

CLERK OF THE COURT

Electronically Filed  
Feb 24 2017 09:14 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1 **NOAS**  
2 **ZOE TERRY, ESQ.**  
3 Nevada Bar No. 10900  
4 **TERRY LAW GROUP, PC**  
5 410 S. Rampart Blvd, Suite 390  
6 Las Vegas, Nevada 89145  
7 *Attorneys for Plaintiffs*  
8 (702) 726-6797  
9 *zoe@terrylawgroup.com*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

8 SUSAN DOLORFINO,  
9 Plaintiffs,

10 vs.

11 UNIVERSITY MEDICAL CENTER OF  
12 SOUTHERN NEVADA; ROBERT HARPER  
13 ODELL, JR., M.D.; DOES 1 through 100, and  
14 ROE CORPORATIONS 1 through 100,  
15 inclusive,

16 Defendants.

Case No: A-16-735063-C

Dept. No: XXIX

**NOTICE OF APPEAL**

17 Notice is hereby given that Plaintiff/Appellant SUSAN DOLORFINO hereby appeals  
18 to the Supreme Court of Nevada from the Eighth Judicial District Court's Order Granting  
19 Defendant ROBERT HARPER ODELL, JR.'s Motion For Summary Judgment and  
20 UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA's Joinder to said Motion,  
21

22 ///

23 ///

24 ///

25 ///

1 entered on February 6, 2017 and for which Notice of Entry of Order was served February 7,  
2 2017.

3 DATED this 16<sup>th</sup> day of February, 2017.

4 TERRY LAW GROUP, PC

5 ZTerry  
6 ZOE TERRY, ESQ.

7 Nevada Bar # 6519

8 410 S Rampart Blvd., Suite 390

9 Las Vegas, NV 89145

10 Attorney for Plaintiff/Appellant

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on the 16<sup>th</sup> day of February, 2017, I served a true and correct copy of the  
13 foregoing **NOTICE OF APPEAL**, addressed to the following counsel of record at the following  
14 address(es), as follows:

15        **VIA U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with  
16 postage thereon fully prepaid, addressed as indicated on service list below in the  
17 United States mail at Las Vegas, Nevada.

18        **VIA FACSIMILE:** by causing a true copy thereof to be telecopied to the number  
19 indicated on the service list below.

20        **VIA PERSONAL DELIVERY:** by causing a true copy thereof to be hand delivered  
21 on this date to the addressee(s) at the address(es) set forth on the service list below.

22        **VIA E-SERVICE:** an electronic copy of the preceding document was concurrently  
23 served upon opposing counsel via the Court's electronic service system.

24 John H. Cotton, Esq.

25 JOHN H. COTTON & ASSOCIATES, LTD.

26 7900 West Sahara Avenue, Suite 200

27 Las Vegas, NV 89117

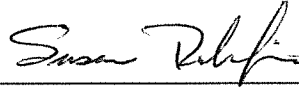
28 (702) 832-5909 phone

(702) 832-5910 fax

*Attorneys for Defendant*

*Robert Harper Odell, Jr., M.D.*

1 Jeffrey I. Pitegoff, Esq.  
2 MORRIS, SULLIVAN, LEMKUL & PITEGOFF  
3 3770 Howard Hughes Parkway, Suite 170  
4 Las Vegas, NV 89169  
5 (702) 405-8100 phone  
6 (702) 405-8101 fax  
7 *Attorneys for Defendant*  
8 *University Medical Center of Southern Nevada*



---

An employee of TERRY LAW GROUP, PC

  
CLERK OF THE COURT

ASTA  
ZOE TERRY, ESQ.  
Nevada Bar No. 10900  
TERRY LAW GROUP, PC  
410 S. Rampart Blvd, Suite 390  
Las Vegas, Nevada 89145  
*Attorneys for Plaintiffs*  
(702) 726-6797  
zoe@terrylawgrouppc.com

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SUSAN DOLORFINO,  
Plaintiffs,

vs.

UNIVERSITY MEDICAL CENTER OF  
SOUTHERN NEVADA; ROBERT HARPER  
ODELL, JR., M.D.; DOES 1 through 100, and  
ROE CORPORATIONS 1 through 100,  
inclusive,

Defendants.

Case No: A-16-735063-C

Dept. No: XXIX

**CASE APPEAL STATEMENT**

COMES NOW, Plaintiff, SUSAN DOLORFINO, by and through her attorneys of  
record, TERRY LAW GROUP, PC, and hereby submits the following Case Appeal  
Statement:

1. NAME OF APPELLANTS FILING THIS CASE APPEAL STATEMENT:  
Susan Dolorfino
2. JUDGE ISSUING DECISION, JUDGMENT, OR ORDER APPEALED  
FROM:  
The Honorable Joseph T. Boneventure (Department 29 (Civil), Eighth Judicial  
District Court).

///

///

///

///

1           3.     NAME AND ADDRESS OF COUNSEL FOR APPELLANT:

2           Zoe Terry  
3           Nevada Bar No. 10900  
4           TERRY LAW GROUP, PC  
5           410 S. Rampart Blvd., Suite 390  
6           Las Vegas, NV 89145  
7           Telephone: (702) 726-6797  
8           Facsimile: (702) 726-6818  
9           Email: [zoe@terrylawgroup.com](mailto:zoe@terrylawgroup.com)

10          4.     RESPONDENT AND THE NAME AND ADDRESS OF APPELLATE  
11          COUNSEL:

12           Respondent: University Medical Center of Southern Nevada

13           Counsel for Respondent:

14           Jeffrey Pitegoff, Esq.  
15           Nevada Bar No. 5458  
16           Morris, Sullivan, Lemkul & Pitegoff  
17           3770 Howard Hughes Parkway, Suite 170  
18           Las Vegas, NV 89169  
19           Telephone: (702) 405-8100  
20           Facsimile: (702) 405-8101  
21           Email: [pitegoff@morrisullivanlaw.com](mailto:pitegoff@morrisullivanlaw.com)

22           Respondent: Robert Harper Odell, Jr, M.D.

23           Counsel for Respondent:

24           John H. Cotton, Esq.  
25           Nevada Bar No. 5268  
26           John H. Cotton & Associates, Ltd  
27           7900 West Sahara Avenue, Suite 200  
28           Las Vegas, NV 89117  
            Telephone: (702) 832-5909  
            Facsimile: (702) 832-5910  
            Email: [JHCotton@jhcottonlaw.com](mailto:JHCotton@jhcottonlaw.com)

29          5.     INDICATE WHETHER EACH ATTORNEY IDENTIFIED ABOVE IN  
30          RESPONSE TO QUESTIONS 3 OR 4 IS NOT LICENSED TO PRACTICE LAW IN  
31          NEVADA AND, IF SO, WHETHER THE DISTRICT COURT GRANTED THAT  
32          ATTORNEY PERMISSION TO APPEAR UNDER S.C.R. 42:

1 Not applicable. All attorneys in this matter are licensed to practice law in Nevada.

2 6. INDICATE WHETHER APPELLANT WAS REPRESENTED BY  
3 APPOINTED OR RETAINED COUNSEL IN THE DISTRICT COURT:

4 Retained counsel.

5 7. INDICATE WHETHER APPELLANT WAS REPRESENTED BY  
6 APPOINTED OR RETAINED COUNSEL ON APPEAL:

7 Retained counsel.

8 8. INDICATE WHETHER APPELLANT WAS GRANTED LEAVE TO  
9 PROCEED IN FORMA PAUPERIS, AND THE DATE OF ENTRY OF THE DISTRICT  
10 COURT ORDER GRANTING SUCH LEAVE:

11 No, appellant has not been granted such leave.

12 9. INDICATE THE DATE THE PROCEEDINGS COMMENCED IN THE  
13 DISTRICT COURT:

14 April 14, 2016.

15 10. PROVIDE A BRIEF DESCRIPTION OF THE NATURE OF THE ACTION  
16 AND RESULT IN THE DISTRICT COURT, INCLUDING THE TYPE OF JUDGMENT  
17 OR ORDER BEING APPEALED AND THE RELIEF GRANTED BY THE DISTRICT  
18 COURT:

19 This action arises out of an incident that occurred on April 14, 2015 at UMC. Ms. Dolorfino  
20 was undergoing a total abdominal hysterectomy. During the surgery, the hospital experienced a total  
21 black out and the anesthesiologist, Dr. Odell dropped his instrument on Ms. Dolorfino's face,  
22 loosening her tooth.

23 Defendant, Dr. Odell, filed a Motion for Summary Judgment and Defendant, UMC, filed a  
24 joinder to said Motion. The Motion was heard on September 14, 2016 and granted. The Order  
25 Granting Summary Judgment was not efiled until February 6, 2017. Defendant filed a Notice of Entry  
26 of Order on February 7, 2017. This is the Order that is being Appealed.

27 11. INDICATE WHETHER THE CASE HAS PREVIOUSLY BEEN THE  
28 SUBJECT OF AN APPEAL TO OR ORIGINAL WRIT PROCEEDING IN THE

1 SUPREME COURT AND, IF SO, THE CAPTION AND SUPREME COURT DOCKET  
2 NUMBER OF THE PRIOR PROCEEDING:

3 No, the case has not previously been the subject of an appeal or writ proceeding.

4 12. INDICATE WHETHER THIS APPEAL INVOLVES CHILD CUSTODY OR  
5 VISITATION:

6 No, this appeal involves neither child custody nor visitation.

7 13. IF THIS IS A CIVIL CASE, INDICATE WHETHER THIS APPEAL  
8 INVOLVES THE POSSIBILITY OF SETTLEMENT:

9 Plaintiff will never rule out the possibility of settlement.

10 DATED this 16<sup>th</sup> day of February, 2017.

11 TERRY LAW GROUP, PC

12   
13 ZOE TERRY, ESQ.

14 Nevada Bar # 6519

15 410 S Rampart Blvd., Suite 390

16 Las Vegas, NV 89145

17 Attorney for Plaintiff/Appellant  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of February, 2017, I served a true and correct copy of the foregoing **CASE APPEAL STATEMENT**, addressed to the following counsel of record at the following address(es), as follows:

\_\_\_\_ **VIA U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, addressed as indicated on service list below in the United States mail at Las Vegas, Nevada.

\_\_\_\_ **VIA FACSIMILE:** by causing a true copy thereof to be telecopied to the number indicated on the service list below.

\_\_\_\_ **VIA PERSONAL DELIVERY:** by causing a true copy thereof to be hand delivered on this date to the addressee(s) at the address(es) set forth on the service list below.

✓ \_\_\_\_ **VIA E-SERVICE:** an electronic copy of the preceding document was concurrently served upon opposing counsel via the Court's electronic service system.

John H. Cotton, Esq.  
JOHN H. COTTON & ASSOCIATES, LTD.  
7900 West Sahara Avenue, Suite 200  
Las Vegas, NV 89117  
(702) 832-5909 phone  
(702) 832-5910 fax  
*Attorneys for Defendant*  
*Robert Harper Odell, Jr., M.D.*

Jeffrey I. Pitegoff, Esq.  
MORRIS, SULLIVAN, LEMKUL & PITEGOFF  
3770 Howard Hughes Parkway, Suite 170  
Las Vegas, NV 89169  
(702) 405-8100 phone  
(702) 405-8101 fax  
*Attorneys for Defendant*  
*University Medical Center of Southern Nevada*

  
\_\_\_\_\_  
An employee of TERRY LAW GROUP, PC



  
CLERK OF THE COURT

1 **NOTC**  
2 **ZOE TERRY, ESQ.**  
3 Nevada Bar No. 10900  
4 **TERRY LAW GROUP, PC**  
5 410 S. Rampart Blvd, Suite 390  
6 Las Vegas, Nevada 89145  
7 *Attorneys for Plaintiffs*  
8 (702) 726-6797  
9 *zoe@terrylawgroup.com*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

8 SUSAN DOLORFINO,  
9 Plaintiffs,

10 vs.

11 UNIVERSITY MEDICAL CENTER OF  
12 SOUTHERN NEVADA; ROBERT HARPER  
13 ODELL, JR., M.D.; DOES 1 through 100, and  
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16 Defendants.

Case No: A-16-735063-C

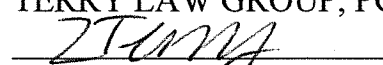
Dept. No: XXIX

**NOTICE OF DISTRICT COURT APPEAL FILING FEE**

17 TO: ALL COUNSEL OF RECORD and INTERESTED PARTIES:

18 Pursuant to N.R.S. 19.013 and N.R.A.P. 3(e), Plaintiff/Appellant SUSAN DOLORFINO  
19 deposits with the District Court \$24.00 filing fee.

20 DATED this 16<sup>th</sup> day of February, 2017.

21 TERRY LAW GROUP, PC  
22   
23 ZOE TERRY, ESQ.  
24 Nevada Bar # 6519  
25 410 S Rampart Blvd., Suite 390  
26 Las Vegas, NV 89145  
27 Attorney for Plaintiff/Appellant  
28

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Las Vegas, NV 89117  
(702) 832-5909 phone  
(702) 832-5910 fax  
*Attorneys for Defendant*  
*Robert Harper Odell, Jr., M.D.*

Jeffrey I. Pitegoff, Esq.  
MORRIS, SULLIVAN, LEMKUL & PITEGOFF  
3770 Howard Hughes Parkway, Suite 170  
Las Vegas, NV 89169  
(702) 405-8100 phone  
(702) 405-8101 fax  
*Attorneys for Defendant*  
*University Medical Center of Southern Nevada*



\_\_\_\_\_  
An employee of TERRY LAW GROUP, PC

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3 Nevada Bar No. 10900  
4 **TERRY LAW GROUP, PC**  
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6 Las Vegas, Nevada 89145  
7 *Attorneys for Plaintiffs*  
8 (702) 726-6797  
9 *zoe@terrylawgroup.com*

  
CLERK OF THE COURT

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

8 SUSAN DOLORFINO,  
9 Plaintiffs,

10 vs.

11 UNIVERSITY MEDICAL CENTER OF  
12 SOUTHERN NEVADA; ROBERT HARPER  
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16 Defendants.

Case No: A-16-735063-C

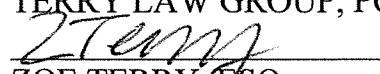
Dept. No: XXIX

**NOTICE OF SUPREME COURT FILING FEE**

17 TO: ALL COUNSEL OF RECORD and INTERESTED PARTIES:

18 Pursuant to NRAP 3(a)(1) and NRAP 3(e), Plaintiff/Appellant SUSAN DOLORFINO  
19 deposits with the District Court \$250.00 as a filing fee for appeal.

20 DATED this 16<sup>th</sup> day of February, 2017.

21  
22 TERRY LAW GROUP, PC  
23   
24 ZOE TERRY, ESQ.  
25 Nevada Bar # 6519  
26 410 S Rampart Blvd., Suite 390  
27 Las Vegas, NV 89145  
28 Attorney for Plaintiff/Appellant

1  
2 **CERTIFICATE OF SERVICE**

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4 foregoing **NOTICE OF SUPREME COURT FILING FEE**, addressed to the following counsel of  
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21 *Attorneys for Defendant*  
22 *Robert Harper Odell, Jr., M.D.*

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26 Las Vegas, NV 89169  
27 (702) 405-8100 phone  
28 (702) 405-8101 fax  
*Attorneys for Defendant*  
*University Medical Center of Southern Nevada*



An employee of TERRY LAW GROUP, PC

DEPARTMENT 29  
**CASE SUMMARY**  
**CASE NO. A-16-735063-C**

**Susan Dolorfino, Plaintiff(s)**  
**vs.**  
**University Medical Center of Southern Nevada, Defendant**  
**(s)**

§  
§  
§  
§  
§

Location: **Department 29**  
Judicial Officer: **Jones, David M**  
Filed on: **04/14/2016**  
Case Number History:  
Cross-Reference Case Number: **A735063**

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**CASE INFORMATION**

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Case Type: **Malpractice - Medical/Dental**  
Case Flags: **Appealed to Supreme Court**  
**Jury Demand Filed**  
**Arbitration Exemption Granted**  
**Med Mal Case**

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**DATE**

**CASE ASSIGNMENT**

---

**Current Case Assignment**

Case Number	A-16-735063-C
Court	Department 29
Date Assigned	01/02/2017
Judicial Officer	Jones, David M

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**PARTY INFORMATION**

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<b>Plaintiff</b>	<b>Dolorfino, Susan</b>	<b>Terry, Zoe</b> <i>Retained</i> 702-726-6797(W)
<b>Defendant</b>	<b>Robert Harper Odell Jr MD</b> Removed: 02/06/2017 Dismissed  <b>University Medical Center of Southern Nevada</b>	






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**DATE**















**EVENTS & ORDERS OF THE COURT**

**INDEX**














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04/14/2016	 Complaint Filed By: Plaintiff Dolorfino, Susan <i>Complaint</i>	
05/12/2016	 Subpoena Duces Tecum Filed by: Plaintiff Dolorfino, Susan <i>Subpoena Duces Tecum (For Records Only)</i>	
05/23/2016	 Proof of Service Filed by: Plaintiff Dolorfino, Susan <i>Proof of Service</i>	
05/23/2016	 Proof of Service Filed by: Plaintiff Dolorfino, Susan <i>Proof of Service</i>	
06/01/2016	 Initial Appearance Fee Disclosure Filed By: Defendant Robert Harper Odell Jr MD <i>Initial Appearance Fee Disclosure</i>	




DEPARTMENT 29  
**CASE SUMMARY**  
**CASE NO. A-16-735063-C**

06/01/2016	 Demand for Jury Trial Filed By: Defendant Robert Harper Odell Jr MD <i>Robert Harper Odell Jr MD's Demand for Jury Trial</i>
06/01/2016	 Answer to Complaint Filed by: Defendant Robert Harper Odell Jr MD <i>Answer to Complaint</i>
06/27/2016	 Summons Filed by: Plaintiff Dolorfino, Susan <i>Summons</i>
06/28/2016	 Order Setting Medical/Dental Malpractice Status Check <i>Order Setting Medical/Dental Malpractice Status Check and Trial Setting Conference</i>
07/15/2016	 Joint Case Conference Report Filed By: Plaintiff Dolorfino, Susan <i>Joint Case Conference Report</i>
07/26/2016	 Motion for Summary Judgment Filed By: Defendant Robert Harper Odell Jr MD <i>Defendant Robert Harper Odell, Jr., M.D.'s Motion for Summary Judgment</i>
08/01/2016	 <b>Status Check: Medical/Dental Malpractice</b> (1:00 PM) (Judicial Officer: Wiese, Jerry A.)
08/05/2016	 Motion for Summary Judgment Filed By: Defendant University Medical Center of Southern Nevada <i>University Medical Center of Southern Nevada's Motion for Summary Judgment</i>
08/05/2016	 Answer to Complaint Filed by: Defendant University Medical Center of Southern Nevada <i>Univeristy Medical Center of Southern Nevada's Answer to Complaint</i>
08/05/2016	 Demand for Jury Trial Filed By: Defendant University Medical Center of Southern Nevada <i>University Medical Center of Southern Nevada's Demand for Jury Trial</i>
08/08/2016	 Notice of Rescheduling <i>Notice of Rescheduling of Hearing</i>
08/08/2016	 Order Setting Jury Trial <i>Order Setting Civil Jury Trial and Calendar Call (Medical Malpractice - Firm Setting)</i>
08/12/2016	 Proof of Service Filed by: Plaintiff Dolorfino, Susan <i>Proof of Service (on UMC)</i>
08/15/2016	 Opposition to Motion For Summary Judgment Filed By: Plaintiff Dolorfino, Susan <i>Opposition to Defendant, University Medical Center of Southern Nevada's Motion for Summary Judgment</i>

DEPARTMENT 29  
**CASE SUMMARY**  
**CASE NO. A-16-735063-C**

08/15/2016	 Opposition to Motion For Summary Judgment Filed By: Plaintiff Dolorfino, Susan <i>Opposition to Defendant, Robert Harper Odell, Jr., M.D.'s Motion for Summary Judgment</i>
08/25/2016	 Reply in Support Filed By: Defendant University Medical Center of Southern Nevada <i>UMC's Reply in Support of its Motion for Summary Judgment</i>
08/29/2016	 Reply in Support Filed By: Defendant Robert Harper Odell Jr MD <i>Defendant Robert Harper Odell, JR., M.D.'s Reply in Support of Motion for Summary Judgment</i>
08/30/2016	 <b>Minute Order</b> (3:00 AM) (Judicial Officer: Cadish, Elissa F.)
08/31/2016	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
09/08/2016	 <b>Minute Order</b> (9:45 AM) (Judicial Officer: Bulla, Bonnie)
09/14/2016	<b>Motion for Summary Judgment</b> (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Defendant Robert Harper Odell, Jr., M.D.'s Motion for Summary Judgment</i>
09/14/2016	<b>Motion for Summary Judgment</b> (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>University Medical Center of Southern Nevada's Motion for Summary Judgment</i>
09/14/2016	 <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.)
10/03/2016	 Commissioners Decision on Request for Exemption - Granted <i>Commissioner's Decision on Request for Exemption - Granted</i>
10/26/2016	 Arbitration File <i>Arbitration File</i>
01/02/2017	Case Reassigned to Department 29 <i>Case reassigned from Judge Susan Scann Dept 29</i>
02/06/2017	 Order Granting Motion Filed By: Defendant Robert Harper Odell Jr MD <i>Order</i>
02/06/2017	 <b>Status Check: Medical/Dental Malpractice</b> (1:00 PM) (Judicial Officer: Wiese, Jerry A.)
02/06/2017	<b>Order of Dismissal Without Prejudice</b> (Judicial Officer: Jones, David M) Debtors: Susan Dolorfino (Plaintiff) Creditors: University Medical Center of Southern Nevada (Defendant), Robert Harper Odell Jr MD (Defendant) Judgment: 02/06/2017, Docketed: 02/13/2017
02/07/2017	 Notice of Entry of Order Filed By: Defendant Robert Harper Odell Jr MD <i>Notice of Entry of Order</i>
02/16/2017	 Case Appeal Statement

DEPARTMENT 29  
**CASE SUMMARY**  
**CASE NO. A-16-735063-C**

	Filed By: Plaintiff Dolorfino, Susan <i>Case Appeal Statement</i>	
02/16/2017	 Notice Filed By: Plaintiff Dolorfino, Susan <i>Notice of Supreme Court Filing Fee</i>	
02/16/2017	 Notice of Appeal Filed By: Plaintiff Dolorfino, Susan <i>Notice of Appeal</i>	
02/16/2017	 Notice Filed By: Plaintiff Dolorfino, Susan <i>Notice of District Court Appeal Filing Fee</i>	
03/06/2018	<b>CANCELED Calendar Call</b> (8:30 AM) (Judicial Officer: Jones, David M) <i>Vacated</i>	
04/02/2018	<b>CANCELED Jury Trial</b> (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i> <i>Med Mal</i>	

DATE	FINANCIAL INFORMATION
	<b>Defendant</b> Robert Harper Odell Jr MD Total Charges 423.00 Total Payments and Credits 423.00 <b>Balance Due as of 2/21/2017 0.00</b>
	<b>Defendant</b> University Medical Center of Southern Nevada Total Charges 200.00 Total Payments and Credits 200.00 <b>Balance Due as of 2/21/2017 0.00</b>
	<b>Plaintiff</b> Dolorfino, Susan Total Charges 294.00 Total Payments and Credits 294.00 <b>Balance Due as of 2/21/2017 0.00</b>



## DISTRICT COURT CIVIL COVER SHEET

A- 16- 735063- C

County, Nevada

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

VI

**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): <b>Susan Dolorfino</b>	Defendant(s) (name/address/phone): <b>University Medical Center of Southern Nevada; Robert Harper Odell, Jr., M.D.</b>
Attorney (name/address/phone): <b>Zoe Terry, Esq. (702) 726-6797</b> <b>TERRY LAW GROUP PC</b> <b>410 S. Rampart Blvd., Suite 390</b> <b>Las Vegas, NV 89145</b>	Attorney (name/address/phone):

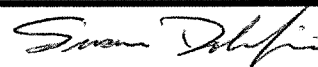
**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Torts</b> <b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input checked="" type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

April 14, 2016

Date

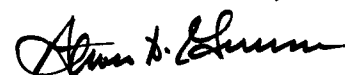


Signature of initiating party or representative

See other side for family-related case filings.

ORIGINAL

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CLERK OF THE COURT

ORD

JOHN H. COTTON, ESQ.

Nevada Bar No. 005268

VINCENT J. VITATOE, ESQ.

Nevada Bar No. 012888

**JOHN H. COTTON & ASSOCIATES**

790 West Sahara Avenue, Suite 200

Las Vegas, Nevada 89117

Telephone: 702/832-5909

Facsimile: 702/832-5910

*Attorneys for Defendant*

*Robert Harper Odell, Jr., M.D.*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SUSAN DOLORFINO

Plaintiff,

vs.

Case No.: A-16-735063-C

Dept. No.: XXIX

UNIVERSITY MEDICAL CENTER OF  
SOUTHERN NEVADA; ROBERT HARPER  
ODELL, JR., M.D.; DOES 1 through 100,  
inclusive; and ROE CORPORATIONS, I  
through X, inclusive.

Defendants.

**ORDER**

The above-captioned matter having come on for hearing before this Court, the Honorable Joseph T. Boneventure presiding, on Defendant Robert Harper Odell, Jr., M.D.'s Motion for Summary Judgment and Defendant University Medical Center of Southern Nevada's Joinder to the Motion for Summary Judgment, with Katherine L. Turpen, Esq. of the law firm of JOHN H. Cotton & Associates, Ltd. appearing on behalf of Defendant, Robert Harper Odell, Jr., M.D ("Dr. Odell" or "Defendant"), Ryan Peterson, Esq., of the law firm MORRIS, SULLIVAN, LEMKUL & PITEGOFF appearing on behalf of Defendant University Medical Center of Southern Nevada ("Defendant UMC"), and Zoe Terry, Esq. of TERRY LAW GROUP appearing on behalf of the Plaintiff, Susan Dolorfino ("Plaintiff"). The Court, having considered the pleadings, Motions, Joinder, Oppositions thereto, and Replies together with argument presented at the hearing on this matter, and good cause appearing therefor, finds as follows:

**FINDINGS**

Plaintiff filed a Complaint for claims against the Defendant Healthcare Providers arising out of allegations of Professional Negligence/Medical Malpractice, as governed by NRS Chapter 41A, et. seq. The Court finds that the allegations, as asserted in Plaintiff's Complaint, are insufficient to maintain claims under a theory of Res Ipsa Loquitur, NRS 41A.100(d). The Court finds that Plaintiff's Complaint against the Defendant Healthcare Providers required an expert witness affidavit of merit pursuant to NRS 41A.071. The Court further finds Plaintiff failed to comply with NRS 41A.071's expert affidavit requirement and that her Complaint is, therefore, void ab initio and must be dismissed. Washoe Medical Center v. Second Judicial District Court of State of Nevada, 122 Nev. 1298; 148 P.3d. 790 (2006). The Court further finds that Defendant Odell's Motion for Summary Judgment should be considered a Motion to Dismiss rather than a Motion for Summary Judgment.

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**ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

Defendant Dr. Odell's Motion and Defendant UMC's Joinder thereto are hereby GRANTED. Plaintiff's Complaint is dismissed in its entirety and WITHOUT PREJUDICE, pursuant to NRS 41A.071, 41A.100 and Washoe Medical Center v. Second Judicial District Court of State of Nevada, 122 Nev. 1298; 148 P.3d. 790 (2006).

IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
DISTRICT COURT JUDGE

Approved as to Form and Content:

**TERRY LAW GROUP, PC**

\_\_\_\_\_  
Zoe Terry, Esq.  
NV Bar No.: 10900  
*Attorneys for Plaintiff*

**MORRIS, SULLIVAN, LEMKUL & PITEGOFF**

\_\_\_\_\_  
Ryan Peterson, Esq.  
NV Bar No.: 10715

Respectfully Submitted:

**DATED** this \_\_\_\_ day of January, 2017.

**JOHN H. COTTON & ASSOCIATES**

By: \_\_\_\_\_  
JOHN H. COTTON, ESQ.  
Nevada Bar No. 005268  
VINCENT J. VITATOE, ESQ.  
Nevada Bar No. 012888

John H. Cotton & Associates  
7900 W. Sahara, Suite 200  
Las Vegas, NV 89117

**ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:


Defendant Dr. Odell's Motion and Defendant UMC's Joinder thereto are hereby GRANTED. Plaintiff's Complaint is dismissed in its entirety and WITHOUT PREJUDICE, pursuant to NRS 41A.071, 41A.100 and Washoe Medical Center v. Second Judicial District Court of State of Nevada, 122 Nev. 1298; 148 P.3d. 790 (2006).

IT IS SO ORDERED this 1 day of Feb, 2017.

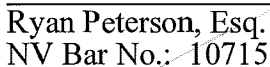
  
DISTRICT COURT JUDGE

Approved as to Form and Content:

**TERRY LAW GROUP, PC**

  
Zoe Terry, Eq.  
NV Bar No.: 10900  
Attorneys for Plaintiff

**MORRIS, SULLIVAN, LEMKUL & PITEGOFF**

  
Ryan Peterson, Esq.  
NV Bar No.: 10715

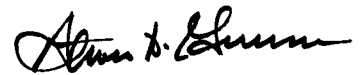
Respectfully Submitted:

DATED this 31<sup>st</sup> day of January, 2017.

**JOHN H. COTTON & ASSOCIATES**

By: 

JOHN H. COTTON, ESQ.  
Nevada Bar No. 005268  
VINCENT J. VITATOE, ESQ.  
Nevada Bar No. 012888



CLERK OF THE COURT

**NEOJ**

JOHN H. COTTON, ESQ.

Nevada Bar Number 5268

[JHCotton@jhcottonlaw.com](mailto:JHCotton@jhcottonlaw.com)

VINCENT J. VITATOE, ESQ.

Nevada Bar Number 12888

[VVitatoe@jhcottonlaw.com](mailto:VVitatoe@jhcottonlaw.com)

**JOHN H. COTTON & ASSOCIATES, LTD.**

7900 West Sahara Avenue, Suite 200

Las Vegas, Nevada 89117

Telephone: (702) 832-5909

Facsimile: (702) 832-5910

*Attorneys for Defendant, Robert Harper O'Dell, Jr., M.D.*

**DISTRICT COURT**

\* \* \*

**CLARK COUNTY, NEVADA**

SUSAN DOLORFINO;

Plaintiffs,

vs.

UNIVERSITY MEDICAL CENTER OF  
SOUTHERN NEVADA; ROBERT HARPER  
ODELL, JR., M.D.; DOES 1 through 100,  
inclusive; and ROE CORPORATIONS 1  
through 100, inclusive

Defendants.

CASE NO.: **A-16-735063-C**

DEPT. NO: **XXIX**

**NOTICE OF ENTRY OF ORDER**

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

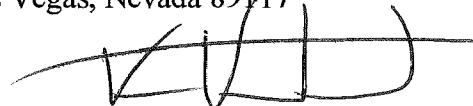
YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that an Order was entered in  
the above entitled matter on the 6<sup>th</sup> day of February 2017, a copy of which is attached hereto.

Dated this 7<sup>th</sup> day of February 2017.

**JOHN H. COTTON & ASSOCIATES, LTD.**

7900 West Sahara Avenue, Suite 200

Las Vegas, Nevada 89117



JOHN H. COTTON, ESQ.

VINCENT J. VITATOE, ESQ.

**CERTIFICATE OF ELECTRONIC SERVICE**

I hereby certify that on the 7<sup>th</sup> day of February 2017, I served a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER** by electronic means was submitted electronically for filing and/or service with the Eighth Judicial District Court, made in accordance with the E-Service List, to the following individuals:

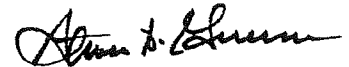
Zoe Terry, Esq.  
**TERRY LAW GROUP, P.C.**  
410 South Rampart Blvd., Suite 390  
Las Vegas, Nevada 89145  
*Attorneys for Plaintiffs*

Jeffrey Pitegoff, Esq.  
**MORRIS, SULLIVAN, ET. AL.**  
3770 Howard Hughes Parkway, Suite 170  
Las Vegas, Nevada 89169  
*Attorneys for Defendant University Medical Center*

  
An Employee of John H. Cotton & Associates

ORIGINAL

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02/06/2017 11:04:58 AM



CLERK OF THE COURT

ORD

JOHN H. COTTON, ESQ.

Nevada Bar No. 005268

VINCENT J. VITATOE, ESQ.

Nevada Bar No. 012888

**JOHN H. COTTON & ASSOCIATES**

790 West Sahara Avenue, Suite 200

Las Vegas, Nevada 89117

Telephone: 702/832-5909

Facsimile: 702/832-5910

*Attorneys for Defendant*

*Robert Harper Odell, Jr., M.D.*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SUSAN DOLORFINO

Plaintiff,

vs.

Case No.: A-16-735063-C

Dept. No.: XXIX

UNIVERSITY MEDICAL CENTER OF  
SOUTHERN NEVADA; ROBERT HARPER  
ODELL, JR., M.D.; DOES 1 through 100,  
inclusive; and ROE CORPORATIONS, I  
through X, inclusive.

Defendants.

**ORDER**

The above-captioned matter having come on for hearing before this Court, the Honorable Joseph T. Boneventure presiding, on Defendant Robert Harper Odell, Jr., M.D.'s Motion for Summary Judgment and Defendant University Medical Center of Southern Nevada's Joinder to the Motion for Summary Judgment, with Katherine L. Turpen, Esq. of the law firm of JOHN H. Cotton & Associates, Ltd. appearing on behalf of Defendant, Robert Harper Odell, Jr., M.D ("Dr. Odell" or "Defendant"), Ryan Peterson, Esq., of the law firm MORRIS, SULLIVAN, LEMKUL & PITEGOFF appearing on behalf of Defendant University Medical Center of Southern Nevada ("Defendant UMC"), and Zoe Terry, Esq. of TERRY LAW GROUP appearing on behalf of the Plaintiff, Susan Dolorfino ("Plaintiff"). The Court, having considered the pleadings, Motions, Joinder, Oppositions thereto, and Replies together with argument presented at the hearing on this matter, and good cause appearing therefor, finds as follows:

John H. Cotton & Associates, Ltd.  
7900 West Sahara, Suite 200  
Las Vegas, Nevada 89117



**FINDINGS**

Plaintiff filed a Complaint for claims against the Defendant Healthcare Providers arising out of allegations of Professional Negligence/Medical Malpractice, as governed by NRS Chapter 41A, et. seq. The Court finds that the allegations, as asserted in Plaintiff's Complaint, are insufficient to maintain claims under a theory of Res Ipsa Loquitur, NRS 41A.100(d). The Court finds that Plaintiff's Complaint against the Defendant Healthcare Providers required an expert witness affidavit of merit pursuant to NRS 41A.071. The Court further finds Plaintiff failed to comply with NRS 41A.071's expert affidavit requirement and that her Complaint is, therefore, void ab initio and must be dismissed. Washoe Medical Center v. Second Judicial District Court of State of Nevada, 122 Nev. 1298; 148 P.3d. 790 (2006). The Court further finds that Defendant Odell's Motion for Summary Judgment should be considered a Motion to Dismiss rather than a Motion for Summary Judgment.

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**ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

Defendant Dr. Odell's Motion and Defendant UMC's Joinder thereto are hereby GRANTED. Plaintiff's Complaint is dismissed in its entirety and WITHOUT PREJUDICE, pursuant to NRS 41A.071, 41A.100 and Washoe Medical Center v. Second Judicial District Court of State of Nevada, 122 Nev. 1298; 148 P.3d. 790 (2006).

IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
DISTRICT COURT JUDGE

Approved as to Form and Content:

**TERRY LAW GROUP, PC**

\_\_\_\_\_  
Zoe Terry, Esq.  
NV Bar No.: 10900  
*Attorneys for Plaintiff*

**MORRIS, SULLIVAN, LEMKUL & PITEGOFF**

\_\_\_\_\_  
Ryan Peterson, Esq.  
NV Bar No.: 10715

Respectfully Submitted:

**DATED** this \_\_\_\_ day of January, 2017.

**JOHN H. COTTON & ASSOCIATES**

By: \_\_\_\_\_  
JOHN H. COTTON, ESQ.  
Nevada Bar No. 005268  
VINCENT J. VITATOE, ESQ.  
Nevada Bar No. 012888

John H. Cotton & Associates  
7900 W. Sahara, Suite 200  
Las Vegas, NV 89117

**ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:


Defendant Dr. Odell's Motion and Defendant UMC's Joinder thereto are hereby GRANTED. Plaintiff's Complaint is dismissed in its entirety and WITHOUT PREJUDICE, pursuant to NRS 41A.071, 41A.100 and Washoe Medical Center v. Second Judicial District Court of State of Nevada, 122 Nev. 1298; 148 P.3d. 790 (2006).

IT IS SO ORDERED this 1 day of Feb, 2017.

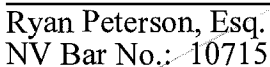
  
DISTRICT COURT JUDGE

Approved as to Form and Content:

**TERRY LAW GROUP, PC**

  
Zoe Terry, Eq.  
NV Bar No.: 10900  
Attorneys for Plaintiff

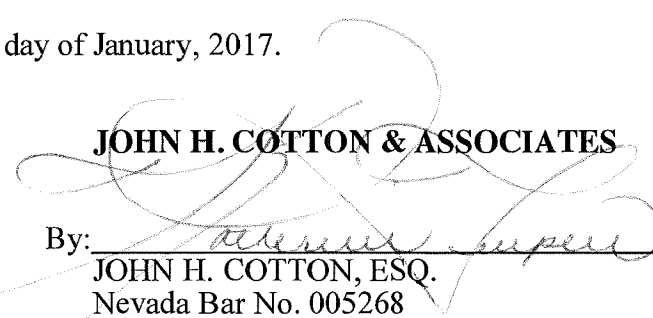
**MORRIS, SULLIVAN, LEMKUL & PITEGOFF**

  
Ryan Peterson, Esq.  
NV Bar No.: 10715

Respectfully Submitted:

DATED this 31<sup>st</sup> day of January, 2017.

**JOHN H. COTTON & ASSOCIATES**

By:   
JOHN H. COTTON, ESQ.  
Nevada Bar No. 005268  
VINCENT J. VITATOE, ESQ.  
Nevada Bar No. 012888

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Malpractice - Medical/Dental**

**COURT MINUTES**

**August 01, 2016**

A-16-735063-C

Susan Dolorfino, Plaintiff(s)

vs.

University Medical Center of Southern Nevada, Defendant(s)

**August 01, 2016**

**1:00 PM**

**Status Check:  
Medical/Dental  
Malpractice**

**HEARD BY:** Wiese, Jerry A.

**COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Alice Jacobson  
Olivia Black  
Kory Schlitz

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:** Terry, Zoe

Attorney

**JOURNAL ENTRIES**

- Counsel estimated 5-7 days. COURT ORDERED, trial date 4/2/18.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Malpractice - Medical/Dental**

**COURT MINUTES**

**August 30, 2016**

---

A-16-735063-C	Susan Dolorfino, Plaintiff(s)
	vs.
	University Medical Center of Southern Nevada, Defendant(s)

---

<b>August 30, 2016</b>	<b>3:00 AM</b>	<b>Minute Order</b>
------------------------	----------------	---------------------

<b>HEARD BY:</b> Cadish, Elissa F.	<b>COURTROOM:</b> RJC Courtroom 15B
------------------------------------	-------------------------------------

**COURT CLERK:** Shelley Boyle

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Plaintiff in this case formerly worked at the Eighth Judicial District Court, and this Court's Judicial Executive Assistant has a personal friendship with the Plaintiff, as well as personal knowledge regarding the facts of this case. Thus, in order to avoid implied bias and the appearance of impropriety, and because this Court's impartiality might reasonably be questioned, this COURT HEREBY RECUSES ITSELF from this case.

CLERK'S NOTE: A copy of this Minute Order was provided to: Zoe Terry, Esq. (Zoe@TerryLawGroupPC.com), John Cotton, Esq. (jhcotton1@aol.com), and Jeffrey Pitegoff (Pitegoff@MorrissullivanLaw.com). /sb 08/30/16

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Malpractice - Medical/Dental**

**COURT MINUTES**

**September 08, 2016**

---

A-16-735063-C      Susan Dolorfino, Plaintiff(s)  
vs.  
University Medical Center of Southern Nevada, Defendant(s)

---

**September 08, 2016      9:45 AM      Minute Order**

**HEARD BY:** Bulla, Bonnie      **COURTROOM:**

**COURT CLERK:** Jennifer Lott

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Joint Case Conference Report was filed in the above-entitled matter on July 15, 2016. However, an Arbitrator has been appointed and the case remains in the Court Mandated Arbitration program. Therefore, a Scheduling Order will not be issued at this time. If this case becomes exempted from the Arbitration program, the Case Conference Report will need to be updated and refiled.

**CLERK'S NOTE:** A copy of this minute order was placed in the attorney folder(s) of:

Zoe Terry, Esq., Terry Law Group  
John J. Savage, Esq., John H. Cotton & Associates  
Jeffrey I. Pitegoff, Esq., Morris, Sullivan, Lemkul & Pitegoff

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Malpractice - Medical/Dental**

**COURT MINUTES**

**September 14, 2016**

---

A-16-735063-C	Susan Dolorfino, Plaintiff(s)
	vs.
	University Medical Center of Southern Nevada, Defendant(s)

---

**September 14, 2016    9:00 AM            All Pending Motions**

**HEARD BY:** Bonaventure, Joseph T.                      **COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Natalie Ortega

**RECORDER:**

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Petersen, Ryan	Attorney
	Terry, Zoe	Attorney
	Turpen, Katherine	Attorney

**JOURNAL ENTRIES**

- DEFENDANT ROBERT HARPER ODELL, JR., MOTION FOR SUMMARY JUDGMENT...UNIVERSITY MEDICAL CENTER OF SOUTERN NEVADA'S MOTION FOR SUMMARY JUDGMENT

Ms. Turpen advised there was a one year statute of limitation, unless it could be shown there was reasonable damage. Furthermore, the Court was correct in asserting Dr. Odell's Motion for Summary Judgment should be considered a Motion to Dismiss. Arguments by counsel regarding the merits of the motion. Ms. Turpen argued the Plaintiff's counsel claimed that since there was an alleged injury to Ms. Dolorfino's tooth during her hysterectomy, than that amounts to an injury under subsection D. However, the course of treatment should be considered. Moreover, Dr. Odell was an anesthesiologist, and was not working within the surgical field of the hysterectomy. Dr. Odell was managing treatment in the head and neck region. Furthermore, Plaintiff did not have an expert affidavit of merit to support their complaint, and had not met the pleading requirements. Plaintiff only lists two causes of action against Dr. Odell, and there were other causes of action against the facility. Ms. Terry advised according to Nevada Power's records, there was a twenty-two second power outage, which comports with UMC records. During that time, when the lights went out, Dr. Odell dropped an

instrument of the Plaintiff's mouth, which then it was loosened the tooth. The tooth did not become loosened during incubation, it was loosened when an instrument was dropped on her mouth. Furthermore, In Dr. Odell's affidavit, he did not mention the power outage at all. Furthermore, the instrument being dropped on Plaintiff's mouth, was not a provision of anesthesia services. Additionally, the signed consent form was ambiguously worded. Plaintiff was not agreeable to instrument being dropped on her mouth, and Dr. Odell never met with Plaintiff until after he informed her he dropped the instrument on her mouth. Mr. Peterson stated there was no allegation, and no relation to the power outage that was the cause of Plaintiff's injury. Court noted an affidavit was necessary in this particular case. Court further noted, the Motion for Summary Judgment will be interpreted as a Motion to Dismiss, and both Motions for Dr. Odell and the hospital will be granted. COURT ORDERED, Motions GRANTED WITHOUT PREJUDICE, an affidavit was required. Defendants to prepare the order.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Malpractice - Medical/Dental**

**COURT MINUTES**

**February 06, 2017**

---

A-16-735063-C      Susan Dolorfino, Plaintiff(s)  
vs.  
University Medical Center of Southern Nevada, Defendant(s)

---

**February 06, 2017      1:00 PM      Status Check:  
Medical/Dental  
Malpractice**

**HEARD BY:** Wiese, Jerry A.      **COURTROOM:** RJC Courtroom 14A

**COURT CLERK:** Alice Jacobson  
Fernanda Kriese  
Denise Duron  
Cassidy Wagner

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**      Schneider, Adam A.      Attorney  
Terry, Zoe      Attorney

**JOURNAL ENTRIES**

- Ms. Zoe advised there was a pending appeal and a Motion to Dismiss all Defendants. Colloquy regarding status of the case. COURT ORDERED, trial date VACATED.



**EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE**  
**NOTICE OF DEFICIENCY**  
**ON APPEAL TO NEVADA SUPREME COURT**

**ZOE TERRY, ESQ.**  
**410 S. RAMPART BLVD., SUITE 390**  
**LAS VEGAS, NV 89145**

**DATE: February 21, 2017**  
**CASE: A-16-735063-C**

**RE CASE: SUSAN DOLORFINO vs. UNIVERSITY MEDICAL CENTER OF SOUTHERN NEVADA; ROBERT HARPER ODELL, JR., M.D.**

**NOTICE OF APPEAL FILED: February 16, 2017**

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

**PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:**

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

---

**NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:**

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

*Please refer to Rule 3 for an explanation of any possible deficiencies.*

---

**\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.**

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; NOTICE OF DISTRICT COURT APPEAL FILING FEE; NOTICE OF SUPREME COURT FILING FEE; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

SUSAN DOLORFINO,

Plaintiff(s),

vs.

UNIVERSITY MEDICAL CENTER OF  
SOUTHERN NEVADA; ROBERT HARPER  
ODELL, JR., M.D.,

Defendant(s),

Case No: A-16-735063-C

Dept No: XXIX

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 21 day of February 2017.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk