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December 6, 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Castelli*
CHIEF DEPUTY CLERK

The Nevada Supreme Court
201 S. Carson Street Suite 201
Carson City, NV. 89701-4702

Dear Nevada Supreme Court Members,

ADKT 410

We read in the Las Vegas Review Journal that the new policy covering civil court case records should remain open for public scrutiny unless a compelling privacy argument can be made to seal them from view.

We were the victims of such a miscarriage of justice. Attorneys for Nevada Imaging Centers were able to have a sealing order approved several days before our case was ever filed. Case # A503666. After twenty seven (27) months and the trial date fast approaching and knowing we had discovered each and every indiscretion they had and had not done on January 12, 2004, Nevada Imaging, had one of their attorneys file a Stipulation to Dismiss the case. Judge Valerie Vega approved that motion on August 27, 2007.

Shortly after that date we approached the staff of Judge Hardcastle and Judge Gonzales whose names were both stamped on the Sealing order. Judge Hardcastle denied she had anything to do with the sealing and she claimed the case was sealed by Judge Gonzales. We contacted Judge Gonzales's staff and after reviewing the matter, the case was unsealed within two days. We now have a motion pending before Judge Vega to have all of the documents unsealed. Judge Gonzales states that she never intended for the case to be Super Sealed

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and didn't know how that happened. We had requested our attorney, in the more than two years that he was our defense attorney to submit a motion to have the case unsealed but he declined and stated that he did not think he could win such a motion. And the fact that the case was Super Sealed prevented him from even trying.

The motion to have the documents unsealed is scheduled to be ruled on by Judge Vega on the 19th of December, 2007. As of this date we don't know if any objection to our motion has been filed by Nevada Imaging.

The newspaper article states that written comment in support of this new policy would be taken by the court through Dec. 21st, at which time the court will then rule on this policy.

Speaking for myself and my family in Las Vegas and my daughter who lives in Montana as well as the daughter we had to remove from life support due to the staff not following common sense and protocol at Nevada Imaging Centers, we urge you to adopt this new policy and thereby set out clear and concise guidelines for Judges to follow in using their power to seal public records.

The public had a right to know what went on in January, 2004. Then they could have made the choice to continue to use the facility or not. Cover up's have devastating effects on families. And what about the poor victim who walked, talked and had a wonderful future before her. One injection - then left alone and forever brain dead because of inadequate assistance in her time of need. Next was the cover up and with the help of the Judicial System, it made the innocent party look like the villain.

This case was basically a SLAPP suit and was sealed in an attempt to stop us from telling anyone how bad the Imaging facility was where our daughter went for a CAT scan with contrast and died fourteen days later as a result of the non professional people that were working at this facility. During the taking of depositions for this case, it was learned that no one working at the Imaging facility that day, questioned our daughter regarding what medication she was taking at the time and no one knew that her anti-seizure medication was not compatible with the contrast injection they put into her body.

We have since learned that the Medical Director, Dr. Gary McLellen and his wife, Patrica McLellen, the Administrator who were responsible for the day to day operation of the five Nevada Imaging Centers in Las Vegas, were themselves being sued by the Senior Partners of Lake Mead Radiology for Violation of the Civil R.I.C.O. act as well as sixteen other counts, including fraud, embezzlement, etc.

The Department of Health and Human Services, Office of Civil Rights is also conducting an investigation of the conduct of the attorneys and Nevada Imaging Center in regards to violation of HIPAA rules and regulations in this matter.

We believe that we have covered all of the important issues in this matter. We hope that the next article that appears in the Review Journal will be informing the public that the new policy regarding the sealing of public records has been approved and adopted.

Sincerely,

Frank B. Lockwood, Sr.
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Audrey C. Lockwood
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