

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Electronically Filed
May 03 2017 03:23 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

JAMES D. BALODIMAS, M.D., and
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,

NEVADA SUPREME COURT
CASE NO.: 59556

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

Petitioners

vs.

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.;
DANIELLE MILLER aka DANIELLE
SHOPSHIRE; and NEURO-
MONITORING ASSOCIATES, INC.,

PETITIONER LAS VEGAS
RADIOLOGY, LLC'S JOINDER TO
BRUCE A. KATUNA, M.D. AND
ROCKY MOUNTAIN
NEURODIAGNOSTICS, LLC'S
JOINDER TO JAMES D.
BALODIMAS, M.D. AND JAMES D.
BALODIMAS, M.D., P.C.'S REPLY
TO REPUBLIC SILVER STATE
DISPOSAL'S ANSWER TO
PETITION FOR WRIT OF
MANDAMUS AND TO APPENDIX
THERETO

Real Parties in Interest.

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

Petitioner Las Vegas Radiology, LLC (Petitioner) by and through its attorneys of record, Kim Irene Mandelbaum, Esq. and Marie Ellerton, Esq., of Mandelbaum, Ellerton & Associates, hereby respectfully submits its Joinder to Bruce A. Katuna, M.D. and Rocky Mountain Neurodiagnostics, LLC's Joinder to James D. Balodimas, M.D. and James D. Balodimas, M.D., P.C.'s Reply to Republic Silver State Disposal's Answer to Petition for Writ of Mandamus, and Bruce A. Katuna, M.D. and Rocky Mountain Neurodiagnostics, LLC's Appendix to Joinder to Reply to Republic Silver State Disposal's Answer to Petition for Writ of Mandamus.

This Joinder is made and based upon the papers and pleadings on file herein submitted with Bruce A. Katuna, M.D. and Rocky Mountain Neurodiagnostics, LLC's Joinder to James D. Balodimas, M.D. and James D. Balodimas, M.D., P.C.'s Reply to Republic Silver State Disposal's Answer to Petition for Writ of Mandamus and Bruce A. Katuna, M.D. and Rocky Mountain Neurodiagnostics, LLC's Appendix to Joinder to Reply to Republic Silver State Disposal's Answer to Petition for Writ of Mandamus, and such other documentary evidence as may be presented and any oral arguments at the time of the hearing of this matter. Petitioner Las Vegas Radiology, LLC hereby adopts the following as set forth in Bruce A. Katuna, M.D. and Rocky Mountain Neurodiagnostics, LLC's Joinder to James D. Balodimas, M.D. and James D. Balodimas, M.D., P.C.'s Reply to Republic Silver State Disposal's Answer to Petition for Writ of Mandamus, and Bruce A. Katuna, M.D. and Rocky Mountain Neurodiagnostics, LLC's Appendix to Joinder to Reply to Republic Silver State Disposal's Answer to Petition for Writ of Mandamus:

I. Introduction;

II. Discussion;

A. Joint vs. Successive Tortfeasors;

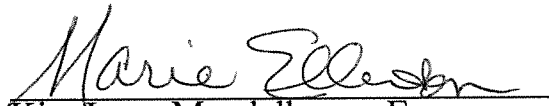
B. There is no Right to Contribution Among Successive Tortfeasors;

1 **CERTIFICATE OF COMPLIANCE**

2 I hereby certify that I have read this Joinder to Bruce A. Katuna, M.D. and
3 Rocky Mountain Neurodiagnostics, LLC's Joinder to James D. Balodimas, M.D. and
4 James D. Balodimas, M.D., P.C.'s Reply to Republic Silver State Disposal's Answer
5 to Petition for Writ of Mandamus and to Appendix, and to the best of my knowledge,
6 information and belief, it is not frivolous or interposed for any improper purpose. I
7 further certify that this Joinder complies with all applicable Nevada Rules of
8 Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in
9 the brief regarding matters in the record to be supported by a reference to the page
10 and volume number, if any, of the transcript or appendix where the matter relied on
11 is to be found. I understand that I may be subject to sanctions in the event that the
12 accompanying brief is not in conformity with the requirements of the Nevada Rules
13 of Appellate Procedure.

14 DATED this 3rd day of May, 2017.

15 MANDELBAUM, ELLERTON & ASSOCIATES

16
17 By: 
18 Kim Irene Mandelbaum, Esq.
19 Nevada Bar No.: 318
20 Marie Ellerton, Esq.
21 Nevada Bar No.: 4581
22 2012 Hamilton Lane
23 Las Vegas, Nevada 89106
24 *Attorneys for Petitioner*
25 *Las Vegas Radiology, LLC*
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of May, 2017, service of a true and correct copy of the foregoing **Petitioner Las Vegas Radiology, LLC's Joinder to Bruce A. Katuna, M.D. and Rocky Mountain Neurodiagnostics, LLC's Joinder to James D. Balodimas, M.D. and James D. Balodimas, M.D., P.C.'s Reply to Republic Silver State Disposal's Answer to Petition for Writ of Mandamus and to Appendix** was electronically filed and served in accordance with the Master Service List as follows:

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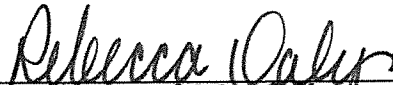
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Via U.S. Mail
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Eighth Judicial District Court
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Las Vegas, Nevada 89155
Respondent


An Employee of Mandelbaum, Ellerton & Associates