

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

Electronically Filed
Mar 05 2021 09:49 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

DAVID ALVAREZ VENTURA,

Appellant,

vs.

Sup. Ct. Case No. 81850

Case No. CV20-00866

Dept. 8

JOHN H. GANSER, M.D., LIC #9279; GOMEZ
KOZAR; AND MCELREATH AND SMITH, A
PROFESSIONAL CORPORATION,

Respondents.

RECORD ON APPEAL

VOLUME 1 OF 3

APPEAL INDEX

CASE HISTORY

CERTIFICATE OF CLERK

APPELLANT

David Alvarez Ventura #80079
High Desert State Prison
PO Box 650
Indian Springs, NV 89070

RESPONDENT

Edward J. Lemons Esq. SBN 699
Alice Campos Mercado, Esq. SBN 4555
Lemons, Grundy & Eisenberg
6005 Plumas Street, Third Floor
Reno, Nevada 89519
Attorneys for John H. Ganser, M.D. and
Gomez, Kozar, McElreath and Smith

APPEAL INDEX
 SUPREME COURT NO: 81850
 DISTRICT CASE NO: CV20-00866
 DAVID ALVAREZ VENTURA vs JOHN H. GANSER, M.D. ET AL
 DATE: MARCH 5, 2021

PLEADING	DATE FILED	VOL.	PAGE NO.
APPLICATION TO PROCEED INFORMA PAUPERIS	06-05-20	3	1-3
APPLICATION TO PROCEED INFORMA PAUPERIS	10-26-20	3	4-7
CASE APPEAL STATEMENT	09-24-20	2	219-220
CASE ASSIGNMENT NOTIFICATION	06-05-20	2	49-50
CERTIFICATE OF CLERK AND TRANSMITTAL	11-10-20	2	243
CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL	09-24-20	2	221
CERTIFICATE OF SERVICE	09-04-20	2	199
CERTIFICATION OF COPY	06-05-20	2	3-6
CIVIL COMPLAINT	06-05-20	2	56-74
CLERK’S NOTICE OF NONCONFORMING DOCUMENT	06-05-20	2	34-36
CONSENT TO SERVICE BY ELECTRONIC MEANS THROUGH E-FILING PROGRAM	06-05-20	2	31-33
DECLARATION OF SERVICE	06-05-20	2	37
DECLARATION OF SERVICE	06-05-20	2	38-39
DEFENDANTS JOHN H. GANSER, M.D. AND GOMEZ, KOZAR, MCELREATH AND SMITH’S REPLY TO PLAINTIFF’S OPPOSITION TO DEFENDANTS MOTION TO DISMISS	08-13-20	2	154-164
DEFENDANTS JOHN H. GANSER, M.D., AND GOMEZ, KOZAR, MCELREATH AND SMITH’S OPPOSITION TO PLAINTIFF’S MOTION SEEKING THAT THE COURT DEFER CONSIDERATION OF DEFENDANT’S MOTION TO DISMISS PENDING RESTORATION OF NORMAL PRISON OPERATIONS	06-29-20	2	92-107
DEFENDANTS JOHN H. GANSER, MD. AND GOMEZ KOZAR MCELREATH AND SMITH’S MOTION TO DISMISS	06-08-20	2	80-84
DEMAND AND MOTION FOR CHANGE OF VENUE; DECLARATION OF JOHN H. GANSER, M.D.	06-05-20	2	21-30
ERRATA TO DEMAND AND MOTION FOR CHANGE OF VENUE; DECLARATION OF JOHN H. GANSER, M.D.	06-05-20	2	40-42
FILING FEE REMITTANCE	06-05-20	2	43-44
INITIAL APPEARANCE FEE DISCLOSURE	06-05-20	2	18-20
LETTER	06-05-20	2	11-13

APPEAL INDEX
SUPREME COURT NO: 81850
DISTRICT CASE NO: CV20-00866
DAVID ALVAREZ VENTURA vs JOHN H. GANSER, M.D. ET AL
DATE: MARCH 5, 2021

PLEADING	DATE FILED	VOL.	PAGE NO.
LETTER	06-05-20	2	14-17
MINUTES FROM PRIOR COURT	06-05-20	2	48
NOTICE OF APPEAL DEFICIENCY	09-24-20	2	217-218
NOTICE OF ENTRY OF ORDER	08-17-20	2	174-181
NOTICE OF ENTRY OF ORDER	09-08-20	2	202-210
NOTICE OF TRANSFER OF VENUE AND CASE ASSIGNMENT NOTIFICATION	06-08-20	2	77-79
ORDER	08-17-20	2	169-171
ORDER CHANGING VENUE	06-05-20	2	1-2
ORDER GRANTING APPLICATION TO PROCEED INFORMA PAUPERIS	11-10-20	2	238-240
ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE	09-04-20	2	191-196
ORDER GRANTING PLAINTIFF'S REQUEST FOR EXTENSION OF TIME AND HOLDING IN ABEYANCE DEFENDANT'S MOTION TO DISMISS AND MOTION TO DEFER CONSIDERATION OF NORMAL PRISON OPERATIONS	07-31-20	2	126-131
ORDER TO PROCEED IN FORMA PAUPERIS	06-05-20	2	7-10
PLAINTIFF'S MOTION FOR ORDER OF PRODUCTION OF HIS PERSON FOR MAY 18, 2020 HEARING	06-05-20	2	45-47
PLAINTIFF'S MOTION SEEKING THAT COURT DEFER CONSIDERATION OF DEFENDANTS MOTION TO DISMISS PENDING RESTORATION OF NORMAL PRISON OPERATIONS	06-22-20	2	89-91
PLAINTIFF'S NOTICE OF APPEAL	09-24-20	2	213-214
PLAINTIFF'S NOTICE OF ERRATA	08-26-20	2	184-186
PLAINTIFF'S OPPOSITION TO DEFENDANTS MOTION TO DISMISS	08-05-20	2	138-149
PLAINTIFF'S REPLY TO DEFENDANTS OPPOSITION AND REQUEST FOR CONVERSION OF JUNE 22, 2020 MOTION TO REQUEST FOR EXTENSION OF TIME AND FOR COURT ORDER	07-16-20	2	121-123
REQUEST FOR SUBMISSION	07-10-20	2	110-111
REQUEST FOR SUBMISSION	07-10-20	2	112-113
REQUEST FOR SUBMISSION	08-13-20	2	165-166

APPEAL INDEX
SUPREME COURT NO: 81850
DISTRICT CASE NO: CV20-00866
DAVID ALVAREZ VENTURA vs JOHN H. GANSER, M.D. ET AL
DATE: MARCH 5, 2021

PLEADING	DATE FILED	VOL.	PAGE NO.
REQUEST FOR SUBMISSION OF MOTION	07-10-20	2	118
REQUEST FOR SUBMISSION OF MOTION	08-03-20	2	134-135
REQUEST FOR SUBMISSION OF MOTION	08-05-20	2	150-151
REQUEST FOR SUBMISSION OF MOTION	08-26-20	2	187-188
REQUEST FOR SUBMISSION OF MOTION	09-24-20	2	215-216
REQUEST FOR SUBMISSION OF MOTION	10-26-20	2	231-235
RETURN OF NEF	06-05-20	2	51-52
RETURN OF NEF	06-05-20	2	53-55
RETURN OF NEF	06-05-20	2	75-76
RETURN OF NEF	06-08-20	2	85-86
RETURN OF NEF	06-08-20	2	87-88
RETURN OF NEF	06-29-20	2	108-109
RETURN OF NEF	07-10-20	2	114-115
RETURN OF NEF	07-10-20	2	116-117
RETURN OF NEF	07-10-20	2	119-120
RETURN OF NEF	07-16-20	2	124-125
RETURN OF NEF	07-31-20	2	132-133
RETURN OF NEF	08-03-20	2	136-137
RETURN OF NEF	08-05-20	2	152-153
RETURN OF NEF	08-13-20	2	167-168
RETURN OF NEF	08-17-20	2	172-173
RETURN OF NEF	08-17-20	2	182-183
RETURN OF NEF	08-26-20	2	189-190
RETURN OF NEF	09-04-20	2	197-198
RETURN OF NEF	09-04-20	2	200-201
RETURN OF NEF	09-08-20	2	211-212

APPEAL INDEX
 SUPREME COURT NO: 81850
 DISTRICT CASE NO: CV20-00866
 DAVID ALVAREZ VENTURA vs JOHN H. GANSER, M.D. ET AL
 DATE: MARCH 5, 2021

PLEADING	DATE FILED	VOL.	PAGE NO.
RETURN OF NEF	09-24-20	2	222-223
RETURN OF NEF	09-30-20	2	225-226
RETURN OF NEF	10-19-20	2	229-230
RETURN OF NEF	10-26-20	2	236-237
RETURN OF NEF	11-10-20	2	241-242
RETURN OF NEF	11-10-20	2	244-245
RETURN OF NEF	03-04-21	2	248-249
SUPREME COURT ORDER DIRECTING TRANSMISSION OF RECORD AND REINSTATING BRIEFING	03-04-21	2	246-247
SUPREME COURT ORDER REGARDING FILING FEE	10-19-20	2	227-228
SUPREME COURT RECEIPT FOR DOCUMENTS	09-30-20	2	224

SECOND JUDICIAL DISTRICT COURT**STATE OF NEVADA
COUNTY OF WASHOE****Case History - CV20-00866****Case Description: DAVID VENTURA VS. JOHN GANSER, M.D. ET AL (D8)****Case Number: CV20-00866 Case Type: MEDICAL/DENTAL - Initially Filed On: 6/5/2020****Parties**

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - BARRY L. BRESLOW - D8	Active
PLTF - DAVID VENTURA - @1356831	Active
DEFT - GOMEZ, KOZAR, McELREATH & SMITH, A PROFESSIONAL CORP - @1356832	Active
DEFT - JOHN H. GANSER - @114201	Active
ATTY - Alice G. Campos Mercado, Esq. - 4555	Active
ATTY - Edward J. Lemons, Esq. - 699	Active

Disposed Hearings

- 1 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/10/2020 at 12:30:00
Extra Event Text: PLTF MOTION TO DEFER CONSIDERATION OF MOTION TO DISMISS
Event Disposition: S200 - 7/31/2020
- 2 Department: D9 -- Event: Request for Submission -- Scheduled Date & Time: 7/10/2020 at 16:17:00
Extra Event Text: MOTION TO PROCEED IN FORMA PAUPERIS (NO ORDER PROVIDED)
Event Disposition: S200 - 8/17/2020
- 3 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 7/10/2020 at 12:30:00
Extra Event Text: DEFT MOTION TO DISMISS
Event Disposition: S200 - 7/31/2020
- 4 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 8/3/2020 at 16:12:00
Extra Event Text: REPLY TO DEFENDANT'S OPPOSITION (NO ORDER PROVIDED)
Event Disposition: S200 - 8/3/2020
- 5 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 8/5/2020 at 14:34:00
Extra Event Text: OPPOSITION TO DEFENDANT'S MOTION TO DISMISS (NO ORDER PROVIDED)
Event Disposition: S200 - 8/5/2020
- 6 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 8/13/2020 at 16:21:00
Extra Event Text: MOTION TO DISMISS
Event Disposition: S200 - 9/4/2020
- 7 Department: D8 -- Event: Request for Submission -- Scheduled Date & Time: 8/26/2020 at 15:33:00
Extra Event Text: PLAINTIFF'S NOTICE OF ERRATA
Event Disposition: S200 - 9/4/2020
- 8 Department: D9 -- Event: Request for Submission -- Scheduled Date & Time: 10/26/2020 at 16:16:00
Extra Event Text: MOTION TO PROCEED IN FORMA PAUPERIS (ORDER ATTACHED AS EXHIBIT 1)
Event Disposition: S200 - 11/10/2020

ActionsFiling Date - Docket Code & Description**Report Does Not Contain Sealed Cases or Confidential Information**

- 1 6/5/2020 - 3373 - Other ...
Additional Text: DEFENDANT'S FEE REMITTANCE FROM PRIOR COURT FILED 5-1-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 2 6/5/2020 - 2385 - Mtn Proceed Forma Pauperis
Additional Text: * SEALED * MOTION TO PROCEED INFORMA PAUPERIS FROM PRIOR COURT FILED 1-13-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 3 6/5/2020 - 2610 - Notice ...
Additional Text: COURT DEFICIENCY NOTICE FROM PRIOR COURT FILED 3-20-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 4 6/5/2020 - 3105 - Ord Granting ...
Additional Text: ORDER FROM PRIOR COURT GRANTING IFP FILED 1-19-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 5 6/5/2020 - 1375 - Certified Copy of Docket
Additional Text: CERTIFIED COPY OF DOCKET FROM PRIOR COURT - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 6 6/5/2020 - 1475 - Consent ...
Additional Text: CONSENT TO SERVICE BY ELECTRONIC MEANS THROUGH E-FILING PRORAM FROM PRIOR COURT FILED 3-20-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 7 6/5/2020 - 1520 - Declaration
Additional Text: DECLARATION OF SERVICE FROM PRIOR COURT UPON DEFT JOHN GANSER, M.D. 3-13-2020 FILED 3-24-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 8 6/5/2020 - 1520 - Declaration
Additional Text: DECLARATION OF SERVICE FROM PRIOR COURT UPON DEFENDANTS GOMEZ, KOSAR, McELREATH & SMITH 3-13-2020 FILED ON 3-24-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 9 6/5/2020 - 1575 - Demand for Change of Venue
Additional Text: DEMAND FOR CHANGE OF VENUE FROM PRIOR COURT FILED 3-20-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 10 6/5/2020 - 1650 - Errata...
Additional Text: ERRATA FROM PRIOR COURT FILED 4-13-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 11 6/5/2020 - 1930 - Letters ...
Additional Text: LETTER FROM PLAINTIFF FROM PRIOR COURT FILED 2-17-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 12 6/5/2020 - 1930 - Letters ...
Additional Text: LETTER FROM PLAINTIFF FROM PRIOR COURT FILED 1-27-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 13 6/5/2020 - 2145 - Mtn Ord to Show Cause
Additional Text: MOTION FOR ORDER TO SHOW CAUSE FROM PRIOR COURT FILED 5-15-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 14 6/5/2020 - 1380 - Change of Venue - Accepting
Additional Text: ORDER CHANGING VENUE FROM 8TH JUDICIAL DISTRICT COURT CLARK COUNTY - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 15 6/5/2020 - 1817 - Initial Appear. Fee Disclosure
Additional Text: INITIAL APPEARANCE FEE DISCLOSURE FROM PRIOR COURT FILED 3-20-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 16 6/5/2020 - MIN - ***Minutes
Additional Text: MINUTES FROM PRIOR COURT FILED 5-18-2020 - Transaction 7910941 - Approved By: BBLOUGH : 06-05-2020:11:11:38
- 17 6/5/2020 - 1312 - Case Assignment Notification
Additional Text: CHANGE OF VENUE FROM CLARK COUNTY - Transaction 7910946 - Approved By: NOREVIEW : 06-05-2020:11:11:04
- 18 6/5/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7910948 - Approved By: NOREVIEW : 06-05-2020:11:12:04

- 19 6/5/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7910951 - Approved By: NOREVIEW : 06-05-2020:11:12:34
- 20 6/5/2020 - 1425 - Complaint - Civil
Additional Text: COMPLAINT FROM PRIOR COURT FILED 1-13-2020 - Transaction 7911021 - Approved By: BBLOUGH : 06-05-2020:11:36:04
- 21 6/5/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7911031 - Approved By: NOREVIEW : 06-05-2020:11:37:04
- 22 6/8/2020 - 2610 - Notice ...
Additional Text: Notice of Transfer of Venue and Case Assignment - Transaction 7914383 - Approved By: KJONES : 06-08-2020:16:15:48
- 23 6/8/2020 - 2315 - Mtn to Dismiss ...
Additional Text: DEFENDANTS JOHN H. GANSER, MD. AND GOMEZ KOZAR, MCELREATH AND SMITH'S MOTION TO DISMISS - Transaction 7914393 - Approved By: KJONES : 06-08-2020:16:24:44
- 24 6/8/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7914545 - Approved By: NOREVIEW : 06-08-2020:16:16:48
- 25 6/8/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7914598 - Approved By: NOREVIEW : 06-08-2020:16:25:52
- 26 6/22/2020 - 2490 - Motion ...
Additional Text: PLAINTIFF'S MOTION SEEKING THAT COURT DEFER CONSIDERATION OF DEFENDANTS MOTION TO DISMISS PENDING RESTORATION OF NORMAL PRISON OPERATIONS
- 27 6/24/2020 - \$1380 - \$Change of Venue - Accepting
No additional text exists for this entry.
- 28 6/24/2020 - PAYRC - **Payment Receipted
Additional Text: A Payment of -\$255.00 was made on receipt DCDC660188.
- 29 6/29/2020 - 3880 - Response...
Additional Text: Defendants John H. Ganser, MD and Gomez, Kozar, McElreath and Smith's Opposition to Motion Seeking the Court Defer Consideration of Motion to Dismiss - Transaction 7948011 - Approved By: NMASON : 06-29-2020:16:38:50
- 30 6/29/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7948048 - Approved By: NOREVIEW : 06-29-2020:16:42:05
- 31 7/10/2020 - 3860 - Request for Submission
Additional Text: Transaction 7965140 - Approved By: NOREVIEW : 07-10-2020:12:14:32
DOCUMENT TITLE: Defendants' Motion to Dismiss
PARTY SUBMITTING: ALICE MERCADO, ESQ
DATE SUBMITTED: 07/10/2020
SUBMITTED BY: SJA
DATE RECEIVED JUDGE OFFICE:
- 32 7/10/2020 - 3860 - Request for Submission
Additional Text: Transaction 7965146 - Approved By: NOREVIEW : 07-10-2020:12:15:43
DOCUMENT TITLE: Plaintiff's Motion to Defer Consideration of Motion to Dismiss
PARTY SUBMITTING: ALICE MERCADO, ESQ
DATE SUBMITTED: 07/10/2020
SUBMITTED BY: SJA
DATE RECEIVED JUDGE OFFICE:
- 33 7/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7965143 - Approved By: NOREVIEW : 07-10-2020:12:15:32
- 34 7/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7965150 - Approved By: NOREVIEW : 07-10-2020:12:16:51

- 35 7/10/2020 - 3860 - Request for Submission
Additional Text: Transaction 7965930 - Approved By: NOREVIEW : 07-10-2020:16:16:15
DOCUMENT TITLE: MOTION TO PROCEED IN FORMA PAUPERIS (NO ORDER PROVIDED)
PARTY SUBMITTING: DAVID VENTURA
DATE SUBMITTED: JULY 10, 2020
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 36 7/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7965932 - Approved By: NOREVIEW : 07-10-2020:16:17:05
- 37 7/16/2020 - 3790 - Reply to/in Opposition
Additional Text: DFX: NO AFFIRMATION PROVIDED ; PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION AND REQUEST FOR
CONVERSION OF JUNE 22, 2020 MOTION TO REQUEST FOR EXTENSION OF TIME AND FOR COURT ORDER - Transaction
7975008 - Approved By: BBLOUGH : 07-16-2020:15:41:02
- 38 7/16/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7975114 - Approved By: NOREVIEW : 07-16-2020:15:41:59
- 39 7/31/2020 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 40 7/31/2020 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 41 7/31/2020 - 2682 - Ord Addressing Motions
Additional Text: Transaction 7998178 - Approved By: NOREVIEW : 07-31-2020:16:52:12
- 42 7/31/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 7998186 - Approved By: NOREVIEW : 07-31-2020:16:53:12
- 43 8/3/2020 - 3860 - Request for Submission
Additional Text: Transaction 8000973 - Approved By: NOREVIEW : 08-03-2020:16:06:25
DOCUMENT TITLE: REPLY TO DEFENDANT'S OPPOSITION (NO ORDER PROVIDED)
PARTY SUBMITTING: DAVID VENTURA
DATE SUBMITTED: AUGUST 3, 2020
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 44 8/3/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8000976 - Approved By: NOREVIEW : 08-03-2020:16:07:20
- 45 8/3/2020 - S200 - Request for Submission Complet
Additional Text: ORDER ISSUED JULY 31, 2020
- 46 8/5/2020 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANT'S MOTION TO DISMISS - Transaction 8005022 - Approved By: BBLOUGH :
08-05-2020:14:32:57
- 47 8/5/2020 - 3860 - Request for Submission
Additional Text: Transaction 8005022 - Approved By: BBLOUGH : 08-05-2020:14:32:57
DOCUMENT TITLE: OPPOSITION TO DEFENDANT'S MOTION TO DISMISS (NO ORDER PROVIDED)
PARTY SUBMITTING: DAVID VENTURA
DATE SUBMITTED: AUGUST 5, 2020
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 48 8/5/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8005066 - Approved By: NOREVIEW : 08-05-2020:14:33:55
- 49 8/5/2020 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 50 8/13/2020 - 3790 - Reply to/in Opposition
Additional Text: DEFENDANTS JOHN H. GANSER, M.D. AND GOMEZ, KOZAR, MCELREATH AND SMITH'S REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS - Transaction 8018753 - Approved By: CSULEZIC : 08-13-2020:16:35:54
- 51 8/13/2020 - 3860 - Request for Submission
Additional Text: - Transaction 8018753 - Approved By: CSULEZIC : 08-13-2020:16:35:54
DOCUMENT TITLE: REQUEST FOR SUBMISSION OF MOTION TO DISMISS FILED 6/08/2020
PARTY SUBMITTING: ALICE CAMPOS MERCADO ESQ
DATE SUBMITTED: 8/13/2020
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 52 8/13/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8018815 - Approved By: NOREVIEW : 08-13-2020:16:36:47
- 53 8/17/2020 - 3370 - Order ...
Additional Text: Transaction 8021739 - Approved By: NOREVIEW : 08-17-2020:11:07:17
- 54 8/17/2020 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 55 8/17/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8021742 - Approved By: NOREVIEW : 08-17-2020:11:08:14
- 56 8/17/2020 - 2540 - Notice of Entry of Ord
Additional Text: Notice of Entry of Order - Transaction 8023070 - Approved By: NOREVIEW : 08-17-2020:15:59:17
- 57 8/17/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8023088 - Approved By: NOREVIEW : 08-17-2020:16:00:52
- 58 8/26/2020 - 2610 - Notice ...
Additional Text: PLAINTIFF'S NOTICE OF ERRATA - Transaction 8039043 - Approved By: BBLOUGH : 08-26-2020:15:34:03
- 59 8/26/2020 - 3860 - Request for Submission
Additional Text: Transaction 8039043 - Approved By: BBLOUGH : 08-26-2020:15:34:03
DOCUMENT TITLE: PLAINTIFF'S NOTICE OF ERRATA (NO ORDER PROVIDED)
PARTY SUBMITTING: DAVID VENTURA
DATE SUBMITTED: AUGUST 26, 2020
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 60 8/26/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8039061 - Approved By: NOREVIEW : 08-26-2020:15:37:48
- 61 9/4/2020 - 3060 - Ord Granting Mtn ...
Additional Text: ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE Transaction 8054784 - Approved By: NOREVIEW : 09-04-2020:14:38:18
- 62 9/4/2020 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 63 9/4/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8054789 - Approved By: NOREVIEW : 09-04-2020:14:39:18
- 64 9/4/2020 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 65 9/4/2020 - F135 - Adj Motion to Dismiss by DEFT
No additional text exists for this entry.

66 9/4/2020 - 1360 - Certificate of Service
Additional Text: Transaction 8054866 - Approved By: NOREVIEW : 09-04-2020:15:07:06

67 9/4/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8054869 - Approved By: NOREVIEW : 09-04-2020:15:07:59

68 9/8/2020 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 8056378 - Approved By: NOREVIEW : 09-08-2020:12:12:30

69 9/8/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8056381 - Approved By: NOREVIEW : 09-08-2020:12:13:29

70 9/24/2020 - 2515 - Notice of Appeal Supreme Court
Additional Text: DFX: FILING FEES REQUIRED - NOTICE OF APPEAL - 9/4/2020

71 9/24/2020 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION FOR NOTICE OF APPEAL (NO S1 BUILT)

72 9/24/2020 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 8084655 - Approved By: NOREVIEW : 09-24-2020:14:42:25

73 9/24/2020 - 1310E - Case Appeal Statement
Additional Text: CASE APPEAL STATEMENT - Transaction 8084655 - Approved By: NOREVIEW : 09-24-2020:14:42:25

74 9/24/2020 - 4113 - District Ct Deficiency Notice
Additional Text: NOTICE OF APPEAL DEFICIENCY - FILING FEES - Transaction 8084655 - Approved By: NOREVIEW : 09-24-2020:14:42:25

75 9/24/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8084659 - Approved By: NOREVIEW : 09-24-2020:14:43:25

76 9/28/2020 - 1187 - **Supreme Court Case No. ...
Additional Text: SUPREME COURT NO. 81850 - VENTURA

77 9/30/2020 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 81850 / RECEIPT FOR DOCUMENTS - Transaction 8093290 - Approved By: NOREVIEW : 09-30-2020:13:39:17

78 9/30/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8093295 - Approved By: NOREVIEW : 09-30-2020:13:42:14

79 10/19/2020 - 4125 - Supreme Court Order...
Additional Text: SUPREME COURT NO. 81850 / ORDER REGARDING FILING FEE - Transaction 8122504 - Approved By: NOREVIEW : 10-19-2020:14:37:39

80 10/19/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8122509 - Approved By: NOREVIEW : 10-19-2020:14:38:39

81 10/19/2020 - 3863 - **Submit regarding Appeals
Additional Text: DOCUMENT TITLE: SUPREME COURT NO. 81850 / ORDER REGARDING FILING FEE (no s1 built)
PARTY SUBMITTING: NEVADA SUPREME COURT
DATE SUBMITTED: 10-19-2020
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:

82 10/26/2020 - 2385 - Mtn Proceed Forma Pauperis
Additional Text: * SEALED * Transaction 8134249 - Approved By: NOREVIEW : 10-26-2020:16:17:39

- 83 10/26/2020 - 3860 - Request for Submission
Additional Text: Transaction 8134249 - Approved By: NOREVIEW : 10-26-2020:16:17:39

DOCUMENT TITLE: MOTION TO PROCEED IN FORMA PAUPERIS (ORDER ATTACHED AS EXHIBIT 1)
PARTY SUBMITTING: DAVID VENTURA
DATE SUBMITTED: OCTOBER 26, 2020
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 84 10/26/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8134258 - Approved By: NOREVIEW : 10-26-2020:16:18:34
- 85 11/10/2020 - 3035 - Ord Grant in Forma Pauperis
Additional Text: Transaction 8155376 - Approved By: NOREVIEW : 11-10-2020:09:40:58
- 86 11/10/2020 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 87 11/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8155380 - Approved By: NOREVIEW : 11-10-2020:09:41:56
- 88 11/10/2020 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - ORDER - Transaction 8155779 - Approved By: NOREVIEW : 11-10-2020:11:25:01
- 89 11/10/2020 - NEF - Proof of Electronic Service
Additional Text: Transaction 8155784 - Approved By: NOREVIEW : 11-10-2020:11:25:59
- 90 3/4/2021 - 4126 - Supreme Ct Order Directing...
Additional Text: SUPREME COURT NO. 81850 / ORDER DIRECTING TRANSMISSION OF RECORD AND REINSTATING BRIEFING - Transaction 8326036 - Approved By: NOREVIEW : 03-04-2021:14:35:39
- 91 3/4/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8326041 - Approved By: NOREVIEW : 03-04-2021:14:36:42
- 92 3/5/2021 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - RECORD ON APPEAL - Transaction 8327207 - Approved By: NOREVIEW : 03-05-2021:09:30:24
- 93 3/5/2021 - NEF - Proof of Electronic Service
Additional Text: Transaction 8327211 - Approved By: NOREVIEW : 03-05-2021:09:31:24

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

DAVID ALVAREZ VENTURA,

Appellant,

Case No. CV20-00866

vs.

Dept. No. 8

**JOHN H. GANSER, M.D., LIC #9279; GOMEZ
KOZAR; AND MCELREATH AND SMITH, A
PROFESSIONAL CORPORATION,**

SCN. No. 81850

Respondents.

CERTIFICATE OF CLERK AND TRANSMITTAL – RECORD ON APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on the 5th day of March, 2021, I electronically filed Volumes 1 through 2 of the Record on Appeal in the above entitled matter to the Nevada Supreme Court and deposited Volume 3 containing sealed documents addressed to the Nevada Supreme Court 201 S. Carson Street, Suite 201, Carson City, Nevada 89701 in the Washoe County mailing system for postage and mailing in the United States Postal Service in Reno, Nevada.

I further certify that the transmitted record is a true and correct copy of the original pleadings on file with the Second Judicial District Court in accordance NRAP 11(2)(b).

Dated this 5th day of March, 2021.

Jacqueline Bryant
Clerk of the Court

By /s/YViloria
YViloria
Deputy Clerk