

CASE NO. 70083

**IN THE
SUPREME COURT OF NEVADA**

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Elizabeth A. Brown
Clerk of Supreme Court

**VALLEY HEALTH SYSTEM, LLC, a Nevada limited liability company,
d/b/a CENTENNIAL HILLS HOSPITAL MEDICAL CENTER; AND
UNIVERSAL HEALTH SERVICES, INC., a Delaware corporation,**

Appellants,

vs.

**ESTATE OF JANE DOE, BY AND THROUGH ITS SPECIAL
ADMINISTRATOR, MISTY PETERSON,**

Respondent.

**APPEAL FROM THE EIGHTH JUDICIAL DISTRICT COURT, CLARK
COUNTY, NEVADA
HONORABLE JUDGE RICHARD SCOTTI, CASE NO. A-09-595780-C**

**APPELLANT UNIVERSAL HEALTH SERVICES, INC.'S
SUPPLEMENT TO PETITION FOR REHEARING**

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IN THE SUPREME COURT OF THE STATE OF NEVADA

VALLEY HEALTH SYSTEM, LLC,
a Nevada limited liability company,
d/b/a CENTENNIAL HILLS
HOSPITAL MEDICAL CENTER;
AND UNIVERSAL HEALTH
SERVICES, INC., a Delaware
corporation,

Appellants,

vs.

ESTATE OF JANE DOE, by and
through its Special Administrator,
MISTY PETERSON,

Respondent.

Supreme Court No. 70083

District Court No. A595780

APPELLANTS' AMENDED NRAP 26.1 DISCLOSURE

Appellants recently determined that their NRAP 26.1 disclosure was incorrect, and they provide this amended NRAP 26.1 disclosure to the Court.

The undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a), and must be disclosed.

These representations are made in order that the judges of this Court may evaluate possible disqualification or recusal.

Appellant Valley Health System, LLC d/b/a Centennial Hills Hospital Medical Center (“Centennial Hills”) is a Delaware Limited Liability Company. Centennial Hills is a subsidiary of Valley Hospital Medical Center, Inc. (“VHMC”). VHMC is a subsidiary of UHS Holding Company, Inc. (“UHSHC”). UHSHC is a subsidiary of Centennial Hills’ ultimate parent, Universal Health Services, Inc. (“UHS”), a publicly held company and a Delaware corporation. UHS of Delaware, Inc. (“UHS Delaware”) is also a subsidiary of UHS and is the management company for Centennial Hills. There are no publicly held companies that own 10% or more of the stock of UHS.

DATED this 18th day of October, 2018.

BAILEY ♦ KENNEDY

By: /s/ Dennis L. Kennedy

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APPELLANT UNIVERSAL HEALTH SERVICES, INC.’S
SUPPLEMENT TO PETITION FOR REHEARING

In its Petition for Rehearing (the “Petition”), Universal Health Services, Inc. (“UHS”) stated that there is no evidence in the record that it employed any of the nurses at issue in the District Court’s November 4, 2015 Sanction Order (the “Sanction Order”). There is, however, deposition testimony in the record which indicates that certain members of upper management at Centennial Hills were employed by an entity referred to as “Universal Health Services.” (Appellants’ Appendix (“AA”), Vol. XV, Tab 71, at 2882-2883.) This included one of the employees at issue in the Sanction Order—Carol Butler, Chief Nursing Officer. (AA, at 2882-2883, 2892.) Later in the deposition, the deponent clarified that the employing entity was UHS of Delaware, Inc., a non-party to this action. (AA, at 2893.) This is accurate, as these employees, including Ms. Butler, were employees of UHS of Delaware, Inc., a non-party to this action and a UHS subsidiary.

To be clear, this does not change any of UHS’ arguments in the Petition because there remains no evidence in the record showing that UHS—as opposed to Centennial Hills or non-party UHS of Delaware, Inc.—was

1 involved in any of the discovery violations identified in the Sanction Order.

2 This minor clarification is being provided to this Court in the interests of full
3 transparency.

4 DATED this 18th day of October, 2018.

5 BAILEY ♦ KENNEDY

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7 By: /s/ Dennis L. Kennedy
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NRAP 28.2 CERTIFICATE OF COMPLIANCE

1. I hereby certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5), and the type-style requirements of NRAP 32(a)(6) because:

[x] This brief has been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman font 14.

2. I further certify that this brief complies with the page volume limitations of NRAP 40(b)(3) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is:

[x] Proportionally spaced, has a typeface of 14 points or more, and does not exceed 10 pages.

3. Finally, I hereby certify that I have read this brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the

1 transcript or appendix where the matter relied on is to be found.

2 I understand that I may be subject to sanctions in the event that the
3 accompanying brief is not in conformity with the requirements of the Nevada
4 Rules of Appellate Procedure.

5 DATED this 18th day of October, 2018.

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CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY ♦ KENNEDY and that on the 18th day of October, 2018, service of the foregoing **APPELLANT UNIVERSAL HEALTH SERVICES, INC.'S SUPPLEMENT TO PETITION FOR REHEARING** was made by electronic service through Nevada Supreme Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known addresses:

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