOYT Las Vegas, Nevada 89146

Proceedings recorded by audio-visual recording, transcript produced by transcription service.

LAS VEGAS, NEVADA, THURSDAY, AUGUST 13, 2015, 8:40 A.M.

(Court was called to order)

THE COURT: If I could go to Jacobs versus Las Vegas Sands. Good morning, gentlemen. And I saw Ms. Spinelli.

I think you should come in on Mondays and Wednesdays, too, just so that I can see you every day.

MR. PEEK: Thank you, Your Honor. I appreciate that.

THE COURT: Okay. Which motion would you like to handle first, gentlemen?

MR. PEEK: That's actually, Your Honor -- before we start, before the clock begins to run I would like to introduce Jim Ferguson.

THE COURT: Good morning, sir. How are you?

MR. FERGUSON: Good morning, Your Honor.

MR. PEEK: He was recently admitted.

THE COURT: Okay.

MR. PEEK: He will be making the argument. And just also an administrative question of you is we have two motions.

THE COURT: You get 10 minutes in all for all your motions per side. So if you and Mr. Jones and Mr. Morris all want to argue, you all split up your 10 minutes on whatever motions they are. And it's the honorary Steve Peek/Matt Dushoff rule.

MR. PEEK: I'm pleased that Mr. Morris and Mr.

Pisanelli don't get included in that, but --

THE COURT: Well, they weren't the ones that day. It was you and Mr. --

MR. PEEK: What day are you --

THE COURT: The day that the rule decided it was coming into effect was you and Matt Dushoff.

MR. PEEK: Okay. Your Honor, I don't care which one. I have the motion for protective order, Mr. Bice has a motion for sanctions.

THE COURT: They're the same issue. Can we just argue them at the same time.

MR. PEEK: That would be fine with me, Your Honor. I think we could start with the motion for protective order probably.

THE COURT: I'll let you go first. How's that? But it's the same issue. That means Mr. Bice gets to talk last, so each of you get to talk twice within your time.

MR. PEEK: Well, if we're doing a motion for protective order don't we get to talk last as a rebuttal?

THE COURT: Well, there's a motion for protective order, and there's a motion for sanctions, and they're related to the same 30(b)(6) deposition.

MR. PISANELLI: Has the clock started yet, Your Honor?

THE COURT: No.

MR. PEEK: I knew that was coming. I'm going to --

THE COURT: He's trying to figure out ways around the clock. He's been trying to figure it out since we started it.

MR. PEEK: Mr. Ferguson will argue, Your Honor.

THE COURT: Okay. Are you splitting any time with your friends?

MR. FERGUSON: I will let Mr. Peek address the sanctions issue, so I'm going to have to reserve enough time for him to --

THE COURT: How long do you want to reserve for Mr. Peek? Because he can't say anything -- he's getting better.

MR. PEEK: I only need one minute, Your Honor.

(Pause in the proceedings)

THE COURT: Okay. Good morning, Mr. Ferguson. How are you? Welcome to our case.

MR. FERGUSON: Thank you, Your Honor. Privileged to be here. I know you've read the papers, and I'm also aware that as a result of your ruling last week some of our objections have been mooted. In light of that and in light of the time constraints I thought I would concentrate on just three or four of the topics. And for the convenience of the Court I'm going to be referring to page 11 of our papers -- of our motion for protective order.

I want to focus first on the Requests 16 and 18,

which read, "Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer that in any way relates to or concerns Macau or China."

We understand and recognize that the test for discoverability is broader than relevance. Our argument is not simply that this encompasses a huge amount of material that's not relevant; it's that these requests are so impossibly vague and disconnected from any real issue in the case as to make it impractical for us to prepare a 30(b)(6) witness. A suspected violation of the FCPA. There's no definition. We don't know what constitutes --

THE COURT: We all know what the Foreign Corrupt Practices Act is. We've been litigating it in this case and another case for, what, four years now.

MR. FERGUSON: That's true, Your Honor.

THE COURT: I know your firm's only been involved, what, for two and a half years?

MR. FERGUSON: Correct, Your Honor.

THE COURT: Okay.

MR. FERGUSON: But the suspected violation, we don't know what is the violation of a suspected violation. By whom does the violation have to be suspected? You're correct, we've been arguing about the Foreign Corrupt Practices Act for many years, but the Foreign Corrupt Practices Act encompasses a wide range of potential activity. There's the controls

provision, and there's the anti-bribery provision. And this is particularly for my client, which, as you know far better than I, is a public company in a heavily regulated industry. Compliance-related activities and control-related activities encompass a potentially broad range of information.

And then, of course, we have the time frame. There is no time frame, no time period for this request.

We have a similar objection with respect to 17 and 19, "Investigations of potential violations of FCPA." No definition of what constitutes a potential violation of the FCPA that relate in any way to Macau or China. There's no -- it's a completely open-ended request. It's not linked to any issue, allegation, topic that has ever come up in this case. It's completely open ended.

31, "Any investigation of potential or suspected money laundering from 2009 to the present." I'm referring to Topic 31, Your Honor. "...potential or suspected money laundering." What constitutes potential or suspected money laundering? As you know, money laundering and anti-money laundering is a critical compliance issue for my company. It's a virtually daily occurrence that they're undertaking compliance- and control-related activities relating money laundering/anti-money laundering initiatives.

So for all of these reasons the requests are so open ended and so vaguely formulated that it makes it impractical,

if not impossible, to prepare a 30(b)(6) witness. And, of course, there's no showing that this enormous potential range of information has any bearing, any possibility, is reasonably calculated to lead to discoverable information.

I want to talk finally, Your Honor, about timing and the time frame. As you know, in your ruling last week you asked us to report to you on our aspirational goal, I think that was your phrase, of completing the document production by a week -- I'm sorry, a month from last week's hearing. And I believe that would fall on the Labor Day Weekend. With the exception of some quality control privilege review and a couple of followup issues, we do expect to substantially complete the document production by the Labor Day week.

You also ruled last week that you would continue to adhere to your June 22nd, 2011, order which defined the time frame for the ESI to be January 2009 until October 2010.

THE COURT: For the electronically stored information that's being searched --

MR. FERGUSON: Correct. That was my --

THE COURT: -- unless there was a motion to some other effect.

MR. FERGUSON: That was my understanding. The point I'm making is that we are prepared to go forward with 30(b)(6) witnesses during the week of August 24th as to many of these topics, but as to some of these topics we will need to

complete the search, particularly if our request to limit the time frame is not granted; because then we will have to as to these topics undertake an ESI search for the time frame that you ruled last week we would not have to. And that will require even more time.

So with that caveat I wanted to give Mr. Peek enough time to address the sanctions issue.

THE COURT: Okay. We're not on the sanctions issue for Mr. Peek yet. I'm going to go to Mr. Bice now, unless either of you want to say anything on this issue.

Okay. Mr. Bice, good morning.

MR. BICE: Good morning, Your Honor.

Your Honor, I understand the argument. It's burdensome to prepare a 30(b)(6) deponent on large cases. But as the Great American case from Federal Court across the street recognizes, that's one of the consequences of you being entitled as a business to do business in the corporate forum. That is a choice that you made, and so therefore you cannot claim that, well, it's burdensome to prepare witnesses on topics that are plainly relevant to this lawsuit.

And that's really what this comes down to. This is a very large lawsuit, involves an awful lot of money, and it involves an awful lot of events and events that are the product of, my client's position is, fabrications by the defendants about the real reasons for his termination. We

understand that. I understand they don't agree with that characterization, but that's what the dispute is really about.

Let's turn to their assertions about specific issues. The Foreign Corrupt Practices Act, 16 and 18, tied to Macau and China. The assertion that they don't know what that means I think is just simply not credible. They know exactly what that means. If it prompted an investigation -- they say they don't understand, well, you know, potential or suspected. If it prompted an investigation internally, they know exactly what it means and they know exactly what they did and they know that they had to report it to the United States Government. So to come and tell the Court, we just don't know, we're incapable -- I'll bet they don't tell the federal government that, that they're incapable of identifying and investigating and reporting those issues.

THE COURT: And I'm sure they don't tell the Gaming Control Boards.

MR. BICE: I'm sure that they don't tell the Gaming Control Board they don't know what this means and they don't understand how to spot this sort of issue and deal with it.

Same is true with respect, Your Honor, to 17 and 19. Again, if it prompted an investigation or an internal review of some sort, they obviously know it's an issue, and it's obviously relevant to the issues in this lawsuit.

Then we go to the one they talk about money

laundering. Your Honor, again, same issue. They say, well -- and I would submit that the argument was somewhat contradictory just made. They insist that they have this very aggressive detailed compliance program to spot, address, and prohibit money laundering. But then they come to the Court and they say, well, it's overbroad for us to know what this means about investigations and potential money laundering problems. Obviously their very aggressive program, to the extent it is actually being followed, tells them exactly what this request covers, and they know that.

And so at the end of the day, Your Honor, I don't think these arguments really can be taken too serious in light of what this Court knows about this case. This is not a case where the Court is just writing on a blank slate. The Court has heard -- notwithstanding the fact that merits discovery is just getting open, the Court has heard a lot of evidence and has seen a lot of briefing on what are the facts and issues in this case, including the testimony of several of the Sands executives who tried to point the finger, we see what their defense is going to be, point the finger at Mr. Jacobs that this is all his doing, this is all his misconduct. That's the assertion being made. These requests go directly to demonstrate by Mr. Jacobs that in fact the story from the defendants is not accurate and that the defendants are the ones who were participating in this activity that they now

want to disavow because it's problematic. Regulatorywise I understand it, it's problematic. But that's the consequence of trying to pin this activity on one of your former executives as your defense when he sues you and then claim, I wasn't involved in that, it's all his doings. He's entitled to show that that story is a fiction.

And those are the only ones that they really address, Your Honor. I mean, our briefing I think covers the rest of them, and I know that the Court has a lot of knowledge about it.

Let me just address briefly this issue about the timing. The assertion is being made that I gave them an open extension. That is simply not true. I agreed that I would give them an opportunity to get in front of this Court as long as they did so promptly. I gave them a deadline of that date. What happened here was they abused my offer to try and take advantage of it. And it's not a coincidence, Your Honor, that the first time I heard that they were not going to -- they were not going to file by Friday was after the depo date. And then I heard this assertion out of Mr. Peek, you can't tell us when we have to file our motion. The only reason that he could say that is because he got past the depo date and then took the position, well, now I'm free to file when I want to and I'm free to them schedule it when I want to, because the only reason that we're here today, as opposed to the schedule

that I wanted to relieve them of the appearance requirement was because -- Mr. Ferguson's travel plans. That's what this -- it turns -- out I didn't know that at the time, but it turns out what has really happened here is they slow-played us, giving us this objection at about 5:00 o'clock before the deposition so then they could claim, well, we'll file the motion when we want to. And that -- Your Honor, that is not an agreement we made. There was no agreement to relieve them of the obligation, and there was certainly no agreement that they could file their motion at their leisure without an agreement from me. I thank the Court for its time.

THE COURT: Thank you. Anything else you want to say related to the failure to proceed with the 30(b)(6) deposition, other than there wasn't an agreement?

MR. BICE: There was no agreement. And under the law it is a failure to appear. You either obtain a protective order or you appear or you procure an agreement from me. There was no agreement. I'm going to leave that issue to the Court's discretion about what to do about it. But --

THE COURT: I thank you. That was what I needed you to say. Thank you.

MR. BICE: The Court needs to do something about it.

THE COURT: Thank you.

Mr. Ferguson.

MR. FERGUSON: Thank you, Your Honor. I'm not sure

how much time is left on my clock.

THE COURT: You have how many more minutes?

THE LAW CLERK: Four minutes, 30 seconds. For your 9 minutes.

MR. FERGUSON: All right. So I will -- sorry.

THE COURT: I'm trying to do four things at once. You're up.

MR. FERGUSON: I will respond to Counsel's arguments related to protective order, and then Mr. Peek will address the sanctions issue.

If I understood Counsel's argument correctly, he said that these requests are tried to, quote, "investigations." That's not entirely accurate. Number 16 and Number 18 ask for a 30(b)(6) witness to address "any suspected violation of the Foreign Corrupt Practices Act." In his argument I was waiting to hear what constitutes a suspected violation. Is it suspected by the government? Is it suspected by a lawyer? Is it suspected by a compliance official? What constitutes a suspected violation? That's precisely our argument as to these. They're impossibly vague to comply with.

He then argues that we know what an investigation is to the extent that the other requests are pegged to investigations and that the point I was making earlier about our anti-money laundering compliance initiatives was

contradictory. It's not contradictory at all. The point I was making is if he's defining -- if he's now telling us that what he means by investigations are our entire anti-money laundering compliance program, if it encompasses all that, my point was that is impossibly overbroad, particularly when he's asking for it from 2009 to the present and his client was terminated in July of 2010. So our anti-money laundering compliance program post July 2010 could not possibly have any relevance to his termination. Remember, his argument is that he's a whistleblower, he was raising these issues and that's what motivated us to terminate him. So what happened after 2010 in our anti-money laundering compliance program could not possibly have any relevance.

THE COURT: Anything else?

MR. FERGUSON: I'll rely on Mr. Peek for the balance.

THE COURT: Mr. Peek, anything else you want to add, since Mr. Bice left it to my discretion?

MR. PEEK: Yes, Your Honor, I do.

THE COURT: Okay. You have --

THE LAW CLERK: Three minutes.

THE COURT: -- 3 minutes.

MR. PEEK: Oh, my gosh. Your Honor, there's really not a whole lot more to add than that which is set forth both in the opposition, as well as in my affidavit. And it all

starts with a July 22nd letter followed up, of course, by a July 23rd email in which a meet and confer conference was set at 2:00 o'clock in the afternoon on the same day the deposition was supposed to start at 10:00 a.m. and with a request that we commence the briefing -- we get our objections to him before the meet and confer and that we commence the briefing on July 31st. We did hold that meet and confer, albeit not on July 28th because of issues related to getting the call-in number timely. We did hold the meet and confer. Although we didn't file our brief on July 31st, we filed it on August 3rd. We got objections to him. I didn't say that -- nor do you find anything here that said I was asking for an open extension of time. I was only asking for an opportunity to get before the Court to make my motion for protective order in a timely manner so that we could address these issues. I got this notice on 76 --

THE COURT: Well, and then discuss with me what day we were going to hold it.

MR. PEEK: Pardon?

THE COURT: And then discuss with me what day we were going to hold it --

MR. PEEK: And then discuss with you the day --

THE COURT: -- because I wanted to hold this hearing earlier. But we delayed because Mr. Ferguson was unavailable.

MR. PEEK: Your Honor, there were two issues. One

was my client was -- as I set forth in my papers --

THE COURT: And I accommodated that request.

MR. PEEK: Right. And so, Your Honor, I couldn't appear on the 28th for a 30(b)(6) deposition. I don't think that anything that I did reflects that there's misconduct on my failure to appear when I'm holding a meet and confer conference with him at 2:00 o'clock on that same day and when I gave him my objections on the 27th. And although I didn't file my brief on the 31st -- or, excuse me, Friday the 31st, I filed it on August 3rd and set it for immediate hearing to accommodate Mr. Ferguson's schedule and meeting with my client on the objections.

THE COURT: Okay. Can I ask you a couple questions, Mr. Peek.

MR. PEEK: Yes.

THE COURT: Last week I made some rulings on the motion to compel and sustained a couple of the objections and gave limited time frames.

MR. PEEK: You did.

THE COURT: If we apply those rulings to these and I make a slight modification to the language in Number 16 and Number 18 of the specific topics of the 30(b)(6), when is the earliest date on which you believe the 30(b)(6) deposition can commence?

MR. PEEK: Well, as Mr. Ferguson said, we can

commence it on some of the topics. But you're asking me specifically for 16 through 19, as well as 31?

THE COURT: Asking for the whole 30(b)(6) deposition. I understand there may be different individuals designated for different portions of the 30(b)(6) designation, and that happens all the time. What I'm trying to figure out is when are you going to be able to start it with whoever is the first group, and then we go the next group, and then we have the next group. Because you're going to have to identify who is the responsive individual --

MR. PEEK: I will, Your Honor.

THE COURT: -- the company's putting forth for each of the specified topics; right?

MR. PEEK: Yes, I will, Your Honor. And I guess I have to ask the Court a little bit of a question. Because from the last week's hearing the Court said with respect to certain of those topics and most of those topics where it did not agree with my argument on temporal scope it said five years prior to the termination.

THE COURT: Some of them I said within 10 years.

MR. PEEK: The only one that was 10 years was the defamation issue, Your Honor.

THE COURT: That's correct.

MR. PEEK: So we understand the defamation issue. But in terms of if the Court is going to hold us to that five-

year period and request that we actually conduct ESI discovery to prepare that witness for that period, five years prior to July 23rd, 2010, it will be a massive undertaking to prepare that witness, because we'll have to produce all those documents in order to prepare that witness on the suspected FCPA violations or these potential FCPA violations. If you hold us to that period of the ESI protocol, which is July 1, 2009, through October 23rd, 2010, we can probably produce somebody in mid September. If you hold us to the --

THE COURT: Okay. You've answered my question.

MR. PEEK: Your Honor --

THE COURT: No. You've answered it. I understand what you're saying, Mr. Peek.

MR. PEEK: But I don't know what the Court's going to do, so --

THE COURT: Well, I'm going to tell you in a minute, and you're going to not like what I say. But that's okay, because you and I have been through this before, and you're going on September 1st to discuss with the Nevada Supreme Court the location of depositions.

MR. PEEK: We are, Your Honor.

THE COURT: So I'm certain they will be happy to discuss with you the temporal expansiveness of interrogatories at your next date.

Next? Anything else?

MR. PEEK: Your Honor, I understand the Court's consternation. But if the Court could address the issue of the temporal scope, I might be able to better answer the question.

THE COURT: Well, no. I'm going to be consistent with what I did at our last hearing.

MR. PEEK: Which, as I understood from the last hearing, I don't have to go back and look at ESI prior to January 1, 2009.

THE COURT: Until someone files a motion and I make a determination if it's appropriate to change that scope based upon additional information.

MR. PEEK: Could I confer with Mr. Ferguson, Your Honor?

THE COURT: Do you want to -- I'm not going to ask you the date yet. I'm only going to tell you the ruling on the two motions right now, and then I'm going to ask you a question.

MR. PEEK: Okay. All right. Thank you, Your Honor.

THE COURT: And then you're going to give me a different answer than you just did, because I don't think that answer's going to work.

MR. PEEK: Probably. I will have to.

THE COURT: All right. The motion for protective order is granted in a limited respect. To the extent that

Topics 16 and 18 ask for suspected violations I am modifying that to investigation of suspected violations. And that's on 16 and 18.

In all other respects it will be consistent with the ruling that I entered on the limitation of the interrogatories last --

MR. PEEK: RFPs, Your Honor.

THE COURT: -- requests for production last Tuesday?

THE LAW CLERK: August 6th.

THE COURT: August 6th.

MR. PEEK: August 6th.

THE COURT: Okay.

(Pause in the proceedings)

THE COURT: But that does mean, Mr. Peek, that if there is an investigation of a suspected violation and it falls within the five-year period and if it is in a form that is not totally electronically stored information, that must be provided. Because, remember, my ruling at the last hearing was not that discovery was limited to that, only that the ESI protocol was still restricted to that. So I don't want somebody saying, Judge, you've limited discovery. Because I haven't.

MR. PEEK: No. I understand the ruling, Your Honor.

THE COURT: Okay. So under those circumstances --

MR. PEEK: May I ask --

THE COURT: Yes.

MR. PEEK: May I ask a question about the AML issue, which was Number 31?

THE COURT: You may.

MR. PEEK: Because let's say, for example, somebody walks up to the cage and brings in a boatload of money and the cage manager says, oh, gosh --

THE COURT: That's a boatload of money, I can't take it, I have to have you fill out this form --

MR. PEEK: -- I have to do something, Your Honor, is that what the -- again, does the ruling apply, as well, which is investigations of suspected anti-money laundering, as opposed just somebody -- somebody walks up, gives money --

THE COURT: I am not --

MR. PEEK: -- and the guy calls up to somebody and says, this may be an AML violation?

THE COURT: The Venetian Macau has policies that it follows for reporting any issues that it believes may affect it with the Foreign Corrupt Practices Act or the anti-money laundering.

MR. PEEK: No. These are directed at LVSC.

THE COURT: I'm including them together, because I don't want you to be confused. To the extent that as part of those procedures they do an investigation of a violation, that is what is contained within 16, 17, 18, 19, and 31. It's not

some poor dealer on the floor or some poor cashier guy who says, you know, I think this may be a problem, what do I do.

MR. PEEK: Thank you, Your Honor.

THE COURT: Because you guys don't know that. It's an investigation that you did related to that. Because you've got procedures in place.

MR. PEEK: Understood, Your Honor.

THE COURT: Okay. Now, tell me when your person will be ready for the first group of the designees for 30(b)(6) to attend their deposition.

MR. PEEK: I'm going to just take --

THE COURT: Now go talk.

MR. PEEK: Go talk to Mr. Ferguson just for a moment, Your Honor.

THE COURT: How long do you need?

MR. PEEK: Just like 30 seconds, I think, Your Honor.

THE COURT: Okay. Let them talk before you say anything.

(Pause in the proceedings)

MR. PEEK: Your Honor, I'll answer and then ask for a clarification on something. We will begin -- we will be able to begin on the 26th of August on some topics. Because we're going to have to at least look for hard-copy documents, because you said the ESI protocol doesn't apply to hard-copy

documents --

THE COURT: Right.

MR. PEEK: -- in that five-year period prior to his termination, and since our production isn't going to occur until sometime that Labor Day week, we wouldn't be prepared to present witnesses on 16 through 19 and 31 until that week following that production of those hard-copy documents.

THE COURT: So, Mr. Bice, are you okay with doing 16 through 19 and 31 at the end of the 30(b)(6) deposition?

MR. BICE: I'm -- well, first of all, I absolutely disagree with the proposition that the ESI protocol is a limitation on --

THE COURT: I told you if you wanted to change the ESI protocol you need to file a motion.

MR. BICE: I understand that.

THE COURT: Okay.

MR. BICE: But that is not a limitation on preparation of witnesses under Rule 30(b)(6). That is what they are trying to tell you it is. And it is not, and there is -- nowhere in that order does it say that.

THE COURT: Here's the deal. If they show up with a witness that they haven't adequately prepared and they give testimony, they bind the company whether they did what they were supposed to or not.

MR. BICE: I agree.

THE COURT: So if they choose not to adequately prepare a witness regardless of what the ESI protocol, that's a problem I'll deal with another day.

MR. BICE: Understood. I just don't want --

THE COURT: But I am not ordering someone to do an electronic search of information beyond the current ESI protocol. But I understand there are different issues on a 30(b)(6) --

MR. BICE: That's right.

THE COURT: -- that may be implicated, and I'm not dealing with those today.

MR. BICE: Exactly.

THE COURT: All right. So --

MR. BICE: We will be having that other motion that you -- that we talked about in front of you. I understand that. But do I care whether or not the -- you know, when they are going to produce these witnesses? Obviously I care about when, because that's what my -- part of grievance here is about trying to get past the depo date so that they wouldn't have to file a motion and then they could drag it out for as long as possible.

My point is when are the witnesses going to show up, who are they going to be, and give us actual dates now that the Court has addressed the scope, and we will -- I understand they're going to say, well, we can't do that on those

particular topics until Labor Day. Then let's move forward with the rest of it.

THE COURT: Okay. So you're ready to start on whatever topics someone is available as soon as that person is available before Labor Day.

MR. BICE: That's right.

THE COURT: Okay. Anything else that you want to tell me related to this issue before I rule on the sanctions issue?

MR. BICE: With respect to -- as I said, with respect to -- I understand your ruling regarding the scope of the limitations on the requests relative to the investigations. I understand that. Again, I dispute that the ESI protocol provides them any limitation or protection for nonpreparation of a witness. But you will address that at a later point in time.

And with respect to the -- with respect to the sanctions issue, Your Honor, there was no agreement that they could file this motion when they wanted to so that they could schedule it to accommodate their desires. As I put in my email to them, I am not letting that depo date pass absent an actual agreement on the briefing schedule. I gave them until Friday to file it, and I said, I get five business days and we schedule a prompt hearing. They got past the depo date and then took the position, well, we don't have to meet that

schedule now because our new counsel is going to come from Chicago so we want to do it on a date that works for his schedule. They should have been up front with me on that, because I would have never agreed to it and we would have been here on that issue before.

THE COURT: Okay. Thanks.

The only sanction that is being applied is that Las Vegas Sands will bear the cost of the court reporter for the entire 30(b)(6) deposition process.

All right. I have a box that I mentioned while you were here the other day. I want you -- I'm going to have you -- yes, Mr. Peek?

MR. PEEK: I was going to address that, Your Honor. I'm glad you brought it up.

THE COURT: Yes. So I'm going to -- is it okay with you guys if we open it? Because it has been sealed for three years.

MR. PEEK: Can we come and address the Court on that before --

THE COURT: No. Because I want you -- I want to open the box, and then I want you to go look over there together at what's inside the box while I take the plea, and then I want you to come back over here and then I want to talk about the contents of the box.

MR. PEEK: Thank you, Your Honor.

THE COURT: So is it okay with you if Dulce walks over to the jury box, you all huddle around her while she opens the box, you all make sure that what's in the box is what you think, while I take this guilty plea. Go.

MR. PEEK: Your Honor, you didn't rule on dates. I assume the dates that you --

THE COURT: He said he's going to work with you on the dates. Didn't you just hear him say he's going to work with you on the dates, you're going to give him a schedule, it's going to work out?

MR. PEEK: I heard that, Your Honor, but I also asked for the week of the 26th on that 16 through --

THE COURT: Well, I'm not giving you till September 16th. So if that's what you're asking, well, that's not happening.

MR. PEEK: I didn't ask for September 16th, Your Honor. The week after Labor Day starts on the 7th -- or, excuse me, the 13th. I'm sorry.

THE COURT: Then that'll be okay. Because I'm assuming it'll take a while to do.

Go that way, please. Go that way.

(Pause in the proceedings)

THE COURT: Okay. Sands-Jacobs come back. You've now opened the box. The document that was marked for identification as Proposed Exhibit F was a document that FTI

provided to us related to the chain of custody which was an exhibit that was utilized in that hearing. We also had marked A, A1, and A2. And what is your concern?

MR. PEEK: Well, the --

THE COURT: You can have as many copies as you want.

MR. PEEK: No. I just want to address the sanctity of these devices. You may recall that the Court requested --

THE COURT: Oh, absolutely.

MR. PEEK: -- that we bring to the Court --

THE COURT: The actual devices.

MR. PEEK: -- with a chain of custody the actual devices.

THE COURT: Those that left Macau.

MR. PEEK: We did that. The Court told us at that time that it was going to deposit them in this vault behind me and to my left.

THE COURT: It was in the safe for a long time. I don't know how it got downstairs.

MR. PEEK: I don't, either, Your Honor. But obviously these weren't admitted into evidence, weren't even proposed exhibits in evidence. These were something that the Court asked us to bring to that hearing, and we did.

THE COURT: Absolutely.

MR. PEEK: So I don't know what the Court -- we certainly don't want them to be in a vault accessible to the

public potentially.

THE COURT: I understand. But I'm going to ask you guys a question in a minute, and somebody's going to answer. And that's going to make a difference about what we do. So are you ready for my question?

MR. PEEK: I am.

THE COURT: All right. Given the electronically stored information in the devices that are contained in the box that was from the original sanctions hearing in 2012, does anybody feel that any forensic examination now needs to be done given the fact we are now in merits discovery related to that information?

MR. PEEK: I do not, Your Honor. But I'll let my colleague address that.

MR. BICE: Your Honor, what I had indicated tom are Peek when we were talking over there is -- and to Mr. Jones, we would ask if you could put those in the gun safe for a -- give us a 10-day window now that we know what is in there.

THE COURT: You've been reminded.

MR. BICE: We've been reminded. I think one of the laptops is Mr. Kostrinsky's --

THE COURT: That's correct.

MR. BICE: -- laptop. And so there's obviously a lot of questions of privilege on what would be on there and obviously a lot of stuff that was likely unrelated to --

THE COURT: Absolutely.

MR. BICE: -- this lawsuit. So we need to figure out whether they made copies of those devices before they deposited them with the Court so that, which my believe is that they probably did --

THE COURT: The FTI person said they did.

MR. BICE: Yeah. That was -- I just couldn't recall that. If the information has been searched, et cetera, et cetera. So I need to be able to confer with them before we figure out what to do with those devices.

THE COURT: Well, my recollection of the last set of evidentiary hearing is that there was some confusion related to whether that information had been searched or not been searched and that the FTI representative came back and testified again to tell us that it had been included in the search. Whether that's actually what happened or not is an entirely different set of issues. But I will seal that box up, Dulce will put special yellow tape back on it, initial it, and throw it in the gun safe, where I will retain until you tell me that you want to do the forensic examination. The reason that I have it is because it's the actual devices that travelled from Macau to Las Vegas.

MR. BICE: I'm unclear on that.

MR. PEEK: Your Honor, I did address the issue of the laptop, and I told Mr. Bice obviously, as he just pointed

out to you, that there's a lot of other information there.

THE COURT: One would think.

MR. PEEK: Yeah. So we're going to have to address that. Yes, the Jacobs collection that was put on the laptop, as we understand from Mr. Kostrinsky, is there. But as pointed out by Mr. Bice and as I reminded him, there will be a lot of other email communications on that device completely unrelated and completely privileged.

THE COURT: Absolutely. And I don't think any of us are arguing with that.

MR. PEEK: No, we're not. I just --

THE COURT: That's why I asked if a forensic examination needed to be done. Because if it needs to be done, we have a lot of steps to go through. If it doesn't need to be done, I will leave it in the box, sealed in the gun safe until somebody tells you want to do something else with it.

MR. BICE: Understood.

THE COURT: But it's going to be in the gun safe.

MR. PEEK: Yes. That's where I thought it was from September of 2012. I didn't know it had been transferred from the gun safe to the vault.

THE COURT: Yeah. We've found a lot of things lately.

MR. BICE: Your Honor, Dulce was going --

THE COURT: Okay. So, Mr. Peek, you are going to begin the 30(b)(6) deposition process on or before August 24th and hopefully come up with a schedule that you're all agreeable --

MR. PEEK: It was the 26th, Your Honor.

THE COURT: I thought you said the Monday.

MR. PEEK: The 26th. The day with the day that I said was the 26th.

THE COURT: So you're going to begin the week of August 24th, and you're going to move through all of the topics contained in the 30(b)(6) designation with the limitations consistent with the requests for production ruling I made last week and the modifications I made to the two others today. So the plan is you start and you move forward, and hopefully you don't have any gaps.

MR. PEEK: I understand, Your Honor. We'll address that issue with -- both with our client, as well as with Counsel. But, as I said, there is time after the production.

THE COURT: Good luck. Have a nice day.

MR. BICE: Your Honor, your clerk -- or Dulce was going to give us a copy of Exhibit F.

THE COURT: She's at the copy machine right now.

MR. BICE: Well, can we go back -- can Mr. Peek and I go in the back and just get those, and then we will leave?

THE COURT: If you want.

MR. PEEK: We want, Your Honor.

THE COURT: Don't you want to stay for the rest of the very exciting calendar today?

MR. PEEK: I saw Mr. Gardner here, Your Honor, so I just was --

THE COURT: You saw Gardy Jolley and you want to leave. Okay.

THE PROCEEDINGS CONCLUDED AT 9:27 A.M.

* * * * *

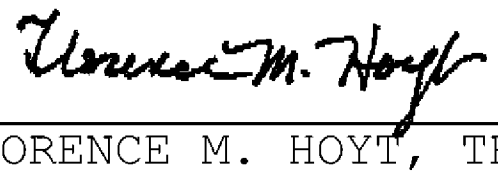
CERTIFICATION

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

EXHIBIT 4A

EXHIBIT 4A

OPPM
J. Stephen Peek, Esq.
Nevada Bar No. 1758
Robert J. Cassity, Esq.
Nevada Bar No. 9779
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
(702) 669-4600
(702) 669-4650 – fax
speek@hollandhart.com
bcassity@hollandhart.com

Attorneys for Defendant Las Vegas Sands Corp. and Sands China Ltd.

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-X; and ROE CORPORATIONS I-X,

Defendants.

AND ALL RELATED ACTIONS

CASE NO.: A627691-B
DEPT. NO.: XI

Date: August 13, 2015
Time: 8:30 a.m.

OPPOSITION TO PLAINTIFF'S MOTION FOR SANCTIONS AGAINST LAS VEGAS SANDS CORP. FOR FAILURE TO APPEAR AT NRCP 30(b)(6) DEPOSITION

Defendant LAS VEGAS SANDS CORP. ("LVSC"), by and through its undersigned counsel, hereby submits its Opposition to the Motion for Sanctions filed by Plaintiff Steve Jacobs for its alleged failure to appear at a NRCP 30(b)(6) deposition.

///

///

The Opposition is based on the following memorandum of points and authorities, the papers and pleadings on file herein, and any oral argument the Court may allow.

DATED August 12, 2015.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Dr., 2nd Floor
Las Vegas, Nevada 89134

Attorneys for Defendants Las Vegas Sands and Sands China Ltd.

MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO PLAINTIFF'S MOTION FOR SANCTIONS AGAINST LAS VEGAS SANDS CORP. FOR FAILURE TO APPEAR AT NRCP 30(b)(6) DEPOSITION

I.

INTRODUCTION

Las Vegas Sands Corp. ("LVSC") worked in good faith with Plaintiff's counsel to resolve its objections regarding Plaintiff's Notice of Rule 30(b)(6) deposition of LVSC ("Notice"), which set forth 76 topics, many of which are overbroad and not reasonably calculated to lead to the discovery of admissible evidence (as discussed in LVSC's Motion for Protective Order). But, continuing his efforts to win his case by alleged discovery torts rather than on the merits of his claim for wrongful termination, Plaintiff brings this chest-thumping, baseless motion to impose sanctions against LVSC for failing to appear at the Rule 30(b)(6) deposition. The Motion is without merit and should be denied. Here's why: After receiving the unilaterally scheduled Notice with 76 topics for testimony on 18 days' notice, LVSC promptly informed Plaintiff's counsel of its objection to the timing and overbreadth of the Notice. On July 23, 2015, the parties agreed that they would hold a meet-and-confer conference on July 28, 2015, and that LVSC would thereafter file a motion for a protective order as to the unresolved issues. After LVSC served its written objections to the Notice, the parties held meet-and-confer conference calls to discuss LVSC's objections on July 28 and 29. Although Plaintiff proposed a July 31 filing date for the motion for protective order, LVSC's counsel could not commit due to its

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

client being out of town. Nonetheless, LVSC's counsel worked toward accommodating the briefing schedule proposed by Plaintiff.

Although Plaintiff knowingly scheduled the July 28 at 2 p.m. meet and confer, and knew that LVSC would promptly move for a protective order on matters that were not resolved during that meet-and-confer, Plaintiff—without notifying LVSC that he intended to proceed with the deposition notwithstanding the scheduled meet-and-confer and without attempting in any way to contact LVSC's counsel— now claims that he was ready to proceed with the deposition four hours prior to the agreed-upon meet-and-confer time, and on that basis filed this motion. Mot., Ex. 5. Such duplicitous tactics and gamesmanship—when Plaintiff had agreed to a schedule for a meet-and-confer and knew LVSC would promptly thereafter file a motion for protective order to resolve outstanding disputes—should not be validated as a basis to impose sanctions against LVSC for failure to attend the noticed deposition.

II.

FACTUAL BACKGROUND

A. Jacobs, Without First Requesting LVSC's Availability, Served a Rule 30(b)(6) Deposition Notice With 76 Topics on LVSC and With 18 Days' Notice

Without first inquiring regarding LVSC's availability, on Thursday, July 9, 2015 at 5:28 p.m., LVSC's received by e-service a copy of the Notice of Deposition of Las Vegas Sands Corp. ("LVSC") pursuant to NRCP 30(b)(6) (the "Notice"), unilaterally scheduling the deposition for July 28, 2015 at 10:00 a.m. *See* Declaration of J. Stephen Peek, attached as **Exhibit "A"**; a copy of the Notice is attached as **Exhibit "B."**

On Monday, July 13, 2015 at 11:00 a.m., LVSC's counsel participated in a meet-and-confer telephone conference with Todd Bice and counsel for the other defendants regarding LVSC's responses to Plaintiff's Fourth Request for Production of Documents. Ex. A. At the conclusion of this conference call, Mr. Peek discussed with Mr. Bice the fact that LVSC had received the Notice, that LVSC objected to the topics in the Notice and the date of the proposed deposition, and that we would be preparing our objections to the topics. Ex. A. Because of the large number of topics, Mr. Peek also informed Mr. Bice that LVSC would need additional time

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

to prepare its objections to the 76 topics in the Notice and that LVSC would not be able to attend a 30(b)(6) deposition on or before July 28, 2015. Ex. A.

B. The Parties Reach a General Understanding on a Meet-and-Confer and Briefing Schedule

On July 22, 2015, Mr. Bice sent a letter in which he acknowledged LVSC's request for additional time to object to the Notice, and advised that the parties would need to reach agreement on the disputed topics and briefing schedule prior to July 28 so the issues could be resolved promptly for resolution by the court. *See* Letter from T. Bice dated July 22, 2015, attached as **Exhibit "C."**

In response, on July 23, 2015, counsel for LVSC emailed Mr. Bice, proposing a scheduled whereby LVSC would identify the topics on which LVSC objected by July 27 and informing Mr. Bice that LVSC's counsel was available for a meet-and-confer regarding the disputed topics on Tuesday, July 28, or Wednesday July 29, 2015. *See* email string between S. Peek and T. Bice, attached as **Exhibit "D."**

On July 23, 2015, Mr. Bice responded by email, stating: "[w]e will look at your objections and hold a 2.34 conference on Tuesday [July 28, 2015] at 2 PM. You will need to file your motion no later than Friday of next week [July 31] and have it set on an order shortening time." *Id.*

Based upon Mr. Bice's July 23 email setting a schedule for the meet-and-confer and filing a motion, and the fact that the parties would be holding a meet-and-confer on the topics in the Notice at July 28 at 2 p.m. (after the scheduled deposition), LVSC understood that there was no need for LVSC to appear on that same morning four hours earlier at 10 a.m., prior to meeting-and-conferring on those topics. Ex. A. Nor did Mr. Bice indicate in the July 23 email that he still intended to proceed with the deposition of LVSC on the morning of July 28—before objections could be discussed or resolved. Ex. D.

On July 24, LVSC's counsel responded to Mr. Bice's email, confirming their agreement to participate in a meet-and-confer on Tuesday, July 28 at 2 p.m., and LVSC's counsel specifically requested that Mr. Bice send out a call in number. *Id.* Though LVSC's counsel

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

could not then confirm agreement to the specific date for submitting the motion for protective order because his client contact was out of the country, LVSC proceeded in good faith according to the proposed schedule and believed that the parties reached a general understanding on the schedule. *Id.*; Ex. A.

As promised, on Monday, July 27, LVSC's counsel sent a letter to Mr. Bice enclosing LVSC's Responses and Objections to the topics set forth in the Notice. *See* Letter from S. Peek to T. Bice dated July 27 and enclosed objections, attached as **Exhibit "E."** LVSC's Responses and Objections to the Notice consist of 19 pages, single-space type face. *Id.*

C. The Parties' Meet-and-Confer Efforts and LVSC's Subsequent Motion for Protective Order

Although LVSC's counsel was prepared for the meet-and-confer, Mr. Bice did not send a call-in number until after 2 p.m. on Tuesday, July 28. Ex. A. Once the dial-in number was sent out, LVSC's counsel joined the conference call with Mr. Bice, but counsel for the other defendants did not join the conference call. When it became apparent that a call at that time was not feasible, LVSC's counsel suggested to Mr. Bice that the parties reconvene the conference call later in the day or the next morning, July 29, at 9:15 a.m. *See* email from S. Peek to T. Bice dated July 28, attached as **Exhibit "F."**

Counsel for the parties held a telephonic meet-and-confer regarding LVSC's objections to the Notice on July 29 at 9:30 a.m. and the parties met-and-conferred further on those objections at 3:30 p.m. During the July 29 and July 30 hearings before the Court, LVSC's counsel advised Mr. Bice and the Court that LVSC would be submitting a motion for protective order by Monday, August 3, 2015. *See, e.g.,* July 30 Hr'g Tr. at 59:16-60:2. LVSC submitted its Motion for Protective Order on Order Shortening Time on August 3, 2015, but before that Motion could be filed, Plaintiff had preemptively filed his own sanctions motion on July 31.

///

///

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

III.

LEGAL ANALYSIS

A. Legal Standard

Although the Court has discretion to impose appropriate sanctions for discovery violations pursuant to NRCP 37(d), *Young v. Johnny Ribiero Bldg., Inc.*, 106 Nev. 88, 787 P.2d 777 (1990), no sanctionable conduct is present here and the Court should deny Plaintiff's Motion.

B. The Court Should Not Impose Sanctions Because the Parties Agreed To a Meet-and-Confer Schedule and Had an Understanding that LVSC Would Promptly File a Motion for Protective Order Regarding the Unresolved Disputes

The Court should not issue sanctions against LVSC for allegedly failing to appear for a Rule 30(b)(6) deposition because the parties had agreed upon a meet-and-confer schedule to resolve LVSC's objections to the Notice and had an understanding that a motion for protective order would be filed promptly thereafter. Prior to filing a Motion for Protective Order, LVSC was first required, pursuant to NRCP 26(c) and EDCR 2.34, to meet and confer in good faith with Plaintiff's counsel to resolve the discovery disputes. Mr. Bice's email specifically confirms Plaintiff's agreement to receive the objections as promised by LVSC's counsel on July 27 and to participate in a meet-and-confer on July 28 at 2:00 p.m. Ex. D (T. Bice: "[w]e will look at your objections and hold a 2.34 conference on Tuesday at 2 PM."). LVSC engaged in good faith by serving its written objections to the Notice by the proposed date, and by joining a meet-and-confer call with Plaintiff's counsel on July 28 at 2 p.m. and on two separate conference calls on July 29 in an attempt to resolve LVSC's disputes regarding the topics in the Notice. Ex. A. LVSC understood that Plaintiff's agreement necessarily meant that Plaintiff would not move forward with the deposition on July 28 at 10 a.m., nor did Plaintiff's counsel indicate that they intended to proceed with the deposition in light of the parties' agreed upon meet-and-confer schedule. Ex. A.

Further, although LVSC was ultimately unable to finalize its motion by July 31 due to the July 29 meet-and-confer efforts, LVSC's counsel ***specifically confirmed*** during the July 29 and July 30 hearings before the Court that LVSC would be submitting its motion for protective order

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

by August 3 (July 30 Hr'g Tr. at 59:16-60:2), and ***LVSC did so***. It was one business day after the Plaintiff's originally proposed date of July 31 for filing the Motion for Protective Order, and there is and was no prejudice to Plaintiff from the one business day delay, and the Motion was set on an order shortening time for August 13 (a date discussed at the July 30 hearing) in any event. Thus, LVSC did not simply disregard the Notice or its obligation to meet-and-confer and move for a protective order; rather, it reasonably believed that the parties had reached an understanding on the meet-and-confer process and the prompt filing of a motion for protective order following the conclusion of the parties' meet-and-confer efforts. Ex. A. Given LVSC's compliance with the parties' agreements as to the meet-and-confer schedule and the parties' understanding regarding LVSC's prompt submission of a motion for protective order after the meet-and-confer conferences, the Court should not impose sanctions against LVSC for its alleged failure to appear at the Rule 30(b)(6) deposition.

IV.

CONCLUSION

For the reasons set forth above, LVSC respectfully requests that the Court deny Plaintiff's Motion for Sanctions against LVSC.

DATED August 12, 2015.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

Attorneys for Defendant Las Vegas Sands Corp. and Sands China Ltd.

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of August 2015, a true and correct copy of the foregoing **OPPOSITION TO PLAINTIFF'S MOTION FOR SANCTIONS AGAINST LAS VEGAS SANDS CORP. FOR FAILURE TO APPEAR AT NRCP 30(b)(6) DEPOSITION** was served by the following method(s):

☒ Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

James J. Pisanelli, Esq.
Debra L. Spinelli, Esq.
Todd L. Bice, Esq.
Pisanelli & Bice
3883 Howard Hughes Parkway, Suite 800
Las Vegas, Nevada 89169

Attorney for Plaintiff

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp Jones & Coulthard, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169

Attorneys for Sands China, Ltd

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101

Attorneys for Sheldon Adelson

Valerie Larsen

An Employee of Holland & Hart LLP

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

EXHIBIT A

EXHIBIT A

DECL
J. Stephen Peek, Esq.
Nevada Bar No. 1758
Robert J. Cassity, Esq.
Nevada Bar No. 9779
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
(702) 669-4600
(702) 669-4650 – fax
speek@hollandhart.com
bcassity@hollandhart.com

Attorneys for Defendant Las Vegas Sands Corp. and Sands China Ltd.

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-X; and ROE CORPORATIONS I-X, Defendants.	CASE NO.: A627691-B DEPT. NO.: XI Date: August 13, 2015 Time: 8:30 a.m. **DECLARATION OF J. STEPHEN PEEK IN SUPPORT OF OPPOSITION TO PLAINTIFF'S MOTION FOR SANCTIONS AGAINST LAS VEGAS SANDS CORP. FOR FAILURE TO APPEAR AT NRCP 30(b)(6) DEPOSITION**
AND ALL RELATED ACTIONS	

I, J. Stephen Peek, declare as follows:

1. I am over 18 years of age and am competent to testify as to the matters set forth in this Declaration based upon my own personal knowledge, except as to those matters stated on information and belief, which I believe to be true.

2. I am an attorney at Holland & Hart LLP, counsel for Defendants Las Vegas Sands Corp. ("LVSC") and Sands China Ltd. in this action.

3. Without first inquiring regarding LVSC's availability, on Thursday, July 9, 2015

at 5:28 p.m., Plaintiff e-served a copy of the Notice of Deposition of Las Vegas Sands Corp. ("LVSC") pursuant to NRCP 30(b)(6) (the "Notice"), unilaterally scheduling the deposition for July 28, 2015 at 10:00 a.m. A true and correct copy of the Notice is attached to the Opposition as Exhibit "B."

4. On Monday, July 13, 2015 at 11:00 a.m., I participated in a meet-and-confer telephone conference with Todd Bice and counsel for the other defendants regarding LVSC's responses to Plaintiff's Fourth Request for Production of Documents. At the conclusion of this conference call, I discussed with Mr. Bice the fact that LVSC had received the Notice, that LVSC objected to the topics in the Notice and the date of the proposed deposition, and that we would be preparing our objections to the topics.

5. Because of the large number of topics, I also informed Mr. Bice that LVSC would need additional time to prepare its objections to the 76 topics in the Notice and that LVSC would not be able to attend a 30(b)(6) deposition on or before July 28, 2015.

6. On July 22, 2015, Mr. Bice sent me a letter in which he acknowledged LVSC's request for additional time to object to the Notice, and advised that the parties would need to reach agreement on the disputed topics and briefing schedule prior to July 28 so the issues could be resolved promptly for resolution by the court. A true and correct copy of the letter from Mr. Bice dated July 22, 2015 is attached to the Opposition as Exhibit "C."

7. In response, on July 23, 2015, I emailed Mr. Bice, proposing a scheduled whereby LVSC would identify the topics on which LVSC objected by July 27 and informing Mr. Bice that LVSC's counsel was available for a meet-and-confer regarding the disputed topics on Tuesday, July 28, or Wednesday July 29, 2015. A true and correct copy of an email string between myself and Mr. Bice is attached to the Opposition as Exhibit "D."

8. On July 23, 2015, Mr. Bice responded by email, stating: "[w]e will look at your objections and hold a 2.34 conference on Tuesday [July 28, 2015] at 2 PM. You will need to file your motion no later than Friday of next week [July 31] and have it set on an order shortening time." *Id.*

9. Based upon Mr. Bice's July 23 email setting a schedule for the meet-and-confer

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

and filing a motion, and the fact that the parties would be holding a meet-and-confer on the topics in the Notice at July 28 at 2 p.m. (after the scheduled deposition), LVSC understood that there was no need for LVSC to appear on that same morning four hours earlier at 10 a.m., prior to meeting-and-conferring on those topics.

10. Nor did Mr. Bice indicate in the July 23 email that he still intended to proceed with the deposition of LVSC on the morning of July 28—before objections could be discussed or resolved.

11. On July 24, I responded to Mr. Bice's email, confirming the parties' agreement to participate in a meet-and-confer on Tuesday, July 28 at 2 p.m., and I specifically requested that Mr. Bice send out a call in number. Though I could not then confirm agreement to the specific date for submitting the motion for protective order because my client contact was out of the country, LVSC proceeded in good faith according to the proposed schedule and I believed that the parties reached a general understanding on the schedule.

12. As promised, on Monday, July 27, I sent a letter to Mr. Bice enclosing LVSC's Responses and Objections to the topics set forth in the Notice. A true and correct copy of my letter to Mr. Bice dated July 27, and the enclosed objections, is attached to the Opposition as Exhibit "E." LVSC's Responses and Objections to the Notice consist of 19 pages, single-space type face.

13. Although LVSC's counsel was prepared for the meet-and-confer, Mr. Bice did not send a call-in number until after 2 p.m. on Tuesday, July 28. Once the dial-in number was sent out, LVSC's counsel joined the conference call with Mr. Bice, but counsel for the other defendants did not join the conference call.

14. When it became apparent that a call at that time was not feasible, LVSC's counsel suggested to Mr. Bice that the parties reconvene the conference call later in the day or the next morning, July 29, at 9:15 a.m. A true and correct copy of my email to Mr. Bice dated July 28 is attached to the Opposition as Exhibit "F."

15. Counsel for the parties held a telephonic meet-and-confer regarding LVSC's objections to the Notice on July 29 at 9:30 a.m. and the parties met-and-conferred further on

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

those objections at 3:30 p.m.

16. Having been unable to resolve LVSC's objections during the meet and confer, and as I advised the Court and Mr. Bice during the July 29 and July 30, 2015 hearings, LVSC submitted its Motion for Protective Order on Order Shortening Time on August 3, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this _____ day of August 2015 at Clark County, Nevada.

J. Stephen Peek, Esq.

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

EXHIBIT B

EXHIBIT B

NOTC
James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
Jordan T. Smith, Esq., Bar No. 12097
JTS@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 214-2100
Facsimile: (702) 214-2101

Attorneys for Plaintiff Steven C. Jacobs

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

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVEN C. JACOBS,

Plaintiff,

v.

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

Defendants.

AND RELATED CLAIMS

Case No.: A-10-627691
Dept. No.: XI

NOTICE OF NRCP 30(b)(6) VIDEOTAPED DEPOSITION OF LAS VEGAS SANDS CORP.

Date of Deposition: July 28, 2015

Time of Deposition: 9:30 a.m.

PLEASE TAKE NOTICE that at 9:30 a.m. on July 28, 2015, pursuant to Rule 30(b)(6) of the Nevada Rules of Civil Procedure, Plaintiff, Stephen C. Jacobs, by and through his counsel will take the videotaped deposition of the Rule 30(b)(6) designee for Las Vegas Sands Corp. ("LVSC") at the law office of PISANELLI BICE PLLC, located at 400 South 7th Street, Suite 300, Las Vegas, Nevada 89101. The deposition will be taken upon oral examination, before a Notary Public, videographer and/or before some other officer authorized by law to administer oaths.

Pursuant to NRCP 30(b)(6), LVSC is required to designate individual[s] to provide testimony on all of the following topics:

1. All efforts to locate responsive and discoverable documents, information and evidence in this action, including (but not limited to) files searched, search terms used, the date searches were conducted and the identity of all persons involved in the search.

2. All efforts to preserve information and evidence related to this action, including (but not limited to) notices sent, the date of preservation efforts and the identity of all persons involved in such preservation.

3. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, organizing, preserving, archiving, saving and/or destroying Documents from January 1, 2009 to the present (specifically including, but not limited to, Documents related to Steven Jacobs).

4. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, backing-up, organizing, preserving, archiving, saving and/or destroying electronically stored information from January 1, 2009 to the present (specifically including, but not limited to, Steven Jacobs).

5. Any Documents and/or ESI, or any portion thereof, relating to Jacobs or the claims or defenses asserted in this action that was concealed, lost, destroyed and/or misplaced and the circumstances behind such concealment, loss, destruction and/or misplacement.

6. Any efforts by or on behalf of LVSC to determine whether each current and/or former employee of LVSC has or had any Documents and/or ESI related to Jacobs or the claims and defenses in this action.

7. All efforts to obtain consents from anyone under the MPDPA from January 1, 2009 to the present, including (but not limited to) the date of such efforts, the identity of all persons or consents were sought and the identity of all persons involved in procuring consents.

8. The date, persons involved and substance of any communications with any Macau government official concerning the facts and allegations of this action.

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

9. All damages claimed by LVSC in its counterclaim, including the facts giving rise to those damages and the manner and means of calculation.

10. All communications with any government official either in the United States or Macau, Hong Kong or China concerning the MPDPA and its purported requirements, including (but not limited to) all efforts to obtain any authorizations or consents for the search of documents from January 1, 2009 to the present.

11. All communications with prior employers of Plaintiff and/or Vagus Group, including (but not limited to) the participants in any such communications, the date, the substance of the communication, and any documents discussed or obtained.

12. The factual basis for claiming that Plaintiff has stolen any property or information.

13. All investigations into Plaintiff and/or family members, including (but not limited to) the identity of all participants, the contents of all written or verbal reports, all conclusions, and all persons with whom the information was shared.

14. All alleged breaches of fiduciary or employment obligations by Jacobs, including (but not limited to) the date, all persons with knowledge, the alleged breaches and the location of all documents concerning any such purported breach.

15. The formation, purpose and operations of WDR, LLC and its subsequent dissolution, including (but not limited to) its involvement in any transfers of funds.

16. Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

17. All investigations conducted concerning any officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

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

19. All investigations conducted concerning any officer, employee, agent or representative of Sands China as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

20. The direct or indirect relationships between LVSC or any of its subsidiaries – including (but not limited to) the date commenced, terminated, financial terms of and agreements – that concern any of the following:

a. Sociedade

b. Nove

c. Sun City

d. Neptune

e. Unik Ltd.

f. Shanghai Sat Leng

g. Dore

h. Tak Lek

i. Li Kwok Hung

j. Sat leng Unipessoal Limited

k. Cheung Chi Tai

l. Charles Heung

m. Yvonne Mao

n. Angela Leong

o. Ng Lap Sing

p. Jack Lam

q. Tantra Lotus Club

r. Lee Chai Ming

21. Any communications with any Macau government official, including (but not limited to) Edmund Ho, concerning the settlement of the action styled *Clive Bassett Jones, et al v. Las Vegas Sands Corp., et al.*, Eighth Judicial District Court Case No. 06-A516404.

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

22. Any communications with Leonel Alves concerning payments to any third parties in exchange for receiving any form of government approvals such as (but not limited to) strata title, including (but not limited to) the date, substance of the communication and all participants to any communication[s].

23. The form of any notice given to Plaintiff concerning any alleged breach of fiduciary duty or terms/conditions of employment, including (but not limited to) the date, substance of the notice and all participants in the communication[s].

24. The award of any stock options or grants to Plaintiff, including (but not limited to) the factual basis for the award, the value of those options/grants when awarded, the maximum value of those options from the date of award to the present and the basis for any termination/non-exercise of the award.

25. The facts provided to any official and/or officer of the United States government from October 23, 2010 to the present that in any way relates to, references or concerns the Plaintiff, his complaint in this action or your defenses to this action, including (but not limited to) documents provided or discussed.

26. Any demand for retraction of purported false and/or defamatory statements or publications made on behalf of LVSC or any of its officers or directors including (but not limited to) the date, the substance of the retraction, the participants and the substance of the purported defamatory/false statement.

27. Any investigation conducted by LVSC, its officers, agents or representatives as to any Macau government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

28. Any investigation conducted by LVSC, its officers, agents or representatives as to any China government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

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

29. Any circumstances where cash or other currency exceeding a value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or any other entity controlled by Sheldon Adelson.

30. The actual, attempted or threatened termination or separation for cause of any person holding the position of Vice President or above from January 2008 to the present, including (but not limited to) name, date, or separation events which constituted purported cause, and the ultimate resolution.

31. Any investigations conducted by LVSC or any of its officers, agents or representatives as to potential or suspected money laundering from January 1, 2009 to the present, including but not limited to the identity of all persons involved, documents in any investigation, with whom such information was shared and the investigations' ultimate outcome/conclusion.

32. The factual basis for any claim by LVSC that the Term Sheet dated August 3, 2009, which it filed with the United State Securities and Exchange Commission, is not valid and binding.

33. Your access to and review of any phone records for Plaintiff, including the date of review, the participants, and the contents of all phone records reviewed.

34. The access to and review of the contents of any phone used by Plaintiff, including (but not limited to) who obtained the phone, any representations made to obtain access or possession, the contents of any information obtained and with whom the contents were shared.

35. The communications with any representative of the news media about Plaintiff from June 22, 2010 to the present.

36. The allegations in your counterclaim at Paragraph 17 that "Jacobs was violating his obligations not only to Sands China but also to the LVSC as the majority shareholder of Sands China."

37. The allegations in your counterclaim at Paragraphs 18-21 that Jacobs violated a "non-competition deed."

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

38. The allegations in your counterclaim at Paragraphs 22-26 that "Jacobs endangers LVSC's and Sands China's relationship with the governments of Macau and China."

39. The allegations in your counterclaim at Paragraphs 27-40 that "Jacobs delays terminating the contract between Cheung Chi-Tai and VML."

40. The allegations in your counterclaim at Paragraphs 41-47 that "Jacobs' employment is terminated by Sands China and VML for cause and Jacobs initiates his extortion scheme."

41. The allegations in your counterclaim at Paragraphs 48-52 that "Jacobs files a wrongful suit against LVSC in furtherance of his scheme."

42. The allegations in your counterclaim at Paragraphs 53-60 that Jacobs has engaged in "abuse of process."

43. The allegations in your counterclaim at Paragraphs 61-68 that Jacobs is engaged in "business defamation/disparagement."

44. The allegations in your counterclaim at Paragraphs 69-74 that Jacobs undertook "intentional interference with respect to the economic advantage."

45. The allegations in your counterclaim at Paragraphs 75-79 that Jacobs has undertaken "civil extortion."

46. The factual basis for your Second Affirmative Defense that Jacobs' claims are barred by the doctrine of laches.

47. The factual basis in your Third Affirmative Defense that Jacobs' claims are barred by the doctrine of unclean hands.

48. The factual basis for your Fourth Affirmative Defense that Jacobs' claims are barred by the doctrine of estoppel.

49. The factual basis for your Fifth Affirmative Defense that Jacobs' claims are barred by the doctrine of waiver.

50. The factual basis for your Sixth Affirmative Defense that Jacobs' claims are barred by the doctrine of election of remedies.

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

51. The factual basis for your Seventh Affirmative Defense that Jacobs' claims are barred by the doctrine of accord and satisfaction.

52. The factual basis for your Eighth Affirmative Defense that Jacobs' damages, if any, were caused by his own actions and not by that of LVSC.

53. The factual basis for your Ninth Affirmative Defense that at all times, LVSC acted in accordance with reasonable commercial standards, in good faith, and with ordinary care and LVSC's actions did not contribute to the alleged damages.

54. The factual basis for your Tenth Affirmative Defense that Jacobs failed to do equity towards LVSC and, therefore, is not entitled to any relief from LVSC.

55. The factual basis for your Twelfth Affirmative Defense that LVSC is not a party to the Term Sheet and, therefore, is not a proper party to the breach of contract claim.

56. The factual basis for your Thirteenth Affirmative Defense that LVSC was not Jacobs' employer and, therefore, is not a proper party to the tortious discharge claim.

57. The factual basis for your Fourteenth Affirmative Defense to the effect that Jacobs "breached his contractual and fiduciary obligations and therefore relieved LVSC of any further obligations" to Jacobs.

58. Any factual presentation, including any Documents, made during road shows for the potential IPO that would become Sands China, Ltd. concerning or relating to the following:

a. The roles and responsibilities of Sheldon G. Adelson

b. The roles and responsibilities of Steven C. Jacobs

c. The roles and responsibilities of Michael Leven

d. The involvement by LVSC in Sands China's governance

e. The potential conflicts of interest for LVSC

f. The potential conflicts of interest for Sheldon Adelson

g. The potential conflicts of interest for LVSC Board members

h. Adelson's ability or inability to vote on matters relating to Sands China

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

59. All communications had with, or presentations made by, any officer, employee, agent or representative of LVSC to any official of the United States or any State concerning the following:

a. Steven C. Jacobs

b. Pansy Ho

c. Leonel Alves

d. WDR

e. Cheung Chi Tai

f. Charles Heung

g. Yvonne Mao

h. Angelo Leon

i. Ng Lop Sing

j. Jack Lam

k. Lee Chai Ming

l. Edmund Ho

m. Fernando Choy

n. Luis Melo

o. Ben Toh

60. Any investigation conducted by or for the HKSE regarding Jacobs, any stock options granted to Jacobs, and/or the facts and circumstances alleged in this action, including (but not limited to) all facts provided, the date, all participants, the substance, Documents examined and/or considered, and any conclusions.

61. Any investigation into or funds paid for acquiring the rights to any sports team in Macau or Mainland China, including (but not limited to) all facts, participants, Documents reviewed and conclusions.

62. The facts concerning any default of any credit instrument or bank obligations by LVSC or any of its subsidiaries between January 1, 2008 and July 23, 2010, including (but not

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

limited to) the nature of the default, the financial terms of the default and the manner in which the potential default was avoided or default remedied.

63. The financial terms of any funding to LVSC provided by Sheldon G. Adelson or any trust or entity controlled by him to LVSC from January 1, 2008 and July 23, 2010, including (but not limited to) the financial terms of any such funding, any options provided, and the total cost of the funding to LVSC.

64. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Sheldon G. Adelson from January 1, 2007 to the present.

65. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Robert Goldstein from January 1, 2007 to the present.

66. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Mike Leven from January 1, 2007 to the present.

67. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ken Kay from January 1, 2007 to the present.

68. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by David Sisk from January 1, 2007 to the present.

69. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven C. Jacobs from January 1, 2007 to the present.

70. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Erwin Siegel from January 1, 2007 to the present.

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

71. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Jeff Schwartz from January 1, 2007 to the present.

72. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by George Koo from January 1, 2007 to the present.

73. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Irwin Chafetz from January 1, 2007 to the present.

74. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Charles Forman from January 1, 2007 to the present.

75. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven Weaver from January 1, 2007 to the present.

76. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ed Tracy from January 1, 2007 to the present.

Oral examination will continue from day to day until completed. You are invited to attend and cross examine.

DATED this 9th day of July, 2015.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 9th day of July, 2015, I caused to be sent via electronic mail and United States Mail, postage prepaid, a true and correct copy of the above and foregoing **NOTICE OF NRCP 30(b)(6) VIDEOTAPED DEPOSITION OF LAS VEGAS SANDS CORP.** properly addressed to the following:

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134
speek@hollandhart.com
rcassity@hollandhart.com

Michael E. Lackey, Jr., Esq.
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006
mlackey@mayerbrown.com

J. Randall Jones, Esq.
Mark M. Jones, Esq.
KEMP, JONES & COULTHARD
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
jrj@kempjones.com
mmj@kempjones.com

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
MORRIS LAW GROUP
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101
sm@morrislawgroup.com
rsr@morrislawgroup.com

/s/ Kimberly Peets
An employee of PISANELLI BICE PLLC

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

EXHIBIT C

EXHIBIT C

PISANELLI BICE

TODD L. BICE
ATTORNEY AT LAW
702.214.2100 TEL
702.214.2101 FAX
TLB@PISANELLIBICE.COM

July 22, 2015

VIA EMAIL:
speek@hollandhart.com

J. Stephen Peek, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134

RE: ***Jacobs v. Las Vegas Sands Corp. et al.***

Dear Steve:

The deposition of Las Vegas Sands Corp. pursuant to NRCP 30(b) is noticed for July 28, 2015. You have previously raised the need for additional time to address the notice. As I indicated to you, we are certainly willing to work with you on that, but require you to identify the topics to which you are objecting promptly so that we can get in front of the court on briefing and have those matters resolved. I have received no such list of items.

We are not going to let the July 28 deposition date pass without an agreement on the disputed topics and the briefing schedule for their immediate resolution by the court. Please provide me the list of the topics to which you are objecting, along with your proposed prompt briefing schedule for consideration.

Sincerely,

Todd L. Bice

TLB:smt

cc: All parties

EXHIBIT D

EXHIBIT D

Valerie Larsen

From: Steve Peek
Sent: Friday, July 24, 2015 2:22 PM
To: Todd Bice
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

Todd:

Thank you for your response. I obviously misunderstood our earlier conference on the topic of the 30(b)(6) and thought that you were going to be the moving party. As to your schedule for a meet and confer, I am available on Tuesday at 2 PM. Please send a call in number. As to the briefing schedule, I need to discuss with my client who is currently out of the country. I'll get back to you on Monday regarding this issue after I have had an opportunity to confer with my client.

Steve

From: Todd Bice [mailto:tlb@pisanellibice.com]
Sent: Thursday, July 23, 2015 9:27 PM
To: Steve Peek
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: Re: Jacobs v. Sands China, et al.; correspondence re deposition

Steve: it is not acceptable to ask us to cooperate on timing and then make the type of proposal that you have made. To begin with, it was not appropriate to delay until I forced a response by my letter. As I informed you from the very beginning on this issue, while we were willing to work with you on timing, we wanted the matter resolved by the court promptly. That was not and is not a consent for you to delay until the day before the scheduled deposition to finally provide a list of topics upon which you object. Had we simply enforce the requirements of the rule, you would've been required to have filed your motion before now and we would have been well on our way to a resolution, if not had the matter resolved by the court.

Furthermore, it is not my clients burden to file a motion. As the party objecting to a notice of deposition, your client has the burden of moving for and obtaining a protective order.

We will look at your objections and hold a 2.34 conference on Tuesday at 2 PM. You will need to file your motion no later than Friday of next week and have it set on an order shortening time. We will file an opposition to your motion on five business days and then we can hold a prompt hearing. We will not agree to let this be dragged out.

-- Todd.

On Jul 23, 2015, at 4:46 PM, Steve Peek <SPeek@hollandhart.com> wrote:

> Todd:

I will identify the topics in the 30(b)(6) notice to which we are objecting on or before Monday, July 27, 2015. I will be available for a meet and confer on Tuesday the 28th or Wednesday the 29th. I am in depositions on the 30th and 31st. For a briefing schedule, I would like at least 10 days to oppose your motion. You can pick the filing date and the reply period. You can also pick the hearing date so long as I have at least two full days to prepare for the hearing.

Steve

From: Shannon M. Thomas [mailto:smt@pisanellibice.com]
Sent: Wednesday, July 22, 2015 5:08 PM
To: Steve Peek
Cc: Todd Bice; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com
Subject: Jacobs v. Sands China, et al.; correspondence re deposition

Attached please find correspondence from Mr. Bice. If you have any questions, please feel free to contact him directly at (702) 214-2100.

Thank you,

Shannon Thomas
Assistant to Todd L. Bice and
Jarrod L. Rickard
Pisanelli Bice, LLC
400 South 7th Street, Suite 300
Las Vegas, NV 89101
Phone: 702-214-2100
Direct: 702-214-2106
FAX: 702-214-2101
E-Mail: smt@pisanellibice.com

Please consider the environment before printing.

Valerie Larsen

From: Steve Peek
Sent: Friday, July 24, 2015 2:22 PM
To: Todd Bice
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

Todd:

Thank you for your response. I obviously misunderstood our earlier conference on the topic of the 30(b)(6) and thought that you were going to be the moving party. As to your schedule for a meet and confer, I am available on Tuesday at 2 PM. Please send a call in number. As to the briefing schedule, I need to discuss with my client who is currently out of the country. I'll get back to you on Monday regarding this issue after I have had an opportunity to confer with my client.

Steve

From: Todd Bice [mailto:tlb@pisanellibice.com]
Sent: Thursday, July 23, 2015 9:27 PM
To: Steve Peek
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: Re: Jacobs v. Sands China, et al.; correspondence re deposition

Steve: it is not acceptable to ask us to cooperate on timing and then make the type of proposal that you have made. To begin with, it was not appropriate to delay until I forced a response by my letter. As I informed you from the very beginning on this issue, while we were willing to work with you on timing, we wanted the matter resolved by the court promptly. That was not and is not a consent for you to delay until the day before the scheduled deposition to finally provide a list of topics upon which you object. Had we simply enforce the requirements of the rule, you would've been required to have filed your motion before now and we would have been well on our way to a resolution, if not had the matter resolved by the court.

Furthermore, it is not my clients burden to file a motion. As the party objecting to a notice of deposition, your client has the burden of moving for and obtaining a protective order.

We will look at your objections and hold a 2.34 conference on Tuesday at 2 PM. You will need to file your motion no later than Friday of next week and have it set on an order shortening time. We will file an opposition to your motion on five business days and then we can hold a prompt hearing. We will not agree to let this be dragged out.

-- Todd.

On Jul 23, 2015, at 4:46 PM, Steve Peek <SPeek@hollandhart.com> wrote:

> Todd:

I will identify the topics in the 30(b)(6) notice to which we are objecting on or before Monday, July 27, 2015. I will be available for a meet and confer on Tuesday the 28th or Wednesday the 29th. I am in depositions on the 30th and 31st. For a briefing schedule, I would like at least 10 days to oppose your motion. You can pick the filing date and the reply period. You can also pick the hearing date so long as I have at least two full days to prepare for the hearing.

Steve

From: Shannon M. Thomas [mailto:smt@pisanellibice.com]
Sent: Wednesday, July 22, 2015 5:08 PM
To: Steve Peek
Cc: Todd Bice; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com
Subject: Jacobs v. Sands China, et al.; correspondence re deposition

Attached please find correspondence from Mr. Bice. If you have any questions, please feel free to contact him directly at (702) 214-2100.

Thank you,

Shannon Thomas
Assistant to Todd L. Bice and
Jarrod L. Rickard
Pisanelli Bice, LLC
400 South 7th Street, Suite 300
Las Vegas, NV 89101
Phone: 702-214-2100
Direct: 702-214-2106
FAX: 702-214-2101
E-Mail: smt@pisanellibice.com

Please consider the environment before printing.

EXHIBIT E

EXHIBIT E

HOLLAND&HART LLP

J. Stephen Peek
Phone (702) 222-2544
Fax (702) 669-4650
speek@hollandhart.com

July 27, 2015

VIA EMAIL AND U.S. MAIL

Todd Bice, Esq.
PISANELLI BICE
400 S. 7th St. Suite 300
Las Vegas, NV 89101
tlb@pisanellibice.com

RE: Jacobs v Las Vegas Sands, Corp., et al.

Dear Todd:

I am enclosing my responses and objections to your 30(b)(6) topics.

Sincerely yours,

J. Stephen Peek
of Holland & Hart LLP

JSP

cc: J. Randall Jones, Esq.
Steve Morris, Esq.
James R. Ferguson, Esq.

RESPONSES AND OBJECTIONS TO TOPICS WITHIN JACOBS' NOTICE TO TAKE 30(B)(6) DEPOSITION OF LAS VEGAS SANDS CORP.

1. All efforts to locate responsive and discoverable documents, information and evidence in this action, including (but not limited to) files searched, search terms used, the date searches were conducted and the identity of all persons involved in the search.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege and on the further basis that such information related to files searched and search terms used has previously been provided to plaintiff and his counsel. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

2. All efforts to preserve information and evidence related to this action, including (but not limited to) notices sent, the date of preservation efforts and the identity of all persons involved in such preservation.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

3. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, organizing, preserving, archiving, saving and/or destroying Documents from January 1, 2009 to the present (specifically including, but not limited to, Documents related to Steven Jacobs).

Response: LVSC objects on the grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory within the date range agreed to by the parties and approved by the court.

4. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, backing-up, organizing, preserving, archiving, saving and/or destroying electronically stored information from January 1, 2009 to the present (specifically including, but not limited to, Steven Jacobs).

Response: See Response to Topic 3

5. Any Documents and/or ESI, or any portions thereof, relating to Jacobs or the claims or defenses asserted in this action that was concealed, lost, destroyed and/or misplaced and the circumstances behind such concealment, loss, destruction and/or misplacement.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

6. Any efforts by or on behalf of LVSC to determine whether each current and/or former employee of LVSC has or had any Documents and/or ESI related to Jacobs or the claims and defenses in this action.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege and on the further basis that such information related to files searched and search terms used has previously been provided to plaintiff and his counsel. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

7. All efforts to obtain consents from anyone under the MPDPA from January 1, 2009 to the present, including (but not limited to) the date of such efforts, the identity of all persons or consents were sought and the identity of all persons involved in procuring consents.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

8. The date, persons involved and substance of any communications with any Macau government official concerning the facts and allegations of this action.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9. All damages claimed by LVSC in its counterclaim, including the facts giving rise to those damages and the manner and means of calculation.

Response: LVSC agrees to provide such information in the form of an answer to an interrogatory.

10. All communications with any government official either in the United States or Macau, Hong Kong or China concerning the MPDPA and its purported requirements, including (but not limited to) all efforts to obtain any authorizations or consents for the search of documents from January 1, 2009 to the present.

LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

11. All communications with prior employers of Plaintiff and/or Vagus Group, including (but not limited to) the participants in any such communications, the date, the substance of the communication, and any documents discussed or obtained.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

12. The factual basis for claiming that Plaintiff has stolen any property or information.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

13. All investigations into Plaintiff and/or family members, including (but not limited to) the identity of all participants, the contents of all written or verbal reports, all conclusions, and all persons with whom the information was shared.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

14. All alleged breaches of fiduciary or employment obligations by Jacobs, including (but not limited to) the date, all persons with knowledge, the alleged breaches and the location of all documents concerning any such purported breach.

Response: LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

15. The formation, purpose and operations of WDR, LLC and its subsequent dissolution, including (but not limited to) its involvement in any transfers of funds.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

16. Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

17. All investigations conducted concerning and officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

19. All investigations conducted concerning any officer, employee, agent or representative of Sands China as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

Response: LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

20. The direct or indirect relationships between LVSC or any of its subsidiaries - including (but not limited to) the date commenced, terminated, financial terms of and agreements - that concern any of the following:

a. Sociedade

b. Nove

c. Sun City

d. Neptune

e. Unik Ltd.

f. Shanghai Sat Leng

g. Dore

h. Tak Lek

i. Li Kwok Hung

j. Sat leng Unipessoal Limited

k. Cheung Chi Tai

1. Charles Heung

m. Yvonne Mao

n. Angela Leong

o. Ng Lap Sing

p. Jack Lam

q. Tantra Lotus Club

r. Lee Chai Ming

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

21. Any communications with any Macau government official, including (but not limited to) Edmund Ho, concerning the settlement of the action styled *Clive Bassett Jones, et al v. Las Vegas Sands Corp., et al.*, Eighth Judicial District Court Case No. 06-A516404.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

22. Any communications with Leonel Alves concerning payments to any third parties in exchange for receiving any form of government approvals such as (but not limited to) strata title, including (but not limited to) the date, substance of the communication and all participants to any communication[s].

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

23. The form of any notice given to Plaintiff concerning any alleged breach of fiduciary duty or terms/conditions of employment, including (but not limited to) the date, substance of the notice and all participants in the communication[s].

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL").

Without waiving such objection and to the extent such information was provided to Jacobs by LVSC, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

24. The award of any stock options or grants to Plaintiff, including (but not limited to) the factual basis for the award, the value of those options/grants when awarded, the maximum value of those options from the date of award to the present and the basis for any termination/non-exercise of the award.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it has already been discussed in previous discovery and depositions taken by Jacobs' in this matter.

Without waiving such objection and to the extent such information was provided to Jacobs by LVSC, LVSC will provide a witness on this topic, and to the extent not duplicative of previous discovery, at such time as the plaintiff seeks to take the same witness' substantive deposition.

25. The facts provided to any official and/or officer of the United States government from October 23, 2010 to the present that in any way relates to, references or concerns the Plaintiff, his complaint in this action or your defenses to this action, including (but not limited to) documents provided or discussed.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

26. Any demand for retraction of purported false and/or defamatory statements or publications made on behalf of LVSC or any of its officers or directors including (but not limited to) the date, the substance of the retraction, the participants and the substance of the purported defamatory/false statement.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

27. Any investigation conducted by LVSC, its officers, agents or representatives as to any Macau government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information

that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

28. Any investigation conducted by LVSC, its officers, agents or representatives as to any China government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

29. Any circumstances where cash or other currency exceeding a value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or any other entity controlled by Sheldon Adelson.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

30. The actual, attempted or threatened termination or separation for cause of any person holding the position of Vice President or above from January 2008 to the present, including (but not limited to) name, date, or separation events which constituted purported cause, and the ultimate resolution.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

31. Any investigations conducted by LVSC or any of its officers, agents or representatives as to potential or suspected money laundering from January 1, 2009 to the present, including but not limited to the identity of all persons involved, documents in any investigation, with whom such information was shared and the investigations' ultimate outcome/conclusion.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

32. The factual basis for any claim by LVSC that the Term Sheet dated August 3, 2009, which it filed with the United State Securities and Exchange Commission, is not valid and binding.

LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

33. Your access to and review of any phone records for Plaintiff, including the date of review, the participants, and the contents of all phone records reviewed.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

34. The access to and review of the contents of any phone used by Plaintiff, including (but not limited to) who obtained the phone, any representations made to obtain access or possession, the contents of any information obtained and with whom the contents were shared.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

35. The communications with any representative of the news media about Plaintiff from June 22, 2010 to the present.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

36. The allegations in your counterclaim at Paragraph 17 that "Jacobs was violating his obligations not only to Sands China but also to the LVSC as the majority shareholder of Sands China."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

37. The allegations in your counterclaim at Paragraphs 18-21 that Jacobs violated a "non-competition deed."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

38. The allegations in your counterclaim at Paragraphs 22-26 that "Jacobs endangers LVSC's and Sands China's relationship with the governments of Macau and China."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

39. The allegations in your counterclaim at Paragraphs 27-40 that "Jacobs delays terminating the contract between Cheung Chi-Tai and VML."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

40. The allegations in your counterclaim at Paragraphs 41-47 that "Jacobs' employment is terminated by Sands China and VML for cause and Jacobs initiates his extortion scheme."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

41. The allegations in your counterclaim at Paragraphs 48-52 that "Jacobs files a wrongful suit against LVSC in furtherance of his scheme."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

42. The allegations in your counterclaim at Paragraphs 53-60 that Jacobs has engaged in "abuse of process."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

43. The allegations in your counterclaim at Paragraphs 61-68 that Jacobs is engaged in "business defamation/disparagement."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

44. The allegations in your counterclaim at Paragraphs 69-74 that Jacobs undertook "intentional interference with respect to the economic advantage."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

45. The allegations in your counterclaim at Paragraphs 75-79 that Jacobs has undertaken "civil extortion."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

46. The factual basis for your Second Affirmative Defense that Jacobs' claims are barred by the doctrine of laches.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

47. The factual basis in your Third Affirmative Defense that Jacobs' claims are barred by the doctrine of unclean hands.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

48. The factual basis for your Fourth Affirmative Defense that Jacobs' claims are barred by the doctrine of estoppel.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

49. The factual basis for your Fifth Affirmative Defense that Jacobs' claims are barred by the doctrine of waiver.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

50. The factual basis for your Sixth Affirmative Defense that Jacobs' claims are barred by the doctrine of election of remedies.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

51. The factual basis for your Seventh Affirmative Defense that Jacobs' claims are barred by the doctrine of accord and satisfaction.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

52. The factual basis for your Eighth Affirmative Defense that Jacobs' damages, if any, were caused by his own actions and not by that of LVSC.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

53. The factual basis for your Ninth Affirmative Defense that at all times, LVSC acted in accordance with reasonable commercial standards, in good faith, and with ordinary care and LVSC's actions did not contribute to the alleged damages.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

54. The factual basis for your Tenth Affirmative Defense that Jacobs failed to do equity towards LVSC and, therefore, is not entitled to any relief from LVSC.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

55. The factual basis for your Twelfth Affirmative Defense that LVSC is not a party to the Term Sheet and, therefore, is not a proper party to the breach of contract claim.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

56. The factual basis for your Thirteenth Affirmative Defense that LVSC was not Jacobs' employer and, therefore, is not a proper party to the tortious discharge claim.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

57. The factual basis for your Fourteenth Affirmative Defense to the effect that Jacobs "breached his contractual and fiduciary obligations and therefore relieved LVSC of any further obligations" to Jacobs.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

58. Any factual presentation, including any Documents, made during road shows for the potential IPO that would become Sands China, Ltd. concerning or relating to the following:

a. The roles and responsibilities of Sheldon G. Adelson

b. The roles and responsibilities of Steven C. Jacobs

c. The roles and responsibilities of Michael Leven

d. The involvement by LVSC in Sands China's governance

e. The potential conflicts of interest for LVSC

f. The potential conflicts of interest for Sheldon Adelson

g. The potential conflicts of interest for LVSC Board members

h. Adelson's ability or inability to vote on matters relating to Sands China

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

59. All communications had with, or presentations made by, any officer, employee, agent or representative of LVSC to any official of the United States or any State concerning the following:

a. Steven C. Jacobs

b. Pansy Ho

c. Leonel Alves

d. WDR

e. Cheung Chi Tai

f. Charles Heung

g. Yvonne Mao

h. Angelo Leon

i. Ng Lop Sing

j. Jack Lam

k. Lee Chai Ming

l. Edmund Ho

m. Fernando Choy

n. Luis Melo

o. Ben Toh

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

60. Any investigation conducted by or for the HKSE regarding Jacobs, any stock options granted to Jacobs, and/or the facts and circumstances alleged in this action, including (but not limited to) all facts provided, the date, all participants, the substance, Documents examined and/or considered, and any conclusions.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

61. Any investigation into or funds paid for acquiring the rights to any sports team in Macau or Mainland China, including (but not limited to) all facts, participants, Documents reviewed and conclusions.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

62. The facts concerning any default of any credit instrument or bank obligations by LVSC or any of its subsidiaries between January 1, 2008 and July 23, 2010, including (but not limited to) the nature of the default, the financial terms of the default and the manner in which the potential default was avoided or default remedied.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

63. The financial terms of any funding to LVSC provided by Sheldon G. Adelson or any trust or entity controlled by him to LVSC from January 1, 2008 and July 23, 2010, including (but not limited to) the financial terms of any such funding, any options provided, and the total cost of the funding to LVSC.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and, without waiving such objections, LVSC will produce publicly-available information on this topic for the period 2009-2010.

64. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Sheldon G. Adelson from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and

approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

65. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Robert Goldstein from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

66. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Mike Leven from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

67. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ken Kay from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

68. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by David Sisk from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

69. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven C. Jacobs from January 1, 2007 to the present.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

70. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Erwin Siegel from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

71. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Jeff Schwartz from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

72. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by George Koo from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

73. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Irwin Chafetz from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

74. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Charles Forman from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

75. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven Weaver from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and

approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

76. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ed Tracy from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

EXHIBIT F

EXHIBIT F

Valerie Larsen

From: Steve Peek
Sent: Tuesday, July 28, 2015 2:15 PM
To: Todd Bice
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

All:

I suspect that, due to the lateness of the receipt of the dial in number for the meet and confer, we did not get participants from Kemp Jones or the Morris office. We are going to reschedule the meet and confer for later this afternoon up to 4 PM or tomorrow morning at 9:15. Please let us know of your availability. Todd, Jim and I are available in those time frames. Please do your best to be available.

Steve

From: Todd Bice [mailto:tlb@pisanellibice.com]
Sent: Tuesday, July 28, 2015 2:03 PM
To: Steve Peek
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

We are on the same dial-in number as before. 888-808-6929
Access Code: 6901009

From: Steve Peek [mailto:SPeek@hollandhart.com]
Sent: Friday, July 24, 2015 2:22 PM
To: Todd Bice <tlb@pisanellibice.com>
Cc: Shannon M. Thomas <smt@pisanellibice.com>; Jordan T. Smith <JTS@pisanellibice.com>; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity <BCassity@hollandhart.com>; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen <VLLarsen@hollandhart.com>; Ferguson, James <JFerguson@mayerbrown.com>
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

Todd:

Thank you for your response. I obviously misunderstood our earlier conference on the topic of the 30(b)(6) and thought that you were going to be the moving party. As to your schedule for a meet and confer, I am available on Tuesday at 2 PM. Please send a call in number. As to the briefing schedule, I need to discuss with my client who is currently out of

the country. I'll get back to you on Monday regarding this issue after I have had an opportunity to confer with my client.

Steve

From: Todd Bice [mailto:tlb@pisanellibice.com]
Sent: Thursday, July 23, 2015 9:27 PM
To: Steve Peek
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: Re: Jacobs v. Sands China, et al.; correspondence re deposition

Steve: it is not acceptable to ask us to cooperate on timing and then make the type of proposal that you have made. To begin with, it was not appropriate to delay until I forced a response by my letter. As I informed you from the very beginning on this issue, while we were willing to work with you on timing, we wanted the matter resolved by the court promptly. That was not and is not a consent for you to delay until the day before the scheduled deposition to finally provide a list of topics upon which you object. Had we simply enforce the requirements of the rule, you would've been required to have filed your motion before now and we would have been well on our way to a resolution, if not had the matter resolved by the court.

Furthermore, it is not my clients burden to file a motion. As the party objecting to a notice of deposition, your client has the burden of moving for and obtaining a protective order.

We will look at your objections and hold a 2.34 conference on Tuesday at 2 PM. You will need to file your motion no later than Friday of next week and have it set on an order shortening time. We will file an opposition to your motion on five business days and then we can hold a prompt hearing. We will not agree to let this be dragged out.

-- Todd.

On Jul 23, 2015, at 4:46 PM, Steve Peek <SPeek@hollandhart.com> wrote:

> Todd:
>
> I will identify the topics in the 30(b)(6) notice to which we are objecting on or before Monday, July 27, 2015. I will be available for a meet and confer on Tuesday the 28th or Wednesday the 29th. I am in depositions on the 30th and 31st. For a briefing schedule, I would like at least 10 days to oppose your motion. You can pick the filing date and the reply period. You can also pick the hearing date so long as I have at least two full days to prepare for the hearing.
>
> Steve

From: Shannon M. Thomas [mailto:smt@pisanellibice.com]
Sent: Wednesday, July 22, 2015 5:08 PM
To: Steve Peek
Cc: Todd Bice; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com
Subject: Jacobs v. Sands China, et al.; correspondence re deposition

Attached please find correspondence from Mr. Bice. If you have any questions, please feel free to contact him directly at (702) 214-2100.

Thank you,

Shannon Thomas
Assistant to Todd L. Bice and
Jarrod L. Rickard
Pisanelli Bice, LLC
400 South 7th Street, Suite 300
Las Vegas, NV 89101
Phone: 702-214-2100
Direct: 702-214-2106
FAX: 702-214-2101
E-Mail: smt@pisanellibice.com

Please consider the environment before printing.

EXHIBIT 4

EXHIBIT 4

MOT
James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
Jordan T. Smith, Esq., Bar No. 12097
JTS@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 214-2100
Facsimile: (702) 214-2101

Attorneys for Plaintiff Steven C. Jacobs

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

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVEN C. JACOBS,

Plaintiff,

v.

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

Defendants.

AND RELATED CLAIMS

Case No.: A-10-627691
Dept. No.: XI

PLAINTIFF STEVEN C. JACOBS' MOTION FOR SANCTIONS AGAINST LAS VEGAS SANDS CORP. FOR FAILURE TO APPEAR AT NRCP 30(b)(6) DEPOSITION ON ORDER SHORTENING TIME

Hearing Date:

Hearing Time:

Now that merits discovery is finally open to Plaintiff Steven Jacobs ("Jacobs"), Defendant Las Vegas Sands Corp. ("LVSC") has made clear that its continuing strategy is to delay Jacobs' rights, notwithstanding the unambiguous requirements of Nevada law. In addition to non-responsive answers to discovery which are the subject of an already pending motion to compel – and future motions that are forthcoming as to its ongoing nonproduction – LVSC willingly failed to appear for a duly noticed deposition of its NRCP 30(b)(6) representative. It did so after assuring Jacobs' counsel that it was cooperating in good faith and wanted to address purported issues within the scope of the notice. Jacobs made clear that he was willing to work with LVSC, but only if a firm agreement was reached before the depo date as to the timing of that resolution. LVSC reached

no such agreement to excuse its appearance and instead simply tried to run out the clock so that the deposition date would pass and then claim, just as it has improperly done, that it is free to file its desired motion for protective order at a time of its choosing (*i.e.* it granted itself an indefinite reprieve from its obligations). Jacobs expressly informed LVSC he would not agree to such tactics and that the deposition would not be vacated.

Jacobs asks this Court to put an end to this type of misconduct and noncompliance now. He will leave the appropriate sanction to the Court's discretion. But sanctions should issue, not only for LVSC's failure to appear, but to remind LVSC that further discovery abuses will not be tolerated.

This Motion made and based upon NRCP 37 and is supported by the accompanying Memorandum of Points and Authorities, Declaration of Todd L. Bice, Esq., the papers and pleadings on file herein, and any oral argument this Court may consider.

DATED this 31st day of July, 2015.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

ORDER SHORTENING TIME

Before this Court is the Request for an Order Shortening Time accompanied by the Declaration of counsel. Good cause appearing, the undersigned counsel will appear at Clark County Regional Justice Center, Eighth Judicial District Court, Las Vegas, Nevada, on the 13th day of August, 2015, at 8:30A m., in Department XI, or as soon thereafter as counsel may be heard, to bring this **PLAINTIFF STEVEN C. JACOBS' MOTION FOR SANCTIONS AGAINST LAS VEGAS SANDS CORP. FOR FAILURE TO APPEAR AT NRCP 30(b)(6) DEPOSITION ON ORDER SHORTENING TIME** on for hearing.

DATED: July 31, 2015

DISTRICT COURT JUDGE

Respectfully submitted by:

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

DECLARATION OF TODD L. BICE, ESQ.
IN SUPPORT OF MOTION FOR SANCTIONS AGAINST LAS VEGAS SANDS CORP. FOR FAILURE TO APPEAR AT NRCP 30(b)(6) DEPOSITION ON ORDER SHORTENING TIME

I, TODD L. BICE, Esq., being first duly sworn, hereby declare as follows:

1. I am one of the attorneys representing Plaintiff Steven C. Jacobs ("Jacobs") in the action styled *Steven C. Jacobs v. Las Vegas Sands Corp., et al.,* Case No. A627691-B, pending before this Court. I make this declaration in support of Jacobs' Motion for Sanctions Against Las Vegas Sands Corp. for Failure to Appear at NRCP 30(b)(6) Deposition on Order Shortening Time. I have firsthand knowledge of the facts stated herein and am competent to testify as to the facts.

2. On July 9, 2015, Jacobs served a Notice of NRCP 30(b)(6) Videotaped Deposition of Las Vegas Sands Corp. for July 28, 2015. (Notice of Deposition, Ex. 1.)

3. During meet and confer discussions with LVSC related to its written discovery responses, Steve Peek, Esq. indicated that he intended to object to certain topics and asked for my cooperation as to timing. I indicated that we were amenable to working with him on timing but I wanted the matter resolved promptly. Thus, for whatever objections they had to the scope of the deposition, I wanted them to put that in writing so that it could be addressed at a proper 2.34 and then this Court could decide any questions as to the proper scope of the deposition.

4. However, as of July 22, 2015, I had received no such list of purported objections – showing the topics to which they claimed an issue and those to which they did not – despite the fact that the deposition was less than a week away. Consequently, I sent LVSC a letter informing it that "[w]e are not going to let the July 28 deposition date pass without an agreement on the disputed topics and the briefing schedule for their immediate resolution." (Ltr. from Todd L. Bice, Esq. to J. Stephen Peek, Esq., July 22, 2015, Ex. 2.) If LVSC was wanting our cooperation on timing, it needed to act forthrightly.

5. Unfortunately, the next day, LVSC confirmed that it was once again trying to delay so as to get past the deposition date. I received an email stating that LVSC would not provide any information as to its purported objections and non-objections until the day before the scheduled deposition and would not be available for a meet and confer until the day of the scheduled

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

deposition. (Email String between Todd L. Bice, Esq. and J. Stephen Peek, Esq., July 23, 2015, Ex. 3.) LVSC also attempted to shift the burden onto Jacobs to file a motion even though it has the burden to seek a protective order to prevent the deposition if its witness(es) did not intend to appear.

6. I immediately responded and informed LVSC that its proposal was "not acceptable." (*Id.*) I reiterated that my willingness to work on topics was not a consent to delay until the day before the deposition. (*Id.*) In an attempt to facilitate a prompt resolution, I offered to let LVSC file its motion by Friday, July 31, 2015, and that we would have five days to respond and then the matter would be promptly set before this Court on an order shortening time. That also required LVSC to promptly provide its list of topics so that we could hold a 2.34 Conference so that the motion would be promptly filed. But LVSC declined to agree to this schedule, and instead tried to buy more time claiming that they needed to check with the client. It made no agreement to vacate the deposition.

7. LVSC further confirmed its lack of good faith at 4:54 p.m. on July 27, 2015, the day before the scheduled deposition, LVSC sent a letter objecting to each and every topic. (Email & Ltr. from J. Stephen Peek, Esq. to Todd L. Bice, Esq. July 27, 2015, Ex. 4.) Incredibly, LVSC claimed that it should not have to produce any witnesses on most of the topics and, on others, Jacobs should just simply have to wait and guess as to which witnesses to depose as the case progresses.

8. Because the parties had not come to an agreement regarding the disputed topics or a briefing schedule on a motion for protective order as referenced in my July 22, 2015 letter, we did not vacate the July 28, 2015 deposition date. (Notice of Non-Appearance, July 28, 2015, Ex. 5.)

9. LVSC's request that Jacobs work with them on scheduling only to then act in bad faith to try and get past the date of deposition, so as to claim that it could file its motion whenever it feels like it, is not permitted under the law. LVSC's objections to Jacobs' NRCP 30(b)(6) notice and failure to attend a duly noticed deposition without obtaining an actual agreement or a protective order were plainly in bad faith and meant to delay discovery.

10. An order shortening time is necessary to prevent further delays of the discovery process and prevent future discovery abuses. Thus, Jacobs requests that this Motion be heard on an order shortening time.

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

11. I certify that the purpose of this is Motion is not to cause delay, but in fact to move the case forward.

I declare under penalties of perjury of the laws of the State of Nevada that the foregoing is true and correct.

/s/ Todd L. Bice
TODD L. BICE, ESQ.

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

MEMORANDUM OF POINTS AND AUTHORITIES

I. DISCUSSION

A. LVSC's Non-Appearance is not Excused.

The facts giving rise to this motion are set forth in the Declaration of counsel. Nevada Rule of Civil Procedure 37(d) provides that if a Rule 30(b)(b) corporate designee fails to appear for a duly noticed deposition, the court may impose any sanction available under Rule 37(b)(2) (A), (B), or (C). In turn, Rule 37(b)(2) (A) through (C) allows the Court to enter an order establishing certain facts, precluding a party from supporting or opposing claims or defenses, barring the introduction of certain evidence, striking pleadings, or entering default. Notably, Rule 37(d) states that the failure to appear for a deposition "may not be excused on the ground that the discovery sought is objectionable *unless the party failing to act has applied for a protective order as provided by Rule 26(c)*." (emphasis added). This Court also has inherent authority to issue sanctions for discovery misconduct. *Young v. Johnny Ribeiro Bldg., Inc.*, 106 Nev. 88, 92, 787 P.2d 777, 779 (1990).

Here, Jacobs properly noticed LVSC's NRCP 30(b)(6) deposition for July 28, 2015. While Jacobs was willing to be flexible on certain topics to which LVSC may object, Jacobs never agreed to vacate or reschedule the deposition. Nor did Jacobs agree that LVSC could wait until the day before the scheduled deposition to object to every single category. Most importantly, Jacobs *never* granted an indefinite extension to allow LVSC to proceed at its own pace and leisure. To the contrary, Jacobs was clear and steadfast that the deposition would not be vacated unless and until the parties reached an agreement on a deadline for LVSC's motion and briefing so that the matter

would be promptly resolved. LVSC declined to make such an agreement, instead arrogantly thinking that it could simply delay and let the deposition date pass so that it could later claim that it is under no obligation or deadlines to act.

There is no agreement that allowed LVSC to do so and, since LVSC refused Jacobs' offer of an agreed briefing schedule and failed to obtain a protective order, it was required to appear at the duly-noticed deposition. *See, e.g., Anoruo v. Shinseki*, No. 2:12-CV-01190-JCM, 2013 WL 4546795, at *2 (D. Nev. Aug. 27, 2013) ("If the noticing party refuses to reschedule a properly noticed deposition, it is incumbent on the party whose deposition is noticed to move for a protective order. Absent a protective order or an order staying the deposition, the party to be deposed is required to appear for a properly noticed deposition.") (internal citation omitted).

II. CONCLUSION

Jacobs will not recite the lengthy history of this case and the conduct that has led to its current status. Unfortunately, LVSC's tactics have not changed. It simply acts as if the rules do not apply to it and that it can dictate when motions are due and when the matters will be addressed by this Court. If this Court permits this type of gamesmanship by LVSC, it will only guarantee that it continues.

DATED this 31st day of July, 2015.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 31st day of July, 2015, I caused to be served via the Court's E-Filing system true and correct copies of the above and foregoing **PLAINTIFF STEVEN C. JACOBS' MOTION FOR SANCTIONS AGAINST LAS VEGAS SANDS CORP. FOR FAILURE TO APPEAR AT NRCP 30(b)(6) DEPOSITION ON ORDER SHORTENING TIME** to the following:

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134
speek@hollandhart.com
rcassity@hollandhart.com

J. Randall Jones, Esq.
Mark M. Jones, Esq.
KEMP, JONES & COULTHARD
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
r.jones@kempjones.com
m.jones@kempjones.com

Michael E. Lackey, Jr., Esq.
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006
mlackey@mayerbrown.com

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
MORRIS LAW GROUP
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101
sm@morrislawgroup.com
rsr@morrislawgroup.com

/s/ Shannon Thomas
An employee of PISANELLI BICE PLLC

EXHIBIT 1

NOTC
James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
Jordan T. Smith, Esq., Bar No. 12097
JTS@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 214-2100
Facsimile: (702) 214-2101

Attorneys for Plaintiff Steven C. Jacobs

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

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVEN C. JACOBS,

Plaintiff,

v.

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

Defendants.

AND RELATED CLAIMS

Case No.: A-10-627691
Dept. No.: XI

NOTICE OF NRCP 30(b)(6) VIDEOTAPED DEPOSITION OF LAS VEGAS SANDS CORP.

Date of Deposition: July 28, 2015

Time of Deposition: 9:30 a.m.

PLEASE TAKE NOTICE that at 9:30 a.m. on July 28, 2015, pursuant to Rule 30(b)(6) of the Nevada Rules of Civil Procedure, Plaintiff, Stephen C. Jacobs, by and through his counsel will take the videotaped deposition of the Rule 30(b)(6) designee for Las Vegas Sands Corp. ("LVSC") at the law office of PISANELLI BICE PLLC, located at 400 South 7th Street, Suite 300, Las Vegas, Nevada 89101. The deposition will be taken upon oral examination, before a Notary Public, videographer and/or before some other officer authorized by law to administer oaths.

Pursuant to NRCP 30(b)(6), LVSC is required to designate individual[s] to provide testimony on all of the following topics:

1. All efforts to locate responsive and discoverable documents, information and evidence in this action, including (but not limited to) files searched, search terms used, the date searches were conducted and the identity of all persons involved in the search.

2. All efforts to preserve information and evidence related to this action, including (but not limited to) notices sent, the date of preservation efforts and the identity of all persons involved in such preservation.

3. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, organizing, preserving, archiving, saving and/or destroying Documents from January 1, 2009 to the present (specifically including, but not limited to, Documents related to Steven Jacobs).

4. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, backing-up, organizing, preserving, archiving, saving and/or destroying electronically stored information from January 1, 2009 to the present (specifically including, but not limited to, Steven Jacobs).

5. Any Documents and/or ESI, or any portion thereof, relating to Jacobs or the claims or defenses asserted in this action that was concealed, lost, destroyed and/or misplaced and the circumstances behind such concealment, loss, destruction and/or misplacement.

6. Any efforts by or on behalf of LVSC to determine whether each current and/or former employee of LVSC has or had any Documents and/or ESI related to Jacobs or the claims and defenses in this action.

7. All efforts to obtain consents from anyone under the MPDPA from January 1, 2009 to the present, including (but not limited to) the date of such efforts, the identity of all persons or consents were sought and the identity of all persons involved in procuring consents.

8. The date, persons involved and substance of any communications with any Macau government official concerning the facts and allegations of this action.

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

9. All damages claimed by LVSC in its counterclaim, including the facts giving rise to those damages and the manner and means of calculation.

10. All communications with any government official either in the United States or Macau, Hong Kong or China concerning the MPDPA and its purported requirements, including (but not limited to) all efforts to obtain any authorizations or consents for the search of documents from January 1, 2009 to the present.

11. All communications with prior employers of Plaintiff and/or Vagus Group, including (but not limited to) the participants in any such communications, the date, the substance of the communication, and any documents discussed or obtained.

12. The factual basis for claiming that Plaintiff has stolen any property or information.

13. All investigations into Plaintiff and/or family members, including (but not limited to) the identity of all participants, the contents of all written or verbal reports, all conclusions, and all persons with whom the information was shared.

14. All alleged breaches of fiduciary or employment obligations by Jacobs, including (but not limited to) the date, all persons with knowledge, the alleged breaches and the location of all documents concerning any such purported breach.

15. The formation, purpose and operations of WDR, LLC and its subsequent dissolution, including (but not limited to) its involvement in any transfers of funds.

16. Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

17. All investigations conducted concerning any officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

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

19. All investigations conducted concerning any officer, employee, agent or representative of Sands China as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

20. The direct or indirect relationships between LVSC or any of its subsidiaries – including (but not limited to) the date commenced, terminated, financial terms of and agreements – that concern any of the following:

a. Sociedade

b. Nove

c. Sun City

d. Neptune

e. Unik Ltd.

f. Shanghai Sat Leng

g. Dore

h. Tak Lek

i. Li Kwok Hung

j. Sat leng Unipessoal Limited

k. Cheung Chi Tai

l. Charles Heung

m. Yvonne Mao

n. Angela Leong

o. Ng Lap Sing

p. Jack Lam

q. Tantra Lotus Club

r. Lee Chai Ming

21. Any communications with any Macau government official, including (but not limited to) Edmund Ho, concerning the settlement of the action styled *Clive Bassett Jones, et al v. Las Vegas Sands Corp., et al.*, Eighth Judicial District Court Case No. 06-A516404.

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

22. Any communications with Leonel Alves concerning payments to any third parties in exchange for receiving any form of government approvals such as (but not limited to) strata title, including (but not limited to) the date, substance of the communication and all participants to any communication[s].

23. The form of any notice given to Plaintiff concerning any alleged breach of fiduciary duty or terms/conditions of employment, including (but not limited to) the date, substance of the notice and all participants in the communication[s].

24. The award of any stock options or grants to Plaintiff, including (but not limited to) the factual basis for the award, the value of those options/grants when awarded, the maximum value of those options from the date of award to the present and the basis for any termination/non-exercise of the award.

25. The facts provided to any official and/or officer of the United States government from October 23, 2010 to the present that in any way relates to, references or concerns the Plaintiff, his complaint in this action or your defenses to this action, including (but not limited to) documents provided or discussed.

26. Any demand for retraction of purported false and/or defamatory statements or publications made on behalf of LVSC or any of its officers or directors including (but not limited to) the date, the substance of the retraction, the participants and the substance of the purported defamatory/false statement.

27. Any investigation conducted by LVSC, its officers, agents or representatives as to any Macau government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

28. Any investigation conducted by LVSC, its officers, agents or representatives as to any China government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

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

29. Any circumstances where cash or other currency exceeding a value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or any other entity controlled by Sheldon Adelson.

30. The actual, attempted or threatened termination or separation for cause of any person holding the position of Vice President or above from January 2008 to the present, including (but not limited to) name, date, or separation events which constituted purported cause, and the ultimate resolution.

31. Any investigations conducted by LVSC or any of its officers, agents or representatives as to potential or suspected money laundering from January 1, 2009 to the present, including but not limited to the identity of all persons involved, documents in any investigation, with whom such information was shared and the investigations' ultimate outcome/conclusion.

32. The factual basis for any claim by LVSC that the Term Sheet dated August 3, 2009, which it filed with the United State Securities and Exchange Commission, is not valid and binding.

33. Your access to and review of any phone records for Plaintiff, including the date of review, the participants, and the contents of all phone records reviewed.

34. The access to and review of the contents of any phone used by Plaintiff, including (but not limited to) who obtained the phone, any representations made to obtain access or possession, the contents of any information obtained and with whom the contents were shared.

35. The communications with any representative of the news media about Plaintiff from June 22, 2010 to the present.

36. The allegations in your counterclaim at Paragraph 17 that "Jacobs was violating his obligations not only to Sands China but also to the LVSC as the majority shareholder of Sands China."

37. The allegations in your counterclaim at Paragraphs 18-21 that Jacobs violated a "non-competition deed."

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

38. The allegations in your counterclaim at Paragraphs 22-26 that "Jacobs endangers LVSC's and Sands China's relationship with the governments of Macau and China."

39. The allegations in your counterclaim at Paragraphs 27-40 that "Jacobs delays terminating the contract between Cheung Chi-Tai and VML."

40. The allegations in your counterclaim at Paragraphs 41-47 that "Jacobs' employment is terminated by Sands China and VML for cause and Jacobs initiates his extortion scheme."

41. The allegations in your counterclaim at Paragraphs 48-52 that "Jacobs files a wrongful suit against LVSC in furtherance of his scheme."

42. The allegations in your counterclaim at Paragraphs 53-60 that Jacobs has engaged in "abuse of process."

43. The allegations in your counterclaim at Paragraphs 61-68 that Jacobs is engaged in "business defamation/disparagement."

44. The allegations in your counterclaim at Paragraphs 69-74 that Jacobs undertook "intentional interference with respect to the economic advantage."

45. The allegations in your counterclaim at Paragraphs 75-79 that Jacobs has undertaken "civil extortion."

46. The factual basis for your Second Affirmative Defense that Jacobs' claims are barred by the doctrine of laches.

47. The factual basis in your Third Affirmative Defense that Jacobs' claims are barred by the doctrine of unclean hands.

48. The factual basis for your Fourth Affirmative Defense that Jacobs' claims are barred by the doctrine of estoppel.

49. The factual basis for your Fifth Affirmative Defense that Jacobs' claims are barred by the doctrine of waiver.

50. The factual basis for your Sixth Affirmative Defense that Jacobs' claims are barred by the doctrine of election of remedies.

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

51. The factual basis for your Seventh Affirmative Defense that Jacobs' claims are barred by the doctrine of accord and satisfaction.

52. The factual basis for your Eighth Affirmative Defense that Jacobs' damages, if any, were caused by his own actions and not by that of LVSC.

53. The factual basis for your Ninth Affirmative Defense that at all times, LVSC acted in accordance with reasonable commercial standards, in good faith, and with ordinary care and LVSC's actions did not contribute to the alleged damages.

54. The factual basis for your Tenth Affirmative Defense that Jacobs failed to do equity towards LVSC and, therefore, is not entitled to any relief from LVSC.

55. The factual basis for your Twelfth Affirmative Defense that LVSC is not a party to the Term Sheet and, therefore, is not a proper party to the breach of contract claim.

56. The factual basis for your Thirteenth Affirmative Defense that LVSC was not Jacobs' employer and, therefore, is not a proper party to the tortious discharge claim.

57. The factual basis for your Fourteenth Affirmative Defense to the effect that Jacobs "breached his contractual and fiduciary obligations and therefore relieved LVSC of any further obligations" to Jacobs.

58. Any factual presentation, including any Documents, made during road shows for the potential IPO that would become Sands China, Ltd. concerning or relating to the following:

a. The roles and responsibilities of Sheldon G. Adelson

b. The roles and responsibilities of Steven C. Jacobs

c. The roles and responsibilities of Michael Leven

d. The involvement by LVSC in Sands China's governance

e. The potential conflicts of interest for LVSC

f. The potential conflicts of interest for Sheldon Adelson

g. The potential conflicts of interest for LVSC Board members

h. Adelson's ability or inability to vote on matters relating to Sands China

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

59. All communications had with, or presentations made by, any officer, employee, agent or representative of LVSC to any official of the United States or any State concerning the following:

a. Steven C. Jacobs

b. Pansy Ho

c. Leonel Alves

d. WDR

e. Cheung Chi Tai

f. Charles Heung

g. Yvonne Mao

h. Angelo Leon

i. Ng Lop Sing

j. Jack Lam

k. Lee Chai Ming

l. Edmund Ho

m. Fernando Choy

n. Luis Melo

o. Ben Toh

60. Any investigation conducted by or for the HKSE regarding Jacobs, any stock options granted to Jacobs, and/or the facts and circumstances alleged in this action, including (but not limited to) all facts provided, the date, all participants, the substance, Documents examined and/or considered, and any conclusions.

61. Any investigation into or funds paid for acquiring the rights to any sports team in Macau or Mainland China, including (but not limited to) all facts, participants, Documents reviewed and conclusions.

62. The facts concerning any default of any credit instrument or bank obligations by LVSC or any of its subsidiaries between January 1, 2008 and July 23, 2010, including (but not

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

limited to) the nature of the default, the financial terms of the default and the manner in which the potential default was avoided or default remedied.

63. The financial terms of any funding to LVSC provided by Sheldon G. Adelson or any trust or entity controlled by him to LVSC from January 1, 2008 and July 23, 2010, including (but not limited to) the financial terms of any such funding, any options provided, and the total cost of the funding to LVSC.

64. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Sheldon G. Adelson from January 1, 2007 to the present.

65. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Robert Goldstein from January 1, 2007 to the present.

66. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Mike Leven from January 1, 2007 to the present.

67. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ken Kay from January 1, 2007 to the present.

68. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by David Sisk from January 1, 2007 to the present.

69. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven C. Jacobs from January 1, 2007 to the present.

70. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Erwin Siegel from January 1, 2007 to the present.

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

71. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Jeff Schwartz from January 1, 2007 to the present.

72. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by George Koo from January 1, 2007 to the present.

73. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Irwin Chafetz from January 1, 2007 to the present.

74. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Charles Forman from January 1, 2007 to the present.

75. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven Weaver from January 1, 2007 to the present.

76. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ed Tracy from January 1, 2007 to the present.

Oral examination will continue from day to day until completed. You are invited to attend and cross examine.

DATED this 9th day of July, 2015.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 9th day of July, 2015, I caused to be sent via electronic mail and United States Mail, postage prepaid, a true and correct copy of the above and foregoing **NOTICE OF NRCP 30(b)(6) VIDEOTAPED DEPOSITION OF LAS VEGAS SANDS CORP.** properly addressed to the following:

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134
speek@hollandhart.com
rcassity@hollandhart.com

Michael E. Lackey, Jr., Esq.
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006
mlackey@mayerbrown.com

J. Randall Jones, Esq.
Mark M. Jones, Esq.
KEMP, JONES & COULTHARD
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
jrj@kempjones.com
mmj@kempjones.com

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
MORRIS LAW GROUP
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101
sm@morrislawgroup.com
rsr@morrislawgroup.com

/s/ Kimberly Peets
An employee of PISANELLI BICE PLLC

EXHIBIT 2

PISANELLI BICE

TODD L. BICE
ATTORNEY AT LAW
702.214.2100 TEL
702.214.2101 FAX
TLB@PISANELLIBICE.COM

July 22, 2015

VIA EMAIL:
speek@hollandhart.com

J. Stephen Peek, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134

RE: ***Jacobs v. Las Vegas Sands Corp. et al.***

Dear Steve:

The deposition of Las Vegas Sands Corp. pursuant to NRCP 30(b) is noticed for July 28, 2015. You have previously raised the need for additional time to address the notice. As I indicated to you, we are certainly willing to work with you on that, but require you to identify the topics to which you are objecting promptly so that we can get in front of the court on briefing and have those matters resolved. I have received no such list of items.

We are not going to let the July 28 deposition date pass without an agreement on the disputed topics and the briefing schedule for their immediate resolution by the court. Please provide me the list of the topics to which you are objecting, along with your proposed prompt briefing schedule for consideration.

Sincerely,

Todd L. Bice

TLB:smt

cc: All parties

EXHIBIT 3

Todd Bice

From: Steve Peek <SPeek@hollandhart.com>
Sent: Friday, July 24, 2015 2:22 PM
To: Todd Bice
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

Todd:

Thank you for your response. I obviously misunderstood our earlier conference on the topic of the 30(b)(6) and thought that you were going to be the moving party. As to your schedule for a meet and confer, I am available on Tuesday at 2 PM. Please send a call in number. As to the briefing schedule, I need to discuss with my client who is currently out of the country. I'll get back to you on Monday regarding this issue after I have had an opportunity to confer with my client.

Steve

From: Todd Bice [mailto:tlb@pisanellibice.com]
Sent: Thursday, July 23, 2015 9:27 PM
To: Steve Peek
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: Re: Jacobs v. Sands China, et al.; correspondence re deposition

Steve: it is not acceptable to ask us to cooperate on timing and then make the type of proposal that you have made. To begin with, it was not appropriate to delay until I forced a response by my letter. As I informed you from the very beginning on this issue, while we were willing to work with you on timing, we wanted the matter resolved by the court promptly. That was not and is not a consent for you to delay until the day before the scheduled deposition to finally provide a list of topics upon which you object. Had we simply enforce the requirements of the rule, you would've been required to have filed your motion before now and we would have been well on our way to a resolution, if not had the matter resolved by the court.

Furthermore, it is not my clients burden to file a motion. As the party objecting to a notice of deposition, your client has the burden of moving for and obtaining a protective order.

We will look at your objections and hold a 2.34 conference on Tuesday at 2 PM. You will need to file your motion no later than Friday of next week and have it set on an order shortening time. We will file an opposition to your motion on five business days and then we can hold a prompt hearing. We will not agree to let this be dragged out.

-- Todd.

On Jul 23, 2015, at 4:46 PM, Steve Peek <SPeek@hollandhart.com> wrote:

> Todd:

I will identify the topics in the 30(b)(6) notice to which we are objecting on or before Monday, July 27, 2015. I will be available for a meet and confer on Tuesday the 28th or Wednesday the 29th. I am in depositions on the 30th and 31st. For a briefing schedule, I would like at least 10 days to oppose your motion. You can pick the filing date and the reply period. You can also pick the hearing date so long as I have at least two full days to prepare for the hearing.

Steve

From: Shannon M. Thomas [mailto:smt@pisanellibice.com]
Sent: Wednesday, July 22, 2015 5:08 PM
To: Steve Peek
Cc: Todd Bice; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com
Subject: Jacobs v. Sands China, et al.; correspondence re deposition

Attached please find correspondence from Mr. Bice. If you have any questions, please feel free to contact him directly at (702) 214-2100.

Thank you,

Shannon Thomas
Assistant to Todd L. Bice and
Jarrod L. Rickard
Pisanelli Bice, LLC
400 South 7th Street, Suite 300
Las Vegas, NV 89101
Phone: 702-214-2100
Direct: 702-214-2106
FAX: 702-214-2101
E-Mail: smt@pisanellibice.com

EXHIBIT 4

Todd Bice

From: Valerie Larsen <VLLarsen@hollandhart.com>
Sent: Monday, July 27, 2015 4:54 PM
To: Todd Bice; James Pisanelli; Debra Spinelli
Cc: Randall Jones; Mark M. Jones; Erica Bennett; 'Steve Morris'; Rosa Solis-Rainey; Ferguson, James
Subject: Jacobs v. Las Vegas Sands Corp.
Attachments: 2015-07-27 Letter to T. Bice re 30(b)(6) topic responses & objections.pdf

Mr. Bice:

Please see the attached correspondence from Steve Peek. The same will be mailed to your office.

Valerie Larsen
Assistant to:
J. Stephen Peek, Robert Cassity,
Nicole Lovelock, and Kristofer Leavitt
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone (702) 669-4600
Fax (702) 669-4650
E-mail: VLLarsen@hollandhart.com

HOLLAND&HART
THE LAW OF THE WEST

HOLLAND&HART LLP

J. Stephen Peek
Phone (702) 222-2544
Fax (702) 669-4650
speek@hollandhart.com

July 27, 2015

VIA EMAIL AND U.S. MAIL

Todd Bice, Esq.
PISANELLI BICE
400 S. 7th St. Suite 300
Las Vegas, NV 89101
tlb@pisanellibice.com

RE: Jacobs v Las Vegas Sands, Corp., et al.

Dear Todd:

I am enclosing my responses and objections to your 30(b)(6) topics.

Sincerely yours,

J. Stephen Peek

J. Stephen Peek
of Holland & Hart LLP

JSP

cc: J. Randall Jones, Esq.
Steve Morris, Esq.
James R. Ferguson, Esq.

RESPONSES AND OBJECTIONS TO TOPICS WITHIN JACOBS' NOTICE TO TAKE 30(B)(6) DEPOSITION OF LAS VEGAS SANDS CORP.

1. All efforts to locate responsive and discoverable documents, information and evidence in this action, including (but not limited to) files searched, search terms used, the date searches were conducted and the identity of all persons involved in the search.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege and on the further basis that such information related to files searched and search terms used has previously been provided to plaintiff and his counsel. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

2. All efforts to preserve information and evidence related to this action, including (but not limited to) notices sent, the date of preservation efforts and the identity of all persons involved in such preservation.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

3. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, organizing, preserving, archiving, saving and/or destroying Documents from January 1, 2009 to the present (specifically including, but not limited to, Documents related to Steven Jacobs).

Response: LVSC objects on the grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory within the date range agreed to by the parties and approved by the court.

4. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, backing-up, organizing, preserving, archiving, saving and/or destroying electronically stored information from January 1, 2009 to the present (specifically including, but not limited to, Steven Jacobs).

Response: See Response to Topic 3

5. Any Documents and/or ESI, or any portions thereof, relating to Jacobs or the claims or defenses asserted in this action that was concealed, lost, destroyed and/or misplaced and the circumstances behind such concealment, loss, destruction and/or misplacement.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

6. Any efforts by or on behalf of LVSC to determine whether each current and/or former employee of LVSC has or had any Documents and/or ESI related to Jacobs or the claims and defenses in this action.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege and on the further basis that such information related to files searched and search terms used has previously been provided to plaintiff and his counsel. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

7. All efforts to obtain consents from anyone under the MPDPA from January 1, 2009 to the present, including (but not limited to) the date of such efforts, the identity of all persons or consents were sought and the identity of all persons involved in procuring consents.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

8. The date, persons involved and substance of any communications with any Macau government official concerning the facts and allegations of this action.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9. All damages claimed by LVSC in its counterclaim, including the facts giving rise to those damages and the manner and means of calculation.

Response: LVSC agrees to provide such information in the form of an answer to an interrogatory.

10. All communications with any government official either in the United States or Macau, Hong Kong or China concerning the MPDPA and its purported requirements, including (but not limited to) all efforts to obtain any authorizations or consents for the search of documents from January 1, 2009 to the present.

LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

11. All communications with prior employers of Plaintiff and/or Vagus Group, including (but not limited to) the participants in any such communications, the date, the substance of the communication, and any documents discussed or obtained.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

12. The factual basis for claiming that Plaintiff has stolen any property or information.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

13. All investigations into Plaintiff and/or family members, including (but not limited to) the identity of all participants, the contents of all written or verbal reports, all conclusions, and all persons with whom the information was shared.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

14. All alleged breaches of fiduciary or employment obligations by Jacobs, including (but not limited to) the date, all persons with knowledge, the alleged breaches and the location of all documents concerning any such purported breach.

Response: LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

15. The formation, purpose and operations of WDR, LLC and its subsequent dissolution, including (but not limited to) its involvement in any transfers of funds.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

16. Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

17. All investigations conducted concerning and officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

19. All investigations conducted concerning any officer, employee, agent or representative of Sands China as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

Response: LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

20. The direct or indirect relationships between LVSC or any of its subsidiaries - including (but not limited to) the date commenced, terminated, financial terms of and agreements - that concern any of the following:

a. Sociedade

b. Nove

c. Sun City

d. Neptune

e. Unik Ltd.

f. Shanghai Sat Leng

g. Dore

h. Tak Lek

i. Li Kwok Hung

j. Sat leng Unipessoal Limited

k. Cheung Chi Tai

1. Charles Heung

m. Yvonne Mao

n. Angela Leong

o. Ng Lap Sing

p. Jack Lam

q. Tantra Lotus Club

r. Lee Chai Ming

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

21. Any communications with any Macau government official, including (but not limited to) Edmund Ho, concerning the settlement of the action styled *Clive Bassett Jones, et al v. Las Vegas Sands Corp., et al.*, Eighth Judicial District Court Case No. 06-A516404.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

22. Any communications with Leonel Alves concerning payments to any third parties in exchange for receiving any form of government approvals such as (but not limited to) strata title, including (but not limited to) the date, substance of the communication and all participants to any communication[s].

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

23. The form of any notice given to Plaintiff concerning any alleged breach of fiduciary duty or terms/conditions of employment, including (but not limited to) the date, substance of the notice and all participants in the communication[s].

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL").

Without waiving such objection and to the extent such information was provided to Jacobs by LVSC, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

24. The award of any stock options or grants to Plaintiff, including (but not limited to) the factual basis for the award, the value of those options/grants when awarded, the maximum value of those options from the date of award to the present and the basis for any termination/non-exercise of the award.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it has already been discussed in previous discovery and depositions taken by Jacobs' in this matter.

Without waiving such objection and to the extent such information was provided to Jacobs by LVSC, LVSC will provide a witness on this topic, and to the extent not duplicative of previous discovery, at such time as the plaintiff seeks to take the same witness' substantive deposition.

25. The facts provided to any official and/or officer of the United States government from October 23, 2010 to the present that in any way relates to, references or concerns the Plaintiff, his complaint in this action or your defenses to this action, including (but not limited to) documents provided or discussed.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

26. Any demand for retraction of purported false and/or defamatory statements or publications made on behalf of LVSC or any of its officers or directors including (but not limited to) the date, the substance of the retraction, the participants and the substance of the purported defamatory/false statement.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

27. Any investigation conducted by LVSC, its officers, agents or representatives as to any Macau government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information

that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

28. Any investigation conducted by LVSC, its officers, agents or representatives as to any China government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

29. Any circumstances where cash or other currency exceeding a value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or any other entity controlled by Sheldon Adelson.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

30. The actual, attempted or threatened termination or separation for cause of any person holding the position of Vice President or above from January 2008 to the present, including (but not limited to) name, date, or separation events which constituted purported cause, and the ultimate resolution.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

31. Any investigations conducted by LVSC or any of its officers, agents or representatives as to potential or suspected money laundering from January 1, 2009 to the present, including but not limited to the identity of all persons involved, documents in any investigation, with whom such information was shared and the investigations' ultimate outcome/conclusion.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

32. The factual basis for any claim by LVSC that the Term Sheet dated August 3, 2009, which it filed with the United State Securities and Exchange Commission, is not valid and binding.

LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

33. Your access to and review of any phone records for Plaintiff, including the date of review, the participants, and the contents of all phone records reviewed.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

34. The access to and review of the contents of any phone used by Plaintiff, including (but not limited to) who obtained the phone, any representations made to obtain access or possession, the contents of any information obtained and with whom the contents were shared.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

35. The communications with any representative of the news media about Plaintiff from June 22, 2010 to the present.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

36. The allegations in your counterclaim at Paragraph 17 that "Jacobs was violating his obligations not only to Sands China but also to the LVSC as the majority shareholder of Sands China."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

37. The allegations in your counterclaim at Paragraphs 18-21 that Jacobs violated a "non-competition deed."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

38. The allegations in your counterclaim at Paragraphs 22-26 that "Jacobs endangers LVSC's and Sands China's relationship with the governments of Macau and China."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

39. The allegations in your counterclaim at Paragraphs 27-40 that "Jacobs delays terminating the contract between Cheung Chi-Tai and VML."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

40. The allegations in your counterclaim at Paragraphs 41-47 that "Jacobs' employment is terminated by Sands China and VML for cause and Jacobs initiates his extortion scheme."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

41. The allegations in your counterclaim at Paragraphs 48-52 that "Jacobs files a wrongful suit against LVSC in furtherance of his scheme."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

42. The allegations in your counterclaim at Paragraphs 53-60 that Jacobs has engaged in "abuse of process."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

43. The allegations in your counterclaim at Paragraphs 61-68 that Jacobs is engaged in "business defamation/disparagement."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

44. The allegations in your counterclaim at Paragraphs 69-74 that Jacobs undertook "intentional interference with respect to the economic advantage."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

45. The allegations in your counterclaim at Paragraphs 75-79 that Jacobs has undertaken "civil extortion."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

46. The factual basis for your Second Affirmative Defense that Jacobs' claims are barred by the doctrine of laches.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

47. The factual basis in your Third Affirmative Defense that Jacobs' claims are barred by the doctrine of unclean hands.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

48. The factual basis for your Fourth Affirmative Defense that Jacobs' claims are barred by the doctrine of estoppel.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

49. The factual basis for your Fifth Affirmative Defense that Jacobs' claims are barred by the doctrine of waiver.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

50. The factual basis for your Sixth Affirmative Defense that Jacobs' claims are barred by the doctrine of election of remedies.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

51. The factual basis for your Seventh Affirmative Defense that Jacobs' claims are barred by the doctrine of accord and satisfaction.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

52. The factual basis for your Eighth Affirmative Defense that Jacobs' damages, if any, were caused by his own actions and not by that of LVSC.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

53. The factual basis for your Ninth Affirmative Defense that at all times, LVSC acted in accordance with reasonable commercial standards, in good faith, and with ordinary care and LVSC's actions did not contribute to the alleged damages.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

54. The factual basis for your Tenth Affirmative Defense that Jacobs failed to do equity towards LVSC and, therefore, is not entitled to any relief from LVSC.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

55. The factual basis for your Twelfth Affirmative Defense that LVSC is not a party to the Term Sheet and, therefore, is not a proper party to the breach of contract claim.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

56. The factual basis for your Thirteenth Affirmative Defense that LVSC was not Jacobs' employer and, therefore, is not a proper party to the tortious discharge claim.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

57. The factual basis for your Fourteenth Affirmative Defense to the effect that Jacobs "breached his contractual and fiduciary obligations and therefore relieved LVSC of any further obligations" to Jacobs.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

58. Any factual presentation, including any Documents, made during road shows for the potential IPO that would become Sands China, Ltd. concerning or relating to the following:

a. The roles and responsibilities of Sheldon G. Adelson

b. The roles and responsibilities of Steven C. Jacobs

c. The roles and responsibilities of Michael Leven

d. The involvement by LVSC in Sands China's governance

e. The potential conflicts of interest for LVSC

f. The potential conflicts of interest for Sheldon Adelson

g. The potential conflicts of interest for LVSC Board members

h. Adelson's ability or inability to vote on matters relating to Sands China

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

59. All communications had with, or presentations made by, any officer, employee, agent or representative of LVSC to any official of the United States or any State concerning the following:

a. Steven C. Jacobs

b. Pansy Ho

c. Leonel Alves

d. WDR

e. Cheung Chi Tai

f. Charles Heung

g. Yvonne Mao

h. Angelo Leon

i. Ng Lop Sing

j. Jack Lam

k. Lee Chai Ming

1. Edmund Ho

m. Fernando Choy

n. Luis Melo

o. Ben Toh

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

60. Any investigation conducted by or for the HKSE regarding Jacobs, any stock options granted to Jacobs, and/or the facts and circumstances alleged in this action, including (but not limited to) all facts provided, the date, all participants, the substance, Documents examined and/or considered, and any conclusions.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

61. Any investigation into or funds paid for acquiring the rights to any sports team in Macau or Mainland China, including (but not limited to) all facts, participants, Documents reviewed and conclusions.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

62. The facts concerning any default of any credit instrument or bank obligations by LVSC or any of its subsidiaries between January 1, 2008 and July 23, 2010, including (but not limited to) the nature of the default, the financial terms of the default and the manner in which the potential default was avoided or default remedied.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

63. The financial terms of any funding to LVSC provided by Sheldon G. Adelson or any trust or entity controlled by him to LVSC from January 1, 2008 and July 23, 2010, including (but not limited to) the financial terms of any such funding, any options provided, and the total cost of the funding to LVSC.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and, without waiving such objections, LVSC will produce publicly-available information on this topic for the period 2009-2010.

64. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Sheldon G. Adelson from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and

approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

65. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Robert Goldstein from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

66. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Mike Leven from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

67. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ken Kay from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

68. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by David Sisk from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

69. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven C. Jacobs from January 1, 2007 to the present.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

70. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Erwin Siegel from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

71. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Jeff Schwartz from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

72. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by George Koo from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

73. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Irwin Chafetz from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

74. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Charles Forman from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

75. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven Weaver from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and

approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

76. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ed Tracy from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

EXHIBIT 5

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVEN C. JACOBS, Plaintiff, v. LAS VEGAS SANDS CORP., a Nevada corporation; SANDS CHINA LTD., a Cayman Islands corporation; DOES I through X; and ROE CORPORATIONS I through X, Defendants.	CASE NO. A-10-627691 DEPT. NO. XI
AND RELATED CLAIMS	

CERTIFICATE OF NONAPPEARANCE

IN THE SCHEDULED DEPOSITION OF

THE 30(B)(6) DESIGNEE OF LAS VEGAS SANDS CORP.

LAS VEGAS, NEVADA

TUESDAY, JULY 28, 2015

Reported By Kele R. Smith, NV CCR No. 672, CA CSR No. 13405

Job No. 256403

SCHEDULED DEPOSITION OF THE 30(B)(6) DESIGNEE OF LAS VEGAS SANDS CORP.,

taken at 400 South Seventh Street, Suite 300, Las Vegas, Nevada, on Tuesday, July 28, 2015, at 9:50 a.m., before Kele R. Smith, Certified Court Reporter, in and for the State of Nevada.

APPEARANCES:

For the Plaintiff:

PISANELLI BICE
BY: JORDAN T. SMITH, ESQ.
400 South Seventh
Suite 300
Las Vegas, Nevada 89101
(702) 214-2100
jts@pisanellibice.com

CERTIFICATE OF REPORTER

STATE OF NEVADA)
)
COUNTY OF CLARK)

I, KELE R. SMITH, Certified Shorthand Reporter, do hereby declare the following:

That pursuant to the request of Jordan T. Smith, counsel for Steven C. Jacobs, Plaintiff in the above-entitled cause, I did appear in the law offices of Pisanelli Bice, 400 South Seventh Street, Suite 300, in the City of Las Vegas, County of Clark, State of Nevada, at 9:30 a.m. on Tuesday, July 28, 2015, for the purpose of placing under oath and reporting the testimony of The 30(B)(6) Designee of Las Vegas Sands Corp., the Defendant in the above-entitled cause;

That I remained at said location until 9:50 a.m. on said date, during which time the witness did not appear, and during which time Jordan T. Smith, Esq. was present.

IN WITNESS WHEREOF, I have hereunto affixed my hand this 27th day of July, 2015.

KELE R. SMITH, CCR NO. 672, CSR NO. 13405

EXHIBIT 3A

EXHIBIT 3A

OPPS
James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
Jordan T. Smith, Esq., Bar No. 12097
JTS@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 214-2100
Facsimile: (702) 214-2101

Attorneys for Plaintiff Steven C. Jacobs

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVEN C. JACOBS,

Plaintiff,

v.

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

Defendants.

AND RELATED CLAIMS

Case No.: A-10-627691
Dept. No.: XI

PLAINTIFF STEVEN C. JACOBS' OPPOSITION TO DEFENDANT LAS VEGAS SANDS CORP.'S MOTION FOR PROTECTIVE ORDER ON ORDER SHORTENING TIME

Hearing Date: August 13, 2015

Hearing Time: 8:30 a.m.

I. INTRODUCTION

In a post-hac attempt to rationalize its noncompliance with NRCP 30(b)(6), Defendant Las Vegas Sands Corp. ("LVSC") claims that it has acted in good faith, did not improperly object to every designated topic and did not engage in purposeful stalling attempting to get past the deposition date so that it could later claim that it was under no obligation to act promptly. Hardly. It is Jacobs who offered to work out a briefing schedule with LVSC to get any objections that it had in front of this Court and resolve promptly. But in response to that offer, LVSC delayed trying to get past the deposition date. Then, the evening before the scheduled deposition it sent a lengthy objection to each and every topic, claiming that it either should not have to produce a witness or it

should have the luxury of designating topics whenever Jacobs is ready to depose other witnesses. Tellingly, LVSC cites no legal authority that entitled it to such an assertion. It knew it had no legal basis and simply used the objection as a stalling tactic. It now claims that it should be rewarded for that conduct by delaying producing witnesses until nearly two months after the notice of deposition was served.

Now, after securing delay, LVSC reverses course, acknowledges that it is obligated to comply, but claims that it should simply be given even more time to do so. It now maintains objections to about a dozen of Jacobs' designated topics. Each of Jacobs' topics, contrary to LVSC's claims, is properly tailored to obtain discoverable information in this case. LVSC's motion, which is itself untimely, should be denied and Jacobs permitted to proceed with the previously noticed deposition immediately.

II. DISCUSSION

A. Jacobs Is Entitled to Broad Discovery

Nevada's Rule of Civil Procedure permit broad discovery. *See, e.g., Palmer v. Pioneer Inn Associates, Ltd.*, 118 Nev. 943, 952, 59 P.3d 1237, 1243 (2002) ("[T]he rules of civil procedure, especially the discovery rules, are designed to afford parties broad access to information . . . ."). "Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action. . . ." NRCP 26(b)(1). Discovery is permissible as long as "the information sought appears reasonably calculated to lead to the discovery of admissible evidence." *Id.* The phrase "reasonably calculated" means "'*any possibility*'" that information sought may be relevant to subject matter of action." *Morse/Diesel, Inc. v. Fid. & Deposit Co. of Maryland*, 122 F.R.D. 447, 449 (S.D.N.Y. 1988) (quoting *Mallinckrodt Chemical Works v. Goldman, Sachs*, 58 F.R.D. 348, 353 (S.D.N.Y. 1973)).

The United States Supreme Court has held"[c]onsistent[] with the notice-pleading system established by the Rules, discovery is not limited to issues raised by the pleadings, for discovery itself is designed to help define and clarify the issues. Nor is discovery limited to the merits of a case, for a variety of fact-oriented issues may arise during litigation that are not related to the merits." *Oppenheimer Fund, Inc. v. Sanders*, 437 U.S. 340, 351 (1978). Events that occur beyond

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

certain temporal limitations are not beyond discovery if "the information sought is otherwise relevant to the issues in the case." *See id*. at 352.

The burden is on the party resisting discovery to demonstrate why discovery should be denied. *F.T.C. v. AMG Servs., Inc*., 291 F.R.D. 544, 553 (D. Nev. 2013). "The 'objecting party must specifically detail the reasons why each request is irrelevant' and may not rely on boilerplate, generalized, conclusory, or speculative arguments." *Id*. (quoting *Painters Joint Committee v. Employee Painters Trust Health & Welfare Fund*, No. 2:10–CV–1385 JCM (PAL), 2011 WL 4573349, at *5 (D. Nev. 2011)). The party asserting "overbreadth" must "'provide sufficient detail in terms of time, money and procedure required to produce the requested documents'" in relation to the amount in controversy. *City of Seattle v. Prof'l Basketball Club*, LLC, No. C07-1620MJP, 2008 WL 539809, at *3 (W.D. Wash. Feb. 25, 2008) (quoting *Super Film, Inc. v. UCB Films, Inc*., 219 F.R.D. 649, 651 (D. Kan. 2004)); NRCP 26(b)(2)(iii). The expenditure of time and effort alone is not a sufficient objection. *City of Seattle,* 2008 WL 539809, at *3. Unsurprisingly, LVSC fails to substantiate any of its rhetoric with actual proof. It simply claims that asserting "burden" is all it must do to avoid discovery.

LVSC also ignores the purpose of NRCP 30(b)(6), particularly when it attempts to claim that Jacobs should simply have to await other depositions in order to obtain the information he seeks. In fact, this is precisely what the rule is designed to avoid. One of the purposes of the rule is to avoid the practice of "bandying" for a company's employees show up at deposition and disclaim knowledge of facts known within the company. *Smithkline Beecham Corp. v. Apotex Corp*., 2000 WL116082 at *8-9 (N.D. Ill., Jan. 24, 2000). The purpose of the rule is to compel the company to produce witnesses who can speak on the company's behalf so as to streamline the discovery process and avoid putting the burden on Jacobs as to guess who will admit to having knowledge or disavowing having knowledge. A good example of this recently occurred with the deposition of Dan Briggs, LVSC's Director of Investor Relations. Briggs was quick to tell the company line about how everyone disliked Jacobs and he did such a terrible job in Macau, going so far as to claim that it was discussed by "everybody." (Dep. Dan Briggs, Aug. 5, 2015 at 96:1-98:3, Ex. 1.)[1] But

[1] Currently, only the electronic draft of the deposition transcript is available.

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

when Briggs was pressed to identify the individual with whom he discussed this matter and supposedly had knowledge, particularly Macau, he could identify virtually no one. Briggs went so far as to suggest that maybe he would come up with some names later on, no doubt after his deposition. *Id*. And this is precisely one of the purposes of NRCP 30(b)(6) seeks to remedy.

A NRCP 30(b)(6) deposition notice is not overbroad because the categories allow for reasonable follow up on the topics. *See Masco Corp. of Indiana v. Price Pfister Inc.,* No. 94-728-A, 1994 WL 761246, at *3 (E.D. Va. Oct. 7, 1994) *aff'd in part, rev'd in part on other grounds*, No. CIV. A. 94-728-A, 1994 WL 791968 (E.D. Va. Oct. 28, 1994)("Plaintiff shall produce for deposition one or more 30(b)(6) designees who can answer all yet-unanswered questions and all reasonable follow-up questions on behalf of Plaintiff."); *Alexander v. F.B.I.*, 186 F.R.D. 113, 120-21 (D. D.C. 1998) (allowing reasonable follow up questions to 30(b)(6) topic).

B. The ESI Protocol Does Not Limit Discovery

This Court has already rejected LVSC's first assertion that the ESI Protocol acts as a limitation on all discovery. When ruling on Jacobs' Motion to Compel Production Discoverable Documents, the Court held that the limitation in the ESI protocol only applies to electronically stored information and did not otherwise limit the scope of discovery. (*See* Hr'g Tr. at 18:22-19:2, Aug. 6, 2015, on file). Jacobs' 30(b)(6) topics are not subject to a narrow temporal limitation because, as explained below, all of the topics are reasonably calculated to lead to the discovery admissible evidence of relevant issues in this case. *Oppenheimer Fund, Inc*., 437 U.S. at 352.

C. Jacobs' 30(b)(6) Topics Seek Relevant and Discoverable Information

1. Topics 8, 25, and 59: Communications with Macau and United States Government Officials

LVSC attempts to avoid producing a witness on these topics because they have "no bearing on the FAC's allegations, or any defense LVSC might raise." (Mot. at 11:1-2.) Not true. Besides, discovery is not limited to the exact allegations in a complaint or the affirmative defenses raised by a party. *See Oppenheimer Fund, Inc.*, 437 U.S. at 351 (discovery is not limited to issues raised in the pleadings). Conversations with Macanese and American government officials about the allegations in the Complaint are highly relevant. It is well known that this litigation has led to

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

numerous internal and governmental investigations. Jacobs is entitled to discover the information and communications about what LVSC has told others about this case. Particularly government regulators. A party that provides information or documents to the Department of Justice or the Securities and Exchange Commission about events in civil litigation cannot claim that the information is not discoverable. *Biben v. Card*, 119 F.R.D. 421 (W.D. Mo. 1987)

Additionally, this Court has already found a number of the individuals identified in Topic 59 to be relevant and discoverable. The Court granted Jacobs Motion to Compel Production of Discoverable Documents as to Request for Production 50 which related to Ng Lap Sing, Charles Heung, Yvonne Mao, and Lee Ching Ming. (*See* Hr'g Tr. at 20:3-4, Aug. 6, 2015.) LVSC acknowledges that Leonel Alves, Cheung Chi Tai, Jack Lam, and WDR are relevant. (Mot. at 11:3-6.) The same theory of relevancy allows Jacobs to conduct discovery on Pansy Ho, Angelo Leon, Edmund Ho, and Fernando Choy. This individuals have connections to junket operations about which Jacobs raised concerns and about which government investors are likely interested. Additionally, LVSC commissioned an investigative report on Pansy Ho just as it did with the other Vickers Reports – contradicting Adelson's testimony that LVSC engaged in no such practice. Underscoring LVSC's bad faith, it does not agree that Luis Melo or Ben Toh — Sand China employees — are discoverable topics.

LVSC's other claims of undue burden or that the information is more easily obtained from Sands China are too generic to be credited. *F.T.C.*, 291 F.R.D. at 553; *City of Seattle,* 2008 WL 539809, at *3.

2. *Topics 16-19 and 31: Investigations Relating to FCPA and Money Laundering*

LVSC concedes, as it must, that Jacobs' Fourth Amended Complaint contains allegations of FCPA violations and money laundering. However, the FCPA and money laundering issues are not limited to Leonel Alves or WDR as LVSC pretends. *See also Oppenheimer Fund, Inc.*, 437 U.S. at 351 (discovery is not limited to issues raised in the pleadings). Jacobs reported, and sought outside advice from, others regarding the FCPA and money laundering concerns. Jacobs is entitled to demonstrate that the real reasons for his termination are not as LVSC and Sands China want to pretend, but rather to silence Jacobs. Furthermore, as the Court witnessed at the jurisdictional

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

hearing, money laundering in the form of ATAs is relevant to demonstrating that Sands China does derive revenue from Las Vegas and uses LVSC casinos as de facto bank accounts. These issues are hardly speculative and are not part of an imagined fishing expedition. LVSC knows the extent of its true conduct and that is the actual reason that it does not wish to produce a witness on these issues.

3. *Topic 20: LVSC's Relationship with Certain Entities and Individuals*

Again, this Court has already determined that the individuals and entities identified in Topic 20 are relevant and discoverable. As stated above, the Court granted Jacobs Motion to Compel Production of Discoverable Documents as to Request for Production 50 which related to Ng Lag Sing, Charles Heung, Yvonne Mao, Lee Ching Ming and Tantra Lotus Club. (*See* Hr'g Tr. at 20:3-4, Aug. 6, 2015.) Angela Leong is relevant for the same reasons as demonstrated by LVSC's failure to protest other document requests related to her. The Court also granted Jacobs' Motion to Compel regarding Request for Production 34 which involved the junkets Sat Leng Sociedade Unipessoal Limited, Nov[e], Sun City, Neptune, Unik Ltd, Shanghai Sat Leng, Dore, Tak Lek, and Li Kwok Hung. (*Id.* at 19:8-11.) And LVSC agrees that Cheung Chi Tai and Jack Lam, are relevant. (Mot. at 15:12-13.) Accordingly, all of these topics are discoverable and Jacobs' is entitled to ask questions on these topics with reasonable follow up. *Masco Corp. of Indiana,* 1994 WL 761246, at *3; *Alexander v. F.B.I.*, 186 F.R.D. at 120-21.

4. *Topic 21: The Clive Bassett Lawsuit*

This is CDC lawsuit, which relates directly to Jacobs' claims. As this Court knows, one of the issues is Adelson's assertion to Jacobs that the Macau government "owed" him Strata Title for having settled the CDC litigation. This Court has already ordered LVSC to produce documents surrounding that settlement. (*See* Hr'g Tr. at 20-21 , Aug. 6, 2015.) LVSC's current attempt to claim that does not understand the relevancy of that matter to this dispute is neither serious nor substantive.

5. *Topic 26: LVSC's Retraction Demands*

Once more, the Court has already permitted discovery on defamation lawsuits filed by LVSC, or LVSC's threats to file defamation lawsuits. The Court granted Jacobs' Motion to Compel

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

Request for Production 39 which requested "all documents and/or communications that concern, reference, or relate to any lawsuits filed or claims threatened by [LVSC] for defamation" with a 10 year limitation (*See* Hr'g Tr. at 19:22-23, Aug. 6, 2015.) As Jacobs has explained previously, LVSC's other defamation actions go to demonstrating LVSC's malice because it recognizes the importance of reputation and the damage that can be done with slandering people. In other words, LVSC (and Adelson) knew the extent of damage a defamatory statement can cause and it had the intent to inflict that damage onto Jacobs. LVSC's conclusory statements a supposed burden do not outweigh Jacobs' entitlement to the information. *F.T.C.*, 291 F.R.D. at 553; *City of Seattle,* 2008 WL 539809, at *3.

6. *Topic 27-28: Investigations of Macau Governmental Officials*

The relevancy of these topics is obvious. Jacobs contends — and the evidence at the jurisdictional hearing confirmed — that Adelson believes he was the victim of unequal and improper treatment by foreign government officials. And, as Jacobs has maintained, it is that belief which served as the catalyst for the much-discussed Vickers Reports which document Adelson's claims suspicions of unequal treatment and motives by governmental officials. As Leven's testimony confirmed, Adelson felt that he was being victimized by these officials, and wanted to know why. Conversely, Adelson proclaims that Jacobs went rogue and commissioned the investigations on his own. These reports and the circumstances surrounding them are central to this dispute. Jacobs is entitled to ask a knowledgeable witness about the reports as well as any reasonable follow up questions. *Masco Corp. of Indiana v*1994 WL 761246, at *3; *Alexander v. F.B.I.*, 186 F.R.D. at 120-21.

7. *Topic 29: Transportation of Currency Into the United States*

"[C]ircumstances where cash or other currency exceeding the value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or other entity controlled by Sheldon Adelson" are relevant for the same reasons articulated for 16-19 and 31 related to the FCPA and money laundering. Jacobs had concerns during his tenure regarding elicit money transfers, payments, and suspected bribes. That reality cannot be seriously disputed in light of Leven's own acknowledgement of the serious concerns he had about Lionel Alves' 300 million dollar proposal.

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

Why someone like Alves would think that such a proposal was proper to be made to LVSC, and why Adelson was so insistent upon retaining Alves' services despite objections from Jacobs, as well as LVSC's own general counsel, confirms Jacobs' point. Furthermore, as this Court should recall from the jurisdictional hearing, Adelson went out of his way to complain about Jacobs' conduct in being unwilling to fly on a private aircraft with a host of these individuals, claiming that Jacobs wanted to just waste money by flying commercial. Adelson knows full well why Jacobs opposed being on that aircraft and pretending otherwise will not avoid the facts. Testimony on these topics is relevant to establish that Jacobs was fired over his disagreements with Adelson on these practices and to prevent Jacobs from discussing his concerns with the Sands China Board of Directors. *Harrison v. Falcon Products, Inc.*, 103 Nev. 558, 560, 746 P.2d 642, 642 (1987) ("A party is allowed to discover any information that is 'reasonably calculated to lead to the discovery of admissible evidence.'").

8. *Topic 30: Prior Threats and/or Terminations for Cause*

Jacobs agrees with LVSC that the number of people that the company has actually, attempted, or threatened to terminate for cause is "ridiculous." The fact is that LVSC and Adelson have a pattern and practice of terminating executives and fabricating reasons "for cause" after the fact to cheat those executives out of their compensation. This is Adelson's and LVSC's standard method of operation. Jacobs should be permitted to develop evidence of LVSC's routine business practice and motive for doing the same thing to him. Further, Jacobs should be allowed to discover the supposed grounds for cause asserted in other instances to compare his supposed reasons for termination to the alleged reasons of other executives. Finally, a core issue in Jacobs' breach of contract claim stemming from the Term Sheet is the meaning of the "standard language" of the "for cause" provision. Jacobs is entitled to discovery into the "standard language" of other for cause provisions in other executives' employment contracts. Therefore, unlike *Murphy v. Kmart Corporation*, 255 F.R.D. 497, 506 (D. S.D. 2009), this information is entirely relevant to Jacobs' claims.

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

9. ***Topic 60: Hong Kong Stock Exchange Investigations Regarding Jacobs Options***

This topic is patently discoverable. After Jacobs' termination, the Hong Kong Stock Exchanged launched an inquiry related to the timing of the award of 2.5 million Sands China options to Jacobs. LVSC and Sand China now argue that Jacobs never accepted the Sands China options. Plainly, what LVSC and/or Sands China told the Hong Kong regulator about these options is highly relevant to this case. This topic goes to proving the existence of the contract and the amount of Jacobs' damages.

10. ***Topic 61: Investigations Regarding Macau/Chinese Sports Teams***

This topic is discoverable for the same reasons as topics 16-19, 29 and 31 related to the FCPA. Jacobs has alleged that Adelson and LVSC funded a sports team to curry favor with governmental officials. LVSC acknowledges that this issue is raised in the Fourth Amended Complaint. (Mot. at 21:10-14.) For these reasons, this area is subject to discovery.

11. ***Topic 62: LVSC Credit/Bank Obligations***

Finally, the facts related to LVSC's near-miss default are relevant to explaining the financial "iceberg" that LVSC hit before Jacobs arrived and the value of Jacobs' efforts in helping to save the company and its shareholders. LVSC's dire financial condition was caused by Adelson's failure to access capital markets in a timely fashion and forced LVSC to turn to Adelson to obtain a bailout on unfavorable financial terms. LVSC's poor finances was the key motivating factor for spinning off the Macau operations. These circumstances provide context to Jacobs' hiring and the extraordinary conditions in which he was working. As this Court should recall, at the jurisdictional hearing, both Adelson and Goldstein went out of their way to take cheap shots at Jacobs, claiming that his specialty was "firing people." But of course, the requirements of the extraordinary cost-cutting that Jacobs had to implement were the direct product of Adelson's mismanagement and dysfunctional relationship with his former COO, William Widener. Both Adelson and Goldstein confirmed the relevancy of this subject matter during their own testimony at the jurisdictional hearing. Consequently, this information is relevant and discoverable. LVSC provides nothing beyond boilerplate objections utterly devoid of substance that would preclude discovery. *F.T.C.*, 291 F.R.D. at 553; *City of Seattle*, 2008 WL 539809, at *3.

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

D. Written Interrogatories are Not an Adequate Substitute for Oral Examination

The rules "do not permit a party served with a rule 30(b)(6) deposition notice or subpoena requests 'to elect to supply the answers in a written response to an interrogatory'" *Great American Ins. Co. of New York v. Vegas Const. Co., Inc.*, 251 F.R.D. 534, 539 (D. Nev. 2008) (quoting *Marker v. Union Fidelity Life Ins.*, 125 F.R.D. 121, 126 (M.D. N.C. 1989)). The reason for this is because "'the deposition process provides a means to obtain more complete information and is, therefore, favored.'" *Id.* Nor is LVSC permitted to claim that Jacobs must just accept the internal documents as providing the company's position. *Id.* LVSC's self-serving offer to provide written responses does not obviate Jacobs' right to take an oral deposition of these topics. "There is no burden on the party seeking the deposition to show that written interrogatories would not be sufficient for its purposes. In fact, the procedure is just the opposite." *Greenberg v. Safe Lighting, Inc, Inertia Switch Div.*, 24 F.R.D. 410, 411 (S.D.N.Y. 1959). Written questions lack the flexibility of oral examination, prevent follow-up questioning, negate counsel's ability to observe the witness's demeanor and assess credibility, and allow opposing counsel to assist with responses. *Sherrod v. Breitbart*, 304 F.R.D. 73, 76 (D. D.C. 2014); *Mill-Run Tours, Inc. v. Khashoggi*, 124 F.R.D. 547, 549 (S.D.N.Y. 1989). The advantages of an oral deposition far outweigh any benefit from written interrogatories. *Greenberg,* 24 F.R.D. at 411.[2]

LVSC coyly proposes that it be allowed to answer questions about its ESI and evidence preservation through written interrogatories. However, as this Court will recall from the first sanctions hearing, what LVSC's witnesses testify to regarding ESI preservation is not consistent with the representations to this Court. Indeed, Michael Kostrinsky confirmed a very different reality to what LVSC wants to acknowledge. Live testimony of a witness with knowledge will allow Jacobs to learn the truth about the preservation — and destruction — of evidence.

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

[2] Moreover, NRCP 31(b) still requires a witness to attend a deposition and answer the questions orally. *Kendrick v. Bowen*, No. CIV. 83-3175, 1989 WL 39012, at *1 n.2 (D.D.C. Apr. 13, 1989) ("Rule 31 clearly contemplates a witness's personal presence at a deposition, where the witness delivers his or her testimony orally. It does not contemplate written responses to the written deposition questions."). Thus, LVSC would still be required to produce a witness to respond orally to the written questions.

LVSC has proven itself to be untrustworthy with its discovery practices. Recently, the mystery list of the 35 (sometimes 34) reasons for Jacobs' termination still has not been produced despite Adelson's insistence that it exists. Additionally, Kostrinsky and Manjit Singh testified that a foil envelop was brought back to the United States containing certain electronic storage devices which have mysteriously been misplaced. Jacobs is entitled to explore these topics, and others, with a live witness with knowledge.

Similarly, Jacobs is entitled to a deposition regarding LVSC's purported damages and information pertaining to the IPO roadshow. LVSC has failed to comply with the most basic requirements NRCP 16.1(a)(1)(C) by neglecting to disclose a damage calculation. LVSC's 5th Supplemental Disclosure of June 23, 2015 simply states, "LVSC is in the process of calculating its damages and will supplement this disclosure accordingly." (Ex. 2.) Now that discovery is underway, Jacobs is entitled to explore LVSC's claimed damages.

LVSC cannot seriously dispute that the IPO roadshow is relevant to this action. During the jurisdictional hearing, Adelson was critical of Jacobs' performance on the IPO roadshow (even though Rob Goldstein described Jacobs' participation as "instrumental.") Jacobs should be permitted to elicit information demonstrating that Adelson's criticism is fabricated.

E. LVSC Had Sufficient Time to Prepare Its Witnesses

Despite the passage of over a month, LVSC has failed to make any effort whatsoever to make a witness available. It is noteworthy that LVSC offers to produce a witness on August 24, after refusing to produce anyone. Now, after having procured delay by letting the deposition date pass so it could file its motion at its convenience, it asks this Court to simply look the other way on its noncompliance. Unremarkably, it provides no law permitting its actions.

. . .

. . .

. . .

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

III. CONCLUSION

Jacobs' NRCP 30(b)(6) topics are reasonably calculated to lead to the discovery of admissible evidence and do not impose an undue burden or hardship on LVSC. LVSC's objections are nothing more than empty rhetoric by a litigant that wants to make specious assertions against Jacobs but then opposes discovery that will expose how its assertions are a fabrication undertaken simply to avoid its obligations. It is LVSC that undertook the actions relative to Jacobs, and it is LVSC and its Chairman who undertook to slander Jacobs to deflect from their own misconduct. The fact that LVSC does not want to now have witnesses appear and be confronted over these facts is hardly a legitimate grounds to oppose discovery. Its Motion should be rejected.

DATED this 12th day of August, 2015.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 12th day of August, 2015, I caused to be served via the Court's E-Filing system true and correct copies of the above and foregoing **PLAINTIFF STEVEN C. JACOBS' OPPOSITION TO DEFENDANT LAS VEGAS SANDS CORP.'S MOTION FOR PROTECTIVE ORDER ON ORDER SHORTENING TIME** to the following:

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134
speek@hollandhart.com
rcassity@hollandhart.com

J. Randall Jones, Esq.
Mark M. Jones, Esq.
KEMP, JONES & COULTHARD
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
r.jones@kempjones.com
m.jones@kempjones.com

Michael E. Lackey, Jr., Esq.
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006
mlackey@mayerbrown.com

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
MORRIS LAW GROUP
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101
sm@morrislawgroup.com
rsr@morrislawgroup.com

/s/ Shannon Thomas
An employee of PISANELLI BICE PLLC

EXHIBIT 1

DRAFT

TRANSCRIPT

Jacobs vs. LV Sands

Daniel Briggs

Wednesday, August 5, 2015

By: Carre Lewis, NV CCR 497, CA CSR 13337

nvccr497@cox.net

Litigation Services & Technologies

(702) 314-7200

Q. When is the first time you heard of any dissatisfaction with Mr. Jacobs?

A. I don't recall the first time I heard of any dissatisfaction. Dissatisfaction from whom? I don't understand.

Q. From anyone inside the company.

A. I don't recall when, but Mr. Jacobs reputation within the company was -- was very negative from the minute he got to Macau.

Q. Okay. His reputation was very negative from the minute he got to Macau?

A. Yes.

Q. So that would have been -- if he had gotten to Macau on or about May 6 of 2009, his reputation was very negative as of then?

A. The feedback I got there people that worked in Macau was negative.

Q. So who were these people that you got feedback from?

A. My various colleagues in Macau.

Q. I need the names. Who were these people?

A. Let's see. People in the corporate communications department, people in the legal department, people on the operations side in Macau.

Q. Sounds like a lot of people.

A. Yes.

Q. So I need -- can you -- you can't identify any of these people by name?

A. The discussions and conversations were broad based with people working in Macau. So long time ago, but just general conversations.

Q. With whom?

A. With people from corporate communications, legal, operations, various -- various personnel there.

Q. You can't give me a single name?

A. I think Dylan Williams would be one person that's still employed with us.

Q. Okay.

A. Where I had a conversation about that.

Q. All right. Any others, whether they are still employed or not I want you to tell us all of the people you talked to who you said Mr. Jacobs reputation stems from?

A. I'm not going to be able to remember in detail these conversations, it's like six, seven years ago.

Q. So Dylan Williams is one let's deal with the names first then the substance.

A. Yes.

Q. Anybody else

A. I can't recall now. Like I said, long time ago.

EXHIBIT 2

ELECTRONICALLY SERVED
06/23/2015 04:24:16 PM

DDW
J. Stephen Peek, Esq.
Nevada Bar No. 1759
Robert J. Cassity, Esq.
Nevada Bar No. 9779
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
(702) 669-4600
(702) 669-4650 – fax
speek@hollandhart.com
bcassity@hollandhart.com

Attorneys for Defendant Las Vegas Sands Corp.

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED ACTIONS	CASE NO.: A627691-B DEPT. NO.: XI Date: n/a Time: n/a **LAS VEGAS SANDS CORP.'S FIFTH SUPPLEMENT TO ITS DISCLOSURES PURSUANT TO N.R.C.P. 16.1**

Defendant Las Vegas Sands Corp. ("LVSC"), by and through its counsel of record, Holland & Hart LLP, pursuant to N.R.C.P. 16.1 hereby submits its fifth supplement to its initial list of witnesses and documents as follows **(new information in bold)**:

I.

SUPPLEMENTAL DISCLOSURES PURSUANT TO RULE 16.1(a)(1)(A)

1. **Darlene Dushan, Director of Payroll, Las Vegas Sands Corp., c/o Holland & Hart LLP, 9555 Hillwood Dr., 2nd Floor, Las Vegas, Nevada, 89134. This witness is expected to testify that Jacobs did not obtain salary or benefits from LVSC.**

2. **Iain Fairbairn, Executive Director - Project, Venetian Macau Limited, c/o Kemp, Jones & Coulthard, LLP, 3800 Howard Hughes Pkwy., Seventeenth Floor, Las**

Vegas, Nevada 89169 and Holland & Hart LLP, 9555 Hillwood Dr., 2nd Floor, Las Vegas, Nevada 89134. This witness is expected to testify as to his knowledge of the facts and circumstances at issue in this action, including, but not limited to, the performance of his job duties regarding the design of Parcels 5 & 6, his interactions with Steve Jacobs, and Steve Jacobs' job performance.

3. **Vanessa Dores, Director for Human Resources, Venetian Macau Limited, c/o Kemp, Jones & Coulthard, LLP, 3800 Howard Hughes Pkwy., Seventeenth Floor, Las Vegas, Nevada 89169 and Holland & Hart LLP, 9555 Hillwood Dr., 2nd Floor, Las Vegas, Nevada 89134. This witness is expected to testify as to her knowledge of the facts and circumstances at issue in this action, including, but not limited to, the facts and circumstances regarding Jacobs' compensation and benefits.**

LVSC reserves its right to call any person disclosed by any other parties to testify at the trial of this action. Further, LVSC reserves its right to supplement this list of individuals as additional persons become known to LVSC.

II.

DISCLOSURES PURSUANT TO RULE 16.1(a)(1)(B)[1]

1) LVS00000001 – LVS00019749, disclosed on July 28, 2011 (amended November 23, 2011);

2) LVS00019750 – LVS00033153, disclosed on August 1, 2011 (amended November 23, 2011);

3) LVS00033154 – LVS00036298, disclosed on August 5, 2011;

4) LVS00100001 – LVS00100174, disclosed on April 5, 2012;

5) LVS00100175 – LVS00100573, disclosed on May 23, 2012;

6) LVS00100574 – LVS00111087, disclosed on May 15, 2012;

7) LVS00111088 – LVS00117188, disclosed on June 1, 2012;

8) LVS00117189 – LVS00119458, disclosed on June 25, 2012;

9) LVS00119459 – LVS00128380, disclosed on August 8, 2012;

[1] An index to each production was included with, or provided shortly after, each document production.

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

10) LVS00128381 – LVS00144159, disclosed on August 22, 2012;

11) LVS00144160 – LVS00206573, disclosed on August 31, 2012;

12) LVS00206574 – LVS00231030, disclosed on September 27, 2012;

13) LVS00231031 – LVS00267369, disclosed on November 15, 2012;

14) LVS00267370 – LVS00267579, disclosed on December 5, 2012;

15) LVS00267580 – LVS00267982, disclosed on December 31, 2012; and

16) LVS00267983 – LVS00268060, disclosed on January 17, 2014.

LVSC is currently in the process of reviewing its documents, including its electronically stored information and hard copy documents at LVSC, and will continue to produce documents on a rolling basis as expeditiously as practicable.

Any production of documents or ESI by LVSC is subject to the provisions of the Stipulated Confidentiality Agreement and Protective Order on file in this case. Nothing in these disclosures is a representation that any particular document or thing is relevant to any issue in this action or that any particular document or things exists or is in LVSC's possession, custody or control. LVSC reserves its right to further supplement this list of documents as additional documents become known or made available to LVSC. Further, LVSC reserves its right to utilize any documents, ESI or tangible things disclosed by any other party as exhibits at trial. Nothing herein constitutes a waiver of LVSC's rights or obligations under any law, including but not limited to laws regarding any matter or information that is or may be claimed to be confidential, proprietary or otherwise personal or private.

III.

DISCLOSURES PURSUANT TO RULE 16.1(a)(1)(C)

LVSC is in the process of calculating its damages and will supplement this disclosure accordingly.

///

///

///

///

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

IV.

DISCLOSURES PURSUANT TO RULE 16.1(a)(1)(D)

LVSC is in the process of assessing its insurance policies and will supplement accordingly.

DATED June 23, 2015.

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

Attorneys for Defendant Las Vegas Sands Corp.

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of June 2015, a true and correct copy of the foregoing **LAS VEGAS SANDS CORP.'S FIFTH SUPPLEMENT TO ITS DISCLOSURES PURSUANT TO N.R.C.P. 16.1** was served by the following method(s):

☒ Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

James J. Pisanelli, Esq.
Debra L. Spinelli, Esq.
Todd L. Bice, Esq.
Pisanelli & Bice
3883 Howard Hughes Parkway, Suite 800
Las Vegas, Nevada 89169
214-2100
214-2101 – fax
jjp@pisanellibice.com
dls@pisanellibice.com
tlb@pisanellibice.com
kap@pisanellibice.com – staff
see@pisanellibice.com – staff

Attorney for Plaintiff

Valerie Larsen
An Employee of Holland & Hart LLP

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

7861992_3

EXHIBIT 3

EXHIBIT 3

MPOR
J. Stephen Peek, Esq.
Nevada Bar No. 1759
Robert J. Cassity, Esq.
Nevada Bar No. 9779
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
(702) 669-4600
(702) 669-4650 – fax
speek@hollandhart.com
bcassity@hollandhart.com

Attorneys for Defendant Las Vegas Sands Corp.

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-X; and ROE CORPORATIONS I-X, Defendants. AND ALL RELATED ACTIONS	CASE NO.: A627691-B DEPT. NO.: XI Date: Time: **MOTION FOR PROTECTIVE ORDER** **EX PARTE APPLICATION FOR ORDER SHORTENING TIME AND ORDER THEREON**

Defendant LAS VEGAS SANDS CORP. ("LVSC"), by and through its undersigned counsel, seeks a protective order with respect to the Notice of Deposition by Plaintiff, Steve Jacobs, pursuant to Nevada Rule of Civil Procedure ("NRCP") 30(b)(6) of LVSC. Pursuant to EDCR 2.26, LVSC respectfully requests that the Court hear this Motion on shortened time.

///

///

///

///

///

The Motion is based on the following memorandum of points and authorities, the papers and pleadings on file herein, and any oral argument the Court may allow.

DATED August 3, 2015.

/s/ Stephen Peek
J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Dr., 2nd Floor
Las Vegas, Nevada 89134

Attorneys for Defendants Las Vegas Sands

EX PARTE APPLICATION FOR ORDER SHORTENING TIME

Pursuant to EDCR 2.26, Defendant Las Vegas Sands Corp. ("LVSC") respectfully requests that the Court hear its Motion for Protective Order on shortened time. Good cause supports LVSC's request for an order shortening time. Specifically, as discussed in greater detail in the Declaration of J. Stephen Peek below, Plaintiff served a Notice of Deposition of LVSC pursuant to NRCP 30(b)(6) for July 28. After receiving the Notice, LVSC served objections and the parties met and conferred on the topics set forth in the Notice pursuant to a schedule negotiated between the parties. However, the parties were unable to resolve LVSC's objections to the Notice. Given the parties' agreement to resolve the disputed topics expeditiously and on an order shortening time in light of the originally proposed July 28 date for the deposition, and because these topics need to be resolved promptly, LVSC respectfully requests that the Court set this Motion on an order shortening time.

DATED August 3, 2015.

/s/ Stephen Peek
J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Dr., 2nd Floor
Las Vegas, Nevada 89134

Attorneys for Defendant Las Vegas Sands Corp.

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

DECLARATION OF J. STEPHEN PEEK, ESQ.

I, J. Stephen Peek, Esq., declare as follows:

1. On Thursday, July 9, 2015 at 5:28 p.m., I received by e-service a copy of the Notice of Deposition of Las Vegas Sands Corp. ("LVSC") pursuant to NRCP 30(b)(6), unilaterally scheduling the deposition for July 28, 2015 at 10:00 a.m. A copy of the Notice of Deposition is attached to the Motion as **Exhibit "A."**

2. On Monday, July 13, 2015 at 11:00 a.m., I participated in a meet-and-confer telephone conference with Todd Bice and counsel for the other defendants regarding LVSC's responses to Plaintiff's Fourth Request for Production of Documents. At the conclusion of this conference call, I discussed with Mr. Bice the fact that we had received the Notice, that LVSC objected to the topics in the Notice and the date of the proposed deposition, and that we would be preparing our objections to the topics. Because of the large number of topics, I also informed Mr. Bice that we would need additional time to prepare our objections to the Notice and we would not be able to attend a 30(b)(6) deposition on or before July 28, 2015.

3. On July 22, 2015, Mr. Bice sent me a letter in which he acknowledged my request for additional time to object to the Notice, and advised that the parties would need to reach agreement on the disputed topics and briefing schedule prior to July 28 so the issues could be resolved promptly for resolution by the court. A copy of the July 22 Letter is attached to the Motion as **Exhibit "B."**

4. On July 23, 2015, I emailed Mr. Bice, proposing that LVSC would identify the topics on which LVSC objected by July 27 and informing him that I was available for a meet-and-confer on Tuesday, July 28, or Wednesday July 29, 2015. A copy of my email correspondence with Mr. Bice is attached as **Exhibit "C."**

5. On July 23, 2015, Mr. Bice responded by email, stating: "[w]e will look at your objections and hold a 2.34 conference on Tuesday at 2 PM. You will need to file your motion no later than Friday of next week [July 31] and have it set on an order shortening time."

6. Based upon Mr. Bice's July 23 email, and the fact that we would be holding a meet-and-confer on the topics in the Notice at July 28 at 2 p.m., I understood that there was no

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

need for LVSC to appear on that same date at 10 a.m., prior to meeting-and-conferring on those topics. Nor did Mr. Bice indicate that LVSC was still expected to appear for deposition on the morning of July 28.

7. On July 24, I responded to Mr. Bice's email, confirming our agreement to participate in a meet-and-confer on Tuesday, July 28 at 2 p.m., and I specifically requested that Mr. Bice send out a call in number.

8. As promised, on Monday, July 27, I sent a letter to Mr. Bice enclosing LVSC's objections to the topics set forth in the Notice. A true and correct copy of the letter with objections is attached as **Exhibit "D."**

9. Although I was prepared for the meet-and-confer, Mr. Bice did not send a call-in number until after 2 p.m. on Tuesday, July 28. Once the dial-in number was sent out, I joined the conference call with Mr. Bice but counsel for the other defendants did not join the conference call.

10. When it became apparent that a call on July 28 was not feasible, I suggested to Mr. Bice that we reconvene the conference call later in the day or the next morning, July 29 at 9:15 a.m. A copy of my email is attached as **Exhibit "E."**

11. Counsel for the parties held a telephonic meet-and-confer regarding LVSC's objections to the Notice on July 29 at 9:30 a.m. and we met-and-conferred further at 3:30 p.m.

12. The parties were unable to resolve their differences regarding the objections to the topics set forth in the Notice, thereby necessitating the instant Motion for Protective Order.

13. Because the parties agreed to bring the instant Motion on an order shortening time in light of the proposed date of the deposition in the Notice, we respectfully request that the Court set this hearing on shortened time, together with the other hearings scheduled for August 13, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

DATED August 3, 2015.

/s/ Stephen Peek
J. STEPHEN PEEK

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

ORDER SHORTENING TIME

Having considered the Ex Parte Application for Order Shortening Time filed by Defendant LVSC, and good cause appearing,

IT IS HEREBY ORDERED that Defendant Las Vegas Sands Corp.'s Motion for Protective Order shall come for hearing before Department XI of the above-entitle Court on the 13 day of August 2015 at the hour of 8:30 a.m./p.m.

DATED this 5th day of August, 2015.

DISTRICT COURT JUDGE

Respectfully submitted by:

/s/ Stephen Peek
J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Dr., 2nd Floor
Las Vegas, Nevada 89134

Attorneys for Defendants Las Vegas Sands Corp.

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

///

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR PROTECTIVE ORDER

I.

INTRODUCTION AND FACTUAL BACKGROUND

The breadth of Plaintiff's Rule 30(b)(6) Notice is astounding. Plaintiffs' Notice sets forth 76 topics – with several topics including multiple sub-topics. All together, the Notice includes over 100 requests. Most of Plaintiffs' topics diverge far from the allegations in the Fourth Amended Complaint ("FAC"), making quite clear Jacobs' intent to harass and unduly burden LVSC while conducting a fishing expedition.

Notwithstanding that most of Jacobs' topics are clearly irrelevant to the FAC's claims or any defenses likely to be raised by LVSC, LVSC has agreed to provide either a witness or an interrogatory response as to all of the topics with the exception of Topics 8, 16-21, 25-31 and 59-62. Despite LVSC's good faith, Jacobs continues to pursue these topics, which are extremely overbroad and not reasonably calculated to lead to the discovery of admissible evidence. Further, with respect to Jacobs' 30(b)(6) Notice generally, Jacobs seeks discovery that is inconsistent with this Court's June 22, 2011 Order regarding the appropriate time limitations on discovery. As set forth below, LVSC is entitled to a protective order.

II.

LEGAL ANALYSIS

A. Legal Standard

Nevada Rule of Civil Procedure 26(c) provides that:

> Upon motion by a party or by the person from whom discovery is sought, accompanied by a certification that the movant has in good faith conferred or attempted to confer with the other affected parties in an effort to resolve the dispute without court action, and for good cause shown, the court in which the action is pending may make any order which justice requires to ***protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense***….

The district court has broad discretion to grant protective orders for good cause. *See id.*; *Brown Bag Software v. Symantec Corp.*, 960 F.2d 1465, 1470 (9th Cir. 1992).

"[C]ourts need not condone the use of discovery to engage in 'fishing expedition[s].'"

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

Rivera v. NIBCO, Inc., 364 F.3d 1057, 1072 (9th Cir. 2004) (quoting *Exxon Corp. v. Crosby-Mississippi Resources, Ltd.*, 40 F.3d 1474, 1487 (5th Cir. 1995)). A broad construction of relevancy "should not be misapplied so as to allow fishing expeditions in discovery." *Hofer v. Mack Trucks, Inc.*, 981 F.2d 377, 380 (8th Cir.1993). "Some threshold showing of relevance must be made before parties are required to open wide the doors of discovery and to produce a variety of information which does not reasonably bear upon the issues in the case." *Id.*; *accord Voggenthaler v. Maryland Square, LLC*, 2011 WL 112115, at *8 (D. Nev. Jan. 13, 2011) (following *Rivera* and *Hofer*).

"Discovery into matters not relevant to the case imposes a *per se* undue burden." *White v. Deere & Company*, 2015 WL 1385210, at *9 (D. Col. Mar. 23, 2015). While the party seeking a protective order ordinarily bears the burden of showing good cause, "when a discovery request does not have relevance on its face, the party seeking discovery has the burden to show relevancy." *Id.*

With respect to breadth, courts have found 30(b)(6) notices to be overbroad when the "[p]laintiff broadens the scope of the designated topics by indicating that the areas of inquiry will 'includ[e], but not [be] limited to' the areas specifically enumerated." *Reed v. Bennett*, 193 F.R.D. 689, 692 (D. Kan. 2000). An overbroad 30(b)(6) notice "subjects the noticed party to an impossible task. To avoid liability, the noticed party must designate persons knowledgeable in the areas of inquiry listed in the notice. Where ... the [deponent] cannot identify the outer limits of the areas of inquiry noticed, compliant designation is not feasible." *Id.* Further, although there is an "implicit obligation on the deponent to prepare the witness," Rule 30(b)(6) implies "an equivalent obligation on the deposing party to designate with painstaking specificity, the particular subject areas that are intended to be questioned." *Century Surety Company v. Smith*, 2014 WL 7666061, at *4 (D. Col. Jan. 21, 2015).

Moreover, under NRCP 26(b)(2), this Court may bar discovery if the information sought is "obtainable from some other source that is more convenient, less burdensome, or less expensive." *See also Adele v. Dunn*, 2012 WL 5420256, at *3 (D. Nev. Nov. 5, 2012) (court has broad discretion to limit or bar discovery where "the requested discovery is unreasonably

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

cumulative or duplicative and can be obtained from other sources that are more convenient, less burdensome, and less expensive").

Finally, the mere fact that Plaintiff references certain matters in the FAC does not make them relevant. "If a party could unilaterally alter the scope of discovery merely by including extraneous allegations in the complaint, the limitations on discovery contemplated by Rule 26 quickly become a dead letter." *Vives v. City of New York*, 2003 WL 282191, at *1 (S.D.N.Y. Feb. 10, 2003).

B. Complaint Allegations

According to the allegations in the Fourth Amended Complaint ("FAC"), Jacobs' dealings with LVSC began in approximately March 2009. FAC ¶ 18. According to the FAC, in May 2009, Jacobs became interim President of Macau Operations. FAC ¶ 20. Jacobs alleges that his employment was pursuant to a "Term Sheet" provided to him on August 4, 2009. FAC ¶ 23.

According to the FAC, during his employment, Jacobs raised concerns relating to certain topics with LVSC's COO and general counsel. *See* FAC ¶¶ 31-32. For example, Jacobs alleges that he raised concerns under the U.S. Foreign Corrupt Practices Act ("FCPA") with respect to the hiring of an attorney, Leonel Alves. FAC ¶¶ 31(d), 33. Jacobs also alleges that he raised money laundering concerns with respect to an entity identified as WDR, LLC. FAC ¶ 35.

On July 23, 2010, Jacobs' was terminated. FAC ¶ 42. Not long after, Jacobs was informed that his termination was "for cause." FAC ¶ 45. Jacobs contends that he was not terminated for cause, but because he reported to LVSC certain "improprieties" and "refused to carry out [Sheldon] Adelson's illegal demands." FAC ¶¶ 32-33. Jacobs further claims that LVSC later defamed him through a March 15, 2011 press release, in which LVSC again stated its position that Jacobs had been terminated for cause. FAC ¶ 73.

Based on these allegations, Jacobs asserts five claims against LVSC: (a) breach of contract; (b) breach of the implied duty of good faith and fair dealing; (c) tortious discharge; (d) defamation; and (e) civil conspiracy.

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

C. The Topics In The Notice Are Overbroad To The Extent They Have No Time Limitation Or Request Information For A Time Period Inconsistent With This Court's June 22, 2011 Order.

On June 22, 2011, Plaintiff and Defendants agreed – and this Court ordered – that ESI discovery would be limited to an approximately 20-month time period based on Plaintiff's allegations in this case. Specifically, this Court ordered: "Except as otherwise agreed by the Parties (whether with respect to particular custodians or otherwise), the date parameters for all ESI to be searched and produced by the Parties are January 1, 2009 to October 20, 2010." June 22, 2011 Order.

In general, the topics in Plaintiff's Notice have no relevant time limitation, or request discovery for a time period that goes beyond this Court's June 22, 2011 Order. LVSC objects to the deposition topics to the extent they call for information outside the time limitations set forth in this Court's June 23, 2011 Order, with the exception of discovery relating to the alleged defamatory statement identified in Jacobs' defamation claim, which is subject to a March 15, 2011 to June 30, 2011 time period.

D. Topics 8, 16-21, 25-31 And 59-62 Are Overbroad, Seek Information Irrelevant To This Case And Constitute An Improper Fishing Expedition And Much Of The Information Is Obtainable From More Convenient, Less Burdensome Sources.

1. Topics 8, 25 and 59: Communications with Macau and United States Government Officials

Topics 8, 25 and 59 seek:

8. The date, persons involved and substance of any communications with any Macau government official concerning the facts and allegations of this action.

* * *

25. The facts provided to any official and/or officer of the United States government from October 23, 2010 to the present that in any way relates to, references or concerns the Plaintiff, his complaint in this action or your defenses to this action, including (but not limited to) documents provided or discussed.

* * *

59. All communications had with, or presentations made by, any officer, employee, agent or representative of LVSC to any official of the United States or any State concerning the following:

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

a. Steven C. Jacobs

b. Pansy Ho

c. Leonel Alves

d. WDR

e. Cheung Chi Tai

f. Charles Heung

g. Yvonne Mao

h. Angelo Leon

i. Ng Lop Sing

j. Jack Lam

k. Lee Chai Ming

1. Edmund Ho

m. Fernando Choy

n. Luis Melo

o. Ben Toh

These requests are objectionable for several reasons. First, Topic 8 seeks information regarding "any communications with any Macau government official" on subject matter "concerning the facts and allegations of this action." Topic 25 is nearly identical – though focused on United States government officials – extending to Jacobs' "complaint in this action or your defenses to this action." The FAC is 97 paragraphs, with numerous sub-paragraphs. Asking LVSC to prepare a witness to testify regarding all these allegations – and LVSC's defenses – is both absurd and contrary to the law. NRCP 30(b)(6) places an "obligation on [Jacobs] to designate with painstaking specificity…the particular subject areas that are intended to be questioned." *Century Surety*, 2014 WL 7666061, at *4. "Where ... the [deponent] cannot identify the outer limits of the areas of inquiry noticed, compliant designation is not feasible." *Reed*, 193 F.R.D. at 692.

Second, Topics 8 and 25 are not reasonably calculated to lead to the discovery of admissible evidence. What LVSC may have disclosed to a government official – whether in

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

Macau, the United States or elsewhere – has no bearing on the FAC's allegations, or any defense LVSC might raise. Jacobs' discovery should be focused on *facts* – rather than a fishing expedition into alleged conversations with Macau or United States officials. On that point, LVSC has agreed to produce a witness to testify regarding the facts surrounding LVSC's relationship with Jacobs, along with the relationship with Leonel Alves, Cheung Chi Tai, Jack Lam and WDR. But this Court should not sanction Jacobs' fishing expedition focused on alleged communications with government officials.

Third, consistent with LVSC's general objection above, Topics 8 and 59 have no temporal scope limitation, and Topic 8's time period – October 23, 2010 to the present – is outside the limitations set by this Court.

Fourth, even if Topic 8 sought relevant information – which it does not – the inquiry would be better directed to SCL – which actually has operations in Macau. *See* NRCP 26(b)(2) (court may bar discovery if the information sought is "obtainable from some other source that is more convenient, less burdensome, or less expensive").

In short, LVSC should not have to shoulder the undue burden of producing a witness on Topics 8, 25 and 59, which are designed to harass LVSC and not reasonably calculated to lead to the discovery of admissible evidence. Further, LVSC notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into these topics may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. *See, e.g.* NRS 463.120 and NRS 463.3407. LVSC is entitled to a protective order on Topics 8, 25 and 59.

2. Topics 16-19 and 31: Investigations Relating to the FCPA and Money Laundering

Topics 16-19 and 31 seek:

> 16. Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.
>
> 17. All investigations conducted concerning and officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

> 18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.
>
> 19. All investigations conducted concerning any officer, employee, agent or representative of Sands China as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.
>
> * * *
>
> 31. Any investigations conducted by LVSC or any of its officers, agents or representatives as to potential or suspected money laundering from January 1, 2009 to the present, including but not limited to the identity of all persons involved, documents in any investigation, with whom such information was shared and the investigations' ultimate outcome/conclusion.

Here again, Topics 16-19 and 31 make clear Jacobs' intent to harass and attempt to embarrass LVSC, rather than conduct discovery in good faith. The FAC's allegations pertaining to the FCPA are limited and focused on Leonel Alves. *See, e.g.*, FAC ¶¶ 31(d) and 33. In contrast, Topics 16-19 are broadly directed at "[a]ny suspected violations of the Foreign Corrupt Practices Act" or "[a]ll…potential violations of Foreign Corrupt Practices Act" in China or Macau, *with no time limitation whatsoever*. Similarly, Topic 20 is directed at "[a]ny investigation" into "potential or suspected money laundering" – although Topic 20 does not even have the qualification of some connection to China or Macau. And the FAC only explicitly references money laundering in paragraph 35, which alleges that Jacobs raised concerns with respect to potential money laundering involving an entity identified as WDR.

LVSC objects because these topics are overbroad, unduly burdensome, designed to harass LVSC and not reasonably calculated to lead to the discovery of admissible evidence. Further, LVSC notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into these topics may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. Without waiving those objections, LVSC will produce a witness to testify to non-privileged facts concerning Leonel Alves and WDR. But Jacobs' request that LVSC prepare a witness to testify to any and all investigations focused on the FCPA or suspected FCPA violations in China or Macau with no

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

time limitation, along with all investigations into suspected money laundering *regardless of the location*, is absurd. This is a fishing expedition, nothing more. "Discovery into matters not relevant to the case imposes a *per se* undue burden." *Deere & Company*, 2015 WL 1385210, at *9. Beyond the clear irrelevance of Topics 16-19 and 31, the requests are incredibly overbroad, lacking in geographic limitation and temporal scope and with no specificity in terms of transactions or subject matter whatsoever (which is not surprising, since Jacobs cannot provide such specificity since he never raised concerns outside of Alves, underscoring again the complete irrelevance of these topics to Jacobs' wrongful discharge claim). An overbroad 30(b)(6) notice "subjects the noticed party to an impossible task. To avoid liability, the noticed party must designate persons knowledgeable in the areas of inquiry listed in the notice. Where ... the [deponent] cannot identify the outer limits of the areas of inquiry noticed, compliant designation is not feasible." *Reed*, 193 F.R.D. at 692.

Jacobs may argue that Topic 31 is directed at the allegations in FAC ¶ 34, which alleges that Jacobs developed concerns regarding, among other things, the following:

> (ii) allegations concerning LVSC's practice of couriering undeclared monies into the United States to repay gambling debts of third parties and/or to be used to fund accounts for non-residents once they arrived in the country; (iii) LVSC's practice referred to as the Affiliate Transaction Advise ("ATA"), which allowed third parties and gamblers to move money into the United States by depositing monies with an LVSC overseas affiliate or marketing office, creating an account in Las Vegas from which the depositor or their designee would be issued chips with which to gamble, and then transferring the "winnings" back offshore either to the original depositor or to a third party designee not involved in the transaction; (iv) using the ATA process to move monies for known and/or alleged members of Triads; and (v) structuring and/or using offshore subsidiaries to funnel monies onto the gaming floor.

Jacobs does not, however, allege that he reported these concerns to anyone at SCL or LVSC – much less that he was retaliated against for any such reports or that he was asked to participate in the alleged conduct and refused. In the absence of such allegations, the alleged wrongful conduct alluded to in Topic 31 has no relevance to this case. *See Allum v. Valley Bank of Nevada*, 114 Nev. 1313, 1317 (1998) (noting two general theories of tortious discharge, which require a showing that plaintiff was terminated for "(1) whistleblowing, or (2) refusing to

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

participate in illegal conduct"). Jacobs' allegation of undisclosed "suspicions concerning the propriety of certain financial practices" does not "unilaterally alter the scope of discovery." *Vives*, 2003 WL 282191, at *1. With the exception of Leonel Alves and WDR, discovery on Topics 16-19 and 31 should be barred.

3. Topic 20: LVSC's Relationship With 18 Undefined Entities/Individuals

Topic 20 seeks:

> 20. The direct or indirect relationships between LVSC or any of its subsidiaries - including (but not limited to) the date commenced, terminated, financial terms of and agreements - that concern any of the following:
>
> a. Sociedade
>
> b. Nove
>
> c. Sun City
>
> d. Neptune
>
> e. Unik Ltd.
>
> f. Shanghai Sat Leng
>
> g. Dore
>
> h. Tak Lek
>
> i. Li Kwok Hung
>
> j. Sat leng Unipessoal Limited
>
> k. Cheung Chi Tai
>
> l. Charles Heung
>
> m. Yvonne Mao
>
> n. Angela Leong
>
> o. Ng Lap Sing
>
> p. Jack Lam
>
> q. Tantra Lotus Club
>
> r. Lee Chai Ming

Topic 20, with its sub-parts (a)-(r), is really 18 topics packaged as one. Actually, Topic 20 is

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

even broader in that it seeks information regarding the relationship between 18 individuals/entities and "LVSC or any of its subsidiaries" and LVSC has multiple subsidiaries. Further, Topic 20 is not limited in time. Worse still, Topic 20 requests information on both "direct or indirect relationships" – with "indirect relationships" remaining undefined – and seeks apparently boundless categories of information within each sub-topic, "including (but not limited to) the date commenced, terminated, financial terms of and agreements." Further, the entities/individuals are undefined and include items like "Dore," "Nove" and "Sun City." And none of the individuals/entities is referenced in the FAC (although Cheung Chi Tai is discussed in LVSC's counterclaims). Moreover, LVSC notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into these topics may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. Subject to these objections, LVSC will produce a witness to testify on the relationship between LVSC and Cheung Chi Tai, Charles Heung and Jack Lam. But beyond that, LVSC objects to Topic 20 because it is unduly burdensome, designed to harass LVSC and not reasonably calculated to lead to the discovery of admissible evidence. LVSC is entitled to a protective order for Topic 20.

4. Topic 21: The Clive Bassett Lawsuit

Topic 21 seeks:

> 21. Any communications with any Macau government official, including (but not limited to) Edmund Ho, concerning the settlement of the action styled *Clive Bassett Jones, et al v. Las Vegas Sands Corp., et al.*, Eighth Judicial District Court Case No. 06-A516404.

Topic 21 asks LVSC to provide a witness to testify to "[a]ny communications with any Macau government official" concerning the settlement of a lawsuit – a lawsuit that is nowhere referenced in the FAC. Jacobs provides no definition or any further description in his 30(b)(6) notice explaining how the lawsuit is relevant to this case. Further, Topic 21 is not limited to any particular time period. LVSC objects to Topic 21 because it is overbroad and not reasonably calculated to lead to the discovery of admissible evidence. LVSC also notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into this topic may implicate

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. LVSC is entitled to a protective order against producing a witness to testify on Topic 21.

5. Topic 26: Retraction Demands by LVSC, LVSC Officers and LVSC Directors

Topic 26 seeks:

> 26. Any demand for retraction of purported false and/or defamatory statements or publications made on behalf of LVSC or any of its officers or directors including (but not limited to) the date, the substance of the retraction, the participants and the substance of the purported defamatory/false statement.

Proving once again that Jacobs' concept of discovery has no bounds, Topic 26 seeks discovery on any retraction demands made by LVSC or "any of its officers or directors." Any claim of defamation by LVSC – let alone its officers or directors – has no relevance to this case. Further, Topic 26 has no limits on the time period. In a prior motion to compel, Jacobs argued that LVSC's prior communications about potential defamation litigation can be used to show malice in defaming Jacobs. But "[a]ctual malice is defined as knowledge of the falsity of a statement or a reckless disregard for its truth." *Posadas v. City of Reno*, 109 Nev. 448, 454 (1993). To show malice, Jacobs must prove "what the defendant believed and intended to convey, and not what a reasonable person would have understood the message to be." *Id.* (emphasis added). Information concerning prior requests for retraction – whether by LVSC or its officers or directors – do not do that. Instead, this is yet another attempt by Jacobs to try and dig up dirt on LVSC in an effort to harass and embarrass the company. Indeed, Jacobs' contention in his motion to compel (relating to LVSC's response to Jacobs' Fourth Requests for Production of Documents) that he sought this discovery to show LVSC's "reputation is not as it now wants to pretend" (Mot. at 7:26) – while unavailing – is telling insofar as LVSC's reputation has no relevance to this case whatsoever. LVSC objects to Topic 26 because it is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Finally, LVSC notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into this topics may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. Discovery on Topic 26

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

should be barred.

6. Topics 27-28: Investigations of Macau Government Officials

Topics 27-28 seek:

27. Any investigation conducted by LVSC, its officers, agents or representatives as to any Macau government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

28. Any investigation conducted by LVSC, its officers, agents or representatives as to any China government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

LVSC objects to these topics for several reasons. First, although Jacobs' FAC alleges that LVSC's chairman demanded "that secret investigations be performed regarding the business and financial affairs of various high-ranking members of the Macau government so that any negative information obtained could be used to exert 'leverage' in order to thwart government regulations/initiatives viewed as adverse to LVSC' s interests," (FAC ¶ 31(c)), the dispute between Jacobs and LVSC has nothing to do with the content of the report. The dispute between the parties is whether Adelson ordered Jacobs to commission the report – as Jacobs alleges – or whether, as LVSC alleges in its counterclaim, Jacobs ordered the report without seeking authorization from the SCL Board or SCL's chairman and, upon receiving the report, kept it in his personal residence and did not advise LVSC, SCL's Board or SCL's chairman of the report's existence. Second, the topics seek specific details – including the purpose, date, participants and privileged information like "substance," "documents examined and/or considered" and "conclusions" – but then expand with the "including (but not limited to)" language. Such limitless requests make compliance impossible. *See Reed*, 193 F.R.D. at 692 ("Where ... the [deponent] cannot identify the outer limits of the areas of inquiry noticed, compliant designation is not feasible."). The lack of a time scope makes this topic even more unreasonably broad. In short, Topics 27-28 are overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Moreover, LVSC notes that, depending on what questions

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

are asked at the Rule 30(b)(6) deposition, an inquiry into these topics may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. LVSC is entitled to a protective order with respect to Topics 27-28.

7. Topic 29: Alleged Transportation of Cash

Topic 29 seeks:

> 29. Any circumstances where cash or other currency exceeding a value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or any other entity controlled by Sheldon Adelson.

As with the topics described above, Jacobs cannot contend that Topic 29 is pursued in good faith. The FAC contains no discussion of cash or airplanes. This is a fishing expedition (and a misguided one at that). "Discovery into matters not relevant to the case imposes a *per se* undue burden." *Deere & Company*, 2015 WL 1385210, at *9. Jacobs cannot sustain his burden of showing relevance here. *See id.* ("when a discovery request does not have relevance on its face, the party seeking discovery has the burden to show relevancy."). To the extent Topic 29 is directed at the FAC's allegation (¶ 34) that Jacobs was concerned about "allegations concerning LVSC's practice of couriering undeclared monies into the United States to repay gambling debts of third parties and/or to be used to fund accounts for non-residents once they arrived in the country," Jacobs does not allege that he reported these concerns to anyone at SCL or LVSC, or that he was retaliated against for any such reports or refusal to engage in this alleged misconduct. In the absence of such allegations, the alleged wrongful conduct alluded to in Topic 29 has no relevance to this case. *See Allum*, 114 Nev. at 1317 (noting two general theories of tortious discharge, which are termination for "(1) whistleblowing, or (2) refusing to participate in illegal conduct"). And Jacobs cannot "unilaterally alter the scope of discovery merely by including extraneous allegations in the complaint." *Vives*, 2003 WL 282191, at *1. Even if Jacobs could somehow articulate a relevance theory – which he cannot – Topic 29 has no temporal scope limitation. And further, LVSC would have no way of knowing whether some individual, on some occasion may have transported currency exceeding a value of $50,000 U.S. dollars on an LVSC-owned or leased plane, let alone a plane owned or leased by "any other entity controlled

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

by Sheldon Adelson." Bottom line, Topic 29 is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Further, LVSC notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into this topic may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. Discovery on Topic 29 should be barred.

8. Topic 30: Prior Actual/Threatened Cause Terminations

Topic 30 seeks:

> 30. The actual, attempted or threatened termination or separation for cause of any person holding the position of Vice President or above from January 2008 to the present, including (but not limited to) name, date, or separation events which constituted purported cause, and the ultimate resolution.

The breadth of Topic 30 is ridiculous. It is difficult to estimate the number of people who have worked at LVSC since 2008 with the title of Vice President or above. And rather than seek information solely on cause terminations – which would still be overbroad, unduly burdensome and irrelevant – Jacobs seeks information on "actual, attempted, or threatened" cause of terminations too. Further, even if limited to cause terminations, this topic seeks non-parties' highly sensitive personal information – based on nothing more than Jacobs' apparent speculation that these sensitive details might shed light on LVSC's interpretation of "cause." But LVSC's prior positions on what might – or might not – constitute cause have no bearing on whether cause existed in the case of Jacobs termination (particularly since Jacobs was not an employee of LVSC).

Murphy v. Kmart Corp., 255 F.R.D. 497 (D.S.D. 2009), is instructive. In *Murphy*, the plaintiff included "[t]he corporate history of Kmart Corporation, Kmart Holding Corporation, Sears Corporation, Sears Corporation, and Sears Holdings Corporation for the last ten (10) years, *i.e.*, relationship of Kmart Corporation, Kmart Holding Corporation, Sears Corporation, and Sears Holdings Corporation and the bankruptcy in 2001" in its Rule 30(b)(6) deposition topics. *Id.* at 505. The Court found that this topic of inquiry did not satisfy the "reasonable specificity" standard of Rule 30(b)(6) because it "cover[ed] a tremendous amount of information that may be completely irrelevant to [Plaintiff's] claims." *Id.* at 506. Further, the Court held that the burden

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

is on the party requesting the deposition to satisfy the "reasonable particularity" standard, rather than the party being deposed to interpret the request in accordance and consistent with the underlying claims. *Id.*

Here, Topic 30 is extremely overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. LVSC further notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into this topic may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. Based on the above, Topic 30 should be barred.

9. Topic 60: Hong Kong Stock Exchange Investigations

Topic 60 seeks:

> 60. Any investigation conducted by or for the HKSE regarding Jacobs, any stock options granted to Jacobs, and/or the facts and circumstances alleged in this action, including (but not limited to) all facts provided, the date, all participants, the substance, Documents examined and/or considered, and any conclusions.

In Topic 60, Jacobs returns to his focus on investigations and his pursuit of harassing and attempting to embarrass LVSC. While Jacobs' pursuit of LVSC privileged investigations materials is inappropriate generally, here, Jacobs' request is directed at investigations "conducted by or for the HKSE [Hong Kong Stock Exchange]." As noted above, where, as here, discovery is "obtainable from some other source that is more convenient, less burdensome, or less expensive," (*Adele*, 2012 WL 5420256, at *3) – specifically, the HKSE – a protective order is appropriate. Further, the FAC does not allege or even allude to any investigations "conducted by or for the HKSE." Jacobs claims in this case relating to stock options are focused on his allegation that LVSC (and other defendants) acted wrongfully in failing to "honor his right to exercise [his] remaining stock options." FAC ¶ 56. His claims having nothing to do with any HKSE investigation. And here again, Topic 60 has no specified time period. This Court should not permit discovery on Topic 60, which is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Finally, LVSC notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into this topic may

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. LVSC is entitled to a protective order with respect to Topic 60.

10. Topic 61: Investigations Regarding Macau/Chinese Sports Teams

Topic 61 seeks:

> 61. Any investigation into or funds paid for acquiring the rights to any sports team in Macau or Mainland China, including (but not limited to) all facts, participants, Documents reviewed and conclusions.

Topic 61 is vague, extremely overbroad and not reasonably calculated to lead to the discovery of admissible evidence. Topic 61 references "any sports team" – with no details as to the team, the sport or anything else that might assist LVSC in meaningfully responding to this request. The FAC nowhere references any acquisition of a sports team. The closest the FAC comes is a vague and unintelligible reference to "concerns" Jacobs developed regarding, among other things, "the basketball team." FAC ¶ 34. But here again, Jacobs does not allege that he reported these concerns to anyone at SCL or LVSC, or that he was retaliated against for any such reports, and, in the absence of such allegations, the alleged conduct alluded to in Topic 61 has no relevance to this case. *See Allum*, 114 Nev. at 1317. Beyond the lack of relevance, Topic 60 is extremely broad generally and even more so because of the absence of any temporal scope. LVSC further notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into this topic may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. Discovery on Topic 60 should be barred.

11. Topic 62: LVSC Credit/Bank Obligations

Topic 62 seeks:

> 62. The facts concerning any default of any credit instrument or bank obligations by LVSC or any of its subsidiaries between January 1, 2008 and July 23, 2010, including (but not limited to) the nature of the default, the financial terms of the default and the manner in which the potential default was avoided or default remedied.

Topic 62 is yet another transparent attempt to harass and embarrass LVSC. The FAC's only reference to LVSC's credit is in paragraph 14, which states "LVSC faced increased cash flow needs, which, in turn, threatened to trigger a breach of the company's maximum leverage

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

ratio covenant in its U.S. credit facilities." That allegation has nothing to do with Jacobs' claims in this case. Extraneous allegations in the complaint do not alter the scope of discovery. *Vives*, 2003 WL 282191, at *1. Further, the topic is vague in that "bank obligations" is undefined and subject to an extremely broad construction. Further, the details requested are boundless in light of the "including (but not limited to)" language and Jacobs' request for information relating to not just actual, but also "potential default[s]." In sum, Topic 62 is overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. Finally, LVSC notes that, depending on what questions are asked at the Rule 30(b)(6) deposition, an inquiry into this topic may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws. LVSC is entitled to a protective order on Topic 62.

E. <u>LVSC Should Be Permitted To Respond To Topics 1-5, 9 And 58 By Interrogatory.</u>

Under NRCP 26(c)(3), this Court can order that "discovery may be had only by a method of discovery other than that selected by the party seeking discovery." Courts have found that "[s]ome inquiries are better answered through contention interrogatories wherein the client can have the assistance of the attorney in answering complicated questions involving legal issues....Whether a Rule 30(b)(6) deposition or a Rule 33(c) contention interrogatory is more appropriate will be a case by case factual determination." *United States v. Taylor*, 166 F.R.D. 356, 362 n. 7 (M.D.N.C. 1996).

Topics 1-5, 9 and 58 seek the following:

1. All efforts to locate responsive and discoverable documents, information and evidence in this action, including (but not limited to) files searched, search terms used, the date searches were conducted and the identity of all persons involved in the search.

2. All efforts to preserve information and evidence related to this action, including (but not limited to) notices sent, the date of preservation efforts and the identity of all persons involved in such preservation.

3. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, organizing, preserving, archiving, saving and/or destroying Documents from January 1, 2009 to the present (specifically including, but not limited to, Documents related to Steven Jacobs).

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

4. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, backing-up, organizing, preserving, archiving, saving and/or destroying electronically stored information from January 1, 2009 to the present (specifically including, but not limited to, Steven Jacobs).

5. Any Documents and/or ESI, or any portions thereof, relating to Jacobs or the claims or defenses asserted in this action that was concealed, lost, destroyed and/or misplaced and the circumstances behind such concealment, loss, destruction and/or misplacement.

* * *

9. All damages claimed by LVSC in its counterclaim, including the facts giving rise to those damages and the manner and means of calculation.

* * *

58. Any factual presentation, including any Documents, made during road shows for the potential IPO that would become Sands China, Ltd. concerning or relating to the following:

a. The roles and responsibilities of Sheldon G. Adelson
b. The roles and responsibilities of Steven C. Jacobs
c. The roles and responsibilities of Michael Leven
d. The involvement by LVSC in Sands China's governance
e. The potential conflicts of interest for LVSC
f. The potential conflicts of interest for Sheldon Adelson
g. The potential conflicts of interest for LVSC Board members
h. Adelson's ability or inability to vote on matters relating to Sands China

LVSC objects to Topics 1-5 and 58, which are unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence. LVSC's preservation efforts are irrelevant in the absence of a good-faith allegation that LVSC's preservation has been deficient. *Accord Watkins v. Hireright, Inc.,* 2013 WL 10448882, at *2 (S.D. Cal. Nov. 18, 2013) (holding plaintiff was not entitled to conduct a 30(b)(6) deposition on preservation efforts because "[p]laintiff has failed to provide any evidence or support for the idea that Defendant has behaved improperly with respect to its efforts to preserve electronic data and Plaintiff has in fact already received a voluminous amount of discovery from Defendant"). As for the IPO, this is referenced only in passing in the FAC and some of the sub-topics in Topic 58 – *e.g.*, conflicts of interest – implicate potential legal questions. While LVSC's damages are relevant to this case, it is unduly burdensome to request a lay witness to explain all aspects of LVSC's potential damages, which involve both factual and legal questions. Further, LVSC notes that, depending on what questions

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

are asked at the Rule 30(b)(6) deposition, inquiry into these topics may implicate matters protected by the attorney-client privilege, work product doctrine or other applicable privileges or laws.

Notwithstanding these objections, LVSC is willing to provide information responsive to Topics 1-5 and 58 in the form of an interrogatory response, which will make the topics less burdensome. Similarly, LVSC is willing to provide information responsive to Topic 9 in the form of an interrogatory response. Based on the above, LVSC requests a protective order permitting it to respond to Topics 1-5, 9 and 58 by interrogatory.

F. Jacobs' Notice Did Not Provide Sufficient Notice And Time For LVSC To Prepare Its Witnesses.

Jacobs' Notice, which purported to require LVSC to designate individuals to testify on over 100 topics and to adequately prepare themselves to testify on behalf of the company within 18 days, is patently unreasonable from a timing perspective. Not only are the breadth of the issues in the topics problematic, but schedules (including pre-existing summer vacation schedules) of individuals who LVSC may designate on certain topics makes their preparation for the deposition challenging. For these reasons, LVSC should be required to produce its first witness no earlier than the week of August 24, which will permit LVSC time to prepare witnesses to respond to the topics as narrowed by the Court at the hearing of this motion.

///

///

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

III.

CONCLUSION

For the reasons set forth above, LVSC respectfully requests a protective order: (a) prohibiting discovery to the extent Jacobs' 30(b)(6) notice calls for information outside the time limitations set forth in this Court's June 23, 2011 Order, with the exception of discovery relating to the alleged defamatory statement identified in Jacobs' defamation claim, which is subject to a March 15, 2011 to June 30, 2011 time period; (b) barring discovery as to Topics 8, 16-21, 25-31 and 59-62 in Plaintiff's 30(b)(6) Notice as set forth above; and (c) providing that LVSC should be required to begin producing its witnesses not earlier than the week of August 24.

DATED August 3, 2015.

/s/ Stephen Peek
J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

Attorneys for Defendant Las Vegas Sands Corp.

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of August 2015, a true and correct copy of the foregoing **MOTION FOR PROTECTIVE ORDER** was served by the following method(s):

☒ Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

James J. Pisanelli, Esq.
Debra L. Spinelli, Esq.
Todd L. Bice, Esq.
Pisanelli & Bice
3883 Howard Hughes Parkway, Suite 800
Las Vegas, Nevada 89169
214-2100
214-2101 – fax
jjp@pisanellibice.com
dls@pisanellibice.com
tlb@pisanellibice.com
kap@pisanellibice.com – staff
see@pisanellibice.com – staff

Attorney for Plaintiff

J. Randall Jones, Esq.
Mark M. Jones, Esq.
Kemp Jones & Coulthard, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, Nevada 89169

Attorneys for Sands China, Ltd

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
Morris Law Group
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101

Attorneys for Sheldon Adelson

Valerie Larsen

An Employee of Holland & Hart LLP

Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134

EXHIBIT A

EXHIBIT A

NOTC
James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
Jordan T. Smith, Esq., Bar No. 12097
JTS@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 214-2100
Facsimile: (702) 214-2101

Attorneys for Plaintiff Steven C. Jacobs

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVEN C. JACOBS,

Plaintiff,

v.

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

Defendants.

AND RELATED CLAIMS

Case No.: A-10-627691
Dept. No.: XI

NOTICE OF NRCP 30(b)(6) VIDEOTAPED DEPOSITION OF LAS VEGAS SANDS CORP.

Date of Deposition: July 28, 2015

Time of Deposition: 9:30 a.m.

PLEASE TAKE NOTICE that at 9:30 a.m. on July 28, 2015, pursuant to Rule 30(b)(6) of the Nevada Rules of Civil Procedure, Plaintiff, Stephen C. Jacobs, by and through his counsel will take the videotaped deposition of the Rule 30(b)(6) designee for Las Vegas Sands Corp. ("LVSC") at the law office of PISANELLI BICE PLLC, located at 400 South 7th Street, Suite 300, Las Vegas, Nevada 89101. The deposition will be taken upon oral examination, before a Notary Public, videographer and/or before some other officer authorized by law to administer oaths.

Pursuant to NRCP 30(b)(6), LVSC is required to designate individual[s] to provide testimony on all of the following topics:

1. All efforts to locate responsive and discoverable documents, information and evidence in this action, including (but not limited to) files searched, search terms used, the date searches were conducted and the identity of all persons involved in the search.

2. All efforts to preserve information and evidence related to this action, including (but not limited to) notices sent, the date of preservation efforts and the identity of all persons involved in such preservation.

3. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, organizing, preserving, archiving, saving and/or destroying Documents from January 1, 2009 to the present (specifically including, but not limited to, Documents related to Steven Jacobs).

4. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, backing-up, organizing, preserving, archiving, saving and/or destroying electronically stored information from January 1, 2009 to the present (specifically including, but not limited to, Steven Jacobs).

5. Any Documents and/or ESI, or any portion thereof, relating to Jacobs or the claims or defenses asserted in this action that was concealed, lost, destroyed and/or misplaced and the circumstances behind such concealment, loss, destruction and/or misplacement.

6. Any efforts by or on behalf of LVSC to determine whether each current and/or former employee of LVSC has or had any Documents and/or ESI related to Jacobs or the claims and defenses in this action.

7. All efforts to obtain consents from anyone under the MPDPA from January 1, 2009 to the present, including (but not limited to) the date of such efforts, the identity of all persons or consents were sought and the identity of all persons involved in procuring consents.

8. The date, persons involved and substance of any communications with any Macau government official concerning the facts and allegations of this action.

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

9. All damages claimed by LVSC in its counterclaim, including the facts giving rise to those damages and the manner and means of calculation.

10. All communications with any government official either in the United States or Macau, Hong Kong or China concerning the MPDPA and its purported requirements, including (but not limited to) all efforts to obtain any authorizations or consents for the search of documents from January 1, 2009 to the present.

11. All communications with prior employers of Plaintiff and/or Vagus Group, including (but not limited to) the participants in any such communications, the date, the substance of the communication, and any documents discussed or obtained.

12. The factual basis for claiming that Plaintiff has stolen any property or information.

13. All investigations into Plaintiff and/or family members, including (but not limited to) the identity of all participants, the contents of all written or verbal reports, all conclusions, and all persons with whom the information was shared.

14. All alleged breaches of fiduciary or employment obligations by Jacobs, including (but not limited to) the date, all persons with knowledge, the alleged breaches and the location of all documents concerning any such purported breach.

15. The formation, purpose and operations of WDR, LLC and its subsequent dissolution, including (but not limited to) its involvement in any transfers of funds.

16. Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

17. All investigations conducted concerning any officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

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

19. All investigations conducted concerning any officer, employee, agent or representative of Sands China as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

20. The direct or indirect relationships between LVSC or any of its subsidiaries – including (but not limited to) the date commenced, terminated, financial terms of and agreements – that concern any of the following:

a. Sociedade

b. Nove

c. Sun City

d. Neptune

e. Unik Ltd.

f. Shanghai Sat Leng

g. Dore

h. Tak Lek

i. Li Kwok Hung

j. Sat leng Unipessoal Limited

k. Cheung Chi Tai

l. Charles Heung

m. Yvonne Mao

n. Angela Leong

o. Ng Lap Sing

p. Jack Lam

q. Tantra Lotus Club

r. Lee Chai Ming

21. Any communications with any Macau government official, including (but not limited to) Edmund Ho, concerning the settlement of the action styled *Clive Bassett Jones, et al v. Las Vegas Sands Corp., et al.*, Eighth Judicial District Court Case No. 06-A516404.

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

22. Any communications with Leonel Alves concerning payments to any third parties in exchange for receiving any form of government approvals such as (but not limited to) strata title, including (but not limited to) the date, substance of the communication and all participants to any communication[s].

23. The form of any notice given to Plaintiff concerning any alleged breach of fiduciary duty or terms/conditions of employment, including (but not limited to) the date, substance of the notice and all participants in the communication[s].

24. The award of any stock options or grants to Plaintiff, including (but not limited to) the factual basis for the award, the value of those options/grants when awarded, the maximum value of those options from the date of award to the present and the basis for any termination/non-exercise of the award.

25. The facts provided to any official and/or officer of the United States government from October 23, 2010 to the present that in any way relates to, references or concerns the Plaintiff, his complaint in this action or your defenses to this action, including (but not limited to) documents provided or discussed.

26. Any demand for retraction of purported false and/or defamatory statements or publications made on behalf of LVSC or any of its officers or directors including (but not limited to) the date, the substance of the retraction, the participants and the substance of the purported defamatory/false statement.

27. Any investigation conducted by LVSC, its officers, agents or representatives as to any Macau government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

28. Any investigation conducted by LVSC, its officers, agents or representatives as to any China government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

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

29. Any circumstances where cash or other currency exceeding a value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or any other entity controlled by Sheldon Adelson.

30. The actual, attempted or threatened termination or separation for cause of any person holding the position of Vice President or above from January 2008 to the present, including (but not limited to) name, date, or separation events which constituted purported cause, and the ultimate resolution.

31. Any investigations conducted by LVSC or any of its officers, agents or representatives as to potential or suspected money laundering from January 1, 2009 to the present, including but not limited to the identity of all persons involved, documents in any investigation, with whom such information was shared and the investigations' ultimate outcome/conclusion.

32. The factual basis for any claim by LVSC that the Term Sheet dated August 3, 2009, which it filed with the United State Securities and Exchange Commission, is not valid and binding.

33. Your access to and review of any phone records for Plaintiff, including the date of review, the participants, and the contents of all phone records reviewed.

34. The access to and review of the contents of any phone used by Plaintiff, including (but not limited to) who obtained the phone, any representations made to obtain access or possession, the contents of any information obtained and with whom the contents were shared.

35. The communications with any representative of the news media about Plaintiff from June 22, 2010 to the present.

36. The allegations in your counterclaim at Paragraph 17 that "Jacobs was violating his obligations not only to Sands China but also to the LVSC as the majority shareholder of Sands China."

37. The allegations in your counterclaim at Paragraphs 18-21 that Jacobs violated a "non-competition deed."

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

38. The allegations in your counterclaim at Paragraphs 22-26 that "Jacobs endangers LVSC's and Sands China's relationship with the governments of Macau and China."

39. The allegations in your counterclaim at Paragraphs 27-40 that "Jacobs delays terminating the contract between Cheung Chi-Tai and VML."

40. The allegations in your counterclaim at Paragraphs 41-47 that "Jacobs' employment is terminated by Sands China and VML for cause and Jacobs initiates his extortion scheme."

41. The allegations in your counterclaim at Paragraphs 48-52 that "Jacobs files a wrongful suit against LVSC in furtherance of his scheme."

42. The allegations in your counterclaim at Paragraphs 53-60 that Jacobs has engaged in "abuse of process."

43. The allegations in your counterclaim at Paragraphs 61-68 that Jacobs is engaged in "business defamation/disparagement."

44. The allegations in your counterclaim at Paragraphs 69-74 that Jacobs undertook "intentional interference with respect to the economic advantage."

45. The allegations in your counterclaim at Paragraphs 75-79 that Jacobs has undertaken "civil extortion."

46. The factual basis for your Second Affirmative Defense that Jacobs' claims are barred by the doctrine of laches.

47. The factual basis in your Third Affirmative Defense that Jacobs' claims are barred by the doctrine of unclean hands.

48. The factual basis for your Fourth Affirmative Defense that Jacobs' claims are barred by the doctrine of estoppel.

49. The factual basis for your Fifth Affirmative Defense that Jacobs' claims are barred by the doctrine of waiver.

50. The factual basis for your Sixth Affirmative Defense that Jacobs' claims are barred by the doctrine of election of remedies.

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

51. The factual basis for your Seventh Affirmative Defense that Jacobs' claims are barred by the doctrine of accord and satisfaction.

52. The factual basis for your Eighth Affirmative Defense that Jacobs' damages, if any, were caused by his own actions and not by that of LVSC.

53. The factual basis for your Ninth Affirmative Defense that at all times, LVSC acted in accordance with reasonable commercial standards, in good faith, and with ordinary care and LVSC's actions did not contribute to the alleged damages.

54. The factual basis for your Tenth Affirmative Defense that Jacobs failed to do equity towards LVSC and, therefore, is not entitled to any relief from LVSC.

55. The factual basis for your Twelfth Affirmative Defense that LVSC is not a party to the Term Sheet and, therefore, is not a proper party to the breach of contract claim.

56. The factual basis for your Thirteenth Affirmative Defense that LVSC was not Jacobs' employer and, therefore, is not a proper party to the tortious discharge claim.

57. The factual basis for your Fourteenth Affirmative Defense to the effect that Jacobs "breached his contractual and fiduciary obligations and therefore relieved LVSC of any further obligations" to Jacobs.

58. Any factual presentation, including any Documents, made during road shows for the potential IPO that would become Sands China, Ltd. concerning or relating to the following:

a. The roles and responsibilities of Sheldon G. Adelson

b. The roles and responsibilities of Steven C. Jacobs

c. The roles and responsibilities of Michael Leven

d. The involvement by LVSC in Sands China's governance

e. The potential conflicts of interest for LVSC

f. The potential conflicts of interest for Sheldon Adelson

g. The potential conflicts of interest for LVSC Board members

h. Adelson's ability or inability to vote on matters relating to Sands China

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

59. All communications had with, or presentations made by, any officer, employee, agent or representative of LVSC to any official of the United States or any State concerning the following:

a. Steven C. Jacobs

b. Pansy Ho

c. Leonel Alves

d. WDR

e. Cheung Chi Tai

f. Charles Heung

g. Yvonne Mao

h. Angelo Leon

i. Ng Lop Sing

j. Jack Lam

k. Lee Chai Ming

l. Edmund Ho

m. Fernando Choy

n. Luis Melo

o. Ben Toh

60. Any investigation conducted by or for the HKSE regarding Jacobs, any stock options granted to Jacobs, and/or the facts and circumstances alleged in this action, including (but not limited to) all facts provided, the date, all participants, the substance, Documents examined and/or considered, and any conclusions.

61. Any investigation into or funds paid for acquiring the rights to any sports team in Macau or Mainland China, including (but not limited to) all facts, participants, Documents reviewed and conclusions.

62. The facts concerning any default of any credit instrument or bank obligations by LVSC or any of its subsidiaries between January 1, 2008 and July 23, 2010, including (but not

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

limited to) the nature of the default, the financial terms of the default and the manner in which the potential default was avoided or default remedied.

63. The financial terms of any funding to LVSC provided by Sheldon G. Adelson or any trust or entity controlled by him to LVSC from January 1, 2008 and July 23, 2010, including (but not limited to) the financial terms of any such funding, any options provided, and the total cost of the funding to LVSC.

64. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Sheldon G. Adelson from January 1, 2007 to the present.

65. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Robert Goldstein from January 1, 2007 to the present.

66. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Mike Leven from January 1, 2007 to the present.

67. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ken Kay from January 1, 2007 to the present.

68. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by David Sisk from January 1, 2007 to the present.

69. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven C. Jacobs from January 1, 2007 to the present.

70. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Erwin Siegel from January 1, 2007 to the present.

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

71. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Jeff Schwartz from January 1, 2007 to the present.

72. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by George Koo from January 1, 2007 to the present.

73. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Irwin Chafetz from January 1, 2007 to the present.

74. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Charles Forman from January 1, 2007 to the present.

75. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven Weaver from January 1, 2007 to the present.

76. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ed Tracy from January 1, 2007 to the present.

Oral examination will continue from day to day until completed. You are invited to attend and cross examine.

DATED this 9th day of July, 2015.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 9th day of July, 2015, I caused to be sent via electronic mail and United States Mail, postage prepaid, a true and correct copy of the above and foregoing **NOTICE OF NRCP 30(b)(6) VIDEOTAPED DEPOSITION OF LAS VEGAS SANDS CORP.** properly addressed to the following:

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134
speek@hollandhart.com
rcassity@hollandhart.com

Michael E. Lackey, Jr., Esq.
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006
mlackey@mayerbrown.com

J. Randall Jones, Esq.
Mark M. Jones, Esq.
KEMP, JONES & COULTHARD
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
jrj@kempjones.com
mmj@kempjones.com

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
MORRIS LAW GROUP
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101
sm@morrislawgroup.com
rsr@morrislawgroup.com

/s/ Kimberly Peets
An employee of PISANELLI BICE PLLC

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

EXHIBIT B

EXHIBIT B

PISANELLI BICE

TODD L. BICE
ATTORNEY AT LAW
702.214.2100 TEL
702.214.2101 FAX
TLB@PISANELLIBICE.COM

July 22, 2015

VIA EMAIL:
speek@hollandhart.com

J. Stephen Peek, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134

RE: ***Jacobs v. Las Vegas Sands Corp. et al.***

Dear Steve:

The deposition of Las Vegas Sands Corp. pursuant to NRCP 30(b) is noticed for July 28, 2015. You have previously raised the need for additional time to address the notice. As I indicated to you, we are certainly willing to work with you on that, but require you to identify the topics to which you are objecting promptly so that we can get in front of the court on briefing and have those matters resolved. I have received no such list of items.

We are not going to let the July 28 deposition date pass without an agreement on the disputed topics and the briefing schedule for their immediate resolution by the court. Please provide me the list of the topics to which you are objecting, along with your proposed prompt briefing schedule for consideration.

Sincerely,

Todd L. Bice

TLB:smt

cc: All parties

EXHIBIT C

EXHIBIT C

Steve Peek

From: Steve Peek
Sent: Friday, July 24, 2015 2:22 PM
To: 'Todd Bice'
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

Todd:

Thank you for your response. I obviously misunderstood our earlier conference on the topic of the 30(b)(6) and thought that you were going to be the moving party. As to your schedule for a meet and confer, I am available on Tuesday at 2 PM. Please send a call in number. As to the briefing schedule, I need to discuss with my client who is currently out of the country. I'll get back to you on Monday regarding this issue after I have had an opportunity to confer with my client.

Steve

From: Todd Bice [mailto:tlb@pisanellibice.com]
Sent: Thursday, July 23, 2015 9:27 PM
To: Steve Peek
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: Re: Jacobs v. Sands China, et al.; correspondence re deposition

Steve: it is not acceptable to ask us to cooperate on timing and then make the type of proposal that you have made. To begin with, it was not appropriate to delay until I forced a response by my letter. As I informed you from the very beginning on this issue, while we were willing to work with you on timing, we wanted the matter resolved by the court promptly. That was not and is not a consent for you to delay until the day before the scheduled deposition to finally provide a list of topics upon which you object. Had we simply enforce the requirements of the rule, you would've been required to have filed your motion before now and we would have been well on our way to a resolution, if not had the matter resolved by the court.

Furthermore, it is not my clients burden to file a motion. As the party objecting to a notice of deposition, your client has the burden of moving for and obtaining a protective order.

We will look at your objections and hold a 2.34 conference on Tuesday at 2 PM. You will need to file your motion no later than Friday of next week and have it set on an order shortening time. We will file an opposition to your motion on five business days and then we can hold a prompt hearing. We will not agree to let this be dragged out.

-- Todd.

On Jul 23, 2015, at 4:46 PM, Steve Peek <SPeek@hollandhart.com> wrote:

> Todd:

I will identify the topics in the 30(b)(6) notice to which we are objecting on or before Monday, July 27, 2015. I will be available for a meet and confer on Tuesday the 28th or Wednesday the 29th. I am in depositions on the 30th and 31st. For a briefing schedule, I would like at least 10 days to oppose your motion. You can pick the filing date and the reply period. You can also pick the hearing date so long as I have at least two full days to prepare for the hearing.

Steve

From: Shannon M. Thomas [mailto:smt@pisanellibice.com]
Sent: Wednesday, July 22, 2015 5:08 PM
To: Steve Peek
Cc: Todd Bice; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com
Subject: Jacobs v. Sands China, et al.; correspondence re deposition

Attached please find correspondence from Mr. Bice. If you have any questions, please feel free to contact him directly at (702) 214-2100.

Thank you,

Shannon Thomas
Assistant to Todd L. Bice and
Jarrod L. Rickard
Pisanelli Bice, LLC
400 South 7th Street, Suite 300
Las Vegas, NV 89101
Phone: 702-214-2100
Direct: 702-214-2106
FAX: 702-214-2101
E-Mail: smt@pisanellibice.com

EXHIBIT D

EXHIBIT D

HOLLAND&HART LLP

J. Stephen Peek
Phone (702) 222-2544
Fax (702) 669-4650
speek@hollandhart.com

July 27, 2015

VIA EMAIL AND U.S. MAIL

Todd Bice, Esq.
PISANELLI BICE
400 S. 7th St. Suite 300
Las Vegas, NV 89101
tlb@pisanellibice.com

RE: Jacobs v Las Vegas Sands, Corp., et al.

Dear Todd:

I am enclosing my responses and objections to your 30(b)(6) topics.

Sincerely yours,

J. Stephen Peek
of Holland & Hart LLP

JSP

cc: J. Randall Jones, Esq.
Steve Morris, Esq.
James R. Ferguson, Esq.

RESPONSES AND OBJECTIONS TO TOPICS WITHIN JACOBS' NOTICE TO TAKE 30(B)(6) DEPOSITION OF LAS VEGAS SANDS CORP.

1. All efforts to locate responsive and discoverable documents, information and evidence in this action, including (but not limited to) files searched, search terms used, the date searches were conducted and the identity of all persons involved in the search.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege and on the further basis that such information related to files searched and search terms used has previously been provided to plaintiff and his counsel. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

2. All efforts to preserve information and evidence related to this action, including (but not limited to) notices sent, the date of preservation efforts and the identity of all persons involved in such preservation.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

3. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, organizing, preserving, archiving, saving and/or destroying Documents from January 1, 2009 to the present (specifically including, but not limited to, Documents related to Steven Jacobs).

Response: LVSC objects on the grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory within the date range agreed to by the parties and approved by the court.

4. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, backing-up, organizing, preserving, archiving, saving and/or destroying electronically stored information from January 1, 2009 to the present (specifically including, but not limited to, Steven Jacobs).

Response: See Response to Topic 3

5. Any Documents and/or ESI, or any portions thereof, relating to Jacobs or the claims or defenses asserted in this action that was concealed, lost, destroyed and/or misplaced and the circumstances behind such concealment, loss, destruction and/or misplacement.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

6. Any efforts by or on behalf of LVSC to determine whether each current and/or former employee of LVSC has or had any Documents and/or ESI related to Jacobs or the claims and defenses in this action.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege and on the further basis that such information related to files searched and search terms used has previously been provided to plaintiff and his counsel. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

7. All efforts to obtain consents from anyone under the MPDPA from January 1, 2009 to the present, including (but not limited to) the date of such efforts, the identity of all persons or consents were sought and the identity of all persons involved in procuring consents.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

8. The date, persons involved and substance of any communications with any Macau government official concerning the facts and allegations of this action.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

9. All damages claimed by LVSC in its counterclaim, including the facts giving rise to those damages and the manner and means of calculation.

Response: LVSC agrees to provide such information in the form of an answer to an interrogatory.

10. All communications with any government official either in the United States or Macau, Hong Kong or China concerning the MPDPA and its purported requirements, including (but not limited to) all efforts to obtain any authorizations or consents for the search of documents from January 1, 2009 to the present.

LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

11. All communications with prior employers of Plaintiff and/or Vagus Group, including (but not limited to) the participants in any such communications, the date, the substance of the communication, and any documents discussed or obtained.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

12. The factual basis for claiming that Plaintiff has stolen any property or information.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

13. All investigations into Plaintiff and/or family members, including (but not limited to) the identity of all participants, the contents of all written or verbal reports, all conclusions, and all persons with whom the information was shared.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

14. All alleged breaches of fiduciary or employment obligations by Jacobs, including (but not limited to) the date, all persons with knowledge, the alleged breaches and the location of all documents concerning any such purported breach.

Response: LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

15. The formation, purpose and operations of WDR, LLC and its subsequent dissolution, including (but not limited to) its involvement in any transfers of funds.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

16. Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic to the extent it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

17. All investigations conducted concerning and officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

19. All investigations conducted concerning any officer, employee, agent or representative of Sands China as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

Response: LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

20. The direct or indirect relationships between LVSC or any of its subsidiaries - including (but not limited to) the date commenced, terminated, financial terms of and agreements - that concern any of the following:

a. Sociedade

b. Nove

c. Sun City

d. Neptune

e. Unik Ltd.

f. Shanghai Sat Leng

g. Dore

h. Tak Lek

i. Li Kwok Hung

j. Sat leng Unipessoal Limited

k. Cheung Chi Tai

l. Charles Heung

m. Yvonne Mao

n. Angela Leong

o. Ng Lap Sing

p. Jack Lam

q. Tantra Lotus Club

r. Lee Chai Ming

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

21. Any communications with any Macau government official, including (but not limited to) Edmund Ho, concerning the settlement of the action styled *Clive Bassett Jones, et al v. Las Vegas Sands Corp., et al.*, Eighth Judicial District Court Case No. 06-A516404.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

22. Any communications with Leonel Alves concerning payments to any third parties in exchange for receiving any form of government approvals such as (but not limited to) strata title, including (but not limited to) the date, substance of the communication and all participants to any communication[s].

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

23. The form of any notice given to Plaintiff concerning any alleged breach of fiduciary duty or terms/conditions of employment, including (but not limited to) the date, substance of the notice and all participants in the communication[s].

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL").

Without waiving such objection and to the extent such information was provided to Jacobs by LVSC, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

24. The award of any stock options or grants to Plaintiff, including (but not limited to) the factual basis for the award, the value of those options/grants when awarded, the maximum value of those options from the date of award to the present and the basis for any termination/non-exercise of the award.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it has already been discussed in previous discovery and depositions taken by Jacobs' in this matter.

Without waiving such objection and to the extent such information was provided to Jacobs by LVSC, LVSC will provide a witness on this topic, and to the extent not duplicative of previous discovery, at such time as the plaintiff seeks to take the same witness' substantive deposition.

25. The facts provided to any official and/or officer of the United States government from October 23, 2010 to the present that in any way relates to, references or concerns the Plaintiff, his complaint in this action or your defenses to this action, including (but not limited to) documents provided or discussed.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

26. Any demand for retraction of purported false and/or defamatory statements or publications made on behalf of LVSC or any of its officers or directors including (but not limited to) the date, the substance of the retraction, the participants and the substance of the purported defamatory/false statement.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

27. Any investigation conducted by LVSC, its officers, agents or representatives as to any Macau government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information

that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

28. Any investigation conducted by LVSC, its officers, agents or representatives as to any China government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

Response: LVSC objects to this topic on the basis that this inquiry is best directed to Sands China Limited ("SCL"). LVSC further objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

29. Any circumstances where cash or other currency exceeding a value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or any other entity controlled by Sheldon Adelson.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

30. The actual, attempted or threatened termination or separation for cause of any person holding the position of Vice President or above from January 2008 to the present, including (but not limited to) name, date, or separation events which constituted purported cause, and the ultimate resolution.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

31. Any investigations conducted by LVSC or any of its officers, agents or representatives as to potential or suspected money laundering from January 1, 2009 to the present, including but not limited to the identity of all persons involved, documents in any investigation, with whom such information was shared and the investigations' ultimate outcome/conclusion.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is overbroad, unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

32. The factual basis for any claim by LVSC that the Term Sheet dated August 3, 2009, which it filed with the United State Securities and Exchange Commission, is not valid and binding.

LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

33. Your access to and review of any phone records for Plaintiff, including the date of review, the participants, and the contents of all phone records reviewed.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

34. The access to and review of the contents of any phone used by Plaintiff, including (but not limited to) who obtained the phone, any representations made to obtain access or possession, the contents of any information obtained and with whom the contents were shared.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic at such time as the plaintiff seeks to take the same witness' substantive deposition.

35. The communications with any representative of the news media about Plaintiff from June 22, 2010 to the present.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objection, LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

36. The allegations in your counterclaim at Paragraph 17 that "Jacobs was violating his obligations not only to Sands China but also to the LVSC as the majority shareholder of Sands China."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

37. The allegations in your counterclaim at Paragraphs 18-21 that Jacobs violated a "non-competition deed."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

38. The allegations in your counterclaim at Paragraphs 22-26 that "Jacobs endangers LVSC's and Sands China's relationship with the governments of Macau and China."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

39. The allegations in your counterclaim at Paragraphs 27-40 that "Jacobs delays terminating the contract between Cheung Chi-Tai and VML."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

40. The allegations in your counterclaim at Paragraphs 41-47 that "Jacobs' employment is terminated by Sands China and VML for cause and Jacobs initiates his extortion scheme."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

41. The allegations in your counterclaim at Paragraphs 48-52 that "Jacobs files a wrongful suit against LVSC in furtherance of his scheme."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

42. The allegations in your counterclaim at Paragraphs 53-60 that Jacobs has engaged in "abuse of process."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

43. The allegations in your counterclaim at Paragraphs 61-68 that Jacobs is engaged in "business defamation/disparagement."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

44. The allegations in your counterclaim at Paragraphs 69-74 that Jacobs undertook "intentional interference with respect to the economic advantage."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

45. The allegations in your counterclaim at Paragraphs 75-79 that Jacobs has undertaken "civil extortion."

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

46. The factual basis for your Second Affirmative Defense that Jacobs' claims are barred by the doctrine of laches.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

47. The factual basis in your Third Affirmative Defense that Jacobs' claims are barred by the doctrine of unclean hands.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

48. The factual basis for your Fourth Affirmative Defense that Jacobs' claims are barred by the doctrine of estoppel.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

49. The factual basis for your Fifth Affirmative Defense that Jacobs' claims are barred by the doctrine of waiver.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

50. The factual basis for your Sixth Affirmative Defense that Jacobs' claims are barred by the doctrine of election of remedies.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

51. The factual basis for your Seventh Affirmative Defense that Jacobs' claims are barred by the doctrine of accord and satisfaction.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

52. The factual basis for your Eighth Affirmative Defense that Jacobs' damages, if any, were caused by his own actions and not by that of LVSC.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

53. The factual basis for your Ninth Affirmative Defense that at all times, LVSC acted in accordance with reasonable commercial standards, in good faith, and with ordinary care and LVSC's actions did not contribute to the alleged damages.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

54. The factual basis for your Tenth Affirmative Defense that Jacobs failed to do equity towards LVSC and, therefore, is not entitled to any relief from LVSC.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

55. The factual basis for your Twelfth Affirmative Defense that LVSC is not a party to the Term Sheet and, therefore, is not a proper party to the breach of contract claim.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

56. The factual basis for your Thirteenth Affirmative Defense that LVSC was not Jacobs' employer and, therefore, is not a proper party to the tortious discharge claim.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

57. The factual basis for your Fourteenth Affirmative Defense to the effect that Jacobs "breached his contractual and fiduciary obligations and therefore relieved LVSC of any further obligations" to Jacobs.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

58. Any factual presentation, including any Documents, made during road shows for the potential IPO that would become Sands China, Ltd. concerning or relating to the following:

a. The roles and responsibilities of Sheldon G. Adelson

b. The roles and responsibilities of Steven C. Jacobs

c. The roles and responsibilities of Michael Leven

d. The involvement by LVSC in Sands China's governance

e. The potential conflicts of interest for LVSC

f. The potential conflicts of interest for Sheldon Adelson

g. The potential conflicts of interest for LVSC Board members

h. Adelson's ability or inability to vote on matters relating to Sands China

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving such objections, LVSC agrees to provide such information in the form of an answer to an interrogatory.

59. All communications had with, or presentations made by, any officer, employee, agent or representative of LVSC to any official of the United States or any State concerning the following:

a. Steven C. Jacobs

b. Pansy Ho

c. Leonel Alves

d. WDR

e. Cheung Chi Tai

f. Charles Heung

g. Yvonne Mao

h. Angelo Leon

i. Ng Lop Sing

j. Jack Lam

k. Lee Chai Ming

l. Edmund Ho

m. Fernando Choy

n. Luis Melo

o. Ben Toh

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

60. Any investigation conducted by or for the HKSE regarding Jacobs, any stock options granted to Jacobs, and/or the facts and circumstances alleged in this action, including (but not limited to) all facts provided, the date, all participants, the substance, Documents examined and/or considered, and any conclusions.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

61. Any investigation into or funds paid for acquiring the rights to any sports team in Macau or Mainland China, including (but not limited to) all facts, participants, Documents reviewed and conclusions.

Response: LVSC objects to this topic on the basis that it seeks information that is protected by the work product and attorney client privilege. LVSC objects on the further grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

62. The facts concerning any default of any credit instrument or bank obligations by LVSC or any of its subsidiaries between January 1, 2008 and July 23, 2010, including (but not limited to) the nature of the default, the financial terms of the default and the manner in which the potential default was avoided or default remedied.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

63. The financial terms of any funding to LVSC provided by Sheldon G. Adelson or any trust or entity controlled by him to LVSC from January 1, 2008 and July 23, 2010, including (but not limited to) the financial terms of any such funding, any options provided, and the total cost of the funding to LVSC.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence and, without waiving such objections, LVSC will produce publicly-available information on this topic for the period 2009-2010.

64. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Sheldon G. Adelson from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and

approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

65. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Robert Goldstein from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

66. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Mike Leven from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

67. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ken Kay from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

68. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by David Sisk from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

69. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven C. Jacobs from January 1, 2007 to the present.

Response: LVSC will provide a witness on this topic for the time period agreed and approved by the court at such time as the plaintiff seeks to take the same witness' substantive deposition.

70. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Erwin Siegel from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

71. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Jeff Schwartz from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

72. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by George Koo from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

73. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Irwin Chafetz from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

74. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Charles Forman from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

75. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven Weaver from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and

approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

76. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ed Tracy from January 1, 2007 to the present.

Response: LVSC objects on the grounds that this topic is unduly burdensome, designed to harass LVSC, is a fishing expedition, is beyond the date range agreed by the parties and approved by the court and is not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

Although irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, and, without waiving such objections, LVSC will produce publicly available information on this topic for the period 2009-2010.

EXHIBIT E

EXHIBIT E

Valerie Larsen

From: Steve Peek
Sent: Tuesday, July 28, 2015 3:53 PM
To: Todd Bice
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

All:

Let's proceed with the meet and confer tomorrow morning at 9:15 am to 10 am using Todd's dial-in number below.

Steve

J. Stephen Peek, Esq.
Partner
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
(702) 669-4600 (office)
(702) 222-2544 (direct)
(775) 247-1554 (Cell)
E-mail: speek@hollandhart.com

HOLLAND&HART

From: Todd Bice [mailto:tlb@pisanellibice.com]
Sent: Tuesday, July 28, 2015 2:03 PM
To: Steve Peek
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

We are on the same dial-in number as before. 888-808-6929
Access Code: 6901009

From: Steve Peek [mailto:SPeek@hollandhart.com]
Sent: Friday, July 24, 2015 2:22 PM
To: Todd Bice <tlb@pisanellibice.com>

Cc: Shannon M. Thomas <smt@pisanellibice.com>; Jordan T. Smith <JTS@pisanellibice.com>; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity <BCassity@hollandhart.com>; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen <VLLarsen@hollandhart.com>; Ferguson, James <JFerguson@mayerbrown.com>
Subject: RE: Jacobs v. Sands China, et al.; correspondence re deposition

Todd:

Thank you for your response. I obviously misunderstood our earlier conference on the topic of the 30(b)(6) and thought that you were going to be the moving party. As to your schedule for a meet and confer, I am available on Tuesday at 2 PM. Please send a call in number. As to the briefing schedule, I need to discuss with my client who is currently out of the country. I'll get back to you on Monday regarding this issue after I have had an opportunity to confer with my client.

Steve

From: Todd Bice [mailto:tlb@pisanellibice.com]
Sent: Thursday, July 23, 2015 9:27 PM
To: Steve Peek
Cc: Shannon M. Thomas; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com; Valerie Larsen; Ferguson, James
Subject: Re: Jacobs v. Sands China, et al.; correspondence re deposition

Steve: it is not acceptable to ask us to cooperate on timing and then make the type of proposal that you have made. To begin with, it was not appropriate to delay until I forced a response by my letter. As I informed you from the very beginning on this issue, while we were willing to work with you on timing, we wanted the matter resolved by the court promptly. That was not and is not a consent for you to delay until the day before the scheduled deposition to finally provide a list of topics upon which you object. Had we simply enforce the requirements of the rule, you would've been required to have filed your motion before now and we would have been well on our way to a resolution, if not had the matter resolved by the court.

Furthermore, it is not my clients burden to file a motion. As the party objecting to a notice of deposition, your client has the burden of moving for and obtaining a protective order.

We will look at your objections and hold a 2.34 conference on Tuesday at 2 PM. You will need to file your motion no later than Friday of next week and have it set on an order shortening time. We will file an opposition to your motion on five business days and then we can hold a prompt hearing. We will not agree to let this be dragged out.

-- Todd.

On Jul 23, 2015, at 4:46 PM, Steve Peek <SPeek@hollandhart.com> wrote:

> Todd:
>
> I will identify the topics in the 30(b)(6) notice to which we are objecting on or before Monday, July 27, 2015. I will be available for a meet and confer on Tuesday the 28th or Wednesday the 29th. I am in depositions on the 30th and 31st. For a briefing schedule, I would like at least 10 days to oppose your motion. You can pick the filing date and the reply period. You can also pick the hearing date so long as I have at least two full days to prepare for the hearing.
>
> Steve

From: Shannon M. Thomas [mailto:smt@pisanellibice.com]
Sent: Wednesday, July 22, 2015 5:08 PM
To: Steve Peek
Cc: Todd Bice; Jordan T. Smith; mlackey@mayerbrown.com; r.jones@kempjones.com; m.jones@kempjones.com; Bob Cassity; sm@morrislawgroup.com; rsr@morrislawgroup.com
Subject: Jacobs v. Sands China, et al.; correspondence re deposition

Attached please find correspondence from Mr. Bice. If you have any questions, please feel free to contact him directly at (702) 214-2100.

Thank you,

Shannon Thomas
Assistant to Todd L. Bice and
Jarrod L. Rickard
Pisanelli Bice, LLC
400 South 7th Street, Suite 300
Las Vegas, NV 89101
Phone: 702-214-2100
Direct: 702-214-2106
FAX: 702-214-2101
E-Mail: smt@pisanellibice.com

Please consider the environment before printing.

EXHIBIT 2

EXHIBIT 2

ELECTRONICALLY SERVED
07/09/2015 05:44:28 PM

NOTC
James J. Pisanelli, Esq., Bar No. 4027
JJP@pisanellibice.com
Todd L. Bice, Esq., Bar No. 4534
TLB@pisanellibice.com
Debra L. Spinelli, Esq., Bar No. 9695
DLS@pisanellibice.com
Jordan T. Smith, Esq., Bar No. 12097
JTS@pisanellibice.com
PISANELLI BICE PLLC
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101
Telephone: (702) 214-2100
Facsimile: (702) 214-2101

Attorneys for Plaintiff Steven C. Jacobs

DISTRICT COURT

CLARK COUNTY, NEVADA

STEVEN C. JACOBS,

Plaintiff,

v.

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

Defendants.

AND RELATED CLAIMS

Case No.: A-10-627691
Dept. No.: XI

NOTICE OF NRCP 30(b)(6) VIDEOTAPED DEPOSITION OF LAS VEGAS SANDS CORP.

Date of Deposition: July 28, 2015

Time of Deposition: 9:30 a.m.

PLEASE TAKE NOTICE that at 9:30 a.m. on July 28, 2015, pursuant to Rule 30(b)(6) of the Nevada Rules of Civil Procedure, Plaintiff, Stephen C. Jacobs, by and through his counsel will take the videotaped deposition of the Rule 30(b)(6) designee for Las Vegas Sands Corp. ("LVSC") at the law office of PISANELLI BICE PLLC, located at 400 South 7th Street, Suite 300, Las Vegas, Nevada 89101. The deposition will be taken upon oral examination, before a Notary Public, videographer and/or before some other officer authorized by law to administer oaths.

Pursuant to NRCP 30(b)(6), LVSC is required to designate individual[s] to provide testimony on all of the following topics:

1. All efforts to locate responsive and discoverable documents, information and evidence in this action, including (but not limited to) files searched, search terms used, the date searches were conducted and the identity of all persons involved in the search.

2. All efforts to preserve information and evidence related to this action, including (but not limited to) notices sent, the date of preservation efforts and the identity of all persons involved in such preservation.

3. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, organizing, preserving, archiving, saving and/or destroying Documents from January 1, 2009 to the present (specifically including, but not limited to, Documents related to Steven Jacobs).

4. Any LVSC policies, memoranda, procedures, methods, instructions, customs and/or practices for maintaining, storing, backing-up, organizing, preserving, archiving, saving and/or destroying electronically stored information from January 1, 2009 to the present (specifically including, but not limited to, Steven Jacobs).

5. Any Documents and/or ESI, or any portion thereof, relating to Jacobs or the claims or defenses asserted in this action that was concealed, lost, destroyed and/or misplaced and the circumstances behind such concealment, loss, destruction and/or misplacement.

6. Any efforts by or on behalf of LVSC to determine whether each current and/or former employee of LVSC has or had any Documents and/or ESI related to Jacobs or the claims and defenses in this action.

7. All efforts to obtain consents from anyone under the MPDPA from January 1, 2009 to the present, including (but not limited to) the date of such efforts, the identity of all persons or consents were sought and the identity of all persons involved in procuring consents.

8. The date, persons involved and substance of any communications with any Macau government official concerning the facts and allegations of this action.

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

9. All damages claimed by LVSC in its counterclaim, including the facts giving rise to those damages and the manner and means of calculation.

10. All communications with any government official either in the United States or Macau, Hong Kong or China concerning the MPDPA and its purported requirements, including (but not limited to) all efforts to obtain any authorizations or consents for the search of documents from January 1, 2009 to the present.

11. All communications with prior employers of Plaintiff and/or Vagus Group, including (but not limited to) the participants in any such communications, the date, the substance of the communication, and any documents discussed or obtained.

12. The factual basis for claiming that Plaintiff has stolen any property or information.

13. All investigations into Plaintiff and/or family members, including (but not limited to) the identity of all participants, the contents of all written or verbal reports, all conclusions, and all persons with whom the information was shared.

14. All alleged breaches of fiduciary or employment obligations by Jacobs, including (but not limited to) the date, all persons with knowledge, the alleged breaches and the location of all documents concerning any such purported breach.

15. The formation, purpose and operations of WDR, LLC and its subsequent dissolution, including (but not limited to) its involvement in any transfers of funds.

16. Any suspected violations of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

17. All investigations conducted concerning any officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

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

19. All investigations conducted concerning any officer, employee, agent or representative of Sands China as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.

20. The direct or indirect relationships between LVSC or any of its subsidiaries – including (but not limited to) the date commenced, terminated, financial terms of and agreements – that concern any of the following:

a. Sociedade

b. Nove

c. Sun City

d. Neptune

e. Unik Ltd.

f. Shanghai Sat Leng

g. Dore

h. Tak Lek

i. Li Kwok Hung

j. Sat leng Unipessoal Limited

k. Cheung Chi Tai

l. Charles Heung

m. Yvonne Mao

n. Angela Leong

o. Ng Lap Sing

p. Jack Lam

q. Tantra Lotus Club

r. Lee Chai Ming

21. Any communications with any Macau government official, including (but not limited to) Edmund Ho, concerning the settlement of the action styled *Clive Bassett Jones, et al v. Las Vegas Sands Corp., et al.*, Eighth Judicial District Court Case No. 06-A516404.

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

22. Any communications with Leonel Alves concerning payments to any third parties in exchange for receiving any form of government approvals such as (but not limited to) strata title, including (but not limited to) the date, substance of the communication and all participants to any communication[s].

23. The form of any notice given to Plaintiff concerning any alleged breach of fiduciary duty or terms/conditions of employment, including (but not limited to) the date, substance of the notice and all participants in the communication[s].

24. The award of any stock options or grants to Plaintiff, including (but not limited to) the factual basis for the award, the value of those options/grants when awarded, the maximum value of those options from the date of award to the present and the basis for any termination/non-exercise of the award.

25. The facts provided to any official and/or officer of the United States government from October 23, 2010 to the present that in any way relates to, references or concerns the Plaintiff, his complaint in this action or your defenses to this action, including (but not limited to) documents provided or discussed.

26. Any demand for retraction of purported false and/or defamatory statements or publications made on behalf of LVSC or any of its officers or directors including (but not limited to) the date, the substance of the retraction, the participants and the substance of the purported defamatory/false statement.

27. Any investigation conducted by LVSC, its officers, agents or representatives as to any Macau government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

28. Any investigation conducted by LVSC, its officers, agents or representatives as to any China government or military official, including (but not limited to) the purpose of the investigation, date, all participants, substance, documents examined and/or considered, conclusions and to whom the outcome of the investigation were shared.

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

29. Any circumstances where cash or other currency exceeding a value of $50,000 U.S. dollars was transported upon any airplane owned or leased by LVSC or any other entity controlled by Sheldon Adelson.

30. The actual, attempted or threatened termination or separation for cause of any person holding the position of Vice President or above from January 2008 to the present, including (but not limited to) name, date, or separation events which constituted purported cause, and the ultimate resolution.

31. Any investigations conducted by LVSC or any of its officers, agents or representatives as to potential or suspected money laundering from January 1, 2009 to the present, including but not limited to the identity of all persons involved, documents in any investigation, with whom such information was shared and the investigations' ultimate outcome/conclusion.

32. The factual basis for any claim by LVSC that the Term Sheet dated August 3, 2009, which it filed with the United State Securities and Exchange Commission, is not valid and binding.

33. Your access to and review of any phone records for Plaintiff, including the date of review, the participants, and the contents of all phone records reviewed.

34. The access to and review of the contents of any phone used by Plaintiff, including (but not limited to) who obtained the phone, any representations made to obtain access or possession, the contents of any information obtained and with whom the contents were shared.

35. The communications with any representative of the news media about Plaintiff from June 22, 2010 to the present.

36. The allegations in your counterclaim at Paragraph 17 that "Jacobs was violating his obligations not only to Sands China but also to the LVSC as the majority shareholder of Sands China."

37. The allegations in your counterclaim at Paragraphs 18-21 that Jacobs violated a "non-competition deed."

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

38. The allegations in your counterclaim at Paragraphs 22-26 that "Jacobs endangers LVSC's and Sands China's relationship with the governments of Macau and China."

39. The allegations in your counterclaim at Paragraphs 27-40 that "Jacobs delays terminating the contract between Cheung Chi-Tai and VML."

40. The allegations in your counterclaim at Paragraphs 41-47 that "Jacobs' employment is terminated by Sands China and VML for cause and Jacobs initiates his extortion scheme."

41. The allegations in your counterclaim at Paragraphs 48-52 that "Jacobs files a wrongful suit against LVSC in furtherance of his scheme."

42. The allegations in your counterclaim at Paragraphs 53-60 that Jacobs has engaged in "abuse of process."

43. The allegations in your counterclaim at Paragraphs 61-68 that Jacobs is engaged in "business defamation/disparagement."

44. The allegations in your counterclaim at Paragraphs 69-74 that Jacobs undertook "intentional interference with respect to the economic advantage."

45. The allegations in your counterclaim at Paragraphs 75-79 that Jacobs has undertaken "civil extortion."

46. The factual basis for your Second Affirmative Defense that Jacobs' claims are barred by the doctrine of laches.

47. The factual basis in your Third Affirmative Defense that Jacobs' claims are barred by the doctrine of unclean hands.

48. The factual basis for your Fourth Affirmative Defense that Jacobs' claims are barred by the doctrine of estoppel.

49. The factual basis for your Fifth Affirmative Defense that Jacobs' claims are barred by the doctrine of waiver.

50. The factual basis for your Sixth Affirmative Defense that Jacobs' claims are barred by the doctrine of election of remedies.

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

51. The factual basis for your Seventh Affirmative Defense that Jacobs' claims are barred by the doctrine of accord and satisfaction.

52. The factual basis for your Eighth Affirmative Defense that Jacobs' damages, if any, were caused by his own actions and not by that of LVSC.

53. The factual basis for your Ninth Affirmative Defense that at all times, LVSC acted in accordance with reasonable commercial standards, in good faith, and with ordinary care and LVSC's actions did not contribute to the alleged damages.

54. The factual basis for your Tenth Affirmative Defense that Jacobs failed to do equity towards LVSC and, therefore, is not entitled to any relief from LVSC.

55. The factual basis for your Twelfth Affirmative Defense that LVSC is not a party to the Term Sheet and, therefore, is not a proper party to the breach of contract claim.

56. The factual basis for your Thirteenth Affirmative Defense that LVSC was not Jacobs' employer and, therefore, is not a proper party to the tortious discharge claim.

57. The factual basis for your Fourteenth Affirmative Defense to the effect that Jacobs "breached his contractual and fiduciary obligations and therefore relieved LVSC of any further obligations" to Jacobs.

58. Any factual presentation, including any Documents, made during road shows for the potential IPO that would become Sands China, Ltd. concerning or relating to the following:

a. The roles and responsibilities of Sheldon G. Adelson

b. The roles and responsibilities of Steven C. Jacobs

c. The roles and responsibilities of Michael Leven

d. The involvement by LVSC in Sands China's governance

e. The potential conflicts of interest for LVSC

f. The potential conflicts of interest for Sheldon Adelson

g. The potential conflicts of interest for LVSC Board members

h. Adelson's ability or inability to vote on matters relating to Sands China

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

59. All communications had with, or presentations made by, any officer, employee, agent or representative of LVSC to any official of the United States or any State concerning the following:

a. Steven C. Jacobs

b. Pansy Ho

c. Leonel Alves

d. WDR

e. Cheung Chi Tai

f. Charles Heung

g. Yvonne Mao

h. Angelo Leon

i. Ng Lop Sing

j. Jack Lam

k. Lee Chai Ming

l. Edmund Ho

m. Fernando Choy

n. Luis Melo

o. Ben Toh

60. Any investigation conducted by or for the HKSE regarding Jacobs, any stock options granted to Jacobs, and/or the facts and circumstances alleged in this action, including (but not limited to) all facts provided, the date, all participants, the substance, Documents examined and/or considered, and any conclusions.

61. Any investigation into or funds paid for acquiring the rights to any sports team in Macau or Mainland China, including (but not limited to) all facts, participants, Documents reviewed and conclusions.

62. The facts concerning any default of any credit instrument or bank obligations by LVSC or any of its subsidiaries between January 1, 2008 and July 23, 2010, including (but not

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

limited to) the nature of the default, the financial terms of the default and the manner in which the potential default was avoided or default remedied.

63. The financial terms of any funding to LVSC provided by Sheldon G. Adelson or any trust or entity controlled by him to LVSC from January 1, 2008 and July 23, 2010, including (but not limited to) the financial terms of any such funding, any options provided, and the total cost of the funding to LVSC.

64. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Sheldon G. Adelson from January 1, 2007 to the present.

65. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Robert Goldstein from January 1, 2007 to the present.

66. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Mike Leven from January 1, 2007 to the present.

67. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ken Kay from January 1, 2007 to the present.

68. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by David Sisk from January 1, 2007 to the present.

69. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven C. Jacobs from January 1, 2007 to the present.

70. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Erwin Siegel from January 1, 2007 to the present.

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

71. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Jeff Schwartz from January 1, 2007 to the present.

72. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by George Koo from January 1, 2007 to the present.

73. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Irwin Chafetz from January 1, 2007 to the present.

74. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Charles Forman from January 1, 2007 to the present.

75. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Steven Weaver from January 1, 2007 to the present.

76. The total remuneration from LVSC and any of its subsidiaries, including salary, bonus, benefits, options, grants or anything else of value, paid to or received by Ed Tracy from January 1, 2007 to the present.

Oral examination will continue from day to day until completed. You are invited to attend and cross examine.

DATED this 9th day of July, 2015.

PISANELLI BICE PLLC

By: /s/ Todd L. Bice
James J. Pisanelli, Esq., Bar No. 4027
Todd L. Bice, Esq., Bar No. 4534
Debra L. Spinelli, Esq., Bar No. 9695
Jordan T. Smith, Esq., Bar No. 12097
400 South 7th Street, Suite 300
Las Vegas, Nevada 89101

Attorneys for Plaintiff Steven C. Jacobs

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 9th day of July, 2015, I caused to be sent via electronic mail and United States Mail, postage prepaid, a true and correct copy of the above and foregoing **NOTICE OF NRCP 30(b)(6) VIDEOTAPED DEPOSITION OF LAS VEGAS SANDS CORP.** properly addressed to the following:

J. Stephen Peek, Esq.
Robert J. Cassity, Esq.
HOLLAND & HART
9555 Hillwood Drive, Second Floor
Las Vegas, NV 89134
speek@hollandhart.com
rcassity@hollandhart.com

Michael E. Lackey, Jr., Esq.
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006
mlackey@mayerbrown.com

J. Randall Jones, Esq.
Mark M. Jones, Esq.
KEMP, JONES & COULTHARD
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
jrj@kempjones.com
mmj@kempjones.com

Steve Morris, Esq.
Rosa Solis-Rainey, Esq.
MORRIS LAW GROUP
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101
sm@morrislawgroup.com
rsr@morrislawgroup.com

/s/ Kimberly Peets
An employee of PISANELLI BICE PLLC

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

EXHIBIT 1

EXHIBIT 1

THE VENETIAN
Macau Limited
威尼斯人澳門股份有限公司

June 16, 2009

PRIVATE & CONFIDENTIAL

Mr. Jacobs, Steve
979 Crest Valley Dr.
Atlanta GA,
30027
USA

Dear Mr. Jacobs,

LETTER OF APPOINTMENT FOR EXECUTIVE

On behalf of Venetian Macau Limited ("the Company"), I am pleased to offer you the following position based upon the terms and conditions outlined in this letter and referenced employment materials.

1.	Job Title:	President – Macau
2.	Department:	Executive Office
3.	Job Grade:	A
4.	Reports to:	President and Chief Operating Officer, subject to change at the Company's discretion.
5.	Effective Date:	Upon issuance of Macau Work Permit
6.	Original Date of Hire:	Upon issuance of Macau Work Permit
7.	Point of Hire:	USA
8.	Working Location:	Macau SAR (in any of the properties owned by the company or any of its affiliates)
9.	Employee's Marital Status:	Married with one dependent
10.	Major Compensation Elements:	
	(a) Base Salary:	You will be paid a salary of Eight hundred Seventy thousand Three hundred and Fifty Patacas (MOP870,350.00), PER MONTH (the equivalent to one million three hundred

SJ000004

Employee's signature: _____

Venetian Macau Limited
威尼斯人澳門股份有限公司

thousand USD per annum). Salary will be reviewed annually in accordance with the Company's compensation policies.
The Company shall reimburse you of all out of pocket expenses incurred by you and approved by the President and Chief Operating Officer.

11. Work Schedule Exemption: You are not subject to work scheduling.

12. Employment Location: Macau SAR, subject to change at the Company's discretion.

13. Gross Salary: Salary tax, as assessed by the government of Macau SAR as well as any other tax liabilities as assessed by any government will be your own responsibility.

14. Governing Law: You acknowledge that this agreement is governed by and interpreted in accordance with Macau SAR law, and the courts of Macau SAR shall have exclusive jurisdiction over any legal proceedings related to this agreement.

15. Policies and Procedures: You agree to comply with all the Company's Policies and Procedures, which may be changed from time to time at the discretion of the Company.

16. Benefits Program: You will be eligible to participate in the benefit programs of the Company on the terms and conditions as offered to your grade level. Details of the benefit programs are described in the Team Member Handbook and similar materials which will be provided to you. You agree that except for those specific benefits that are required under Macau SAR law, all other benefit programs may be changed or cancelled from time to time at the discretion of the Company.

17. Term: This agreement shall remain valid for a period of two year provided however, that both parties may terminate this Agreement at any time, without cause, upon the giving not less than three (3) days advance notice to the other party.

Note:
(a) As a condition of employment, you must obtain a satisfactory security clearance, criminal record, by the relevant authorities.
(b) Background checks will be conducted on all team members. The employment shall be subject to successful completion of such background checks.
(c) If you do not hold a Macau Resident Card, this appointment is subject to your obtaining a valid work permit to work in Macau SAR. The Company will assist you in this process by providing you information and guidance; however, it is your responsibility to complete all requested

SJ000005

Employee's signature:

Avenida da Baía de Nossa Senhora da Esperança, no Venetian Macao Resort Hotel, Taipa, Macau
Tel: +853 2882 8888 Fax: +853 2882 8899 website: www.venetianmacao.com

THE VENETIAN
Macau Limited
威尼斯人澳門股份有限公司

paperwork as required by the authorities.

The Company looks forward to your acceptance of this offer and the contribution which you can make toward establishing a winning team.

Please indicate your acceptance of these employment terms and conditions by signing below and return the signed copies to Human Resources Department to the attention of Antonio Ramirez no later than July 15, 2009.

Yours Sincerely,
For and on behalf of
Venetian Macau Limited

Venetian Macau Limited

Date: _____

Accepted by:

Jacobs, Steve

Date: _____

«Signatory_Initial»/dk

SJ000006

Employee's signature: _____

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.	Case Number: 68265 Electronically Filed Aug 27 2015 04:43 p.m. Tracie K. Lindeman Clerk of Supreme Court
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.	Case No. 68275
LAS VEGAS SANDS CORP., A NEVADA CORPORATION; SANDS CHINA LTD., A CAYMAN ISLANDS CORPORATION; AND SHELDON G. ADELSON, AN INDIVIDUAL, Petitioners, vs.	Case No. 68309

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.

PETITIONER'S MOTION TO SUPPLEMENT RECORD IN SUPPORT OF PETITION FOR WRIT OF PROHIBITION OR MANDAMUS RE MAY 28, 2015 ORDER

CONSIDERATION REQUESTED ON OR BEFORE SEPTEMBER 1, 2015

MORRIS LAW GROUP
Steve Morris, Bar No. 1543
Rosa Solis-Rainey, Bar No. 7921
Ryan M. Lower, Bar No. 9108
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101
Telephone No.: (702) 474-9400

HOLLAND & HART LLP
J. Stephen Peek, Bar No. 1758
Robert J. Cassity, Bar No. 9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Telephone No.: (702) 669-4600

KEMP, JONES & COULTHARD, LLP J. Randall Jones, Bar No. 1927
Mark M. Jones, Bar No. 267
3800 Howard Hughes Pkwy, 17th Fl.
Las Vegas, NV 89169
Telephone No.: (702) 385-6000

Alan M. Dershowitz
(*pro hac vice*)
1575 Massachusetts Avenue
Cambridge, MA 02138
Telephone No.: (617) 319-9892

Attorneys for Petitioner,
Sands China Ltd.

Petitioner Sands China Ltd. ("SCL") respectfully submits this motion to supplement the record in Case No. 68265, consolidated with Cases No. 68275 and 68309, with recent district court rulings that further support SCL's request to reassign this case to a different district judge. Because oral argument on the three cases is scheduled on September 1, 2015, Petitioner respectfully asks that the motion be considered on an expedited basis. The current district court's recent rulings on discovery issues, not yet memorialized in written orders, continue to evidence this jurist's bias and hostility toward Defendants and further calls into question her ability to preside over this case as an impartial judicial officer. *See* Petition at 48-50.

While each of the district court's discovery rulings could be individually viewed as a "bad" call, collectively they demonstrate the apparent bias that the district court holds against Defendants, which provides an "objectively reasonable basis for questioning" the court's impartiality, and its ability to effectively and manage this litigation. *In re IBM Corp*, 45 F.3d 641, 644 (2d Cir. 1995); *see also United States v. Torkington*, 874 F.2d 1444, 1446 (11th Cir. 1989)("remarks by judge during trial may give rise to inference of bias or prejudice," *e.g.*, dismissing SCL's position on scheduling with the remark, "This is bullshit." PA 2942:9-19). "[T]he judicial system has the obligation of preserving public confidence in the impartial and fair administration of justice." *Id*. These rulings and this intemperate outburst in open court should not be excused as exercises of discretion.

A. Disparate Treatment of Parties on Similar Issues.

As this Court is aware from the record, Jacobs was terminated on July 23, 2010 after having been appointed as President and CEO of

Macau operations the preceding year. *See* Ex. 1, Letter of Appointment. Despite his short employment tenure, Jacobs' has propounded exceptionally and unreasonably broad discovery and sought Rule 30(b)(6) testimony from SCL's parent company on 76 topics, some of which are related to SCL and all of which are not only overbroad, but temporally unlimited and *outside* the period of Jacobs's employment. *See* Ex. 2 Jacobs' Not. of NRCP 30(b)(6) Videotaped Deposition of Las Vegas Sands Corp. ("LVSC"). Upon receipt of this Notice, LVSC promptly notified Plaintiff's counsel that the topics were objectionable and that LVSC would need to seek the protection of the Court with regard to the notice. *See* Ex. 3, LVSC Mot. for Protective Order at 3, ¶ 3. LVSC also explained that due to the large number of 30(b)(6) topics, it would need additional time to present its objections. Counsel was also informed that LVSC could not be prepared to present a witness on the scheduled date, July 28, 2015. The parties then agreed to meet and confer at 2 p.m. on the afternoon of that same day, more than four hours *after* the noticed start time for the objected-to deposition. *Id.* ¶ 5. At the same time, Jacobs demanded that LVSC's Motion for Protective Order be filed by July 31, 2015. *Id.*

In view of these negotiations to meet and confer on 30(b)(6) topics and witness preparation, Jacobs could not have had a reasonable expectation that the PMK deposition he noticed on 76topics would go forward on the same day, July 28. Jacobs nonetheless took a non-appearance and rushed to court to seek sanctions for the non-appearance of the witness he knew would not appear. Ex. 4, Pl's Mot. for Sanctions.[1] The

[1] Ex. 3A and 4A are the related oppositions to the respective motions referenced in Exhibits 3 and 4. The oppositions are provided only to ensure a complete record; they are not substantively needed for the principal issue in this motion, which is to illuminate the lack of equal treatment.

crux of Jacobs' motion was that despite the negotiations, the deposition date had not been formally vacated, and that LVSC did not file its motion for a protective order on the day demanded by Plaintiff, Friday, July 31. LVSC filed its motion *one judicial day later,* Monday, August 3. Ex. 3, LVSC Mot. for Protective Order.

Plaintiff did not contend he expected a witness on July 28. *See* Ex. 4. He apparently documented the announced non-appearance as a tactic in gamesmanship. On these facts, and with no explanation as to how the sanction bore any connection to the alleged misconduct, the district court sanctioned SCL's affiliate, LVSC, and ordered it to pay the "entire cost of the court reporter for the entire 30(b)(6) deposition process." Ex. 5, Aug. 13, 2015 Hrg. Tr. at 26:7-9. A sanction shifting the court reporter's costs (which presumably includes the videographer who appears with the reporter at every deposition) for multiple days of deposition is not reasonable for the non-appearance of a Rule 30(b)(6) deponent that Jacobs's counsel was expressly told weeks earlier could not be prepared or presented to testify on that date. At the same time, Jacobs' counsel implicitly agreed that he would provide additional time to address the dozens of topics to be covered. He in fact agreed to confer about the topics at 2:00 p.m. on the afternoon of the same day that the 9:30 a.m. 30(b)(6) deposition had been notified to commence.

The district court's propensity to sanction for discovery-related rule violations, however, appears to be triggered only when Defendants are targeted for sanctions. For example, several days ago, when Jacobs filed a motion for a protective order to prevent SCL from pursuing third-party discovery without even attempting to satisfy the meet and confer requirement set forth in Nev. R. Civ. P. 26(c) and E.D.C.R. 2.34, the district

court ignored his disregard of the rule. After flatly ignoring SCL's counsel's offer to meet and confer about the third-party subpoenas at issue, Jacobs filed a motion for protective order, claiming he was not provided notice of the subpoenas– a claim he was later forced to withdraw when evidence of receipt of the notice was provided. *See* Ex 6, Pl.'s Mot. for Protect. Order re Third Pty Subpoenas; Ex. 7, SCL's Opp'n to Mot. for Protective Order re Third Pty Subpoenas.

Notwithstanding Jacobs's direct violation of Nev. R. Civ. P. 26(c) and E.D.C.R. 2.34, the district court rejected SCL's contention that, in accord with her prior rulings, a discovery motion filed without a Rule 2.34 meet and confer would and should not be entertained. Ex. 8, Aug. 24, 2015 Hrg. Tr. at 5:4-24. The district court not only ignored her own prior rulings in considering Jacobs's irregular motion, but she also rejected SCL's request for an award of the fees and costs incurred ***as a direct result of Plaintiff's violation of these rules***. *Id.* at 16:5 - 7; Ex. 7 at 6. The district court's readiness to sanction Defendants without regard to proportionality between the sanction and alleged rule violation, and her refusal to hold Jacobs accountable for his inappropriate rule-violating motion for a protective order again demonstrates the district court's bias against the Defendants and her inability to deal with them impartially. This double standard in meting out discovery sanctions further highlights why this case should be reassigned.

B. One-Sided Discovery Rulings Permitting Overbroad Scope.

The district court's "*concern*" with protecting Plaintiff from narrow and timely discovery, while endorsing almost unlimited discovery for him that also exceeds the bounds of relevance to this Macau wrongful termination action, confirms her animus toward Defendants. *See* Ex. 8 at

16:8 - 17:5 (justifying setting of expedited hearing because a recipient of a third-party subpoena elected to respond in advance of due date and say he had no responsive documents because that could have resulted in production of documents to SCL, when Plaintiff mistakenly claimed lack of notice).

No such concern is shown for Defendants. For example, among the 76Rule 30(b)(6) topics Jacobs tendered that are impossibly overbroad and objectionable are numbers 16 - 18, calling for LVSC to produce a company witness on the following topics, for a 5-year period preceding the date of Jacobs' termination, and more than three years prior to his hire:

> No. 16. Any suspected violation of the Foreign Corrupt Practices Act by any LVSC officer, employee, agent or representative that in any way relates to, references, or concerns Macau and/or China.
>
> No. 17. All investigations conducted concerning any officer, employee, agent or representative of LVSC as to potential violations of Foreign Corrupt Practices Act that in any way relates to, references or concerns Macau and/or China.
>
> No. 18. Any suspected violations of the Foreign Corrupt Practices Act by any Sands China, officer, employee, agent or representative that in any way relates to, references or concerns Macau and/or China.

Ex. 2 at 3. Las Vegas Sands sought protection from these vague and/or impossibly overbroad topics that are without temporal limits. Ex. 6, Aug. 13, 2015 Hrg. Tr. at 13-24. Notwithstanding Jacobs' short tenure with SCL, on August 13 the district court ordered LVSC to search for and produce non-electronic information on FCPA "investigations" (as distinguished from "suspected violations," among many other topics) for *five years prior* to Jacobs' termination, and to prepare PMK witnesses to testify on those topics, despite the fact Plaintiff was employed in Macau for only several

months. *See* Ex. 1 (hire date); Ex. 6, August 13, 2015 Hrg. Tr. at 32:9-14; and Ex. 9, Aug. 6, 2015 Hrg. Tr. at 18-22.

The double-standard in imposing unreasonably overbroad discovery obligations on Defendants while at the same time, shielding Plaintiff from narrowly tailored discovery from him further demonstrates the district court's bias toward Defendants.

CONCLUSION

For these and the reasons set forth in the briefing, Petition at 48-50; Reply at 22-25, this case should be reassigned.

MORRIS LAW GROUP

By: /s/ STEVE MORRIS
Steve Morris, Bar No. 1543
Rosa Solis-Rainey, Bar No. 7921
Ryan M. Lower, Bar No. 9108
900 Bank of America Plaza
300 South Fourth Street
Las Vegas, NV 89101

KEMP JONES & COULTHARD, LLP
J. Randall Jones, Bar No. 1927
Mark M. Jones, Bar No. 267
3800 Howard Hughes Pkwy., 17th Fl.
Las Vegas, NV 89169

HOLLAND & HART LLP
J. Stephen Peek, Esq., Bar No. 1758
Robert J. Cassity, Esq., Bar No. 9779
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134

Alan M. Dershowitz
(pro hac vice)
1575 Massachusetts Avenue
Cambridge, MA 02138
Telephone No.: (617) 319-9892

Attorneys for Petitioner,
Sands China Ltd.

CERTIFICATE OF SERVICE

Pursuant to Nev. R. App. P. 25(b) and NEFR 9(f), I hereby certify that I am an employee of Morris Law Group; that on this date I electronically filed the following document: **PETITIONER'S MOTION TO SUPPLEMENT RECORD IN SUPPORT OF PETITION FOR WRIT OF PROHIBITION OR MANDAMUS RE MAY 28, 2015 ORDER** with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system (Eflex). Participants in the case who are registered with Eflex as users will be served by the Eflex system as follows:

James J. Pisanelli
Todd L. Bice
Debra Spinelli
Pisanelli Bice
PISANELLI BICE PLLC
400 South 7th Street
Las Vegas, NV 89101
Attorneys for Steven C. Jacobs, Real Party in Interest

DATED this 27th day of August, 2015.

By: /s/ PATRICIA FERRUGIA