

*Supreme Court Case No. 68664*

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IN THE SUPREME COURT OF THE STATE OF NEVADA

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FRANK PECK

*Appellant,*

v.

VALLEY HOSPITAL MEDICAL CENTER; DAVID ZIPF, M.D.; AND MICHAEL D.  
BARNUM, M.D.,

*Respondents*

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**RESPONDENTS' NOTICE OF SUPPLEMENTAL AUTHORITIES**

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Eighth Judicial District Court, Clark County  
The Honorable Douglas W. Herndon  
Civil Case No. A708447

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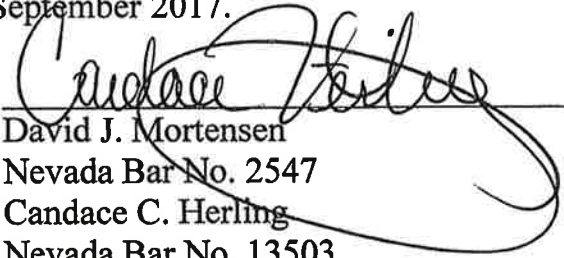
**RESPONDENTS' NOTICE OF SUPPLEMENTAL AUTHORITIES**

Pursuant to Nevada Rule of Appellate Procedure 31(e), Respondents submit the following authority:

At oral argument on September 26, 2017, this Honorable Court asked if the term "surgery" was defined in the Nevada Revised Statutes. Although counsel correctly responded that it was not, surgery is, however, defined in the Nevada Administrative Code § 449.9743 as "the treatment of a human being by operative methods." This definition supplements pages 25 and 26 of Respondent Zipf's Answering Brief and pages 27 and 28 of Respondent Barnum's Answering Brief. Respondents, therefore, attach and submit a copy of NAC 449.9743 for this Court's consideration.

Respectfully submitted this 28th day of September 2017.

  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 28<sup>th</sup> day of September, 2017, a true and correct copy of RESPONDENTS' NOTICE OF SUPPLEMENTAL AUTHORITIES was completed upon all counsel of record by electronically filing the document using the Nevada Supreme Court's electronic filing system.

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<p>Nevada Administrative Code Currentness Chapter 449. Medical and Other Related Facilities Surgical Centers for Ambulatory Patients General Provisions</p>
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NAC 449.9743

NAC 449.9743 "Surgery" defined. (NRS 449.0302)

"Surgery" means the treatment of a human being by operative methods.

**Credits**

(Added to NAC by Bd. of Health by R049-99, eff. 9-27-99; A by R181-09, 10-4-2013)

Current with amendments included in the State of Nevada Register of Administrative Regulations, Volume 235, dated July 31, 2017 and Supplement 2016-2, dated September 30, 2016.

NAC 449.9743, NV ADC 449.9743

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