

IN THE SUPREME COURT OF THE STATE OF NEVADA

BARRY JAMES RIVES, M.D. and
LAPAROSCOPIC SURGERY OF NEVADA, LLC,

Appellants/Cross-Respondents,
vs.

TITINA FARRIS and PATRICK FARRIS,
Respondents/Cross-Appellants.

No.: 80271

Appeal from the Eighth Judicial District
Court, the Honorable Joanna S. Kishner
Presiding

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BARRY JAMES RIVES, M.D. and
LAPAROSCOPIC SURGERY OF NEVADA, LLC,
Appellants,

vs.

TITINA FARRIS and PATRICK FARRIS,
Respondents.

No.: 81052

Appeal from the Eighth Judicial District
Court, the Honorable Joanna S. Kishner
Presiding

RESPONDENTS/CROSS-APPELLANTS' APPENDIX, VOLUME 20
(Nos. 2593–2614)

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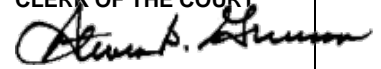
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DISTRICT COURT

CLARK COUNTY, NEVADA

TITINA FARRIS and PATRICK FARRIS,)	CASE NO. A-16-739464-C
)	DEPT. NO. 31
Plaintiffs,)	
)	DEFENDANTS BARRY J. RIVES, M.D.'S
vs.)	AND LAPAROSCOPIC SURGERY OF
)	NEVADA, LLC'S SUPPLEMENTAL
BARRY RIVES, M.D.; LAPAROSCOPIC)	REPLY TO PLAINTIFFS'
SURGERY OF NEVADA, LLC, et al.,)	SUPPLEMENTAL OPPOSITION TO
)	MOTION TO RE-TAX AND SETTLE
Defendants.)	PLAINTIFFS' COSTS
)	
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1 Defendants BARRY J. RIVES, M.D. and LAPAROSCOPIC SURGERY OF NEVADA, LLC
2 ("Defendants") hereby provide the following supplemental reply to plaintiffs PATRICK
3 FARRIS' and TATINA FARRIS' ("Plaintiffs") Supplemental Opposition to Defendants' Motion
4 to Re-Tax and Settle Costs as follows:

5 **I.**

6 **ARGUMENT**

7 **A. Defendants Remain Entitled to an Order Taxing Plaintiffs' Claimed Costs for**
8 **Deposition Fees Outside the Costs Allowed by NRS 18.005(2) and**
NRS 18.005(17).

9 As outlined in Defendants' initial Reply, Plaintiffs are not entitled to recover
10 \$5,032.04 in costs for cost items associated with various depositions that exceed the
11 scope of what is recoverable under NRS 18.005(2) and such expenses do not fall under
12 the cost catch-all created by NRS 18.005(17) because the claimed deposition costs were
13 not reasonable or necessary. Plaintiffs did not provide any additional support for their
14 entitlement to the additional deposition costs addressed in Defendants' Motion to Retax
15 and initial Reply. Accordingly, for the reasons stated in Defendants' Motion to Retax and
16 initial Reply, the costs associated with Plaintiffs' decision to videotape various depositions
17 should not be recoverable.

18 **B. Plaintiffs are not Entitled to Their Total Claimed Costs for Their Expert**
19 **Witness Fees.**

20 **1. Plaintiffs Requested Expert Fees Must be Reduced to a Maximum of Five**
Experts.

21 Plaintiffs do not provide any authority to support their request for expert fees for
22 more than 5 experts witnesses. The plain language of NRS 18.005(5) confirms that while
23 the district court has discretion to award fees in excess of the presumptive maximum of
24 \$1,500, the district court does not have the discretion to enlarge the total number of
25 recoverable witnesses. NRS 18.005(5) allows for the recovery of reasonable fees *of not*
26 *more than five expert witnesses* in an amount of not more than \$1,500.00 for each

1 witness, *unless the court allows a larger fee* after determining that the circumstances
2 surrounding the expert's testimony were of such necessity as to require the larger fee.
3 *Emphasis Added.* Accordingly, Plaintiffs may only recover for the reasonable fees
4 associated with five expert witnesses and their awarded costs for expert fees must be
5 limited to a maximum of five expert witnesses. As outlined in their Supplemental
6 Opposition, Plaintiffs identified Dr. Michael Hurwitz, Dr. Justin Willer, Dr. Alex Barchuk,
7 Dawn Cook and Dr. Alan Stein as the 5 expert witnesses whose fees should be considered
8 if they are limited to 5 experts, which is of course, required by NRS 18.005(5).

9 **2. Plaintiffs Have Still Not Met Their Burden Under Frazier v. Drake.**

10 Plaintiffs' Supplemental Opposition was limited to providing an analysis under
11 *Frazier v. Drake* 131 Nev. Adv. Rep. 64 (2015) for their claimed expert witnesses. Although
12 Plaintiffs provided more information than what was in their prior Opposition regarding the
13 *Frazier* factors, for the reasons stated below, Plaintiffs failed to meet their burden under
14 *Frazier*.

15 **a. Plaintiffs' Selected 5 Expert Witnesses.**

16 **i. Michael Hurwitz, M.D.**

17 Plaintiffs have still not made an adequate showing as to the *Frazier* factors and
18 therefore Plaintiffs are not entitled to recover an excess fee beyond the presumptive
19 \$1,500.00 expert fee for Dr. Hurwitz. Specifically, *Frazier* factor 12 weighs against an
20 award of an excess fee. *Frazier* factor 12 examines whether the fees and costs of an
21 out-of-jurisdiction expert are comparable to those within the jurisdiction of the case.
22 Dr. Hurwitz practices medicine in Orange County, California. Plaintiffs failed to establish
23 the jurisdiction equivalent *Frazier* factor in their Opposition. Plaintiffs have not met the
24 burden of showing entitlement to an excess fee under *Frazier*. Accordingly, and in the
25 absence of such evidence, Plaintiffs' recoverable fee for Dr. Hurwitz, if any, given the
26 number of expert witness fees requested in this case, must be reduced to \$1,500.00.

1 ii. Justin Willer, M.D.

2 Plaintiffs have not made an adequate showing as to the *Frazier* factors and
3 therefore Plaintiffs are not entitled to recover an excess fee beyond the presumptive
4 \$1,500.00 expert fee for Dr. Willer, their retained neurologist from New York. Specifically,
5 *Frazier* factor 12 weighs against an award of an excess fee. Plaintiffs also fail to establish
6 the jurisdiction equivalent *Frazier* factor in their Opposition. Plaintiffs have not met the
7 burden of showing entitlement to an excess fee under *Frazier* as there is no information
8 in their Supplemental Opposition relevant to factor 12. Accordingly, and in the absence
9 of such evidence, Plaintiffs' recoverable fee for Dr. Willer, if any, given the number of
10 expert witness fees requested in this case, must be reduced to \$1,500.00.

11 iii. Alex Barchuk, M.D.

12 Plaintiffs have not made an adequate showing as to the *Frazier* factors as to their
13 entitlement to a fees in excess of \$1,500 for their self-admitted most expensive expert
14 witness Dr. Barchuk, a physical medicine and rehabilitation specialist from California.
15 Specifically, Plaintiffs fail to meet their burden as to *Frazier* factors 11 and 12.

16 *Frazier* factor 11 looks to whether the expert's fees are comparable to experts' fees
17 charged in similar cases. Plaintiffs have put forward no evidence to support a finding that
18 Dr. Barchuk's fees are comparable to other expert fees in similar cases. In fact, Plaintiffs
19 acknowledge in their Supplemental Opposition that Dr. Barchuk's hourly rates were the
20 "highest" of all of their expert witnesses. Supplemental Opposition, p. 8. The fact a
21 physical medicine and rehabilitation specialist charges more per hour than an infectious
22 disease specialist in New York (Dr. Stein) or more than a neurologist in New York
23 (Dr. Willer) demonstrates the impropriety of Dr. Barchuk's hourly rate. Not only is there
24 no evidence put forth by Plaintiffs to show that Dr. Barchuk's hourly rate is comparable
25 to other experts, but there is evidence that it is higher than other more specialized expert
26 witnesses in this same case.

1 Finally, *Frazier* factor 12 examines whether the fees and costs of an
2 out-of-jurisdiction expert are comparable to those within the jurisdiction of the case.
3 Plaintiffs also fail to establish the jurisdiction equivalent *Frazier* factor in their Opposition.
4 Plaintiffs have not met the burden of showing entitlement to an excess fee under *Frazier*.
5 Accordingly, and in the absence of such evidence, Plaintiffs' recoverable fee for
6 Dr. Barchuk must be reduced to \$1,500.00.

7 iv. Dawn Cook, RN

8 Plaintiffs have not made an adequate showing as to the *Frazier* factors as to their
9 entitlement to a fees in excess of \$1,500 for their life care planner Ms. Cook. Specifically,
10 Plaintiffs fail to meet their burden as to *Frazier* factor 11.

11 *Frazier* factor 11 looks to whether the expert's fees are comparable to experts' fees
12 charged in similar cases. Plaintiffs have put forward no evidence to support a finding that
13 Ms. Cook's fees are comparable to other expert fees in similar cases. In fact, Plaintiffs'
14 Supplemental Opposition demonstrates the excessiveness of Ms. Cook's fees. Ms. Cook
15 is a registered nurse, yet she charges more per hour than Plaintiffs' specialized medical
16 physicians listed as expert witnesses. Ms. Cook charges \$650 per hour, which is more
17 than Dr. Stein, Dr. Willer and Dr. Hurwitz charge per hour. Dr. Stein, Dr. Willer and
18 Dr. Hurwitz each charged Plaintiffs \$500 per hour. It is on its face improper for a
19 registered nurse to command a 30 percent higher hourly rate than an infectious disease
20 specialist, a neurologist and a general surgeon. Not only is there no evidence put forth
21 by Plaintiffs to show that Ms. Cook's hourly rate is comparable to other experts, but there
22 is evidence that it is higher than other more specialized expert witnesses in this same
23 case. Accordingly, and in the absence of such evidence, Plaintiffs' recoverable fee for
24 Ms. Cook must be reduced to \$1,500.00.

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26 ///

1 v. Alan Stein, M.D.

2 Plaintiffs have still not made an adequate showing as to a number of the *Frazier*
3 factors and therefore Plaintiffs are not entitled to recover an excess fee beyond the
4 presumptive \$1,500.00 expert fee for Dr. Stein. Specifically, *Frazier* factors 1, 2, and 12
5 weigh against an award of an excess fee.

6 *Frazier* factor 1 asks the Court to evaluate the importance of the expert's testimony
7 to the party's case. Dr. Stein was not an important witness to this case as he was not
8 called to testify at the time of trial.

9 Additionally, *Frazier* factor 2, which asks the Court to evaluate the degree the
10 expert's opinions aided the trier of fact, weighs against an award of an excess fee for
11 Dr. Stein. Dr. Stein did not aid the trier of fact, because he did not testify at trial.
12 Accordingly, Plaintiffs' excessive costs associated with Dr. Stein, including his
13 unnecessary trip to Las Vegas, Nevada, must be limited to \$1,500.

14 Finally, *Frazier* factor 12 examines whether the fees and costs of an
15 out-of-jurisdiction expert are comparable to those within the jurisdiction of the case.
16 Plaintiffs also fail to establish the jurisdiction equivalent *Frazier* factor in their
17 Supplemental Opposition. Plaintiffs have not met the burden of showing entitlement to
18 an excess fee under *Frazier*. Accordingly, and in the absence of such evidence, Plaintiffs'
19 recoverable fee for Dr. Stein, if any, given the number of expert witness fees requested
20 in this case, must be reduced to \$1,500.00.

21 **b. Plaintiffs' Expert Witnesses in Excess of the 5 Selected Expert**
22 **Witnesses.**

23 i. Terrence Clauretie, Ph.D.

24 As a preliminary matter, Plaintiffs are not entitled to recover any of the expert
25 witness fees associated with their economist Mr. Clauretie because Plaintiffs are limited
26 to a statutory maximum of 5 experts under NRS 18.005(5) and Mr. Clauretie was not listed

1 by Plaintiffs in their list of 5 experts they wished to recover fees for in their Supplemental
2 Opposition if this Court enforced the limitation under NRS 18.005(5). Additionally, Plaintiffs
3 have not made an adequate showing under *Frazier* as to their entitlement to an excess
4 fee for Mr. Clauretie. Specifically, Plaintiffs fail to meet their burden as to *Frazier* factor 11.

5 *Frazier* factor 11 looks to whether the expert's fees are comparable to experts' fees
6 charged in similar cases. Plaintiffs have put forward no evidence to support a finding that
7 Mr. Clauretie's fees are comparable to other expert fees in similar cases. Accordingly,
8 Plaintiffs are not entitled to recover any portion of Mr. Clauretie's fee. In the alternative,
9 if a fee is awarded to Plaintiffs for Mr. Clauretie's work on this case it must be limited to
10 \$1,500.

11 ii. Daniel Feingold, M.D.

12 Plaintiffs are not entitled to recover any of the expert witness fees associated with
13 Dr. Feingold because Plaintiffs are limited to a statutory maximum of 5 experts under
14 NRS 18.005(5) and Dr. Feingold was not listed by Plaintiffs in their list of 5 experts they
15 wished to recover fees for in their Supplemental Opposition if this Court enforced the
16 limitation under NRS 18.005(5). In the event a fee for Dr. Feingold's services is awarded
17 to Plaintiffs, it must be limited to \$1,500 because Plaintiffs have not made an adequate
18 showing under *Frazier*. Specifically, *Frazier* factors 1, 2, 3, and 12 weigh against an award
19 of an excess fee.

20 *Frazier* factor 1 asks the Court to evaluate the importance of the expert's testimony
21 to the party's case. Dr. Feingold was not an important witness to this case, he was not
22 disclosed as an expert witness.

23 *Frazier* factor 2 asks the Court to evaluate the degree the expert's opinions aided
24 the trier of fact. Dr. Feingold did not aide the trier of fact, because he did not testify at trial.

25 *Frazier* factor 3 asks the Court to determine whether the expert's reports or
26 testimony were repetitive of other expert witnesses. Here, Dr. Feingold, a general

1 surgeon, was a duplicative expert to Dr. Hurwitz, the general surgeon disclosed by
2 Plaintiffs.

3 Finally, *Frazier* factor 12 examines whether the fees and costs of an
4 out-of-jurisdiction expert are comparable to those within the jurisdiction of the case.
5 Plaintiffs also fail to establish the jurisdiction equivalent *Frazier* factor in their Opposition.
6 Dr. Feingold appears to be based in New York. Plaintiffs have not met the burden of
7 showing entitlement to an excess fee under *Frazier*. Accordingly, Plaintiffs are not
8 entitled to recover any portion of Dr. Feingold's fee. In the alternative, if a fee is awarded
9 to Plaintiffs for Dr. Feingold's work on this case it must be limited to \$1,500.

10 **C. Defendants Remain Entitled to an Order Taxing Plaintiffs' Claimed Costs for**
11 **Plaintiffs' Unsubstantiated Costs of \$350 for "Copies, Faxes, Runner Services**
and Phone Charges."

12 Plaintiffs are still not entitled to recover costs for copies. Documentation
13 substantiating the reason for each copy is what is required under Nevada law. *Village*
14 *Builders 96, LP v. US Labs*, 121 Nev. 261, 277-278 (2005). Plaintiffs provided no further
15 argument in support of this claimed costs in their Supplemental Opposition. Accordingly,
16 Plaintiffs' requested costs of \$350 must be re-taxed.

17 **D. Defendants Remain Entitled to an Order Taxing Plaintiffs' Claimed Costs for**
18 **FedEx in the Amount of \$216.30.**

19 Plaintiffs claim \$216.30 in FedEx charges without any facts upon which Defendants
20 or the Court could conclude the use of an expedited carrier was reasonable and
21 necessary, or that the related postage was reasonable or necessary. Plaintiffs provided no
22 further argument in support of this claimed costs in their Supplemental Opposition.
23 Accordingly, Plaintiffs' costs must be re-taxed by \$216.30.

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1 **E. Defendants Remain Entitled to an Order Taxing Plaintiffs' Claimed Costs that**
2 **Were not Reasonable or Necessary.**

3 Plaintiffs seek to recover \$1,200 for video services associated with obtaining day
4 in the life footage of Ms. Farris in August and September 2018. The fact the video was not
5 used at the time of trial shows it was not a necessary cost and therefore it should be re-
6 taxed. Plaintiffs provided no further argument in support of this claimed costs in their
7 Supplemental Opposition.

8 Plaintiffs seek to recover costs for parking and Uber. Defendants do not dispute that
9 such charges were supported by the documentation attached to the Memorandum of
10 Costs, but Defendants do take issue with the lack of justification for such charges. There
11 is no evidence as to why such charges were reasonable or necessary and therefore
12 Plaintiffs' claimed costs should be re-taxed by \$478.56. Plaintiffs provided no further
13 argument in support of this claimed costs in their Supplemental Opposition.

14 Plaintiffs seek to recover \$809.88 for the production of binders and \$3,336.25 for
15 PowerPoint design services charged by Dalos Legal Services. The binders include copies
16 and Plaintiffs' documentation does not comply with *Village Builders 96, LP v. US Labs*, 121
17 Nev. 261, 277-278 (2005.) Given the limited information provided to Defendants, it is not
18 possible to determine whether any portion of the PowerPoint design services provided
19 by Dalos resulted in material that was actually shown to the jury or used at the time of
20 trial. Plaintiffs provided no further argument in support of this claimed costs in their
21 Supplemental Opposition. Accordingly, Plaintiffs' requested costs of \$4,146.13 should be
22 re-taxed.

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II.

CONCLUSION

For the reasons stated in more detail above, Plaintiffs' Memorandum of Costs includes unrecoverable costs. Accordingly, Defendants respectfully request this Court re-tax and settle Plaintiffs' costs as outlined above.

Dated: February 3, 2020

SCHUERING ZIMMERMAN & DOYLE, LLP

By /s/ Thomas J. Doyle
THOMAS J. DOYLE
Nevada Bar No. 1120
400 University Avenue
Sacramento, CA 95825-6502
(916) 567-0400
Attorneys for Defendants BARRY RIVES,
M.D. and LAPAROSCOPIC SURGERY OF
NEVADA, LLC

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that on the 3rd day of February, 2020, service of a
3 true and correct copy of the foregoing:

4 **DEFENDANTS BARRY J. RIVES, M.D.'S AND LAPAROSCOPIC SURGERY OF**
5 **NEVADA, LLC'S SUPPLEMENTAL REPLY TO PLAINTIFFS' SUPPLEMENTAL OPPOSITION**
6 **TO MOTION TO RE-TAX AND SETTLE PLAINTIFFS' COSTS**

7 was served as indicated below:

- 8 ☒ served on all parties electronically pursuant to mandatory NEFCR 4(b);
9 ☐ served on all parties electronically pursuant to mandatory NEFCR 4(b) , exhibits to
10 follow by U.S. Mail;
11 ☐ by depositing in the United States Mail, first-class postage prepaid, enclosed ;
12 ☐ by facsimile transmission; or
13 ☐ by personal service as indicated.

Attorney	Representing	Phone/Fax/E-Mail
George F. Hand, Esq. HAND & SULLIVAN, LLC 3442 North Buffalo Drive Las Vegas, NV 89129	Plaintiffs	702/656-5814 Fax: 702/656-9820 hsadmin@handsullivan.com
Kimball Jones, Esq. Jacob G. Leavitt, Esq. BIGHORN LAW 716 S. Jones Boulevard Las Vegas, NV 89107	Plaintiffs	702/333-1111 Kimball@BighornLaw.com Jacob@BighornLaw.com

21 /s/ Jodie Chalmers
22 an employee of Schuering Zimmerman &
23 Doyle, LLP
24 1737-10881
25
26

A-16-739464-C Titina Farris, Plaintiff(s)
vs.
Barry Rives, M.D., Defendant(s)

February 11, 2020 09:30 AM Defendants Barry J. Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Motion to Re-Tax and Settle Plaintiffs' Costs

HEARD BY: Kishner, Joanna S. COURTROOM: RJC Courtroom 12B

COURT CLERK: Tapia, Michaela

RECORDER: Harrell, Sandra

REPORTER:

PARTIES PRESENT:

George F. Hand Attorney for Plaintiff

Thomas J. Doyle Attorney for Defendant

JOURNAL ENTRIES

Following arguments by counsel, COURT ORDERED, motion GRANTED IN PART, DENIED IN PART. Other than Stein and Cook, the motion is GRANTED; the Court finds it is appropriate and meets all the Frasier factors. As to Dr. Stein, COURT ORDERED, Dr. Stein's amount is lowered to \$1,500.00. As to Dr. Cook, COURT FURTHER ORDERED, Dr. Cook's amount is reduced to \$13,960.03. ADDITIONALLY, the \$5,032.02 cost is reduced. COURT FINDS, the remaining costs are appropriately supported and GRANTED. Mr. Hand to provide the net figure to Mr. Doyle.

REGISTER OF ACTIONS**CASE No. A-16-739464-C****Titina Farris, Plaintiff(s) vs. Barry Rives, M.D., Defendant(s)**§
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§Case Type: **Malpractice - Medical/Dental**Date Filed: **07/01/2016**Location: **Department 31**Cross-Reference Case Number: **A739464**Supreme Court No.: **80271****81052****PARTY INFORMATION**

Defendant	Laparoscopic Surgery of Nevada LLC	Lead Attorneys Thomas J. Doyle <i>Retained</i> 9165670400(W)
Defendant	Rives, Barry, M.D.	Thomas J. Doyle <i>Retained</i> 9165670400(W)
Plaintiff	Farris, Patrick	Micah S. Echols <i>Retained</i> 702-655-2346(W)
Plaintiff	Farris, Titina	Micah S. Echols <i>Retained</i> 702-655-2346(W)

EVENTS & ORDERS OF THE COURT

	DISPOSITIONS
11/01/2019	Verdict (Judicial Officer: Kishner, Joanna S.) Debtors: Barry Rives, MD. (Defendant), Laparoscopic Surgery of Nevada LLC (Defendant) Creditors: Titina Farris (Plaintiff) Judgment: 11/01/2019, Docketed: 11/08/2019 Total Judgment: 12,083,479.94 Debtors: Barry Rives, MD. (Defendant), Laparoscopic Surgery of Nevada LLC (Defendant) Creditors: Patrick Farris (Plaintiff) Judgment: 11/01/2019, Docketed: 11/08/2019 Total Judgment: 1,557,000.00
11/14/2019	Judgment Upon the Verdict (Judicial Officer: Kishner, Joanna S.) Debtors: Barry Rives, MD. (Defendant), Laparoscopic Surgery of Nevada LLC (Defendant) Creditors: Titina Farris (Plaintiff) Judgment: 11/14/2019, Docketed: 11/15/2019 Total Judgment: 6,170,387.67 Debtors: Barry Rives, MD. (Defendant), Laparoscopic Surgery of Nevada LLC (Defendant) Creditors: Patrick Farris (Plaintiff) Judgment: 11/14/2019, Docketed: 11/15/2019 Total Judgment: 197,417.85 Debtors: Barry Rives, MD. (Defendant), Laparoscopic Surgery of Nevada LLC (Defendant) Creditors: Titina Farris (Plaintiff), Patrick Farris (Plaintiff) Judgment: 11/14/2019, Docketed: 11/15/2019 Total Judgment: 6,367,805.52
03/30/2020	Order (Judicial Officer: Kishner, Joanna S.) Debtors: Barry Rives, MD. (Defendant), Laparoscopic Surgery of Nevada LLC (Defendant) Creditors: Titina Farris (Plaintiff), Patrick Farris (Plaintiff) Judgment: 03/30/2020, Docketed: 03/30/2020 Total Judgment: 1,136,924.86

OTHER EVENTS AND HEARINGS

07/01/2016 **Complaint**
Complaint

07/01/2016 **Initial Appearance Fee Disclosure**
Initial Appearance Fee Disclosure(NRS Chapter 19)

08/25/2016 **Affidavit of Service**
Affidavit of Service

09/14/2016 **Answer**
Defendants Barry Rives, M.D. and Laparoscopic Surgery of Nevada, LLC's Answer to Complaint

09/14/2016 **Demand for Jury Trial**
Demand for Jury Trial

09/14/2016 **Initial Appearance Fee Disclosure**
Defendants' Initial Appearance Fee Disclosure

09/29/2016 **Notice**
Notice of Early Case Conference

10/24/2016 **Disclosure of Documents and Witnesses Pursuant to NRCP 16.1**
Defendants Barry Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Initial NRCP 16.1 Disclosure of Witnesses and Documents

10/31/2016 **Joint Case Conference Report**
Joint Case Conference Report

11/28/2016 **Notice to Appear for Discovery Conference**
Notice to Appear for Discovery Conference

12/13/2016 **Discovery Conference (8:55 AM)** (Judicial Officer Bulla, Bonnie)
[Parties Present](#)
[Minutes](#)
Result: Scheduling Order Will Issue

01/12/2017 **Order Setting Medical/Dental Malpractice Status Check**
Order Setting Medical/Dental Malpractice Status Check and Trial Setting Conference

01/12/2017 **Scheduling Order**
Scheduling Order

02/06/2017 **Status Check: Medical/Dental Malpractice (1:00 PM)** (Judicial Officer Wiese, Jerry A.)
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

02/23/2017 **Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call**
Order Setting Civil Jury Trial

11/07/2017 **Stipulation to Extend Discovery**
Stipulation and Order to Extend Discovery (First Request)

11/09/2017 **Amended Order Setting Jury Trial**
First Amended Order Setting Civil Jury Trial

12/19/2017 **Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call**
Order Setting Civil Jury Trial

02/05/2018 **Stipulation and Order to Extend Discovery Deadlines**
Stipulation and Order to Extend Discovery (Second Request)

04/19/2018 **Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call**
Order Setting Civil Jury Trial

04/20/2018 **Stipulation and Order**
Stipulation and Order to Continue Trial and Extend Discovery Deadlines and Trial Date

06/07/2018 **CANCELED Calendar Call (9:00 AM)** (Judicial Officer Sturman, Gloria)
Vacated - per Order

07/09/2018 **CANCELED Jury Trial (9:00 AM)** (Judicial Officer Sturman, Gloria)
Vacated - per Order

08/08/2018 **Status Check: Medical/Dental Malpractice (1:00 PM)** (Judicial Officer Wiese, Jerry A.)
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

09/20/2018 **CANCELED Calendar Call (9:00 AM)** (Judicial Officer Sturman, Gloria)
Vacated - per Stipulation and Order

09/21/2018 **Stipulation and Order**
Stipulation and Order to Extend Discovery Deadlines (Fourth Request)

09/24/2018 **CANCELED Status Check (10:30 AM)** (Judicial Officer Jones, David M)
Vacated

09/26/2018 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Fourth Request)

10/04/2018 **Notice of Taking Deposition**
Notice of Taking the Deposition of Barry Rives, M.D.

10/05/2018 **Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call**
Amended Order Setting Civil Jury Trial, Pre Trial Conference, Calendar Call and Status Check

10/08/2018 **CANCELED Pre Trial Conference (10:30 AM)** (Judicial Officer Jones, David M)
Vacated

10/15/2018 **CANCELED Jury Trial (9:30 AM)** (Judicial Officer Sturman, Gloria)
Vacated - per Stipulation and Order

10/17/2018 **CANCELED Calendar Call (10:30 AM)** (Judicial Officer Jones, David M)
Vacated

10/22/2018 **CANCELED Jury Trial** (10:30 AM) (Judicial Officer Jones, David M)
Vacated

11/27/2018 **Stipulation and Order**
Stipulation and Order to Extend Discovery Deadlines (Fifth Request)

11/30/2018 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Fifth Request)

12/18/2018 **Status Check** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
12/18/2018 Reset by Court to 12/18/2018

01/07/2019 Result: Matter Heard
Telephonic Conference (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Telephonic Conference Regarding Resetting Trial
[Parties Present](#)
[Minutes](#)

01/22/2019 Result: Matter Heard
Amended Order Setting Jury Trial
Amended Order Setting Jury Trial, Pre-Trial Conference, Calendar Call, and Status Check

01/23/2019 **Stipulation and Order**
Stipulation and Order to Reset Trial and Waive Three Year Trial Rule

02/14/2019 **CANCELED Pre Trial Conference** (10:15 AM) (Judicial Officer Kishner, Joanna S.)
Vacated - per Stipulation and Order

02/21/2019 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer Sturman, Gloria)
Vacated

03/12/2019 **CANCELED Calendar Call** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Vacated - per Stipulation and Order

03/18/2019 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer Sturman, Gloria)
Vacated

03/18/2019 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Vacated - per Stipulation and Order
Moving Trial to 10/14/19 pending receipt of Stipulation waiving 3 year rule thru October 2019

03/19/2019 **Stipulation and Order**
Stipulation and Order to Extend Discovery Deadlines (Sixth Request)

03/19/2019 **Notice of Entry**
Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Sixth Request)

05/15/2019 **Objection**
Defendants' Objection to Plaintiffs' Fifth Supplement to Early Case Conference Disclosure of Witnesses and Documents

06/26/2019 **Stipulation and Order**
Stipulation and Order to Extend Discovery Deadlines (Seventh Request)

06/27/2019 **Notice of Entry**
Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Seventh Request)

07/15/2019 **Notice of Association of Counsel**
Notice of Association of Counsel

07/16/2019 **Status Check** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)

07/16/2019 Result: Matter Heard
Amended Notice of Taking Deposition
Amended Notice of Deposition of Dr. Michael Hurwitz

09/05/2019 **Status Check** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Mandatory In-Person Status Check per Court's Memo Dated August 30, 2019
[Parties Present](#)
[Minutes](#)

09/06/2019 Result: Matter Heard
Notice
Notice of 2.67 Conference

09/10/2019 **Notice**
Notice of Scheduling Settlement Conference

09/12/2019 **Pre Trial Conference** (10:15 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)

09/13/2019 Result: Matter Heard
Motion to Compel
Defendants Barry Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Motion to Compel the Deposition of Gregg Ripplinger, M.D. and Extend the Close of Discovery (9th Request) on Order Shortening time

09/13/2019 **Clerk's Notice of Hearing**
Notice of Hearing

09/13/2019 **Pre-Trial Disclosure**
Defendants Barry Rives, M.D. and Laparoscopic Surgery of Nevada, LLC's NRCP 16.1(A)(3) Pretrial Disclosure

09/16/2019 **Trial Subpoena**

Trial Subpoena - Civil Regular

09/16/2019 **Application**
Application for an Order Shortening Time on Defendants Barry River MD's and Laparoscopic Surgery of Nevada LLC's Motion to Compel the Deposition of Gregg Ripplinger MD and Extend the Close of Discovery (9th Request)

09/18/2019 **Motion for Sanctions**
Plaintiffs' Motion for Sanctions Under Rule 37 for Defendants' Intentional Concealment of Defendant Rives' History of Negligence and Litigation and Motion for Leave to Amend Complaint to Add Claim for Punitive Damages on Order Shortening Time

09/19/2019 **Receipt of Copy**
Receipt of Copy-Plaintiffs' Motion for Sanctions Under Rule 37 for Defendants' Intentional Concealment of Defendant Rives' History of Negligence and Litigation and Motion for Leave to Amend Complaint to Add Claim for Punitive Damages on Order Shortening Time

09/19/2019 **Motion to Strike**
Plaintiffs Motion to Strike Defendants Rebuttal Witnesses Sarah Larsen, R.N., Bruce Adornato, M.D. and Scott Kush, M.D., and to Limit the Testimony of Lance Stone, D.O. and Kim Erlich, M.D., for Giving Improper Rebuttal Opinions, on Order Shortening Time

09/19/2019 **Order**
Order Denying Stipulation Regarding Motions in Limine and Order Setting hearing for September 26, 2019

09/20/2019 **Objection**
Plaintiffs Objections to Defendants Pre-Trial Disclosure Statement Pursuant to NRCP 16.1(a)(3)(C)

09/20/2019 **Objection**
Plaintiffs Objection to Defendants Second Amended Notice of Taking Deposition of Dr. Gregg Ripplinger

09/20/2019 **Minute Order** (3:15 PM) (Judicial Officer Truman, Erin)
Minute Order: Vacate Plaintiffs' Motion to Strike set 9-25-19
[Minutes](#)

Result: Minute Order - No Hearing Held

09/20/2019 **Objection**
Plaintiffs Objection to Defendants Trial Subpoena of Naomi Chaney, M.D.

09/24/2019 **Opposition to Motion**
Defendants Barry Rives, M.D. and Laparoscopic Surgery of Nevada, LLC's Opposition to Plaintiffs' Motion for Sanctions Under Rule 37 for Defendants' Intentional Concealment of Defendant Rives' History of Negligence and Litigation and Motion for Leave to Amend Complaint to Add Claim for Punitive Damages on Order Shortening Time

09/24/2019 **Declaration**
Declaration of Chad Couchot in Support of Opposition to Plaintiffs' Motion for Sanctions Under Rule 37 for Defendants Intentional Concealment of Defendant Rives' History of Negligence and Litigation and Motion for Leave to Amend Complaint to Add Claim for Punitive Damages on Order Shortening Time

09/24/2019 **Transcript of Proceedings**
Transcript: Telephonic Conference 1/7/19

09/24/2019 **Transcript of Proceedings**
Transcript: Mandatory In-Person Status Check Per Court's Memo Dated August 30, 2019 - 9/5/19

09/24/2019 **Transcript of Proceedings**
Transcript of Proceedings Pretrial Conference 9/12/19

09/25/2019 **CANCELED Motion to Strike** (9:30 AM) (Judicial Officer Truman, Erin)
Vacated
Plaintiffs Motion to Strike Defendants Rebuttal Witnesses Sarah Larsen, R.N., Bruce Adornato, M.D. and Scott Kush, M.D., and to Limit the Testimony of Lance Stone, D.O. and Kim Erlich, M.D., for Giving Improper Rebuttal Opinions, on Order Shortening Time

09/25/2019 **Objection**
Defendants' Objection to Plaintiffs' 9th Supplement to Early Case Conference Disclosure of Witnesses and Documents

09/26/2019 **Motion for Sanctions** (10:00 AM) (Judicial Officer Kishner, Joanna S.)
09/26/2019, 10/07/2019, 10/10/2019
Plaintiffs' Motion for Sanctions Under Rule 37 for Defendants' Intentional Concealment of Defendant Rives' History of Negligence and Litigation and Motion for Leave to Amend Complaint to Add Claim for Punitive Damages on Order Shortening Time
[Parties Present](#)
[Minutes](#)

Result: Evidentiary Hearing

09/26/2019 **Objection**
Plaintiffs Objection to Defendants Fourth and Fifth Supplement to NRCP 16.1 Disclosure of Witnesses and Documents

09/26/2019 **Objection**
Defendants' Objections to Plaintiffs' Initial Pre-Trial Disclosures

09/27/2019 **Opposition to Motion**
Plaintiffs' Opposition to Defendants Motion to Compel the Deposition of Gregg Ripplinger, M.D. and Extend the Close of Discovery (9th Request) on an Order Shortening Time

09/27/2019 **Motion to Strike**
Plaintiffs' Motion to Strike Defendants' Fourth and Fifth Supplement to NRCP 16.1 Disclosure of Witnesses and Documents on Order Shortening Time

09/27/2019 **Receipt of Copy**
Receipt of Copy

09/30/2019 **Pre-trial Memorandum**
Defendants' Separate Pretrial Memorandum

09/30/2019 **Objection**
Defendants' Supplemental Objection to Plaintiffs' Initial Pre-Trial Disclosures

09/30/2019 **Supplement**
Defendants 1st Supplemental NRCP 16.1(A)(3) Pretrial Disclosur

09/30/2019 **Pre-trial Memorandum**
Plaintiffs Pre-Trial Memorandum Pursuant to EDCR 2.67

10/01/2019 **Transcript of Proceedings**

10/02/2019 *Transcript: All Pending Motions 9/26/19*
Settlement Conference (10:00 AM) (Judicial Officer Bixler, James)
[Minutes](#)
 Result: Not Settled

10/02/2019 **Order Denying**
Order Denying Defendants' Order Shortening Time

10/02/2019 **Opposition to Motion**
Defendants Barry Rives, M.D. and Laparoscopic Surgery of Nevada, LLC's Opposition to Plaintiffs' Motion to Strike Defendants' Fourth and Fifth Supplement to NRCP 16.1 Disclosure of Witnesses and Documents on Order Shortening Time

10/02/2019 **Declaration**
Declaration of Chad Couchot in Support of Opposition to Plaintiffs' Motion to Strike Defendants' Fourth and Fifth Supplement to NRCP 16.1 Disclosure of Witnesses and Documents on Order Shortening Time

10/02/2019 **Declaration**
Declaration of Thomas J. Doyle in Support of Opposition to Plaintiffs' Motion to Strike Defendants' Fourth and Fifth Supplement to NRCP 16.1 Disclosure of Witnesses and Documents on Order Shortening Time

10/03/2019 **Reply in Support**
Reply in Support of Plaintiffs Motion to Strike Defendants Fourth and Fifth Supplement to NRCP 16.1 Disclosure of Witnesses and Documents on Order Shortening Time

10/07/2019 **Evidentiary Hearing** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
 Result: Matter Heard

10/07/2019 **Motion to Strike** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
10/07/2019, 10/10/2019
Plaintiffs' Motion to Strike Defendants' Fourth and Fifth Supplement to NRCP 16.1 Disclosure of Witnesses and Documents on Order Shortening Time
 Result: Continued

10/07/2019 **Hearing** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
10/07/2019, 10/10/2019
Continued Hearing from September 26, 2019 Re: Non Compliance (Per Order Filed September 19, 2019)
09/26/2019 Reset by Court to 10/07/2019
 Result: Continued

10/07/2019 **All Pending Motions** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
All Pending Motions (10/07/2019)
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

10/07/2019 **Proposed Voir Dire Questions**
Defendants' Proposed Voir Dire

10/07/2019 **Jury Instructions**
Joint Agreed Upon Jury Instructions

10/07/2019 **Jury Instructions**
Defendants' Proposed Special Jury Instructions Objected to by Plaintiffs (Cited)

10/07/2019 **Jury Instructions**
Defendants' Proposed Special Jury Instructions Objected to by Plaintiff (Uncited)

10/07/2019 **Exhibits**
Defendants' Proposed Exhibit List

10/08/2019 **Calendar Call** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

10/10/2019 **Reply to Opposition**
Defendants Barry Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Reply to Plaintiffs' Opposition to Motion to Compel the Deposition of Gregg Ripplinger, M.D. and Extend the Close of Discovery (9th Request) on an Order Shortening Time

10/10/2019 **All Pending Motions** (1:30 PM) (Judicial Officer Kishner, Joanna S.)
All Pending Motions (10/10/2019)
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

10/14/2019 **CANCELED Jury Trial - FIRM** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
Vacated - Duplicate Entry

10/14/2019 **Jury Trial** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
10/14/2019, 10/15/2019, 10/16/2019, 10/17/2019, 10/18/2019, 10/21/2019, 10/22/2019, 10/23/2019, 10/24/2019, 10/28/2019, 10/29/2019, 10/30/2019, 10/31/2019, 11/01/2019
Jury Trial - Med Mal #1
[Parties Present](#)
[Minutes](#)
10/14/2019 Reset by Court to 10/14/2019
 Result: Trial Continues

10/14/2019 **Recorders Transcript of Hearing**
Transcript: Status Check 7/16/19

10/14/2019 **Recorders Transcript of Hearing**

Transcript: All Pending Motions 10/7/19

10/14/2019 **Recorders Transcript of Hearing**
Transcript: Calendar Call 10/8/19

10/14/2019 **Recorders Transcript of Hearing**
Transcript: All Pending Motions 10/10/19

10/14/2019 **Trial Brief**
Defendants Barry Rives, M.D. s and Laparoscopic Surgery of Nevada, LLC s Trial Brief Regarding Their Request to Preclude Defendants Expert Witnesses Involvement as a Defendant in Medical Malpractice Actions

10/14/2019 **Trial Brief**
Defendants Barry Rives, M.D. s and Laparoscopic Surgery of Nevada, LLC s Trial Brief Regarding the Need to Limit Evidence of past Medical Expenses to Actual Out-of-Pocket Expenses or the Amounts Reimbursed

10/14/2019 **Trial Brief**
Defendants Barry Rives, M.D. s and Laparoscopic Surgery of Nevada, LLC s Trial Brief Regarding the Need to Preclude Evidence of the Cap on Non-Economic Damages

10/15/2019 **CANCELED Motion to Compel** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Vacated
Defendants Barry Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Motion to Compel the Deposition of Gregg Ripplinger, M.D. and Extend the Close of Discovery (9th Request) on Order Shortening time

10/16/2019 **Jury List**

10/18/2019 **Motion to Strike**
Plaintiffs' Motion to Strike Defendants' Trial Briefs On Order Shortening Time

10/21/2019 **Opposition to Motion**
Defendants Barry Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Opposition to Plaintiffs' Motion to Strike Defendants' Trial Briefs on Order Shortening Time

10/21/2019 **Audiovisual Transmission Equipment Appearance Consent**
Audiovisual Transmission Equipment Appearance Consent

10/21/2019 **Audiovisual Transmission Equipment Appearance Request**
Audiovisual Transmission Equipment Appearance Request

10/22/2019 **Motion to Strike** (1:00 PM) (Judicial Officer Kishner, Joanna S.)
Plaintiffs' Motion to Strike Defendants' Trial Briefs on Order Shortening Time
[Parties Present](#)
[Minutes](#)
Result: Denied Without Prejudice

10/22/2019 **Opposition to Motion**
Defendants Barry Rives, M.D. and Laparoscopic Surgery of Nevada, LLC's Opposition to Plaintiffs' Renewed Motion to Strike

10/22/2019 **Reply in Support**
Reply in Support of, and Supplement to, Plaintiffs' Renewed Motion to Strike Defendants' Answer for Rule 37 Violations, Including Perjury and Discovery Violations on an Order Shortening Time

10/22/2019 **Trial Brief**
Defendant's Trial Brief in Support of their Position Regarding The Property of Dr. Rives' Responses to Plaintiffs' Counsel's Questions Eliciting Insurance Information

10/23/2019 **Motion to Strike** (1:00 PM) (Judicial Officer Kishner, Joanna S.)
10/23/2019, 11/01/2019, 11/07/2019, 11/13/2019, 11/14/2019
Plaintiffs' Renewed Motion to Strike
[Parties Present](#)
[Minutes](#)
10/28/2019 Reset by Court to 10/29/2019
10/29/2019 Reset by Court to 10/30/2019
Result: Continued

10/23/2019 **Trial Brief**
Plaintiffs' Trial Brief Regarding Improper Arguments, Including "Medical Judgment", "Risk of Procedure" and "Assumption of Risk"

10/23/2019 **Notice of Entry of Order**
Notice of Entry of Order

10/23/2019 **Order**
Order on Plaintiffs' Motion to Strike Defendants' Fourth and Fifth Supplements to NRCP 16.1 Disclosures

10/24/2019 **Trial Brief**
Plaintiffs Trial Brief on Rebuttal Experts Must Only be Limited to Rebuttal Opinions Not Initial Opinions

10/27/2019 **Trial Brief**
Plaintiffs Trial Brief on Admissibility of Malpractice Lawsuits Against an Expert Witness

10/28/2019 **Trial Brief**
Plaintiffs' Trial Brief Regarding Disclosure Requirements for Non-Retained Experts

10/28/2019 **Trial Brief**
Defendants' Barry Rivas, MD's and Laparoscopic Surgery of Nevada, LLC's Trial Brief on Rebuttal Experts Being Limited to Rebuttal Opinions Not Initial Opinions

10/29/2019 **Trial Brief**
Plaintiffs' Trial Brief on Defendants' Retained Rebuttal Experts' Testimony

10/29/2019 **Trial Subpoena**
Trial Subpoena - Civil Regular

10/29/2019 **Trial Brief**
Defendants' Barry Rivas, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Trial Brief Regarding Propriety of Disclosure of Naomi Chaney, M.D. as a Non-retained Expert Witness

10/29/2019 **Objection**

Plaintiffs Objection to Defendants Misleading Demonstratives (11-17)

10/29/2019 **Trial Brief**
Plaintiffs Trial Brief Regarding the Testimony of Dr. Barry Rives

10/29/2019 **Motion to Quash**
Plaintiffs Motion to Quash Trial Subpoena of Dr. Naomi Chaney on Order Shortening Time

10/30/2019 **Clerk's Notice of Hearing**
Notice of Hearing

10/31/2019 **Clerk's Notice of Nonconforming Document**
Clerk's Notice of Nonconforming Document

10/31/2019 **Amended Jury List**

11/01/2019 **All Pending Motions** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
Result: Verdict for Plaintiff

11/01/2019 **Special Verdict Form**

11/01/2019 **Jury List**
Second Amended Jury List

11/01/2019 **Jury Instructions**

11/04/2019 **CANCELED Jury Trial** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Vacated

11/04/2019 **Miscellaneous Filing**
Correspondence from Schuering Zimmerman & Doyle, LLP

11/05/2019 **Order to Show Cause**
Order to Show Cause

11/07/2019 **Status Check** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Status Check: Judgment
Result: Matter Heard

11/07/2019 **Show Cause Hearing** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
11/07/2019, 11/13/2019, 11/14/2019
11/18/2019 Reset by Court to 11/20/2019
Result: Hearing Continued

11/07/2019 **All Pending Motions** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
All Pending Motions (11/07/2019)
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

11/13/2019 **Motion for Sanctions** (10:15 AM) (Judicial Officer Kishner, Joanna S.)
11/13/2019, 11/14/2019, 11/20/2019
Plaintiffs' Motion for Sanctions
[Parties Present](#)
[Minutes](#)
11/18/2019 Reset by Court to 11/20/2019
Result: Continued

11/13/2019 **All Pending Motions** (10:15 AM) (Judicial Officer Kishner, Joanna S.)
All Pending Motions (11/13/2019)
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

11/14/2019 **All Pending Motions** (1:30 PM) (Judicial Officer Kishner, Joanna S.)
All Pending Motions (11/14/19)
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

11/14/2019 **Recorders Transcript of Hearing**
Partial Transcript: Jury Trial Day 5 - Testimony of Michael Hurwitz, M.D. 10/18/19

11/14/2019 **Recorders Transcript of Hearing**
Partial Transcript: Jury Trial Day 8 - Testimony of Michael Hurwitz, M.D. 10/23/19

11/14/2019 **Judgment on Jury Verdict**
Judgment on Verdict

11/19/2019 **Order to Statistically Close Case**
Civil Order to Statistically Close Case on Judgment on Jury Verdict

11/19/2019 **Notice of Entry of Judgment**
Notice of Entry of Judgment

11/19/2019 **Memorandum of Costs and Disbursements**
Plaintiffs Verified Memorandum of Costs and Disbursements

11/20/2019 **Transcript of Proceedings**
Partial Transcript: Trial by Jury - Day 4 - Testimony of Justin Willer, M.D. 10/17/19

11/22/2019 **Motion to Retax**
Defendants Barry J Rivers MD's and Laraposcopic Surgery of Nevada LLC's Motion to Re-Tax and Settle Plaintiffs Costs

11/22/2019 **Clerk's Notice of Hearing**
Notice of Hearing

11/22/2019 **Motion for Attorney Fees and Costs**
Plaintiffs Motion for Fees and Costs

11/25/2019 **Clerk's Notice of Hearing**
Notice of Hearing

11/26/2019 **Opposition to Motion**
Plaintiffs' Opposition to Defendants Barry J. Rives, M.D. s and Laparoscopic Surgery of Nevada, LLC s Motion to Re-Tax and Settle Plaintiffs Costs

11/27/2019 **Reply to Opposition**
Defendants Barry J Rives MD's and Laparoscopic Surgery of Nevada LLC's Reply to Plaintiffs' Opposition to Motion to Re-Tax and Settle Plaintiffs' Costs

12/02/2019 **Notice of Change of Hearing**
Notice of Change of Hearing

12/02/2019 **Opposition to Motion**
Defendants Barry J. Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Opposition to Plaintiffs' Motion for Fees and Costs

12/02/2019 **Transcript of Proceedings**
Transcript: Status Check: Judgment / Show Cause Hearing 11/7/19

12/03/2019 **CANCELED Motion to Quash** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Vacated - Moot
Plaintiff's Motion to Quash Trial Subpoena of Dr. Naomi Chaney on Order Shortening Time

12/05/2019 **Recorders Transcript of Hearing**
Transcript: All Pending Motions 11/13/19

12/05/2019 **Recorders Transcript of Hearing**
Recorder's Transcript of All Pending Motions 11/14/19

12/05/2019 **Recorders Transcript of Hearing**
Recorder's Transcript of All Pending Motions 11/20/19

12/18/2019 **Notice of Appeal**
Notice of Appeal

12/18/2019 **Case Appeal Statement**
Case Appeal Statement

12/18/2019 **Notice of Filing Cost Bond**
Notice of Filing Cost Bond

12/18/2019 **Notice**
Notice of Filing Supersedeas Bond

12/30/2019 **Notice of Appeal**
Notice of Cross-Appeal

12/30/2019 **Case Appeal Statement**
Case Appeal Statement

12/31/2019 **Reply in Support**
Reply in Support of Plaintiffs Motion for Fees and Costs

01/07/2020 **Motion to Retax** (10:00 AM) (Judicial Officer Kishner, Joanna S.)
01/07/2020, 02/11/2020
Defendants Barry J. Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Motion to Re-Tax and Settle Plaintiffs' Costs
[Parties Present](#)
[Minutes](#)
12/03/2019 Reset by Court to 01/07/2020
Result: Continued

01/07/2020 **Motion for Attorney Fees and Costs** (10:00 AM) (Judicial Officer Kishner, Joanna S.)
Plaintiffs' Motion for Fees and Costs
Result: Granted

01/07/2020 **All Pending Motions** (10:00 AM) (Judicial Officer Kishner, Joanna S.)
All Pending Motions (1/07/2020)
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

01/21/2020 **Memorandum of Costs and Disbursements**
Plaintiffs Supplemental Verified Memorandum of Costs and Disbursements

01/21/2020 **Supplemental Brief**
Plaintiffs Supplemental Opposition to Defendants Barry J. Rives, M.D. s and Laparoscopic Surgery of Nevada, LLC s Motion to Re-Tax and Settle Plaintiffs Costs

02/03/2020 **Reply to Opposition**
Defendants Barry J. Rives, M.D.'s And Laparoscopic Surgery Of Nevada, LLC's Supplemental Reply to Plaintiffs' Supplemental Opposition to Motion to Re-Tax and Settle Plaintiffs' Costs

03/02/2020 **Recorders Transcript of Hearing**
Transcript: Jury Trial Day 1 - 10/14/19

03/02/2020 **Recorders Transcript of Hearing**
Transcript: Jury Trial Day 2 - 10/15/19

03/02/2020 **Recorders Transcript of Hearing**
Transcript: Jury Trial Day 3 - 10/16/19

03/02/2020 **Recorders Transcript of Hearing**
Transcript: Jury Trial Day 4 - 10/17/19

03/02/2020 **Recorders Transcript of Hearing**

	<i>Transcript Jury Trial Day 5 - 10/18/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 6 - 10/21/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 7 - 10/22/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 8 - 10/23/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 9 - 10/24/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 10 - 10/28/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 11 - 10/29/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 12 - 10/30/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 13 - 10/31/19</i>
03/02/2020	Recorders Transcript of Hearing <i>Transcript: Jury Trial Day 14 - 11/1/19</i>
03/30/2020	Order <i>Order on Plaintiff's Motion for Fees and Costs and Defendant's Motion to Re-tax and Settle Plaintiff's Costs</i>
03/31/2020	Notice of Entry of Order <i>Notice of Entry of Order on Plaintiffs Motion for Fees and Costs and Defendants Motion to Re-Tax and Settle Plaintiffs Costs</i>
04/08/2020	Substitution of Attorney <i>SUBSTITUTION OF ATTORNEYS</i>
04/08/2020	Substitution of Attorney <i>SUBSTITUTION OF ATTORNEYS</i>
04/13/2020	Amended Notice of Appeal <i>Defendants Barry J. Rives, M.D. and Laparoscopic Surgery of Nevada, LLC's Supplemental and/or Amended Notice of Appeal</i>
04/13/2020	Case Appeal Statement <i>Supplemental Case Appeal Statement</i>
04/13/2020	Notice of Filing Cost Bond <i>Supplemental Notice of Filing Cost Bond</i>
04/13/2020	Amended Notice of Appeal <i>Supplemental and/or Amended Notice of Appeal w/Exhibits</i>
04/20/2020	Supplement <i>Supplemental Notice of Filing Supersedeas Bond</i>
04/29/2020	Notice of Appearance <i>Notice of Appearance of Counsel</i>
06/01/2020	Recorders Transcript of Hearing <i>Transcript: All Pending Motions 1/7/20</i>
06/01/2020	Recorders Transcript of Hearing <i>Transcript: Defendants Barry J. Rives, M.D.'s and Laparoscopic Surgery of Nevada, LLC's Motion to Re-Tax and Settle Plaintiffs' Costs 2/11/20</i>
06/03/2020	Request <i>Request for Transcript of Proceedings</i>

FINANCIAL INFORMATION

	Defendant Laparoscopic Surgery of Nevada LLC		
	Total Financial Assessment		
	Total Payments and Credits		
	Balance Due as of 12/29/2020		
09/14/2016	Transaction Assessment		30.00
09/14/2016	Efile Payment	Receipt # 2016-89023-CCCLK	(30.00)
	Laparoscopic Surgery of Nevada LLC		
	Defendant Rives, Barry, M.D.		
	Total Financial Assessment		
	Total Payments and Credits		
	Balance Due as of 12/29/2020		
09/14/2016	Transaction Assessment		223.00
09/14/2016	Efile Payment	Receipt # 2016-89022-CCCLK	(223.00)
04/20/2018	Transaction Assessment		3.50
04/20/2018	Efile Payment	Receipt # 2018-27415-CCCLK	(3.50)
10/14/2019	Transaction Assessment		3.50
10/14/2019	Efile Payment	Receipt # 2019-62551-CCCLK	(3.50)
12/18/2019	Transaction Assessment		24.00
12/18/2019	Efile Payment	Receipt # 2019-75570-CCCLK	(24.00)
	Rives, Barry		

12/18/2019	Transaction Assessment			3.50
12/18/2019	Efile Payment	Receipt # 2019-75610-CCCLK	Rives, Barry	(3.50)
Plaintiff Farris, Patrick				
	Total Financial Assessment			30.00
	Total Payments and Credits			30.00
	Balance Due as of 12/29/2020			0.00
07/05/2016	Transaction Assessment			30.00
07/05/2016	Efile Payment	Receipt # 2016-63897-CCCLK	Farris, Patrick	(30.00)
Plaintiff Farris, Titina				
	Total Financial Assessment			294.00
	Total Payments and Credits			294.00
	Balance Due as of 12/29/2020			0.00
07/05/2016	Transaction Assessment			270.00
07/05/2016	Efile Payment	Receipt # 2016-63896-CCCLK	Farris, Titina	(270.00)
12/30/2019	Transaction Assessment			24.00
12/30/2019	Efile Payment	Receipt # 2019-77523-CCCLK	Farris, Titina	(24.00)