

# **EXHIBIT 1**

**(To be filed Under Seal)**

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 30 2016 10:41 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court  
**NOTICE OF SUGGESTION OF  
RECUSAL OF JUSTICE MICHAEL  
CHERRY**

21           Real Party in Interest Steven C. Jacobs ("Jacobs") gives notice that Justice  
22   Michael Cherry should recuse himself from any connection with the Petition  
23   presently before the Court and all other aspects of this litigation. This notice is  
24   materially based upon the deposition testimony of Robert Goldstein ("Goldstein")  
25   taken on March 21, 2016. Goldstein testified as to his role as a member of the  
26   Board of Directors of the Dr. Miriam and Sheldon G. Adelson Clinic for Drug  
27   Abuse, Treatment & Research, Inc. (the "Clinic"), located in Las Vegas, Nevada.  
28   Goldstein is a material witness in this litigation. Goldstein further testified that he  
serves on the Clinic's Board along with Justice Cherry. (Ex. 1 hereto).<sup>1</sup> Goldstein

<sup>1</sup> Because of the timing of this matter, Jacobs presently only possesses a draft of Goldstein's transcript, which is attached hereto as Exhibit 1. Pursuant to the Stipulated Protective Order, this transcript is confidential for 30 days and thus Jacobs files the transcript under seal notwithstanding the fact that Jacobs disputes that this information can be declared confidential.

1 noted that the funding for the Clinic comes from the Adelson family, and involves  
2 Defendant Sheldon G. Adelson's long-time Boston-based financial advisor. *Id.*  
3 Furthermore, public records show that the Chairperson of the Clinic, Dr. Miriam  
4 Adelson, is the largest individual shareholder of Petitioner Las Vegas Sands Corp.  
5 ("LVSC") and that with her husband, Sheldon Adelson, the Adelson family owns a  
6 majority and controlling interest in LVSC. As a result, Dr. Adelson has a direct  
7 financial interest in the outcome of this case and the Clinic relies upon the Adelson  
8 family for its funding.

9 This notice is based upon the Code of Judicial Conduct Rule 2.11(A), which  
10 directs that a "judge shall disqualify himself or herself in any proceeding in which  
11 the judge's impartiality might reasonably be questioned. . . ." In addition, Rule  
12 2.11(A)(3) requires recusal where the "judge knows that he or she, individually or a  
13 as a fiduciary. . . has an economic interest in the subject matter in controversy or in  
14 a party to the proceeding." As a Board member, Justice Cherry is a fiduciary of the  
15 Clinic, which relies on the continued financial support of the Adelson family, and  
16 the Adelson family has a direct financial stake in the outcome of this case, including  
17 the fact that Sheldon Adelson and LVSC are Defendants.

18  
19 DATED this 28th day of March, 2016.

20 PISANELLI BICE PLLC

21 By: /s/ Todd L. Bice  
22 James J. Pisanelli, Esq., Bar No. 4027  
23 Todd L. Bice, Esq., Bar No. 4534  
24 Debra L. Spinelli, Esq., Bar No. 9695  
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Las Vegas, Nevada 89101

25 Attorneys for Real Party in Interest  
26 Steven C. Jacobs  
27  
28

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC and that, on this 28th day of March, 2016, I electronically filed and served a true and correct copy of the above and foregoing **NOTICE OF SUGGESTION OF RECUSAL OF JUSTICE MICHAEL CHERRY** properly addressed to the following:

J. Stephen Peek, Esq.  
Robert J. Cassity, Esq.  
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*Attorneys for Petitioners*

**SERVED VIA HAND-DELIVERY ON 03/28/16**

The Honorable David Barker  
Eighth Judicial District court, Dept. XVIII  
Regional Justice Center  
200 Lewis Avenue  
Las Vegas, Nevada 89155

The Honorable Elizabeth Gonzalez  
Eighth Judicial District court, Dept. XI  
Regional Justice Center  
200 Lewis Avenue  
Las Vegas, Nevada 89155

/s/ Shannon Thomas  
An employee of PISANELLI BICE PLLC