

IN THE SUPREME COURT OF THE STATE OF NEVADA

VALLEY HEALTH SYSTEM, LLC (doing business as
“Centennial Hills Hospital Medical Center”), a foreign limited
liability company,

Petitioner,

v.

THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE
OF NEVADA ex rel. THE COUNTY OF CLARK, AND THE
HONORABLE JUDGE JERRY A. WIESE II,

Respondent,

and

ESTATE OF REBECCA POWELL, through BRIAN POWELL, as
Special Administrator; DARCI CREECY, individually and as Heir;
TARYN CREECY, individually and as an Heir; ISAIAH
KHOSROF, individually and as an Heir; LLOYD CREECY,
individually,

Real Parties In Interest,

and

DR. DIONICE S. JULIANO, M.D., an individual; DR. CONRADO
C.D. CONCIO, M.D., an individual; DR. VISHAL S. SHAH,
M.D., an individual,

Additional Parties In Interest.

Supreme Court
Electronically Filed
Aug 05 2021 12:50 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
District Court
No.: A-19-
788787-C

NOTICE OF SUPPLEMENTAL AUTHORITY

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Petitioner VALLEY HEALTH SYSTEM, LLC (doing business as “Centennial Hills Hospital Medical Center”), by and through their counsel, Lewis Brisbois Bisgaard & Smith LLP, and pursuant to NRAP 31(e), respectfully submits the following supplemental authority. On August 5, 2021, the Nevada Court of Appeals published an opinion in the matter of *Christina Kushnir, M.D. et al. v. Eighth Judicial District Court*, 137 Nev. Adv. Op. 41 in which the Court of Appeals stated that NRS 41A.097’s one year discovery period for the purposes of inquiry notice in a professional negligence case begins to run when a party receives the complete medical record and “had facts before him that would have led an ordinarily prudent person to investigate further.” Accordingly, the following authorities are implicated:

1. *Massey v. Litton*, 99 Nev. 723, 669 P.2d 248 (1983);
2. *Eamon v. Martin*, 2016 Nev. App. Unpub. LEXIS 137 at 3-4 (Nev. App. Mar. 4, 2016);
3. *Winn v. Sunrise Hosp. & Med. Ctr.*, 128 Nev 246, 252, 277 P.3d 458, 462) (2012);
4. *Golden v. Forage*, 2017 Nev. App. Unpub. LEXIS 745 at 3 (Nev. App. October 13, 2017);
5. *Domnitz v. Reese*, 126 Nev. 706, 367 P.3d 764 (2010);
6. *Callahan v. Johnson*, 2018 Nev. App. Unpub. LEXIS 950, 3-5;
7. *Barcelona v. Eighth Judicial Dist. Court*, 448 P.3d 544;
8. NRS 41A.097

This authority (*Christina Kushnir, M.D. et al. v. Eighth Judicial District Court*, 137 Nev. Adv. Op. 41) supplements Petitioner’s Petition for Writ of Mandamus, pp. 17-24 and Petitioner’s Reply In Further Support of Petitioner’s Petition for Writ of Mandamus.

DATED this 5th day of August, 2021

LEWIS BRISBOIS BISGAARD &
SMITH LLP

By /s/ Adam Garth
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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of August, 2021, a true and correct copy of **NOTICE OF SUPPLEMENTAL AUTHORITY** was served upon the following parties by electronic service through this Court's electronic service system and also by placing a true and correct copy thereof in the United States Mail in Las Vegas, Nevada with first class postage fully prepaid:.

The Honorable Jerry A. Wiese II
The Eighth Judicial District Court
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By /s/ Roya Rokni

Roya Rokni, an Employee of
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