

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Electronically Filed
Jan 19 2017 10:34 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

LAS VEGAS RADIOLOGY, LLC, a
Nevada Limited Liability Company,

Petitioner

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT of the State of Nevada, in and
for the County of Clark, and the
HONORABLE JERRY A. WIESE,
District Court Judge,

Respondents,

REPUBLIC SILVER STATE
DISPOSAL, INC.; ANDREW M.
CASH, M.D.; ANDREW M. CASH,
M.D., P.C. aka ANDREW MILLER
CASH, M.D., P.C.; DESERT
INSTITUTE OF SPINE CARE, LLC, a
Nevada Limited Liability Company;
JAMES D. BALODIMAS, M.D.;
JAMES D. BALODIMAS, M.D., P.C.;
LAS VEGAS RADIOLOGY, LLC, a
Nevada Limited Liability Company;
BRUCE A. KATUNA, M.D.;
ROCKYMOUNTAIN
NEURODIAGNOSTICS, LLC, a
Colorado Limited Liability Company;
DANIELLE MILLER aka DANIELLE
SHOPSHIRE; and
NEUROMONITORING
ASSOCIATES, INC.,

Real Parties in Interest.

SUPREME COURT CASE NO.:
72123

EIGHTH JUDICIAL DISTRICT
COURT CASE NO.: A-16-738123-C

**PETITIONER LAS VEGAS
RADIOLOGY, LLC, A NEVADA
LIMITED LIABILITY
COMPANY'S MOTION FOR
LEAVE TO JOIN JAMES D.
BALODIMAS, M.D. AND JAMES
D. BALODIMAS, M.D., P.C.'S
PETITION FOR WRIT OF
MANDAMUS**

KIM IRENE MANDELBAUM, ESQ.

Nevada Bar No. 318

MARIE ELLERTON, ESQ.

Nevada Bar No. 4581

MANDELBAUM, ELLERTON & ASSOCIATES

2012 Hamilton Lane

Las Vegas, Nevada 89106

Attorneys for Petitioner/Real Party in Interest

Las Vegas Radiology, LLC

1 Petitioner Las Vegas Radiology, LLC (Petitioner) by and through its attorneys
2 of record, KIM IRENE MANDELBAUM, ESQ. and MARIE ELLERTON, ESQ., of
3 MANDELBAUM, ELLERTON & ASSOCIATES, hereby respectfully requests leave
4 to join James D. Balodimas, M.D. and James D. Balodimas, M.D., P.C.'s Petition for
5 Writ of Mandamus.

6 This Petition is made and based upon the paper and pleadings on file herein
7 submitted with James D. Balodimas, M.D. and James D. Balodimas, M.D., P.C.'s
8 Petition for Writ of Mandamus, and such other documentary evidence as may be
9 presented and any oral arguments at the time of the hearing of this matter. Petitioner
10 thus hereby adopts the following as set forth in James D. Balodimas, M.D. and James
11 D. Balodimas, M.D., P.C.'s Petition for Writ of Mandamus:

12 (A) the relief sought;

13 (B) the facts and procedural history necessary to understand the issues
14 presented by the petition;

15 (C) the issue presented;

16 (D) the reasons why the court should hear the issue; and

17 (E) the reasons why the writ should issue, including the points and legal
18 authorities.


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1 Pursuant to NRAP 21(e), this document is accompanied by a check in the
2 amount of Two Hundred Fifty Dollars and no cents (\$250.00), made payable to the
3 Clerk of the Supreme Court.


4 DATED this 19th day of January, 2017

5 MANDELBAUM, ELLERTON & ASSOCIATES

6
7 By: 
8 KIM IRENE MANDELBAUM, ESQ.
9 Nevada Bar No. 318
10 MARIE ELLERTON, ESQ.
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12 2012 Hamilton Lane
13 Las Vegas, Nevada 89106
14 *Attorneys for Petitioner/Real Party in Interest*
15 *Las Vegas Radiology, LLC*
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EXECUTED this 19th day of January, 2017.


Marie Ellerton, Esq.

SUBSCRIBED AND SWORN to before me
this 19th day of January, 2017.

Rebecca Oaly
NOTARY PUBLIC in and for
said County and State



1 **NRAP 28.2 ATTORNEY'S CERTIFICATE OF COMPLIANCE**

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

5 [X] It has been prepared in proportionally spaced typeface using
6 WordPerfect X5 in 14 point Times New Roman font.

7 2. I further certify that this brief complies with the page-or type-volume
8 limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by
9 NRAP 32(a)(7)(C), it is:

10 [X] Proportionally spaced, has a typeface font of 14 points or more, and
11 contains 204 words.

12 3. I hereby certify that I have read Petitioner, Las Vegas Radiology, LLC's
13 MOTION FOR LEAVE TO JOIN JAMES D. BALODIMAS, M.D. AND JAMES D.
14 BALODIMAS, M.D., P.C.'S PETITION FOR WRIT OF MANDAMUS, and to the
15 best of my knowledge, information, and belief, it is not frivolous or interposed for any
16 improper purposes. I further certify that this brief complies with all applicable
17 Nevada Rules of Appellate Procedure, in particular NRAP 28(e), which requires
18 every assertion in the brief regarding matters in the record to be supported to a
19 reference to the page of the transcript or appendix where the matter relied on is to be
20 found.

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

4 DATED this 19th day of January, 2017.

5 MANDELBAUM, ELLERTON & ASSOCIATES

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7 By: Marie Ellerton

8 Kim Irene Mandelbaum, Esq.

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15 *Las Vegas Radiology, LLC*

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EXECUTED this 19th day of January, 2017.

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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of January 2017, service of a true and correct copy of the foregoing **PETITIONER LAS VEGAS RADIOLOGY, LLC, A NEVADA LIMITED LIABILITY COMPANY'S MOTION FOR LEAVE TO JOIN JAMES D. BALODIMAS, M.D. AND JAMES D. BALODIMAS, M.D., P.C.'S PETITION FOR WRIT OF MANDAMUS** was made as indicated below:

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The Honorable Jerry A. Wiese
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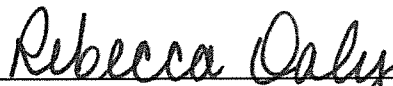
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