

Larry Porchia 1481565  
330 S. Casino CT,  
Las Vegas, N.V. 89101

Electronically Filed  
6/3/2019 10:44 AM  
Steven D. Grierson  
CLERK OF THE COURT

*Steven D. Grierson*

1) Larry Porchia Pro SE  
2) Plaintiff  
3)  
4) vs.  
5)  
6) American medical responders  
7) Et, Al  
8) Defendants  
9) In the Eighth Judicial  
10) District Court  
11) of Nevada  
12) The county of Clark  
13) Case # A-17-758321-C  
14) Dept # 26  
15) Electronically Filed  
16) Jun 11 2019 10:51 a.m.  
17) Elizabeth A. Brown  
18) Clerk of Supreme Court

RECEIVED

JUN 03 2019

CLERK OF THE COURT

## Notice of Appeal

11) Notice is hereby given that Larry  
12) Porchia Plaintiff above-named hereby appeals to  
13) the Supreme Court of Nevada from A judgment  
14) of entry for an civil suit under Pursuant to  
15) the time constraints set forth in N.R.A.P. 4(A)

16)  
17) Pursuant to N.R.A.P. appeal statement,  
18) the following concerning the party (respondent) etc,  
19) follows: Case Appeal Statement

20) ① Larry Porchia Pro SE  
21) ② Judge Gloria Sturman issue judgment  
22) ③ City of Las Vegas, L.V.F.R./Risk mangment, Stephen  
23) massa, Nicholas Pavellka, Counsel Jeffrey M. Dorocak  
24) 495 S. main ST. 6<sup>th</sup> fl. Las Vegas, Nevada 89101  
25) ④ Larry Porchia, Pro SE 330 S. Casino Center  
26) Las Vegas, Nevada 89101 is his one counsel,  
27)  
28)

5) N/A

6) No The appellant is Pro SE

7) No The appellant needs to have counsel appointed or at least funds to help with his appeal

8) Yes appellant was granted in forma pauperis

9) approval on March 2<sup>nd</sup> 2019

10) This case has been on going since 2017 I had to do a second amended Feb 2019

11) 911 was called due to distended stomach and increasing

12) Stomach pain upon arrival EMT's seen my stomach was distended once I couldn't provide insurance and stated

13) I was homeless. MR. MASSA & MR. PAVELKY took me off the

14) stretcher District court granted motion to dismiss due

15) to public duty doctrine however overlooked the Special

16) Duty doctrine. I'm appealing under Special Duty Doctrine

17) exception see statement of fact and legal arguments

18) NO it's just been heard in District court

19) None

20) In this case Plaintiff ask for \$3,000,000<sup>00</sup> US dollars.

21) Notice of Appeal

22) You and each of you will please take notice

23) that the undersign will bring foregoing Notice of

24) Appeal on the hearing before the above court

25) On the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ Am in

26) Dept. Number \_\_\_\_\_ Pro SE

27) \_\_\_\_\_

1) Statement of Fact:

2) The following facts are not in dispute:

3) ① ON Aug: 26<sup>th</sup> 2015 911 was called to 525 E. ST,  
4) LOUIS Ave #418 Las Vegas Nevada because Plaintiff  
5) was suffering from Hot Flashes and crying from  
6) excruciating Stomach Pain.

7)  
8) ② Upon arrival L.V.F.R. E.M.T.'s were already aware  
9) of the situation by the 911 dispatcher. Stephen Massa  
10) & Nicholas Pavlick placed me on a stretcher while  
11) taking my vitals it was plan to see my stomach  
12) was distended.

13)  
14) ③ I was crying from cell the pain  $\Rightarrow$  informed  
15) L.V.F.R. I was seeking to be transported to a  
16) hospital. I informed the E.M.T.'s I had no insurance  
17) and was homeless.

18)  
19) ④ MR. Massa and MR. Pavlick refused to transport me  
20) by stating  $\Rightarrow$  only had gas problem which only a  
21) Doctor can determine this. They took me off the  
22) stretcher and left me in the streets at the scene.

23)  
24) ⑤ Still in the same excruciating stomach pain  
25) 911 was called to the same address 525 E ST Louis  
26) Ave #418 for the second time. Upon arrival  
27) The second E.M.T.'s immediately ~~not~~ notice

28) Pg 3

1) My stomach was distended and rushed me  
2) to Valley Hospital E.R.

3) b) I immediately had to have A. excruciating  
4) Obstruction release of the bowel surgery to save  
5) my life. My insides was distended and it is blade  
6) was used to shave down my stomach tissues before  
7) the surgery could start. I was later closed back  
8) up with 28 skin staples to close my stomach.

9) c) Dr. Mark McKenzie A Valley Hospital medical  
1) Surgeon told me if I was brought to the hospital  
2) hours early I would not have needed the surgery.

3) d) Due to L.V.F.L. failure to train the EMTs and  
4) The public services neglect along with there breach  
5) of duty I incurred a \$ 97,828<sup>02</sup> medical bill  
6) owed to valley hospital.

7) A Legal Argument;

8) The defendants in this case simply relies on  
1) The public duty doctrine however the exception  
2) to the public duty doctrine states, The special  
3) duty doctrine does imposes liability for injury  
4) on A government entity when there is A special  
5) duty owed to the plaintiff not the public.  
6) The special duty exception applies when the  
7) duty owed to the plaintiff arise

1) by Statute or when the plaintiff has justifiably  
2) come to rely on the government assumption  
3) of their duty. A violation in the performance  
4) or failure to perform an obligation created by  
5) a promise of duty. A failure to exercise  
6) even the slightest care in protecting someone is  
7) a willful indifference to one's right. Under NRS 12.  
8) 105 which prove that state and local governmental  
9) agencies may and can be sued without naming  
10) member of their governing bodies. The deprivation  
11) of any rights, privileges or immunities secured by  
12) the constitution and laws, shall be liable to  
13) the party injured in any action... Plaintiff  
14) is a party who incurred loss by defendants  
15) NRS 41.1395, because two defendants in this case  
16) are employers NRS 288.060 plaintiff cited  
17) previously NRS 450.400 which clearly provides  
18) that the same privileges of NRS 450.439 which  
19) provides for any person in county or state who  
20) fall sick or being injured or being injured  
21) within its limits, shall be extended the same  
22) privileges of medical care under NRS 450B.015  
23) because social service are paid by public money  
24) as well under NRS 450.010 by United States  
25) citizens, because employees who this action is  
26) being brought up against use the same money  
27) for licensing and training provided by (tax payer)  
28)

Employees in this case are employees under  
NRS 450B, 0703 and 450B, 098. NRS 450, 480 to  
render such emergency services under Section  
① ② and ③ of this Statute when a 911  
call is placed for the benefit of the community  
but said employees did not. NRS 12.108 provides  
that state and local governmental agencies  
may be sued without naming member of their  
governing bodies. NRS 450B, 130 (F) treatment of  
patients who are critically ill or in urgent need  
of treatment. The employees of this case who  
contract with state board of health shall not  
be sued from suit. NRS 450B, 580 ② (A) unlawful  
acts. A person who administers emergency  
medical services to feel willfully to transfer  
a qualified patient in accordance with the  
provisions of NRS 450B, 550, NRS 450B, 040  
ambulance is a motor vehicle which is specially  
designed, constructed equipped and staffed to  
provide emergency care for one. NRS 450B, 065  
Emergency medical technician means a person certified  
by the health office as having satisfactorily completed  
a program of training for certification as an  
emergency medical technician pursuant to NRS 450B, 1905

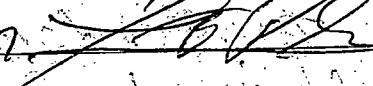
1) NRS 450B, 095 paramedic defined means A person  
2) certified by the health officer as having satisfactorily  
3) completed a program of training for certification as  
4) A paramedic pursuant to NRS 450B, 195 added to  
5) NRS by 1981, 277 A 1993, 2828 2013, 478 NRS 450B, 105  
6) trauma defined means any acute injury which  
7) according to standardized criteria for triage  
8) in the field involves a significant risk of  
9) death or the precipitation of complicating or  
10) disabilities NRS 450B, 130 establishment of minimum  
11) standards and additional requirements I (F) treatment  
12) of patients who are critically ill or in urgent need  
13) of treatment. 5 as used in this section A person  
14) who provides emergency medical care means an  
15) emergency medical technician advanced EMT  
16) paramedic attached to an ambulance or an fire-  
17) fighting agency, NRS 450B, 140 sources for standards  
18) and regulations: Standard may differ for different  
19) categories. - The United States Public Health Service (b)  
20) The United States Department of Transportation,  
21) NRS 450B, 1905 program of training for certification  
22) as an EMT must follow the curriculum or educational  
23) standards prepared by the United States Department  
24) of Transportation as a national standard for emergency  
25) medical technician as a national standard for E.M.T.

Court

### CONCLUSION

According to the Special Duty doctrine along with the WRS provided in this appeal. The judgment should be overturned and plaintiff should be awarded relief in this matter.

Dated May 29<sup>th</sup> 2019

Sign. 

I hereby certify that on the 29<sup>th</sup> day of May 2019 I placed a true and correct copy of this notice to appeal judgment in the United States mail at Las Vegas Nevada with first-class postage to the addressed attorney.

City of Las Vegas Attorney

Jeffrey M. Dorocuk

495 S. Main St 6<sup>th</sup> Fl.

Las Vegas NV 89101



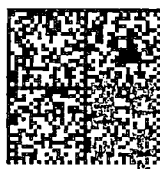
Lenny Porchile W81568  
330 S. Casino Center  
Las Vegas 89101

SENT FROM CCDC

89101-630000

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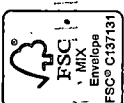
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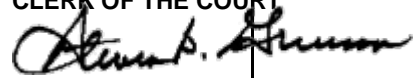
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District Court Clerk - Civil  
A-17-756321-C  
Regional Justice Center  
200 Lewis Ave  
Las Vegas, NV 89101





1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**

9 LARRY PORCHIA,

10 Plaintiff(s),

11 vs.

12  
13 CITY OF LAS VEGAS; STEPHEN MASSA;  
14 NICHOLAS PAVELKA; MARINA CLARK;  
15 JASON W. DRIGGERS; LVER RISK  
16 MANAGEMENT,

17 Defendant(s),

Case No: A-17-758321-C

Dept No: XXVI

18 **CASE APPEAL STATEMENT**

19 1. Appellant(s): Larry Porchia

20 2. Judge: Gloria Sturman

21 3. Appellant(s): Larry Porchia

22 Counsel:

23  
24 Larry Porchia #1481565  
25 330 S. Casino Center Blvd.  
26 Las Vegas, NV 89101

27 4. Respondent (s): City of Las Vegas; Stephen Massa; Nicholas Pavelka

28 Counsel:

Bradford R. Jerbic, Esq.,  
495 S. Main St., 6<sup>th</sup> Floor  
Las Vegas, NV 89101

Respondent (s): Marina Clark; Jason W. Driggers; LVER Risk Management

Counsel:

Unknown

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: Yes, March 7, 2019

*\*\*Expires 1 year from date filed*

Appellant Filed Application to Proceed in Forma Pauperis: N/A  
Date Application(s) filed: N/A

9. Date Commenced in District Court: July 13, 2017

10. Brief Description of the Nature of the Action: TORT - Other

Type of Judgment or Order Being Appealed: Judgment

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 4 day of June 2019.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk  
200 Lewis Ave  
PO Box 551601

Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Larry Porchia

**CASE SUMMARY****CASE NO. A-17-758321-C****Larry Porchia, Plaintiff(s)****vs.****American Medical Responders, Defendant(s)**§  
§  
§  
§  
§  
§Location: **Department 26**Judicial Officer: **Sturman, Gloria**Filed on: **07/13/2017**Cross-Reference Case **A758321**

Number:

Defendant's Scope ID #: **83088****CASE INFORMATION****Statistical Closures**











05/24/2019 Motion to Dismiss by the Defendant(s)

Case Type: **Other Tort**Case  
Status: **05/24/2019 Dismissed****DATE****CASE ASSIGNMENT****Current Case Assignment**

|                  |                 |
|------------------|-----------------|
| Case Number      | A-17-758321-C   |
| Court            | Department 26   |
| Date Assigned    | 07/13/2017      |
| Judicial Officer | Sturman, Gloria |

**PARTY INFORMATION***Lead Attorneys***Plaintiff****Porchia, Larry****Pro Se****Defendant****American Medical Responders****Schneider, Adam A.**  
*Retained*  
702-367-9993(W)**City of Las Vegas**Removed: 06/20/2018  
Dismissed**Dorocak, Jeffry M.**  
*Retained*  
702-229-1816(W)**City of Las Vegas****Dorocak, Jeffry M.**  
*Retained*  
702-229-1816(W)**Clark, Marina****Driggers, Jason W**Removed: 05/16/2019  
Dismissed**Headlee, William**Removed: 03/14/2018  
Dismissed**Cotton, John H**  
*Retained*  
702-832-5909(W)**LVER Risk Management**Removed: 05/16/2019  
Dismissed**Massa, Stephen**Removed: 06/20/2018  
Dismissed**Jerbic, Bradford Robert**  
*Retained*  
702-229-6629(W)**Massa, Stephen**Removed: 05/16/2019  
Dismissed**Jerbic, Bradford Robert**  
*Retained*  
702-229-6629(W)**Massa, Stephen****Dorocak, Jeffry M.**

**CASE SUMMARY****CASE NO. A-17-758321-C***Retained*  
702-229-1816(W)**Pavelka, Nicholas**  
Removed: 06/20/2018  
Dismissed**Dorocak, Jeffry M.**  
*Retained*  
702-229-1816(W)**Pavelka, Nicholas**  
Removed: 05/15/2019  
Dismissed**Jerbic, Bradford Robert**  
*Retained*  
702-229-6629(W)**Pavelka, Nicholas****Dorocak, Jeffry M.**  
*Retained*  
702-229-1816(W)

| DATE       | EVENTS & ORDERS OF THE COURT   | INDEX |
|------------|--|-------|
|            | <b><u>EVENTS</u></b>   |       |
| 07/06/2017 |  Application to Proceed in Forma Pauperis<br>Filed By: Plaintiff Porchia, Larry   |       |
| 07/13/2017 |  Order to Proceed In Forma Pauperis<br>Granted for: Plaintiff Porchia, Larry  |       |
| 07/13/2017 |  Complaint<br>Filed By: Plaintiff Porchia, Larry<br><i>Tort Action Concurrent Tort Feasor Lawsuit "Public Service Neglect" Gross Negligence</i>                                   |       |
| 08/25/2017 |  Affidavit of Service<br>Filed By: Plaintiff Porchia, Larry<br>Party Served: Defendant American Medical Responders<br><i>Affidavit of Service [American Medical Responders]</i> |       |
| 08/25/2017 |  Not Found Affidavit<br>Filed By: Plaintiff Porchia, Larry<br><i>Not Found Affidavit</i>  |       |
| 08/25/2017 |  Not Found Affidavit<br>Filed By: Plaintiff Porchia, Larry<br><i>Not Found Affidavit</i>  |       |
| 08/31/2017 |  Affidavit of Service<br>Filed By: Plaintiff Porchia, Larry<br>Party Served: Defendant Massa, Stephen<br><i>Affidavit of Service [Stephen Massa]</i>                            |       |
| 09/06/2017 |  Not Found Affidavit<br>Filed By: Plaintiff Porchia, Larry  |       |
| 09/06/2017 |  Summons<br>Filed by: Plaintiff Porchia, Larry<br>Party served: Defendant Driggers, Jason W<br><i>Summons - Civil not served</i>  |       |
| 09/06/2017 |  Summons<br>Filed by: Plaintiff Porchia, Larry<br>Party served: Defendant Massa, Stephen  |       |

# CASE SUMMARY

CASE NO. A-17-758321-C

*Summons - Civil*

09/06/2017



Summons

Filed by: Plaintiff Porchia, Larry

Party served: Defendant American Medical Responders

*Summons - Civil*

09/11/2017



Notice

Filed By: Plaintiff Porchia, Larry

*Notice of Intention to Enter Default*

09/11/2017



Default

Filed By: Plaintiff Porchia, Larry

Default Prty: Defendant American Medical Responders

09/11/2017



Motion

Filed By: Defendant American Medical Responders

*Defendant American Medical Response, Inc.'s Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Complaint*

09/11/2017



Initial Appearance Fee Disclosure

Filed By: Defendant American Medical Responders

*Initial Appearance Fee Disclosure*

09/13/2017



Notice

Filed By: Plaintiff Porchia, Larry

*Notice of Intention to Enter Default*

09/15/2017



Notice of Service

Party: Defendant American Medical Responders

*Defendant American Medical Response, Inc.'s Notice of Service of Pleadings Upon Plaintiff*

09/28/2017



Notice

Filed By: Defendant American Medical Responders

*Notice of No Opposition to Defendant American Medical Response, Inc.'s Motion to Dismiss Pro Se Plaintiff's Complaint*

10/09/2017



Affidavit of Service

Filed By: Plaintiff Porchia, Larry

Party Served: Defendant Pavelka, Nicholas

10/09/2017



Notice of Intent to Take Default

Party: Plaintiff Porchia, Larry

*Notice of Intent to Enter Default*

10/12/2017



Notice of Hearing

*Notice of Telephonic Hearing for Oral Argument*

10/16/2017



Opposition to Motion to Dismiss

Filed By: Plaintiff Porchia, Larry

*Opposition to Defendant American Medical Response, Inc.'s Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Complaint*

10/19/2017



Affidavit of Service

# CASE SUMMARY

CASE NO. A-17-758321-C

Filed By: Plaintiff Porchia, Larry  
Party Served: Defendant Driggers, Jason W

10/19/2017



Summons

Filed by: Plaintiff Porchia, Larry  
Party served: Defendant Driggers, Jason W

10/24/2017



Motion

*Motion for Enlargement of Time*

10/26/2017



Notice of Intent to Take Default

Party: Plaintiff Porchia, Larry  
*Notice of Intention to Enter Default*

10/26/2017



Default

Filed By: Plaintiff Porchia, Larry  
Default Prty: Defendant Pavelka, Nicholas  
*Default - Nicholas Pavelka*

10/27/2017



Supplemental

Filed by: Defendant American Medical Responders  
*Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint*

10/27/2017



Notice of Service

Party: Defendant American Medical Responders  
*Defendant American Medical Response, Inc.'s Notice of Service of Pleadings Upon Plaintiff*

10/31/2017



Notice

*Judicial Notice Pursuant to NRS. 47.130 A.M.R. Admitted Massa and Pavelka No Longer Work for Them*

11/16/2017



Opposition

Filed By: Plaintiff Porchia, Larry  
*Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint*

11/29/2017



Affidavit of Service

*Affidavit of Service-Nicholas Pavelka*

11/29/2017



Affidavit of Service

*Affidavit of Service- Stephen Massa*

11/29/2017



Notice

*Judicial Notice Pursuant NRS 47.130 Plaintiff Served Upon the Fire and Rescue Summons and Complaint*

12/04/2017



Notice

*Judicial Notice Pursuant to NRS 47.130 Plaintiff Served Upon the America Medical Responder Summons and Complaint*

12/13/2017

















Objection

Filed By: Defendant American Medical Responders  
*Defendant American Medical Response, Inc.'s Objection to Plaintiff's "Judicial Notice Pursuant to NRS 47.130 AMR Admitted Massa and Pavelka No Longer Work for Them"*



# CASE SUMMARY

CASE NO. A-17-758321-C

|            |  |
|------------|--|
| 12/13/2017 |  Notice<br>Filed By: Defendant American Medical Responders<br><i>Defendant American Medical Response, Inc., 's Notice of Service of Pleadings upon Plaintiff</i>  |
| 12/21/2017 |  Motion to Dismiss<br>Filed By: Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>Defendants Massa and Pavelka's Motion to Dismiss</i>  |
| 01/12/2018 |  Response<br>Filed by: Plaintiff Porchia, Larry<br><i>Response to Defendant's Objection to Plaintiff's Judicial Notice Pursuant to NRS 47.130 A.M.R.</i>  |
| 01/12/2018 |  Response<br>Filed by: Plaintiff Porchia, Larry<br><i>Response to Defendants Motion to Dismiss</i>  |
| 01/12/2018 |  Not Found Affidavit<br>Filed By: Plaintiff Porchia, Larry  |
| 01/12/2018 |  Not Found Affidavit<br>Filed By: Plaintiff Porchia, Larry  |
| 01/12/2018 |  Not Found Affidavit<br>Filed By: Plaintiff Porchia, Larry   |
| 01/19/2018 |  Reply to Motion<br>Filed By: Defendant American Medical Responders<br><i>Defendant American Medical Response, Inc.'s Reply Re: Defendant's Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint</i> |
| 01/19/2018 |  Notice<br>Filed By: Defendant American Medical Responders<br><i>Defendant American Medical Response, Inc.'s Notice of Service of Pleadings Upon Plaintiff</i>  |
| 01/20/2018 |  Affidavit of Service<br>Filed By: Plaintiff Porchia, Larry<br>Party Served: Defendant American Medical Responders  |
| 01/20/2018 |  Affidavit of Service<br>Filed By: Plaintiff Porchia, Larry<br>Party Served: Defendant American Medical Responders  |
| 01/22/2018 |  Motion<br>Filed By: Plaintiff Porchia, Larry<br><i>Motion for Consideration</i>  |
| 01/25/2018 |  Affidavit of Service   |
| 02/01/2018 |  Motion for Clarification<br>Filed By: Plaintiff Porchia, Larry<br><i>Motion for Clarification</i>  |















**CASE SUMMARY**

**CASE NO. A-17-758321-C**

|            |   |
|------------|---|
| 02/01/2018 |  Notice of Motion<br>Filed By: Plaintiff Porchia, Larry<br><i>Notice of Motion</i>   |
| 02/22/2018 |  Reply in Support<br>Filed By: Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>Defendants Massa and Pavelka's Reply in Support of Their Motion to Dismiss</i>  |
| 02/23/2018 |  Countermotion<br>Filed By: Defendant American Medical Responders<br><i>Defendant American Medical Response, Inc., 's Countermotion to Strike Plaintiff's "Judicial Notice Pursuant to NRS 47.130," "Response to Defendants Reply to Plaintiffs' Voluntary Dismissal in Case A-17-749899-C," and "Supplemental Complaint</i> |
| 02/23/2018 |  Joinder<br><i>Defendant Headlee's Joinder to American Medical Response, Inc.'s Motion to Dismiss, Supplemental Motion to Dismiss, and Reply Re: Supplemental Motion to Dismiss in the Alternative</i>   |
| 02/23/2018 |  Initial Appearance Fee Disclosure<br>Filed By: Defendant American Medical Responders<br><i>Initial Appearance Fee Disclosure</i>  |
| 02/23/2018 |  Notice<br>Filed By: Defendant American Medical Responders<br><i>Defendant American Medical Response, Inc.'s Notice of Service of Pleadings Upon Plaintiff</i>   |
| 02/28/2018 |  Notice of Hearing<br><i>Notice of Telephonic Hearing</i>  |
| 03/13/2018 |  Order Denying Motion<br>Filed By: Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>Order Denying Defendants Massa and Pavelka's Motion to Dismiss</i>  |
| 03/14/2018 |  Order<br>Filed By: Defendant American Medical Responders; Defendant Headlee, William<br><i>Order Re: Defendant American Medical Response, Inc.'s Motion to Dismiss Pro Se Plaintiff's Complaint, Supplemental Motion to Dismiss and Countermotions to Strike</i>  |
| 03/14/2018 |  Notice of Entry of Order<br><i>Notice of Entry of Order Re: Defendant American Medical Response, Inc.'s Motion to Dismiss Pro Se Plaintiff's Complaint, Supplemental Motion to Dismiss, and Countermotions to Strike</i>  |
| 03/15/2018 |  Notice of Entry of Order<br>Filed By: Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>Notice of Entry of Order Denying Defendants Massa and Pavelka's Motion to Dismiss</i>   |
| 03/16/2018 |  Notice<br>Filed By: Defendant American Medical Responders<br><i>Defendant American Medical Response, Inc.'s Notice of Service of Pleadings Upon Plaintiff</i>   |
| 03/30/2018 |  Amended Complaint<br>Filed By: Plaintiff Porchia, Larry<br><i>Amended Complaint</i>   |

# CASE SUMMARY






CASE NO. A-17-758321-C

|            |  |
|------------|--|
| 04/09/2018 |  Notice of Change of Address<br>Filed By: Plaintiff Porchia, Larry  |
| 04/09/2018 |  Request<br>Filed by: Plaintiff Porchia, Larry<br><i>Request for Leave for a Telephone Conference on a Status Check on an Order to Amend Complaint</i>  |
| 04/09/2018 |  Notice of Motion<br>Filed By: Plaintiff Porchia, Larry   |
| 04/09/2018 |  Motion<br>Filed By: Plaintiff Porchia, Larry<br><i>Motion for a Pretrial Conference</i>  |
| 04/09/2018 |  Notice of Motion<br>Filed By: Plaintiff Porchia, Larry   |
| 04/18/2018 |  Answer to Amended Complaint<br>Filed By: Defendant Massa, Stephen; Defendant Pavelka, Nicholas; Defendant City of Las Vegas<br><i>City Defendants' Answer to Plaintiff Larry Porchia's Amended Complaint</i>                                 |
| 04/25/2018 |  Motion to Dismiss<br>Filed By: Defendant American Medical Responders<br><i>Defendants American Medical Response, Inc. and Headlee's Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Amended Complaint on Order Shortening Time</i> |
| 05/10/2018 |  Motion for Judgment<br>Filed By: Defendant Massa, Stephen; Defendant Pavelka, Nicholas; Defendant City of Las Vegas<br><i>City Defendants' Motion for Judgment on the Pleadings</i>  |
| 06/11/2018 |  Notice of Hearing<br><i>Notice of Telephonic Hearing</i>   |
| 06/18/2018 |  Appointment of Arbitrator<br><i>Appointment of Arbitrator</i>  |
| 06/20/2018 |  Order Granting Motion<br>Filed By: Defendant Massa, Stephen; Defendant Pavelka, Nicholas; Defendant City of Las Vegas<br><i>Order Granting City Defendants' Motion for Judgment on the Pleadings</i>                                       |
| 06/25/2018 |  Notice of Recusal<br><i>notice of recusal</i>  |
| 06/25/2018 |  Order<br>Filed By: Defendant American Medical Responders<br><i>Order Re: Defendant American Medical Response, Inc.'s Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Amended Complaint on Order Shortening Time</i>              |
| 06/25/2018 |  Notice of Entry of Order   |

# CASE SUMMARY









CASE NO. A-17-758321-C

## Notice of Entry of Order

|            |   |
|------------|---|
| 06/26/2018 |  Notice of Entry of Order<br>Filed By: Defendant American Medical Responders<br><i>Notice of Entry of Order Re: Defendant American Medical Response, Inc.'s Motion to Dismiss Pro Se Plaintiff's Amended Complaint</i>               |
| 06/27/2018 |  Arbitration File<br><i>Arbitration File</i>   |
| 08/01/2018 |  Change of Address<br>Filed By: Plaintiff Porchia, Larry<br><i>Change of Address and Motion to Send Plaintiff all Updated Motion in Case #758321</i>   |
| 09/04/2018 |  Miscellaneous Filing<br>Filed by: Plaintiff Porchia, Larry<br><i>Court Docket</i>   |
| 09/24/2018 |  Request<br><i>Request and Motion for Request</i>  |
| 10/02/2018 |  Motion<br>Filed By: Plaintiff Porchia, Larry<br><i>Motion for Clarification and Petition for Coram Nobis and Continuance</i>  |
| 10/02/2018 |  Request<br>Filed by: Plaintiff Porchia, Larry<br><i>Request for Service</i>  |
| 10/09/2018 |  Motion to Dismiss<br>Filed By: Plaintiff Porchia, Larry<br><i>Deny Motion to Dismiss Complaint</i>  |
| 11/05/2018 |  Motion for Determination of Good Faith Settlement<br>Filed By: Plaintiff Porchia, Larry<br><i>Motion for Determination of Good Faith Settlement</i>   |
| 12/27/2018 |  Motion for Determination of Good Faith Settlement<br>Filed By: Plaintiff Porchia, Larry<br><i>Motion for Determination of Good Faith Settlement</i>   |
| 01/14/2019 |  Request<br>Filed by: Plaintiff Porchia, Larry<br><i>Request for Transportation</i>  |
| 01/14/2019 |  Proof of Service<br>Filed by: Plaintiff Porchia, Larry<br><i>Proof of Service</i>   |
| 01/28/2019 |  Opposition to Motion<br>Filed By: Other Defendant City of Las Vegas; Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>City Defendants' Opposition to Plaintiff's Motion for Determination of Good Faith Settlement</i> |

# CASE SUMMARY

CASE NO. A-17-758321-C

|            |  |
|------------|--|
| 02/11/2019 |  Order<br>Filed By: Defendant American Medical Responders<br><i>Order Re Plaintiff's "Motion for Determination of Good Faith Settlement"</i>  |
| 02/13/2019 |  Notice of Entry of Order<br>Filed By: Defendant American Medical Responders<br><i>Notice of Entry of Order Re: Plaintiff's "Motion for Determination of Good Faith Settlement"</i>   |
| 02/13/2019 |  Notice of Service<br>Party: Defendant American Medical Responders<br><i>Defendants American Medical Response, Inc. Erroneously Sued and Served as "American Medical Responders and William Headlee's Notice of Service of Entry of Order Re: Plaintiff's "Motion for Determination of Good Faith Settlement"</i> |
| 02/19/2019 |  Complaint<br>Filed By: Plaintiff Porchia, Larry<br><i>Civil Rights Complaint Civil Rights Complaint Pursuant to 42 U.S.C. 1983</i>   |
| 02/19/2019 |  Application to Proceed in Forma Pauperis<br>Filed By: Plaintiff Porchia, Larry<br><i>Application to Proceed in Forma Pauperis</i>  |
| 03/07/2019 |  Order to Proceed In Forma Pauperis<br><i>Order to Proceed In Forma Pauperis</i>  |
| 03/18/2019 |  Motion to Dismiss<br>Filed By: Other Defendant City of Las Vegas; Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>Defendants' Motion to Dismiss</i>   |
| 03/18/2019 |  Proof of Service<br>Filed by: Plaintiff Porchia, Larry<br>Party Served: Plaintiff Porchia, Larry<br><i>Proof of Service</i>  |
| 03/19/2019 |  Clerk's Notice of Hearing<br><i>Notice of Hearing</i>  |
| 03/19/2019 |  Certificate of Service<br>Filed by: Other Defendant City of Las Vegas; Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>Certificate of Service</i>  |
| 03/28/2019 |  Motion to Dismiss<br>Filed By: Plaintiff Porchia, Larry<br><i>Deny Motion to Dismiss Complaint</i>   |
| 03/28/2019 |  Request<br>Filed by: Plaintiff Porchia, Larry<br><i>Request for Transportation</i>   |
| 04/15/2019 |  Motion for Summary Judgment<br>Filed By: Plaintiff Porchia, Larry<br><i>Motion for Summary Judgment</i>  |

# CASE SUMMARY

CASE NO. A-17-758321-C

|            |   |
|------------|---|
| 04/17/2019 |  Clerk's Notice of Hearing<br><i>Notice of Hearing</i>   |
| 04/26/2019 |  Request<br>Filed by: Plaintiff Porchia, Larry<br><i>Request for Transportation</i>  |
| 05/15/2019 |  Order Granting Motion<br>Filed By: Other Defendant City of Las Vegas; Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>Order Granting City Defendants' Motion to Dismiss</i>                 |
| 05/16/2019 |  Motion<br>Filed By: Plaintiff Porchia, Larry<br><i>Motion to Request Final Judgment and Final Transcript</i>  |
| 05/16/2019 |  Notice of Entry of Order<br>Filed By: Defendant City of Las Vegas; Defendant Massa, Stephen; Defendant Pavelka, Nicholas<br><i>Notice of Entry of Order Granting City Defendants' Motion to Dismiss</i> |
| 05/24/2019 |  Order to Statistically Close Case<br><i>Civil Order to Statistically Close Case</i>   |
| 06/03/2019 |  Notice of Appeal<br>Filed By: Plaintiff Porchia, Larry<br><i>Notice of Appeal</i>  |
| 06/04/2019 |  Case Appeal Statement<br>Filed By: Plaintiff Porchia, Larry<br><i>Case Appeal Statement</i>   |

## **DISPOSITIONS**

|            |  |
|------------|--|
| 03/14/2018 | <b>Order of Dismissal Without Prejudice</b> (Judicial Officer: Sturman, Gloria)<br>Debtors: Larry Porchia (Plaintiff)<br>Creditors: American Medical Responders (Defendant), William Headlee (Defendant)<br>Judgment: 03/14/2018, Docketed: 03/14/2018                   |
| 06/20/2018 | <b>Order of Dismissal Without Prejudice</b> (Judicial Officer: Sturman, Gloria)<br>Debtors: Larry Porchia (Plaintiff)<br>Creditors: Stephen Massa (Defendant), Nicholas Pavelka (Defendant), City of Las Vegas (Defendant)<br>Judgment: 06/20/2018, Docketed: 06/21/2018 |
| 06/25/2018 | <b>Order of Dismissal With Prejudice</b> (Judicial Officer: Sturman, Gloria)<br>Debtors: Larry Porchia (Plaintiff)<br>Creditors: American Medical Responders (Defendant), William Headlee (Defendant)<br>Judgment: 06/25/2018, Docketed: 06/26/2018                      |
| 02/11/2019 | <b>Order of Dismissal With Prejudice</b> (Judicial Officer: Sturman, Gloria)<br>Debtors: Larry Porchia (Plaintiff)<br>Creditors: American Medical Responders (Defendant), William Headlee (Defendant)<br>Judgment: 02/11/2019, Docketed: 02/11/2019                      |
| 05/09/2019 | <b>Order of Dismissal With Prejudice</b> (Judicial Officer: Sturman, Gloria)<br>Debtors: Larry Porchia (Plaintiff)   |


# CASE SUMMARY

CASE NO. A-17-758321-C

Creditors: American Medical Responders (Defendant), Jason W Driggers (Defendant), LVER Risk Management (Defendant), Stephen Massa (Defendant), Nicholas Pavelka (Defendant)  
Judgment: 05/09/2019, Docketed: 05/16/2019

## HEARINGS

08/30/2017


 **Minute Order** (3:00 AM) (Judicial Officer: Sturman, Gloria)

Denied;

Journal Entry Details:

*The Court is in receipt of an un-filed ex-parte request Re: Notice And Demand from Plaintiff, Larry Porchia. The Court having reviewed the documents submitted hereby finds that the document appears to see relief in the form of direction to Chief Judge Gonzales and/or Attorney General Adam Laxalt to seek, commence, and criminally prosecute the Defendants in the civil case A-17-758321-C for the actions alleged in the civil Complaint. The relief sought in this ex-parte request is not available pursuant to the Nevada Revised Statutes as the District Court does not initiate criminal proceedings sua sponte, therefore this request is not properly before this Court. COURT THEREFORE ORDERED, Ex-parte Request Re: Notice And Demand DENIED. CLERK'S NOTE: A copy of this minute order was mailed to: Larry Porchia, P.O. Box 650 83088, Indian Springs, NV 89070./ ls 8-30-17 ;*

10/17/2017

 **Motion to Dismiss** (8:30 AM) (Judicial Officer: Sturman, Gloria)

**10/17/2017, 12/08/2017, 01/26/2018, 03/01/2018**

*Defendant American Medical Response, Inc.'s Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Complaint*

Continued for Chambers Decision;

Continued for Chambers Decision;

Matter Continued;

Granted;

Continued for Chambers Decision;

Continued for Chambers Decision;

Matter Continued;

Granted;

Continued for Chambers Decision;

Continued for Chambers Decision;

Matter Continued;

Granted;

Continued for Chambers Decision;

Continued for Chambers Decision;

Matter Continued;

Granted;

Journal Entry Details:

*Mr. Schneider argued the Pltf. had no standing, the patient name was Lamont Ponds, and the statutes Pltf. cited do not apply. Mr. Schneider argued the Pltf. was suing American Medical Responders (AMR) for failure to transport him because he does not have insurance; however his exhibits were from a different entity, Las Vegas Fire and Rescue, and that was not Deft.'s client. Upon inquiry by the Court, Mr. Porchia stated Lamont Ponds was an alias and stated his correct address. Mr. Porchia argued he obtained a run report that indicated Stephon and Nicholas responded to his emergency, that the Sheriff's department said they did not work there any more. Upon inquiry by the Court, Mr. Porchia further stated the hospital records indicated AMR was present. Colloquy regarding the affidavit, clarification of the complaint, and the original complaint filed by the Pltf. that was dismissed. COURT STATED FINDINGS AND ORDERED, Motion CONTINUED to the Chambers calendar; Parties have until October 31, 2017 to supplement their information, Deft.'s to further supplement their affidavit to clarify the corporate entity. CONTINUED TO: 11/03/17;*

11/21/2017

**CANCELED Motion to Dismiss** (9:30 AM) (Judicial Officer: Sturman, Gloria)

*Vacated*

*Opposition to Defendant American Medical Response Inc's Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Complaint*

12/19/2017

 **Opposition** (9:00 AM) (Judicial Officer: Sturman, Gloria)

# CASE SUMMARY

CASE NO. A-17-758321-C

12/19/2017, 01/26/2018, 03/01/2018

Events: 11/16/2017 Opposition

*Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint*

Continued for Chambers Decision;

Matter Continued;

Denied;

Continued for Chambers Decision;

Matter Continued;

Denied;

## MINUTES



Opposition

Filed By: Plaintiff Porchia, Larry

*Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint*

Continued for Chambers Decision;

Matter Continued;

Denied;

Journal Entry Details:

*COURT FINDS the Pltf. to be incarcerated and acting in pro se status, that he provided additional information; however he did not notice this hearing to all parties; AND*

*THEREFORE ORDERED, Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint CONTINUED TO CHAMBERS.*

*01/26/18 3:00 AM Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint CLERK'S NOTE: A copy of this minute order was faxed or placed in the attorney folder(s) of: Adam Schneider, Esq. (702-832-5910 Cotton and Assoc.) and mailed to Larry Porchia #83088, P.O. Box 650, Indian Springs, NV 89090./ Is 12-27-17;*

01/26/2018



**All Pending Motions (3:00 AM)** (Judicial Officer: Sturman, Gloria)

Matter Continued;

Journal Entry Details:

*COURT FINDS Defendant American Medical Response (AMR), Inc.'s Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Complaint was heard on October 17, 2017 and CONTINUED TO CHAMBERS for the parties to supplement the record regarding whether it was AMR or LV Fire & Rescue who responded to Pltf. s emergency. The Pltf. supplemented his motion and filed an Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint which was to be heard on December 19, 2017. However, the Pltf.'s motion was not argued as Pltf. did not notice the hearing and it was therefore CONTINUED TO CHAMBERS. COURT NOW FINDS Defendant's Massa and Pavelka's Motion to Dismiss calendared for February 20, 2017 AND THEREFORE ORDERED, Deft. AMR's Motion to Dismiss CONTINUED; Pltf.'s Opposition CONTINUED; Deft's Massa and Pavelka's Motion to Dismiss CONTINUED to all be heard together.*

*CONTINUED TO: 03/01/18 9:00 AM CLERK'S NOTE: A copy of this minute order was faxed or placed in the attorney folder(s) of: Adam Schneider, Esq. (702-832-5910 Cotton and Assoc.) and mailed to Larry Porchia #83088, P.O. Box 650, Indian Springs, NV 89090./ Is 1-26-18;*

03/01/2018

**Motion to Dismiss (9:00 AM)** (Judicial Officer: Sturman, Gloria)

Events: 12/21/2017 Motion to Dismiss

*Defendants Massa and Pavelka's Motion to Dismiss*

Moved to arrange telephonic hearing with prison and provide the parties their own session

Matter Continued;

Amended Complaint Filed; Hrg. Set.

03/01/2018

**Opposition and Countermotion (9:00 AM)** (Judicial Officer: Sturman, Gloria)

*Defendant American Medical Response, Inc.,'s Countermotion to Strike Plaintiff's "Judicial Notice Pursuant to NRS 47.130," "Response to Defendants Reply to Plaintiffs' Voluntary Dismissal in Case A-17-749899-C," and "Supplemental Complaint*

*Granted;*

03/01/2018

**Joinder (9:00 AM)** (Judicial Officer: Sturman, Gloria)



EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-17-758321-C**

Events: 02/23/2018 Joinder

*Defendant Headlee's Joinder to American Medical Response, Inc.,'s Countermotion to Strike Plaintiff's "Judicial Notice Pursuant to NRS 47.130," "Response to Defendants Reply to Plaintiffs' Voluntary Dismissal in Case A-17-749899-C," and "Supplemental Complaint Granted;*

03/01/2018



**All Pending Motions (9:00 AM)** (Judicial Officer: Sturman, Gloria)

Matter Heard;

Journal Entry Details:

*Also present was Seth Floyd, Esq. representing the City of Las Vegas. DEFENDANT AMERICAN MEDICAL RESPONSE, INC.'S MOTION AND NOTICE OF MOTION TO DISMISS PRO SE PLAINTIFF'S COMPLAINT and OPPOSITION TO DEFENDANT AMERICAN MEDICAL RESPONSE, INC.'S SUPPLEMENTAL MOTION TO DISMISS PRO SE PLAINTIFF'S COMPLAINT DEFENDANT AMERICAN MEDICAL RESPONSE, INC., 'S COUNTERMOTION TO STRIKE PLAINTIFF'S "JUDICIAL NOTICE PURSUANT TO NRS 47.130," "RESPONSE TO DEFENDANTS REPLY TO PLAINTIFFS' VOLUNTARY DISMISSAL IN CASE A-17-749899-C," AND "SUPPLEMENTAL COMPLAINT and DEFENDANT HEADLEE'S JOINDER TO AMERICAN MEDICAL RESPONSE, INC., 'S COUNTERMOTION TO STRIKE PLAINTIFF'S "JUDICIAL NOTICE PURSUANT TO NRS 47.130," "RESPONSE TO DEFENDANTS REPLY TO PLAINTIFFS' VOLUNTARY DISMISSAL IN CASE A-17-749899-C," AND "SUPPLEMENTAL COMPLAINT: Mr. Schneider argued when his clients were in route to Mr. Porchia's location they were called off and this his clients did not reject his claim regarding lack of insurance. Mr. Porchia argued his Personal Care Report was blank except for the insurance box and inquired why they would have a report when there was no interaction. Mr. Porchia argued the report indicated they were in route and then it was noted "cancel on scene" and that there was no patient contact. Mr. Porchia argued the refused to transport him because he did not have insurance. Mr. Schneider argued Jason Diggers, the Person Most Knowledgeable, indicated in the report stated there was no transport due to the direction of the City and that is did not make sense for American Medical Response (AMR) to refuse service at 3:00 AM when they transported him at 11:00 PM. COURT ORDERED, American Medical Response's relief GRANTED; AMR DISMISSED WITHOUT PREJUDICE; Joinder GRANTED. DEFENDANTS MASSA AND PAVELKA'S MOTION TO DISMISS: Mr. Floyd argued when the Pltf. filed the Motion he did not serve the City of Las Vegas and therefore the requirements of NRS 41.0037(1) were not met. Mr. Floyd stated the Pltf. named the individuals but not the City. Mr. Porchia argued the City treated him at the first call but did not transport him. Court stated Mr. Porchia named the wrong parties AND THEREFORE ORDERED, Massa and Pavelka's Motion to Dismiss CONTINUED 30 days to allow Mr. Porchia the opportunity to file an amended complaint naming the proper parties; Motion CONTINUED to the Chambers Calendar to confirm the necessary documentation has been filed. CONTINUED TO: 03/30/18 3:00 AM Chambers Calendar ;*

03/30/2018

**CANCELED Motion (3:00 AM)** (Judicial Officer: Sturman, Gloria)

*Vacated*

*Notice of Motion*

05/15/2018

**Request (9:00 AM)** (Judicial Officer: Sturman, Gloria)

**05/15/2018, 06/14/2018**

Events: 04/09/2018 Notice of Motion

*Request for Leave for a Telephone Conference on a Status Check on an Order to Amend Complaint*

Matter Continued;

Moot;

Matter Continued;

Moot;

05/15/2018

**Motion (9:00 AM)** (Judicial Officer: Sturman, Gloria)

**05/15/2018, 06/14/2018**

Events: 04/09/2018 Notice of Motion

*Motion for a Pretrial Conference*

Matter Continued;

Moot;

Matter Continued;

Moot;

# CASE SUMMARY

CASE NO. A-17-758321-C

|            |  |
|------------|--|
| 05/15/2018 | <p><b>CANCELED Motion for Determination of Good Faith Settlement</b> (9:00 AM) (Judicial Officer: Sturman, Gloria)</p> <p><i>Vacated - Set in Error</i></p>  |
| 05/15/2018 | <p><b>Motion</b> (9:00 AM) (Judicial Officer: Sturman, Gloria)</p> <p><b>05/15/2018, 06/14/2018</b></p> <p><i>Defendants American Medical Response Inc and Headlee's Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Amended Complaint on Order Shortening Time</i></p> <p>Matter Continued;<br/>Granted With Prejudice;<br/>Matter Continued;<br/>Granted With Prejudice;</p>   |
| 05/15/2018 | <p> <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Sturman, Gloria)</p> <p>Matter Continued;<br/>Journal Entry Details:<br/><i>REQUEST FOR LEAVE FOR A TELEPHONE CONFERENCE ON A STATUS CHECK ON AN ORDER TO AMEND COMPLAINT .. MOTION FOR A PRETRIAL CONFERENCE .. DEFENDANTS AMERICAN MEDICAL RESPONSE INC AND HEADLEE'S MOTION AND NOTICE OF MOTION TO DISMISS PRO SE PLAINTIFF'S AMENDED COMPLAINT ON ORDER SHORTENING TIME Court ADVISED Mr. Porchia had filed a request for telephonic appearance, along with various other motions, and that the Court was inclined to grant the request. Colloquy regarding rescheduling. COURT ORDERED, all Motions on calendar today CONTINUED; City Defendants Motion for Judgment on the Pleading currently on calendar for June 12, 2018 CONTINUED. CONTINUED TO: 06/14/18 9:00 AM CLERK'S NOTE: A copy of this minute order was mailed: Larry Porchia a/k/a Lamont Ponds, 2071 Kline Cir., #2, Las Vegas, NV 89121 ./s 05-15-18;</i></p>   |
| 06/14/2018 | <p><b>Motion for Judgment</b> (9:00 AM) (Judicial Officer: Sturman, Gloria)</p> <p><i>City Defendants Motion for Judgment on the Pleading</i></p> <p>Granted Without Prejudice;</p>  |
| 06/14/2018 | <p> <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Sturman, Gloria)</p> <p>Matter Heard;<br/>Journal Entry Details:<br/><br/><i>Court stated she was informed by the Court's state prison contact that Mr. Porchia was released from prison to a halfway house. It appeared he did receive notice and he did not respond to any of the motions. Request for Leave for a Telephone Conference on a Status Check on an Order to Amend Complaint: COURT FINDS there was no pending motion and it was unclear what the Pltf. was seeking AND THEREFORE ORDERED, Request for Leave MOOT. Motion for a Pretrial Conference: COURT FINDS it appeared the Pltf. was seeking a 16.1 conference and since he was no longer incarcerated he can just set the hearing. If the Pltf. wishes to proceed he just needs to arrange it as no court intervention was required. COURT ORDERED. Motion MOOT. Defendants American Medical Response Inc. and Headlee's Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Amended Complaint on Order Shortening Time: Mr. Schneider provided a history of the motion and argued there were no remaining claims that had not been previously adjudicated and that the Pltf. filed a duplicate copy and paste complaint after he'd filed this Motion to Dismiss which was identical to a previously argued motion. COURT FINDS it appeared the cause of action Pltf. cited was NRS 450.400, which applied to hospitals and medical facilities and it does not apply to paramedics, that Pltf. cited NRS 293.300 was a criminal fraud; and therefore it was not applicable in a civil damages case. There was also no negligence given the facts of the case and the Pltf. did not ask for authority to file this complaint, causing a procedural problem. COURT THEREFORE ORDERED, Motion DISMISSED WITH PREJUDICE. City Defendants Motion for Judgment on the Pleading: Mr. Dorocak argued the Pltf. claimed the firefighters responded but did not transport and here the statute was clear, these services were owed to the public at large not to an individual. Mr. Dorocak argued the only claim by Pltf. could be negligence for breach of duty and he did not have that claim. COURT FINDS in this complaint it appeared the Pltf. was looking for leave for a complaint and the only one the Court was aware of was the one he just filed; therefore if he was requesting relief after he filed, the relief request is unclear. In the current motion Pltf. hasn't plead a cause of action that would invoke an exception to the governmental duty doctrine as it appears it was about the transport of an individual. COURT</i></p> |

# CASE SUMMARY

CASE NO. A-17-758321-C

*FURTHER FINDS this claim fails as a party cannot recover on these grounds, the government has very specific protections, they are statutory and limited AND THEREFORE ORDERED, Motion GRANTED WITHOUT PREJUDICE. ;*

12/17/2018



**Minute Order** (3:00 AM) (Judicial Officer: Sturman, Gloria)

Events: 11/05/2018 Motion for Determination of Good Faith Settlement  
*Motion for Determination of Good Faith Settlement*

## MINUTES



Motion for Determination of Good Faith Settlement

Filed By: Plaintiff Porchia, Larry

*Motion for Determination of Good Faith Settlement*

Minute Order - No Hearing Held;

Journal Entry Details:

*Motion for Determination of good faith Settlement VACATED the Motion was not served on the Defendant, and no Notice of Motion was ever filed and served. Plaintiff to serve the Motion and file and serve a Notice of Motion. Plaintiff must also provide the Court no less than 10 days notice of a request for transportation or telephonic appearance for the hearing. CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Natalie Ortega, to all registered parties for Odyssey File & Serve. Additionally, this minute order was mailed to Larry Porchia #1481565 Attn: CCDC 330 S. Casino Center, Las Vegas, NV 89101. ndo/12/17/18;*

12/18/2018

**CANCELED Motion for Determination of Good Faith Settlement** (9:00 AM) (Judicial Officer: Sturman, Gloria)

*Vacated - per Judge*

01/29/2019



**Minute Order** (3:00 PM) (Judicial Officer: Sturman, Gloria)

Decision Made;

Journal Entry Details:

*A REQUEST FOR TRANSPORTATION by pro se Plaintiff, Larry Porchia ID#1481565, housed at the Clark County Detention Center, has been reviewed by this Court. COURT ORDERED the Request GRANTED and hereby DIRECTS Clark County Detention Center to produce the Plaintiff in Courtroom 10D, on the 5th day of February, 2019, at 8:30 AM for his attendance to argue his Motion for Determination of Good Faith Settlement and respond to the Opposition thereto filed by the City Attorney. CLERK'S NOTE: A copy of this minute order was e-mailed, mailed, or faxed as follows: DSDCourtServices@LVMPD.com; Jeffry Dorocak, Deputy City Attorney (jdorocak@lasvegasnevada.gov); Adam Schneider, Esq. (aschneider@jhcottonlaw.com) and Larry Porchia #1481565, 330 S. Casino Center, Las Vegas, NV 89101./s 1-29-19 ;*

02/05/2019



**Motion for Determination of Good Faith Settlement** (8:30 AM) (Judicial Officer: Sturman, Gloria)

Events: 12/27/2018 Motion for Determination of Good Faith Settlement

## MINUTES



Motion for Determination of Good Faith Settlement

Filed By: Plaintiff Porchia, Larry

*Motion for Determination of Good Faith Settlement*

Move from 9:00 to 8:30 AM on same date

Denied;

Journal Entry Details:

*Court stated she read this as a Motion for Summary Judgment since a Motion for Good Faith Settlement was something entirely different. Mr. Porchia agreed with the Court. Court ADVISED the Pltf.'s reference to the Public Duty Doctrine was not a duty to a person, rather it was a duty to the public and therefore it failed. Mr. Dorocak argued in any argument raised he did not see anything that takes away from the public duty, that the Pltf. stated he was refused transport by Headlee and Clark; however they were not City employees and as such it doesn't affect the City's dismissal. Mr. Schneider argued he'd just received the Minute Order on Friday regarding the Motion for Good Faith and that his client was Dismissed With Prejudice in June 2018. Court stated it was difficult to interpret Pltf.'s cause of action, that American Medical Responders (AMR) dispatched a transport; however no treatment was given as the City of Las*

# CASE SUMMARY

CASE NO. A-17-758321-C

Vegas was there and AMR left the scene. Court further stated the case was dismissed for Pltf. to re-state that it was City of LV employees. Pltf. stated the report he received indicated employees Clark and Headlee and that they worked for LV Fire and Rescue. Pltf. argued they were served January 20, 2018 at the Fire Dept. headquarters and the Tonopah Fire Station which confirmed they work for LV Fire. Court stated there was a dispute as to the facts, that Pltf. was saying he had evidence that these people work for the City; however the City states they don't. Pltf. argued regarding the Special Duty Doctrine and that they had a duty to treat him. Pltf. further argued they diagnosed him at the scene and shouldn't have and that he had over \$100,000 in hospital bills for the emergency surgery that he wouldn't have needed if they'd transported him the first time. Mr. Dorocak argued Massa and Pavelka were the people who responded and could be identified as dismissed under 12(c) for being negligent to transport, that Pltf. changed his Motion and indicated Headlee and Clark, who were not current LV Fire employees, and that it was unusual for two employees to have left employment with LV Fire in such a short period of time. Mr. Dorocak argued Pltf. needed to clarify his facts. Mr. Schneider stated he believed there was a call and Massa and Pavelka were dispatched, that AMR was sent out and then called off, then Pltf. called 911 again and AMR did transport Pltf., and that it was Headlee and Clark who did the transport that second time. Mr. Schneider argued Pltf. had no complaint regarding the second transport and that AMR's records were blank from the first call because they didn't render assistance. **COURT STATED FINDINGS AND ORDERED, Motion DENIED; Pltf. has 30 days to file a Second Amended Complaint; Pltf. must serve the complaint; Pltf. must file a new Forma Pauperis application; AMR REMAINS DISMISSED WITH PREJUDICE; Mr. Schneider to prepare the order. ;**

04/30/2019



**Motion to Dismiss (8:30 AM)** (Judicial Officer: Sturman, Gloria)

per email 04/16/19 from JEA/Mary Ann

Prisoner Transport Accomodation

Granted;

Journal Entry Details:

Mr. Dorocak argued the Public Duty Doctrine granted immunity to the public not the individual, that there was no specific promise make, and that there were no allegations that the Def't.'s caused what they were there to treat. Mr. Dorocak argued the Pltf. stated he would not have needed surgery if he had been transported the first time he called and if his claim was regarding care, then NRS 41.500(5) would make the responders immune from damages, that it would also take the negligence claim off too. Mr. Porchia argued there was an exception to the Public Duty Doctrine which was the Special Duty Doctrine and that the responders could be sued under both. Mr. Porchia argued if a party believes they should be transported, then they had a duty to transport, that he was seeking to go to the hospital, and that they were EMT's and they can't diagnose, rather that was for the doctors to do. Mr. Porchia argued when he called the second time they saw how large his stomach was and they transported him, that the EMT's were to uphold their duty to take him to the hospital, and that just because he was homeless and didn't have insurance doesn't mean they don't have to transport. Mr. Porchia argued the surgery could have been avoided if he had been transported the first time he called. Court stated there was no denial of the bowl obstruction needing surgery and further inquired if the Pltf.'s position was that if he'd been transported sooner there would have been no need for the surgery. Mr. Porchia agreed and argued the doctors and nurses both said that. Court stated the Def't.'s did not cause the bowl obstruction and inquired if Pltf. was saying an earlier transport would have made it easier and noted the EMT's didn't diagnose him, rather they stabilized and transported. Court further inquired if Pltf. was claiming the EMT's were improperly trained or there was some sort of breach of licensure. Mr. Porchia agreed and argued that at the last hearing they admitted they should have transported him. Court ADVISED government entities have certain immunities. Mr. Porchia argued there was a breach of duty by the EMT's under NRS 450(b). Court stated the Public Duty Doctrine does not shield for failure to train; however the Pltf. must get past the ability to sue a public agency and further noted there were limits to what a public agency could be sued for. Following further arguments by counsel, **COURT FINDS public agencies were protected by statute and that government entities and their employees cannot be sued for doing their job. COURT THEREFORE ORDERED, Motion to Dismiss GRANTED; Mr. Doracak to prepare the order and include the Findings of Fact and Conclusions of Law. ;**

04/30/2019

**CANCELED Status Check (9:00 AM)** (Judicial Officer: Sturman, Gloria)

Vacated - On in Error

05/28/2019

**CANCELED Motion for Summary Judgment (9:30 AM)** (Judicial Officer: Sturman, Gloria)

Vacated

**CASE SUMMARY****CASE NO. A-17-758321-C***Motion for Summary Judgment***DATE****FINANCIAL INFORMATION****Defendant** City of Las Vegas

Total Charges 223.00

Total Payments and Credits 223.00

**Balance Due as of 6/4/2019 0.00****Defendant** American Medical Responders

Total Charges 223.00

Total Payments and Credits 223.00

**Balance Due as of 6/4/2019 0.00****Plaintiff** Porchia, Larry

Total Charges 223.00

Total Payments and Credits 223.00

**Balance Due as of 6/4/2019 0.00**



DISTRICT COURT CIVIL COVER SHEET

County, Nevada

A-17-758321-C  
XXVI

Case No.

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

Larry Porchia #83088

Defendant(s) (name/address/phone):

America Medical Responder

P.O. Box 650

Indian Springs, NV 89070

Attorney (name/address/phone):

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

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

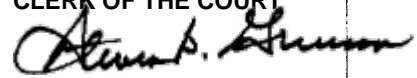
7-6-17

Date

Legal Dept

Signature of initiating party or representative

See other side for family-related case filings.



OGM  
BRADFORD R. JERBIC  
City Attorney  
Nevada Bar No. 1056  
By: JEFFRY M. DOROCAC  
Deputy City Attorney  
Nevada Bar No. 13109  
495 South Main Street, Sixth Floor  
Las Vegas, NV 89101  
(702) 229-6629 (office)  
(702) 386-1749 (fax)  
Email: jdorocak@lasvegasnevada.gov  
Attorneys for CITY OF LAS VEGAS,  
STEPHEN MASSA and NICHOLAS PAVELKA

DISTRICT COURT  
CLARK COUNTY, NEVADA

LARRY PORCHIA,

Plaintiff,

vs.

AMERICAN MEDICAL RESPONDERS,  
CITY OF LAS VEGAS, STEPHEN MASSA,  
NICHOLAS PAVELKA, WILLIAM  
HEADLEE, MARINA CLARK, JASON W.  
DRIGGARS, LVFR/RISK MANGMENT,

Defendants.

CASE NO. A-17-758321-C  
DEPT. NO. XXVI

**ORDER GRANTING CITY  
DEFENDANTS' MOTION TO DISMISS**

City Defendants' Motion to Dismiss having come on for hearing April 30, 2019; Plaintiff in Proper Person Larry Porchia appeared, Defendants City of Las Vegas, Stephen Massa and Nicholas Pavelka appeared through Jeffry M. Dorocak, Deputy City Attorney; the Court having reviewed the pleadings and papers on file herein and having heard the arguments of counsel, the Court finds that pursuant to the "good Samaritan" statute (NRS 41.500(5)) and the public duty doctrine (NRS 41.0336), Defendants, as a matter of law, did not owe Plaintiff an individual duty to transport and are not liable for damages.

....




1 IT IS HEREBY ORDERED that City Defendants' Motion to Dismiss is granted with  
2 prejudice.

3 DATED this 16<sup>th</sup> day of May, 2019.

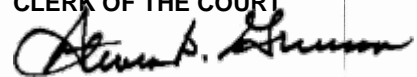
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6 DISTRICT COURT JUDGE

7 SUBMITTED BY:

8 BRADFORD R. JERBIC  
9 City Attorney

10 By:   
11 JEFFERY M. DOROCÁK  
12 Deputy City Attorney  
13 Nevada Bar No. 13109  
14 495 South Main Street, Sixth Floor  
15 Las Vegas, NV 89101  
16 Attorneys for CITY OF LAS VEGAS,  
17 STEPHEN MASSA and NICHOLAS PAVELKA  
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NEOJ  
BRADFORD R. JERBIC  
City Attorney  
Nevada Bar No. 1056  
By: JEFFRY M. DOROCAC  
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Attorneys for CITY OF LAS VEGAS,  
STEPHEN MASSA and NICHOLAS PAVELKA

DISTRICT COURT  
CLARK COUNTY, NEVADA

LARRY PORCHIA,

Plaintiff,

vs.

AMERICAN MEDICAL RESPONDERS,  
CITY OF LAS VEGAS, STEPHEN MASSA,  
NICHOLAS PAVELKA, WILLIAM  
HEADLEE, MARINA CLARK, JASON W.  
DRIGGARS, LVFR/RISK MANGMENT,

Defendants.

CASE NO. A-17-758321-C  
DEPT. NO. XXVI

**NOTICE OF ENTRY  
OF ORDER GRANTING CITY  
DEFENDANTS' MOTION TO DISMISS**

TO: LARRY PORCHIA, Plaintiff in Proper Person:

PLEASE TAKE NOTICE that an ORDER GRANTING CITY DEFENDANTS'  
MOTION TO DISMISS was filed in the above-entitled matter on May 15, 2019, a copy of which  
is attached hereto.

DATED this 16<sup>th</sup> day of May, 2019.

BRADFORD R. JERBIC  
City Attorney

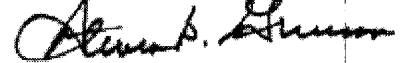
By:

JEFFRY M. DOROCAC  
Deputy City Attorney  
Nevada Bar No. 13109  
495 South Main Street, Sixth Floor  
Las Vegas, NV 89101  
Attorneys for CITY DEFENDANTS

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Larry Porchia, #1481565  
330 South Casino Center Boulevard  
Las Vegas, NV 89101  
Attorneys for Pro Per Plaintiff

Cindy Kelly  
AN EMPLOYEE OF THE CITY OF LAS VEGAS



OGM  
BRADFORD R. JERBIC  
City Attorney  
Nevada Bar No. 1056  
By: JEFFRY M. DOROCAC  
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Attorneys for CITY OF LAS VEGAS,  
STEPHEN MASSA and NICHOLAS PAVELKA

DISTRICT COURT  
CLARK COUNTY, NEVADA

LARRY PORCHIA,

Plaintiff,

vs.

AMERICAN MEDICAL RESPONDERS,  
CITY OF LAS VEGAS, STEPHEN MASSA,  
NICHOLAS PAVELKA, WILLIAM  
HEADLEE, MARINA CLARK, JASON W.  
DRIGGARS, LVFR/RISK MANGMENT,

Defendants.

CASE NO. A-17-758321-C  
DEPT. NO. XXVI

**ORDER GRANTING CITY  
DEFENDANTS' MOTION TO DISMISS**

City Defendants' Motion to Dismiss having come on for hearing April 30, 2019; Plaintiff in Proper Person Larry Porchia appeared, Defendants City of Las Vegas, Stephen Massa and Nicholas Pavelka appeared through Jeffry M. Dorocak, Deputy City Attorney; the Court having reviewed the pleadings and papers on file herein and having heard the arguments of counsel, the Court finds that pursuant to the "good Samaritan" statute (NRS 41.500(5)) and the public duty doctrine (NRS 41.0336), Defendants, as a matter of law, did not owe Plaintiff an individual duty to transport and are not liable for damages.

....

1 IT IS HEREBY ORDERED that City Defendants' Motion to Dismiss is granted with  
2 prejudice.

3 DATED this 16<sup>th</sup> day of May, 2019.

4  
5   
6 DISTRICT COURT JUDGE

7 SUBMITTED BY:

8 BRADFORD R. JERBIC  
9 City Attorney

10 By: 

11 JEFFERY M. DOROCÁK  
12 Deputy City Attorney  
13 Nevada Bar No. 13109  
14 495 South Main Street, Sixth Floor  
15 Las Vegas, NV 89101  
16 Attorneys for CITY OF LAS VEGAS,  
17 STEPHEN MASSA and NICHOLAS PAVELKA  
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**August 30, 2017**

---

A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

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**August 30, 2017      3:00 AM      Minute Order**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Court is in receipt of an un-filed ex-parte request Re: Notice And Demand from Plaintiff, Larry Porchia. The Court having reviewed the documents submitted hereby finds that the document appears to seek relief in the form of direction to Chief Judge Gonzales and/or Attorney General Adam Laxalt to seek, commence, and criminally prosecute the Defendants in the civil case A-17-758321-C for the actions alleged in the civil Complaint. The relief sought in this ex-parte request is not available pursuant to the Nevada Revised Statutes as the District Court does not initiate criminal proceedings sua sponte, therefore this request is not properly before this Court. COURT THEREFORE ORDERED, Ex-parte Request Re: Notice And Demand DENIED.

CLERK'S NOTE: A copy of this minute order was mailed to: Larry Porchia, P.O. Box 650 83088, Indian Springs, NV 89070./ ls 8-30-17

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Tort

COURT MINUTES

October 17, 2017

A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

October 17, 2017      8:30 AM      Motion to Dismiss

HEARD BY: Sturman, Gloria      COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

RECORDER: Kerry Esparza

REPORTER:

**PARTIES**

**PRESENT:**      Porchia, Larry      Plaintiff  
Schneider, Adam A.      Attorney

**JOURNAL ENTRIES**

- Mr. Schneider argued the Pltf. had no standing, the patient name was Lamont Ponds, and the statutes Pltf. cited do not apply. Mr. Schneider argued the Pltf. was suing American Medical Responders (AMR) for failure to transport him because he does not have insurance; however his exhibits were from a different entity, Las Vegas Fire and Rescue, and that was not Deft.'s client. Upon inquiry by the Court, Mr. Porchia stated Lamont Ponds was an alias and stated his correct address. Mr. Porchia argued he obtained a run report that indicated Stephon and Nicholas responded to his emergency, that the Sheriff's department said they did not work there any more. Upon inquiry by the Court, Mr. Porchia further stated the hospital records indicated AMR was present. Colloquy regarding the affidavit, clarification of the complaint, and the original complaint filed by the Pltf. that was dismissed. COURT STATED FINDINGS AND ORDERED, Motion CONTINUED to the Chambers calendar; Parties have until October 31, 2017 to supplement their information, Deft.'s to further supplement their affidavit to clarify the corporate entity.

CONTINUED TO: 11/03/17

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**December 19, 2017**

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A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

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**December 19, 2017      9:00 AM      Opposition**

**HEARD BY:** Sturman, Gloria

**COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS the Pltf. to be incarcerated and acting in pro se status, that he provided additional information; however he did not notice this hearing to all parties; AND THEREFORE ORDERED, Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint CONTINUED TO CHAMBERS.

01/26/18 3:00 AM Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint

CLERK'S NOTE: A copy of this minute order was faxed or placed in the attorney folder(s) of: Adam Schneider, Esq. (702-832-5910 Cotton and Assoc.) and mailed to Larry Porchia #83088, P.O. Box 650, Indian Springs, NV 89090./ ls 12-27-17

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**January 26, 2018**

---

A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

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**January 26, 2018      3:00 AM      All Pending Motions**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS Defendant American Medical Response (AMR), Inc.'s Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Complaint was heard on October 17, 2017 and CONTINUED TO CHAMBERS for the parties to supplement the record regarding whether it was AMR or LV Fire & Rescue who responded to Pltf. s emergency. The Pltf. supplemented his motion and filed an Opposition to Defendant American Medical Response, Inc.'s Supplemental Motion to Dismiss Pro Se Plaintiff's Complaint which was to be heard on December 19, 2017. However, the Pltf.'s motion was not argued as Pltf. did not notice the hearing and it was therefore CONTINUED TO CHAMBERS. COURT NOW FINDS Defendant's Massa and Pavelka's Motion to Dismiss calendared for February 20, 2017 AND THEREFORE ORDERED, Deft. AMR's Motion to Dismiss CONTINUED; Pltf.'s Opposition CONTINUED; Deft's Massa and Pavelka's Motion to Dismiss CONTINUED to all be heard together.

CONTINUED TO: 03/01/18 9:00 AM

CLERK'S NOTE: A copy of this minute order was faxed or placed in the attorney folder(s) of: Adam Schneider, Esq. (702-832-5910 Cotton and Assoc.) and mailed to Larry Porchia #83088, P.O. Box 650, Indian Springs, NV 89090./ ls 1-26-18



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**March 01, 2018**

---

A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

---

**March 01, 2018      9:00 AM      All Pending Motions**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES**

**PRESENT:**      Porchia, Larry      Plaintiff  
                 Schneider, Adam A.      Attorney

**JOURNAL ENTRIES**

- Also present was Seth Floyd, Esq. representing the City of Las Vegas.

DEFENDANT AMERICAN MEDICAL RESPONSE, INC.'S MOTION AND NOTICE OF MOTION  
TO DISMISS PRO SE PLAINTIFF'S COMPLAINT

and

OPPOSITION TO DEFENDANT AMERICAN MEDICAL RESPONSE, INC.'S SUPPLEMENTAL  
MOTION TO DISMISS PRO SE PLAINTIFF'S COMPLAINT

DEFENDANT AMERICAN MEDICAL RESPONSE, INC., 'S COUNTERMOTION TO STRIKE  
PLAINTIFF'S "JUDICIAL NOTICE PURSUANT TO NRS 47.130," "RESPONSE TO DEFENDANTS  
REPLY TO PLAINTIFFS' VOLUNTARY DISMISSAL IN CASE A-17-749899-C," AND

"SUPPLEMENTAL COMPLAINT

and

DEFENDANT HEADLEE'S JOINDER TO AMERICAN MEDICAL RESPONSE, INC., 'S  
COUNTERMOTION TO STRIKE PLAINTIFF'S "JUDICIAL NOTICE PURSUANT TO NRS 47.130,"  
"RESPONSE TO DEFENDANTS REPLY TO PLAINTIFFS' VOLUNTARY DISMISSAL IN CASE A-17-  
749899-C," AND "SUPPLEMENTAL COMPLAINT:

Mr. Schneider argued when his clients were in route to Mr. Porchia's location they were called off and this his clients did not reject his claim regarding lack of insurance.

Mr. Porchia argued his Personal Care Report was blank except for the insurance box and inquired why they would have a report when there was no interaction. Mr. Porchia argued the report indicated they were in route and then it was noted "cancel on scene" and that there was no patient contact. Mr. Porchia argued the refused to transport him because he did not have insurance.

Mr. Schneider argued Jason Diggers, the Person Most Knowledgeable, indicated in the report stated there was no transport due to the direction of the City and that is did not make sense for American Medical Response (AMR) to refuse service at 3:00 AM when they transported him at 11:00 PM.

COURT ORDERED, American Medical Response's relief GRANTED; AMR DISMISSED WITHOUT PREJUDICE; Joinder GRANTED.

DEFENDANTS MASSA AND PAVELKA'S MOTION TO DISMISS:

Mr. Floyd argued when the Pltf. filed the Motion he did not serve the City of Las Vegas and therefore the requirements of NRS 41.0037(1) were not met. Mr. Floyd stated the Pltf. named the individuals but not the City.

Mr. Porchia argued the City treated him at the first call but did not transport him.

Court stated Mr. Porchia named the wrong parties AND THEREFORE ORDERED, Massa and Pavelka's Motion to Dismiss CONTINUED 30 days to allow Mr. Porchia the opportunity to file an amended complaint naming the proper parties; Motion CONTINUED to the Chambers Calendar to confirm the necessary documentation has been filed.

CONTINUED TO: 03/30/18 3:00 AM Chambers Calendar

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**May 15, 2018**

---

A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

---

**May 15, 2018      9:00 AM      All Pending Motions**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES**

**PRESENT:**      Dorocak, Jeffry M.      Attorney  
                         Schneider, Adam A.      Attorney

**JOURNAL ENTRIES**

- REQUEST FOR LEAVE FOR A TELEPHONE CONFERENCE ON A STATUS CHECK ON AN ORDER TO AMEND COMPLAINT .. MOTION FOR A PRETRIAL CONFERENCE .. DEFENDANTS AMERICAN MEDICAL RESPONSE INC AND HEADLEE'S MOTION AND NOTICE OF MOTION TO DISMISS PRO SE PLAINTIFF'S AMENDED COMPLAINT ON ORDER SHORTENING TIME

Court ADVISED Mr. Porchia had filed a request for telephonic appearance, along with various other motions, and that the Court was inclined to grant the request.

Colloquy regarding rescheduling.

COURT ORDERED, all Motions on calendar today CONTINUED; City Defendants Motion for Judgment on the Pleading currently on calendar for June 12, 2018 CONTINUED.

CONTINUED TO: 06/14/18 9:00 AM

CLERK'S NOTE: A copy of this minute order was mailed: Larry Porchia a/k/a Lamont Ponds, 2071

Kline Cir., #2, Las Vegas, NV 89121 ./ls 05-15-18

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**June 14, 2018**

---

A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

---

**June 14, 2018**

**9:00 AM**

**All Pending Motions**

**HEARD BY:** Sturman, Gloria

**COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Court stated she was informed by the Court's state prison contact that Mr. Porchia was released from prison to a halfway house. It appeared he did receive notice and he did not respond to any of the motions.

Request for Leave for a Telephone Conference on a Status Check on an Order to Amend Complaint: COURT FINDS there was no pending motion and it was unclear what the Pltf. was seeking AND THEREFORE ORDERED, Request for Leave MOOT.

Motion for a Pretrial Conference:

COURT FINDS it appeared the Pltf. was seeking a 16.1 conference and since he was no longer incarcerated he can just set the hearing. If the Pltf. wishes to proceed he just needs to arrange it as no court intervention was required. COURT ORDERED. Motion MOOT.

Defendants American Medical Response Inc. and Headlee's Motion and Notice of Motion to Dismiss Pro Se Plaintiff's Amended Complaint on Order Shortening Time:

Mr. Schneider provided a history of the motion and argued there were no remaining claims that had not been previously adjudicated and that the Pltf. filed a duplicate copy and paste complaint after he'd filed this Motion to Dismiss which was identical to a previously argued motion. COURT FINDS

it appeared the cause of action Pltf. cited was NRS 450.400, which applied to hospitals and medical facilities and it does not apply to paramedics, that Pltf. cited NRS 293.300 was a criminal fraud; and therefore it was not applicable in a civil damages case. There was also no negligence given the facts of the case and the Pltf. did not ask for authority to file this complaint, causing a procedural problem. COURT THEREFORE ORDERED, Motion DISMISSED WITH PREJUDICE.

City Defendants Motion for Judgment on the Pleading:

Mr. Dorocak argued the Pltf. claimed the firefighters responded but did not transport and here the statute was clear, these services were owed to the public at large not to an individual. Mr. Dorocak argued the only claim by Pltf. could be negligence for breach of duty and he did not have that claim. COURT FINDS in this complaint it appeared the Pltf. was looking for leave for a complaint and the only one the Court was aware of was the one he just filed; therefore if he was requesting relief after he filed, the relief request is unclear. In the current motion Pltf. hasn't plead a cause of action that would invoke an exception to the governmental duty doctrine as it appears it was about the transport of an individual. COURT FURTHER FINDS this claim fails as a party cannot recover on these grounds, the government has very specific protections, they are statutory and limited AND THEREFORE ORDERED, Motion GRANTED WITHOUT PREJUDICE.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**December 17, 2018**

---

A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

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**December 17, 2018      3:00 AM      Minute Order**

**HEARD BY:** Sturman, Gloria

**COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Natalie Ortega

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Motion for Determination of good faith Settlement VACATED the Motion was not served on the Defendant, and no Notice of Motion was ever filed and served. Plaintiff to serve the Motion and file and serve a Notice of Motion. Plaintiff must also provide the Court no less than 10 days notice of a request for transportation or telephonic appearance for the hearing.

CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Natalie Ortega, to all registered parties for Odyssey File & Serve. Additionally, this minute order was mailed to Larry Pochia #1481565 Attn: CCDC 330 S. Casino Center, Las Vegas, NV 89101. ndo/12/17/18

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**January 29, 2019**

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A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

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**January 29, 2019      3:00 PM      Minute Order**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- A REQUEST FOR TRANSPORTATION by pro se Plaintiff, Larry Porchia ID#1481565, housed at the Clark County Detention Center, has been reviewed by this Court. COURT ORDERED the Request GRANTED and hereby DIRECTS Clark County Detention Center to produce the Plaintiff in Courtroom 10D, on the 5th day of February, 2019, at 8:30 AM for his attendance to argue his Motion for Determination of Good Faith Settlement and respond to the Opposition thereto filed by the City Attorney.

CLERK'S NOTE: A copy of this minute order was e-mailed, mailed, or faxed as follows:  
DSDCourtServices@LVMPD.com; Jeffry Dorocak, Deputy City Attorney  
(jdorocak@lasvegasnevada.gov); Adam Schneider, Esq. (aschneider@jhcottonlaw.com)  
and Larry Porchia #1481565, 330 S. Casino Center, Las Vegas, NV 89101./ls 1-29-19



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Tort**

**COURT MINUTES**

**February 05, 2019**

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A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

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**February 05, 2019      8:30 AM      Motion for Determination  
of Good Faith Settlement**

**HEARD BY:** Sturman, Gloria

**COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES**

**PRESENT:**      Dorocak, Jeffry M.      Attorney  
                 Porchia, Larry      Plaintiff  
                 Schneider, Adam A.      Attorney

**JOURNAL ENTRIES**

- Court stated she read this as a Motion for Summary Judgment since a Motion for Good Faith Settlement was something entirely different.

Mr. Porchia agreed with the Court.

Court ADVISED the Pltf.'s reference to the Public Duty Doctrine was not a duty to a person, rather it was a duty to the public and therefore it failed.

Mr. Dorocak argued in any argument raised he did not see anything that takes away from the public duty, that the Pltf. stated he was refused transport by Headlee and Clark; however they were not City employees and as such it doesn't affect the City's dismissal.

Mr. Schneider argued he'd just received the Minute Order on Friday regarding the Motion for Good Faith and that his client was Dismissed With Prejudice in June 2018.

Court stated it was difficult to interpret Pltf.'s cause of action, that American Medical Responders (AMR) dispatched a transport; however no treatment was given as the City of Las Vegas was there and AMR left the scene. Court further stated the case was dismissed for Pltf. to re-state that it was City of LV employees.

Pltf. stated the report he received indicated employees Clark and Headlee and that they worked for LV Fire and Rescue. Pltf. argued they were served January 20, 2018 at the Fire Dept. headquarters and the Tonopah Fire Station which confirmed they work for LV Fire.

Court stated there was a dispute as to the facts, that Pltf. was saying he had evidence that these people work for the City; however the City states they don't.

Pltf. argued regarding the Special Duty Doctrine and that they had a duty to treat him. Pltf. further argued they diagnosed him at the scene and shouldn't have and that he had over \$100,000 in hospital bills for the emergency surgery that he wouldn't have needed if they'd transported him the first time.

Mr. Dorocak argued Massa and Pavelka were the people who responded and could be identified as dismissed under 12(c) for being negligent to transport, that Pltf. changed his Motion and indicated Headlee and Clark, who were not current LV Fire employees, and that it was unusual for two employees to have left employment with LV Fire in such a short period of time. Mr. Dorocak argued Pltf. needed to clarify his facts.

Mr. Schneider stated he believed there was a call and Massa and Pavelka were dispatched, that AMR was sent out and then called off, then Pltf. called 911 again and AMR did transport Pltf., and that it was Headlee and Clark who did the transport that second time. Mr. Schneider argued Pltf. had no complaint regarding the second transport and that AMR's records were blank from the first call because they didn't render assistance.

COURT STATED FINDINGS AND ORDERED, Motion DENIED; Pltf. has 30 days to file a Second Amended Complaint; Pltf. must serve the complaint; Pltf. must file a new Forma Pauperis application; AMR REMAINS DISMISSED WITH PREJUDICE; Mr. Schneider to prepare the order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Other Tort****COURT MINUTES****April 30, 2019**

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A-17-758321-C      Larry Porchia, Plaintiff(s)  
vs.  
American Medical Responders, Defendant(s)

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**April 30, 2019      8:30 AM      Motion to Dismiss**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Lorna Shell

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES**

**PRESENT:**      Dorocak, Jeffry M.      Attorney  
                 Porchia, Larry      Plaintiff

**JOURNAL ENTRIES**

- Mr. Dorocak argued the Public Duty Doctrine granted immunity to the public not the individual, that there was no specific promise made, and that there were no allegations that the Deft.'s caused what they were there to treat. Mr. Dorocak argued the Pltf. stated he would not have needed surgery if he had been transported the first time he called and if his claim was regarding care, then NRS 41.500(5) would make the responders immune from damages, that it would also take the negligence claim off too.

Mr. Porchia argued there was an exception to the Public Duty Doctrine which was the Special Duty Doctrine and that the responders could be sued under both. Mr. Porchia argued if a party believes they should be transported, then they had a duty to transport, that he was seeking to go to the hospital, and that they were EMT's and they can't diagnose, rather that was for the doctors to do. Mr. Porchia argued when he called the second time they saw how large his stomach was and they transported him, that the EMT's were to uphold their duty to take him to the hospital, and that just because he was homeless and didn't have insurance doesn't mean they don't have to transport. Mr. Porchia argued the surgery could have been avoided if he had been transported the first time he called.

Court stated there was no denial of the bowel obstruction needing surgery and further inquired if the Pltf.'s position was that if he'd been transported sooner there would have been no need for the surgery.

Mr. Porchia agreed and argued the doctors and nurses both said that.

Court stated the Deft.'s did not cause the bowel obstruction and inquired if Pltf. was saying an earlier transport would have made it easier and noted the EMT's didn't diagnose him, rather they stabilized and transported. Court further inquired if Pltf. was claiming the EMT's were improperly trained or there was some sort of breach of licensure.

Mr. Porchia agreed and argued that at the last hearing they admitted they should have transported him.

Court ADVISED government entities have certain immunities.

Mr. Porchia argued there was a breach of duty by the EMT's under NRS 450(b).

Court stated the Public Duty Doctrine does not shield for failure to train; however the Pltf. must get past the ability to sue a public agency and further noted there were limits to what a public agency could be sued for.

Following further arguments by counsel, COURT FINDS public agencies were protected by statute and that government entities and their employees cannot be sued for doing their job. COURT THEREFORE ORDERED, Motion to Dismiss GRANTED; Mr. Doracak to prepare the order and include the Findings of Fact and Conclusions of Law.

# 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; DISTRICT COURT  
DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING CITY DEFENDANT'S MOTION  
TO DISMISS; NOTICE OF ENTRY OF ORDER GRANTING CITY DEFENDANTS' MOTION TO  
DISMISS; DISTRICT COURT MINUTES

LARRY PORCHIA,

Plaintiff(s),

vs.

CITY OF LAS VEGAS; STEPHEN MASSA;  
NICHOLAS PAVELKA; MARINA CLARK;  
JASON W. DRIGGERS; LVER RISK  
MANAGEMENT,

Defendant(s),

Case No: A-17-758321-C

Dept No: XXVI

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 4 day of June 2019.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk