

IN THE SUPREME COURT OF THE STATE OF NEVADA

VALLEY HEALTH SYSTEM, LLC, D/B/A
CENTENNIAL HILLS HOSPITAL
MEDICAL CENTER, A FOREIGN LIMITED
LIABILITY COMPANY; DR. DIONICE S.
JULIANO, M.D., AN INDIVIDUAL; DR.
CONRADO C.D. CONCIO, M.D., AN
INDIVIDUAL; AND DR. VISHAL S. SHAH,
M.D., AN INDIVIDUAL,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CLARK; AND THE
HONORABLE JERRY W. WIESE,
DISTRICT JUDGE,

Respondents,

and

ESTATE OF REBECCA POWELL
THROUGH BRIAN POWELL, AS SPECIAL
ADMINISTRATOR; DARCI CREECY,
INDIVIDUALLY AND AS HEIR; TARYN
CREECY, INDIVIDUALLY AND AS HEIR;
ISAIAH KHOSROF, INDIVIDUALLY AND
AS HEIR; LLOYD CREECY,
INDIVIDUALLY,

Real Parties in Interest.

Electronically Filed
Dec 17 2021 10:06 a.m.
Elizabeth A. Brown
Supreme Court No. 82250
Clerk of Supreme Court

**REPLY TO OPPOSITION TO REAL PARTIES IN INTEREST'S MOTION
TO EXTEND TIME TO FILE FOR *EN BANC* RECONSIDERATION**

On December 13, 2021, undersigned counsel for Real Parties in Interest,
citing health reasons, filed a request for a 4-day extension of time, or until
December 17, 2021, to file a Petition for *En Banc* Reconsideration of a Panel

1 decision issued on October 18, 2021. This was undersigned counsel's second
2 request, having previously obtained an extension of 14-days.

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4 On December 15, 2021, counsel for Valley Health Systems, LLC ("VHS")
5 filed a bizarre and emotionally unhinged opposition to undersigned counsel's
6 request for a short 4-day extension of time hurling accusations of "bad faith" and
7 attacking the merits of Real Parties in Interest's underlying case. According to the
8 opinion of counsel for VHS, undersigned counsel's cited illness does not meet the
9 "extraordinary and compelling circumstances" standard.
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12 As noted in undersigned counsel's December 13, 2021 filing, he had
13 legitimate concerns that he contracted the COVID virus and had to take necessary
14 precautions to protect himself and others. He is still dealing with the lingering
15 effects of that illness. Notwithstanding this fact, it is axiomatic that even
16 suspicion of COVID should compel a reasonable person to social distance and
17 take other precautions recommended by the government. Even the majority of the
18 judges of the Eighth Judicial District Court are instructing attorneys to avoid in-
19 person appearances given that COVID is still a concern. For VHS's counsel to
20 minimize these concerns and precautions demonstrates a total lack of awareness
21 of the extraordinary times in which we live.
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26 Counsel for VHS has many misplaced opinions, including his unsupported
27 belief that "[w]hat is interesting to note is that Mr. Padda has not actively
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1 participated in any of the motion or appellate practice here.” Professing some
2 unique insights into the inner workings of Paul Padda Law, counsel for VHS
3 further opines, again without any proof, “[h]is associate, Ms. Shah, was detailed
4 with that task.” Not surprisingly, VHS’s counsel is incorrect in his assumptions
5 and beliefs. All of this, however, is beside the point. It is clear that counsel for
6 VHS has no legitimate opposition to undersigned counsel’s request for a short 4-
7 day extension of time but simply wanted to take the opportunity to attack the Real
8 Parties in Interest and their counsel. This is disappointing but not surprising given
9 VHS counsel’s emotional disposition during the pendency of the underlying case
10 that is the subject of these appellate proceedings.
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15 As the Court may note, the Real Parties in Interest’s Petition has already
16 been filed (December 16, 2021) with the Court – one day earlier than requested.
17 Undersigned counsel worked diligently to complete it despite still dealing with the
18 lingering effects of his recent illness.
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For the reasons set forth in the initial motion for 4-day extension of time and this reply, the Real Parties in Interest respectfully request the Court grant the motion for a 4-day extension to file their Petition for *En Banc* reconsideration on or before December 17, 2021.

Respectfully submitted,

/s/ *Paul S. Padda*

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Counsel for Real Parties In Interest

Dated: December 17, 2021

CERTIFICATE OF SERVICE

Pursuant to the Rules of the Nevada Supreme Court, the undersigned hereby certifies that on this day, December 17, 2021, a copy of the foregoing **REPLY TO OPPOSITION TO REAL PARTIES IN INTEREST'S MOTION TO EXTEND TIME TO FILE FOR *EN BANC* RECONSIDERATION** was filed with the Court and served via electronic service notification where specified on the Court's service list to the individuals and entities identified therein.

S. Brent Vogel, Esq.
Adam Garth, Esq.
John H. Cotton, Esq.
Brad J. Shipley, Esq.

/s/ *Diana Escobedo*

Diana Escobedo, Legal Assistant
PAUL PADDA LAW