

EXHIBIT 2

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
Defendants	.	Proceedings
.	

BEFORE THE HONORABLE ELIZABETH GONZALEZ, DISTRICT COURT JUDGE

**HEARING RE SUPPLEMENTAL BRIEF
IN SUPPORT OF PRIVILEGE LOG**

THURSDAY, MARCH 10, 2016

APPEARANCES:

FOR THE PLAINTIFF:	TODD L. BICE, ESQ.
	JAMES J. PISANELLI, ESQ.
	DUSTUN HOLMES, ESQ.

FOR THE DEFENDANTS:	J. STEPHEN PEEK, ESQ.
	JON RANDALL JONES, ESQ.
	STEVE L. MORRIS, ESQ.

COURT RECORDER:	TRANSCRIPTION BY:
JILL HAWKINS	FLORENCE HOYT
District Court	Las Vegas, Nevada 89146

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

1 LAS VEGAS, NEVADA, THURSDAY, MARCH 10, 2016, 8:32 A.M.

2 (Court was called to order)

3 THE COURT: The only other thing besides North Grand
4 Canyon is Sands-Jacobs. So if we could go there now. Do I
5 have everybody?

6 MR. MORRIS: No. We don't have --

7 MR. PISANELLI: I saw them both out there.

8 MR. MORRIS: We don't have Mr. Peek or Mr. Jones.

9 THE COURT: Okay. Would you like some coffee, Mr.
10 Morris?

11 MR. MORRIS: What I'd like is a shot.

12 THE COURT: I don't have that here.

13 MR. MORRIS: Thank you, Your Honor. I will accept
14 that offer.

15 THE COURT: Dan -- thanks, Kevin.

16 Okay. The first thing I need to start with is in
17 reading the supplemental brief in support of the privilege log
18 that I received yesterday I learned for the first time that
19 the Nevada Supreme Court has set a hearing on Judge Barker's
20 decision on the disqualification. Mr. Peek in Footnote 7 has
21 raised some issues about that. So I would sort of like you
22 guys to address that before I do anything else.

23 Mr. Peek, you're up.

24 MR. PEEK: Your Honor, I think my position is pretty
25 clear as set forth in the brief given the Court's prior

1 recusal -- I don't know if that's the right word, or at least
2 withdrawing until this issue is decided, first when we filed
3 the motion some time ago and then later when we did a motion
4 for rehearing, even at that time. And this is very similar, I
5 think, to that same issue in the motion for rehearing. And,
6 as I -- I don't remember which canon I cited to Your Honor. I
7 don't have it handy. I didn't bring that brief with me. It's
8 1 point something.

9 THE COURT: You mean the statute?

10 MR. PEEK: Statute, I'm sorry. The statute, yeah.

11 THE COURT: Yeah. The statute requires when the
12 motion is filed --

13 MR. PEEK: Statute requires, yeah.

14 THE COURT: -- to not do anything else.

15 MR. PEEK: Yeah. And I think this is very similar.
16 Just like you did on the motion for rehearing, this is now a
17 writ issue. The court has first ordered briefing. That has
18 been fully briefed, and the court has set it for hearing. So
19 I think that very same issue is extant.

20 THE COURT: When is it set for hearing?

21 MR. PEEK: April 5th, Your Honor.

22 THE COURT: Okay. Mr. Bice.

23 MR. BICE: Your Honor, omitted from any of their
24 presentation to you was is that they sought a stay, which was
25 denied.

1 THE COURT: Well, they said an emergency stay.

2 MR. BICE: Well, it's been denied. But it's not --
3 it's completely inappropriate to now come in to the Court,
4 when they're trying -- they've been delaying us on this issue
5 about these privileged documents. To now then throw in a
6 footnote that -- they did file this writ before. To now throw
7 in a footnote and suggest that the Court now should somehow
8 not proceed with the case after the Nevada Supreme Court
9 specifically denied the very relief that they now try and pass
10 off by way of a footnote --

11 THE COURT: Well, but if -- don't you think in
12 emergency motion for stay is different than a motion for stay?

13 MR. BICE: No.

14 THE COURT: Okay.

15 MR. BICE: They sought a stay from Judge Barker, and
16 it was denied. That wasn't an emergency motion for stay.
17 They sought a stay from Judge Barker. Judge Barker denied
18 that. They then went up to the Nevada Supreme Court, sought a
19 stay from the Nevada Supreme Court, and that was denied, as
20 well. To come in to this Court now and say, well, we want a
21 stay anyway, notwithstanding that two -- both courts have
22 denied that relief, so that we can continue to stall on this
23 issue is inappropriate. They're -- interestingly, they're
24 seeking affirmative relief from you on matters that they think
25 are beneficial to them --

1 THE COURT: Well, that's why I'm starting with this
2 issue, Mr. Bice.

3 MR. BICE: -- but then -- right -- but then turning
4 around and taking the position that you shouldn't proceed on
5 matters that have been pending for nine months.

6 THE COURT: So --

7 MR. BICE: That's completely -- that's completely
8 inappropriate. That argument is -- that argument is
9 disingenuous in the least to suggest that the Court should not
10 proceed with this matter because they now are going to hold
11 oral argument in a month.

12 THE COURT: You would agree that the Nevada Supreme
13 Court must have thought there was arguable merit to the
14 petition or they wouldn't have set it for hearing; right?

15 MR. BICE: I actually don't agree with that.

16 THE COURT: Okay.

17 MR. BICE: The Supreme Court sets matters for
18 hearing. They have other matters involved LVSC on the
19 April 5th stack concerning a defamation claim that grew out of
20 the Florida case that was up in the Second Circuit in New
21 York. There was already hearings set on LVSC matters
22 tangentially related to this case on April 5th in any event.

23 THE COURT: Okay. Anything else, Mr. Bice?

24 Anything?

25 Mr. Morris.

1 MR. MORRIS: Your Honor, that emergency motion was
2 presented to the Supreme Court before the Supreme Court
3 ordered an answer to the petition, and it was following the
4 ruling on ordering an answer on the petition that oral -- that
5 we filed -- we filed a -- they filed a response, we filed a
6 reply, and then they set oral argument. So I don't think the
7 denial of the emergency motion before anything was considered
8 with respect to that writ should be controlling here.

9 THE COURT: Anything else?

10 MR. BICE: Your Honor, the order denying their stay
11 was the order telling us to answer. So to claim that the
12 court didn't consider anything -- the court considered their
13 petition, considered their motion to stay, and denied it.

14 THE COURT: Okay. Anything else?

15 MR. MORRIS: And that was before they had their
16 answer and ordered an oral argument on the case.

17 THE COURT: Okay. Since it appears to me that the
18 Nevada Supreme Court's setting of this matter for oral
19 argument means they must believe there is something of
20 arguable merit, I find it to be similar to the motion for
21 reconsideration that was presented to Judge Barker, and I'm
22 going to take the same action that I did when that matter was
23 under reconsideration for Judge Barker.

24 I am going to stay the case pending a decision by
25 the Nevada Supreme Court on those issues -- or at least stay

1 my actions on the case.

2 MR. PEEK: Thank you, Your Honor.

3 THE COURT: Goodbye.

4 MR. BICE: Your Honor, I need to be heard on this.

5 THE COURT: That's why I asked you to be here, Mr.
6 Bice, because I was concerned -- I was unaware that it had
7 been set for oral argument until this morning when I was
8 reading the brief that was sent last night.

9 MR. BICE: So then the denial of a stay from the
10 Supreme Court means nothing. Essentially the Court -- Judge
11 Barker's denial of the stay means nothing, The Nevada Supreme
12 Court's denial of the stay means nothing, and so now, without
13 a motion for a stay even being filed by these parties, they
14 can throw in a footnote and then obtain a stay indirectly of
15 my client's rights for how many years, Your Honor? That is --
16 with all due respect to the Court, that is simply outrageous.

17 THE COURT: I understand your position, Mr. Bice,
18 but I am taking the same action that I believe I took when the
19 motion for reconsideration was pending. It doesn't matter
20 whether you agree with me. I'm the one who has to make that
21 evaluation as to whether I am taking the same action under
22 NRS 1.230, and that's the concern that I have, is I need to be
23 consistent. When Judge Barker was entertaining the motion for
24 reconsideration I also did the same stand-down. Doesn't stay
25 you guys from doing discovery, it stays me from making

1 rulings.

2 MR. BICE: Your Honor, you have essentially granted
3 them an indirect stay of the case by doing that. There is no
4 legal authority for that, there's no motion pending before the
5 Court. How is my client supposed to proceed to trial when
6 these -- when these -- and I just have to use the word,
7 because these stunts seem to work, and there's really nothing
8 one can call this other than a sort of a last-minute stunt.

9 THE COURT: Well --

10 MR. BICE: The Supreme Court denied the stay and
11 said the case was to proceed in front of you notwithstanding
12 the fact that they had filed their writ proceeding. That has
13 legal effect. That stay just doesn't -- the Supreme Court's
14 ruling just doesn't magically disappear because they throw into
15 a footnote a brief that they submitted yesterday saying it's
16 been set for oral argument. It simply isn't the law. And
17 it's prejudicial to my client that now we're going to have
18 this de facto stay, no motion, no hearing, no nothing.

19 THE COURT: Well, that's why I asked you your
20 position, because I wasn't going to do something without
21 asking you. Because technically the rule says, "The judge
22 against whom an affidavit alleging bias or prejudice is filed
23 shall proceed no further."

24 MR. BICE: Until that -- until the motion is
25 resolved.

1 THE COURT: And it has been resolved.

2 MR. BICE: Exactly.

3 THE COURT: And then we did a motion for
4 reconsideration. And, as you recall, while that motion for
5 reconsideration was pending I did the same thing. I took no
6 further action during the pendency of that decision-making
7 process. While I certainly understand your frustration, the
8 fact that they have set it for argument is a significant issue
9 to me. So -- it may not be significant to you, but it is a
10 significant issue to me, and I'm taking the same action that I
11 did when the motion for reconsideration was pending before
12 Judge Barker.

13 MR. BICE: Well, Your Honor, if that was the case,
14 then why wouldn't the mere filing of the writ be a sufficient
15 basis to freeze the Court?

16 THE COURT: Because --

17 MR. BICE: And if the Court allows that sort of
18 conduct, think about the consequences that you're imposing on
19 litigants. The mere filing of a writ now challenging an order
20 paralyzes the District Court proceedings.

21 THE COURT: I didn't take action based on the filing
22 of the writ, I didn't take action based upon ordering an
23 answer to the writ. I took action based upon the Nevada
24 Supreme Court issuing an order setting it for oral argument.

25 MR. BICE: I'm sorry, but the Nevada Supreme Court

1 didn't issue an order that said that it had arguable merit. W
2 the Nevada Supreme Court said is that, an answer would assist
3 us in resolving the question.

4 THE COURT: What it says in the document, which I
5 had not seen until this morning, which is Exhibit A to the
6 supplemental brief in support of the privilege log, is a
7 notice of oral argument setting dated March 7th setting it for
8 April 5th at 2:00 p.m.

9 MR. BICE: Right. And there's an order from the
10 Supreme Court that wasn't attached directing --

11 THE COURT: I don't get mail from the Supreme Court.

12 MR. BICE: -- directing us to file an answer. It
13 doesn't say that this appears to have arguable merit. What it
14 says is that, answer will assist us in resolving the matter.
15 That is different than suggesting that the Supreme Court has
16 determined that it has arguable merit when in fact their order
17 doesn't say that. And this is again not -- Your Honor, all I
18 can say to the Court is the Court is rewarding parties for
19 what I would submit is misconduct. And the Court is rewarding
20 that. And all I can tell the Court is that when you reward
21 that you're going to get more of it.

22 THE COURT: I understand your position, Mr. Bice.
23 If it had not been set for oral argument by the Nevada Supreme
24 Court, I would not be taking this action. Merely filing a
25 writ, in my opinion, on a motion for reconsideration would not

1 have put me in the position that I was in before. But by the
2 Supreme Court setting it for argument I am at this point, I
3 believe to be consistent with my prior actions while the
4 motion for reconsideration is pending, standing down pending a
5 determination on the writ.

6 MR. BICE: So, in other words --

7 MR. PEEK: Thank you, Your Honor.

8 MR. BICE: So, in other words, the case is now
9 stayed until the Supreme Court enters an order? That's what
10 you're --

11 THE COURT: Mr. Bice, 1.235(5) does not stay the
12 case. It does not prevent you from doing discovery, it does
13 not prevent you from doing meet and confers, it does not
14 prevent you from doing motion practice. It prevents me from
15 taking further action.

16 MR. PISANELLI: Is Judge Barker going to rule on
17 pending motions?

18 THE COURT: I'm not -- I can't assign anyone to do
19 that.

20 MR. PISANELLI: Well, that's what you did earlier in
21 the case when they were claiming that you shouldn't be ruling
22 on the Dumont deposition.

23 THE COURT: Well, but that was not under this
24 statute. That was because --

25 MR. PISANELLI: Wasn't it?

1 THE COURT: No. That was before they filed those
2 motions. I set that process before they filed those motions.
3 MR. BICE: Well, then we'll see Mr. Long at his
4 deposition, since there is no protective order.
5 THE COURT: So I'm not making any rulings on
6 anything.
7 MR. BICE: Thank you, Your Honor.
8 THE COURT: 'Bye.
9 MR. PEEK: 'Bye, Your Honor. Thank you.
10 MR. MORRIS: Thank you, Your Honor. Thanks for the
11 coffee, too.
12 THE COURT: Absolutely, Mr. Morris.
13 THE PROCEEDINGS CONCLUDED AT 8:45 A.M.
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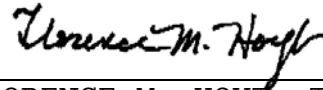
CERTIFICATION

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

3/10/16

DATE

EXHIBIT 1

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14 *and Sands China, Ltd.*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 STEVEN C. JACOBS,

14 Plaintiff,

15 v.

16 LAS VEGAS SANDS CORP., a Nevada
17 corporation; SANDS CHINA LTD., a Cayman
18 Islands corporation; SHELDON G. ADELSON,
19 in his individual and representative capacity;
20 VENETIAN MACAU LTD., a Macau
21 corporation; DOES I-X; and ROE
22 CORPORATIONS I-X,

23 Defendants.

24 AND ALL RELATED MATTERS.

CASE NO.: A627691-B

DEPT NO.: XI

**LAS VEGAS SANDS CORP.'S
SUPPLEMENTAL BRIEF IN SUPPORT
OF ITS PRIVILEGE LOG**

24 On December 28, 2015, this Court issued an order directing Defendant Las Vegas Sands
25 Corp. ("LVSC") to provide a privilege log.¹ See Order Granting in Part and Denying in Part

26
27 ¹ As a reminder, on November 19, 2015, this Court held a hearing regarding Plaintiff's Second
28 Motion to Compel Actual Compliance with Topics 25 and 59 of NRCP 30(b)(6) Deposition of
LVSC; on Order Shortening Time. Hr'g Tr. (Nov. 19, 2015) (on file). The Court issued an
Page 1 of 21

1 what the Legislature wished to encourage and protect: frank and open discussion with its
2 regulated licensees.

3 If the Court does not conclude that documents submitted to the NGCB are “absolutely
4 privileged” under NRS 463.3407(1), the communications and the documents are protected as
5 confidential pursuant to the provision of NRS 463.120(4). The statute says “all information and
6 data” that is “[p]repared or obtained by an agent or employee of the Board or Commission
7 pursuant to an ... investigation, ... or hearing, are confidential...” NRS 463.120(4), (4)(e)
8 (emphasis added).⁶ It is only in extremely limited circumstances, not present here, that the
9 “confidential” documents should ever be “revealed in whole or in part... upon the lawful order
10 of a court of competent jurisdiction.” NRS 463.120(4). Courts in *In re Smith*, 397 B.R. 124
11 (2008) and *Laxalt v. McClatchy*, 116 F.R.D. 455, 459 (D.Nev.1996) (*Laxalt II*) provide a four-
12 part rigorous balancing test that must be conducted by the court before documents may be
13 disclosed. See Section II, *infra*. It is apparent from the hearing transcript of March 3 that the
14 Court did not apply the balancing test required before deciding to do an in camera review.⁷ Hr’g
15 Tr. (Mar. 3, 2016), at 57:18-22 (“I am going to do an in- camera review, because I need to make
16 a determination as to whether any of the information to which you have asserted a claim of
17 privilege may lead to the discovery of admissible evidence.”).⁸ With regard to the other
18

19 ⁶ Accordingly, the same documents protected under NRS 463.3407 should be protected under
20 NRS 463.120(4), including Privilege Log Doc Nos. 1-2, 5-6, 9-10, 14-19, 24, 27-28, 32, 35, and
37-38.

21 ⁷ As this Court may know, the Nevada Supreme Court recently issued a notice for oral argument
22 regarding LVSC’s motion for disqualification. See Issued Notice Scheduling Oral Argument for
23 April 5, 2016 regarding *Las Vegas Sands Corp. vs. Dist. Ct.*, Docket No. 69802 (**Exhibit A**).
24 Because the rule for disqualification requires the presiding judge to “proceed no further with the
25 matter” when a motion for disqualification has been filed, see NRS 1.235(5), it is inappropriate
26 for this Court to order a critical and intrusive *in camera* review prior to the writ being resolved.
27 This Court should not take on the role of arbiter under the balancing test in the face of the
28 disqualification challenge before the Nevada Supreme Court.

26 ⁸ It is indisputable based on the information in the privilege log that the presentations made to the
27 DOJ/SEC were for the purpose of securing a settlement and are not admissible pursuant to FRE
28 408 and FRE 410 and should be protected from disclosure. These power point presentations
cannot constitute admissible evidence. Therefore no need for an *in camera* review exists.

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

2 *****

3 LAS VEGAS SANDS CORP., a
4 Nevada corporation; SANDS CHINA
5 LTD., A Cayman Islands corporation;
6 SHELDON G. ADELSON, in his
7 individual and representative capacity;
8 VENETIAN MACAU, LTD., a Macau
9 corporation, DOES I-X; and ROE
10 CORPORATIONS I-X,

11 Petitioners,

12 v.

13 CLARK COUNTY DISTRICT
14 COURT, THE HONORABLE DAVID
15 BARKER, DISTRICT JUDGE, DEPT.
16 18,

17 Respondents,

18 and

19 STEVEN C. JACOBS,

20 Real Party in Interest.

Case No.: 69802 Electronically Filed
Mar 10 2016 02:14 p.m.

Tracie K. Lindeman

**EMERGENCY MOTION UNDER
NRAP 27(e) FOR ENFORCEMENT
OF ORDER DENYING STAY AND
CLARIFICATION OF SETTING
ORAL ARGUMENT**

**[IMMEDIATE RELIEF
REQUESTED]**

21 Real Party in Interest Steven C. Jacobs' ("Jacobs") is compelled to move for
22 an Emergency Order to enforce this Court's February 26, 2016 denial of a stay to
23 Petitioners and clarifying its March 7, 2016 Order Setting Oral Argument.¹ In a
24 footnote in a brief filed last evening, Petitioners argued to the District Court that
25 this Court's setting of oral argument constitutes a suggestion that the currently-
26 assigned judge could proceed no further under NRS 1.235(5). (Ex. 1 at p. 5 n.7).

27 This morning, Petitioners doubled down on that claim, reasserting that NRS
28 1.235(5) precluded the District Court from hearing pending motions because of the
writ petition currently set for oral argument on April 5, 2016. (Ex. 2 at 2-3).
Petitioners omitted that they had sought and been denied stay on that relief from

¹ Pursuant to NRAP 27(e) counsel for Petitioners was given advance notice of
the intent to file this motion. The certificate of counsel under NRAP 27 is attached
hereto.

1 this Court. And when Jacobs pointed out that this Court had expressly denied
2 Petitioners a stay, Petitioners went so far as represent that this Court's rejection of a
3 stay occurred "before anything was considered with respect to that writ" and thus
4 this Court's denial "should not be controlling here." *Id.* at 6. In other words, this
5 Court's actual ruling "does not control" Petitioners' ability to claim that the District
6 Court is precluded from acting upon pending motions and that NRS 1.235(5)
7 continues to paralyze the District Court's proceedings even though the
8 disqualification motion was denied (twice) and this Court refused to stay the effect
9 of those denials. *Id.* Respectfully, these Petitioners are out of control.

10 Based upon the Petitioners' continuing assault and threats by reference to
11 NRS 1.235(5), the District Court concluded (out of an abundance of caution) that
12 Petitioners had effectively frozen the Court's ability to rule upon any contested
13 matters. (Ex. 2 at p. 8-10). Thus, while Jacobs could continue with discovery, the
14 Petitioners' continuing enlistment of NRS 1.235(5) effectively precludes any
15 challenged judge from ruling upon any contested motions, including pending
16 discovery motions.

17 Petitioners' latest assault on the judicial process – asserting that this Court
18 setting of an oral argument constitutes a suggestion that NRS 1.235(5) precludes the
19 trial judge from ruling upon motions – is a new low. Contrary to that assertion, this
20 Court's setting of an oral argument does not constitute any suggestion to the District
21 Court that it should not address pending motions, as Petitioners have represented.
22 This Court's denial of the Petitioners requested stay has actual meaning, contrary to
23 their endless reference to NRS 1.235(5) in a campaign to interfere with discovery
24 and the trial schedule. (Ex. 2 at p. 5, n.7). *See Millen v. Eighth Judicial Dist. Ct.*,
25 122 Nev. 1245, 1253, 148 P.3d 694, 700 (2006) (Trial judge is obligated to hear and
26 decide matters unless actually precluded from doing so).

27 Accordingly, Jacobs asks this Court to immediately dispense with Petitioners'
28 false suggestion so that pending motions can be resolved and this Court's order

1 denying their requested stay carried into effect. Indeed, Petitioners have asserted
2 that the District Court cannot proceed to consider matters until this Court resolves
3 the Writ Petition sometime after the April 5, 2016 oral argument date, the very
4 relief this Court rejected when it denied the motion for stay.

5 As if this Court's denial of a stay were unclear to Petitioners, Jacobs asks this
6 Court to clarify (1) that the denial of a stay has both meaning and effect; and (2)
7 that setting of oral argument is not suggestive otherwise or that the trial court is in
8 any way prohibited from fulfilling its obligation to proceed with the case.

9
10 DATED this 10th day of March, 2016.

11 PISANELLI BICE PLLC

12 By: /s/ Todd L. Bice
13 James J. Pisanelli, Esq., Bar No. 4027
14 Todd L. Bice, Esq., Bar No. 4534
15 Debra L. Spinelli, Esq., Bar No. 9695
400 South 7th Street, Suite 300
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16 Attorneys for Real Party in Interest
17 Steven C. Jacobs
18
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28

NRAP 27(e) CERTIFICATE

As counsel for Real Party in Interest Steven C. Jacobs I certify the following pursuant to NRAP 27(e):

1. The telephone numbers and office address of the attorneys for the parties involved are as follows:

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Attorneys for Petitioner Sheldon G. Adelson

2. The facts showing the existence and the nature of the emergency are as follows:

As set forth in the Motion, Petitioners have asserted that this Court's setting of oral argument on their pending Writ Petition for April 5, 2016, constitutes a suggestion that the District Court is precluded from further proceeding and

1 ruling upon any contested matters without transgressing the provisions of
2 NRS 1.235(5). The effect of that claim is to try and paralyze the District
3 Court from ruling upon multiple contested motions which are presently
4 pending before the Court, including all discovery motions.

5 3. I notified counsel for the Petitioners of our intent to file this motion via
6 email at 10:22 a.m. today. The Motion has been served upon counsel for
7 Petitioners by email upon its filing with this Court.

8 4. The relief sought could not be obtained in the District Court because
9 Petitioners have claimed that the District Court is precluded from ruling any
10 contested matters under NRS 1.235(5) because of this Court's setting of the Writ
11 Petition for oral argument.

12
13 DATED this 10th day of March, 2016.

14 PISANELLI BICE PLLC

15 By: /s/ Todd L. Bice
16 James J. Pisanelli, Esq., Bar No. 4027
17 Todd L. Bice, Esq., Bar No. 4534
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19 Attorneys for Real Party in Interest
20 Steven C. Jacobs
21
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25
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28

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 10th day of March, 2016, I electronically filed and served a true and correct copy of the above and foregoing **EMERGENCY MOTION UNDER NRAP 27(e) FOR ENFORCEMENT OF ORDER DENYING STAY AND CLARIFICATION OF SETTING ORAL ARGUMENT** properly addressed to the following:

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Attorneys for Petitioners

SERVED VIA HAND-DELIVERY ON 03/10/16

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Eighth Judicial District court, Dept. XVIII
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The Honorable Elizabeth Gonzalez
Eighth Judicial District court, Dept. XI
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Las Vegas, Nevada 89155

/s/ Shannon Thomas
An employee of PISANELLI BICE PLLC