

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

MARILEE BROWN, MARILOU BROWN,
GREGORY J. BROWN (for Beverly M.
Brown's family),

Plaintiffs,

vs.

ST. MARY'S REGIONAL MEDICAL CENTER;
TAMI EVANS; PREM REDDY, M.D.; MARK
MCALLISTER, M.D.; TANZEEL ISLAM, M.D.;
SRIDEVI CHALLAPALLI, M.D. AND DOES I
THROUGH X, INCLUSIVE, ROE BUSINESSES
I THROUGH X, INCLUSIVE,

Defendants.

Electronically Filed
Sep 03 2020 10:26 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Sup. Ct. Case No. 81434

Case No. CV20-00422

Dept. 1

RECORD ON APPEAL

VOLUME 3 OF 4

DOCUMENTS

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Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

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SRIDEVI CHALLAPALLI

MARILEE BROWN

MARILOU BROWN

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

2840

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

MARILEE BROWN, MARILOU BROWN (for
Beverly M. Brown's family),

Plaintiffs,

Case No.: CV20-00422

vs.

Dept. No.: 1

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMI EVANS; PREM REDDY,
M.D.; MARK McALLISTER, M.D.; TANZEEL
ISLAM, M.D.; SRIDEVI CHALLAPALLI,
M.D., and DOES I through X, inclusive; ROE
BUSINESSES I through X, inclusive,

Defendants.

ORDER DENYING PLAINTIFFS APPLICATION FOR DEFAULT JUDGMENT

Currently before the Court is Plaintiffs' Marilee Brown, Marilou Brown (for Beverly M. Brown's family) ("Plaintiffs") *Application for Default Judgment Pursuant to Rule 54/55/Other Against Defendants Tanzeel Islam, M.D. and Sridevi Challapalli, M.D. for Non Answer/Response* ("Application") filed April 28, 2020 and submitted to the Court the same day. Having reviewed the Application, this Court finds good cause to deny the Application for Plaintiffs' failure to procure a clerk's default in accordance with NRCP 55(b)(1).

I. Relevant Procedural History

On March 3, 2020, Plaintiffs filed a *Civil Complaint* against Defendants St. Mary's Regional Medical Center; Tami Evans; Prem Reddy, M.D.; Mark McAllister, M.D.; Tanzeel Islam, M.D.; and

Sridevi Challapalli, M.D. Defendants St. Mary’s Regional Medical Center, Tammy Evans and Prem Reddy, M.D. filed a *Motion to Dismiss Plaintiffs’ Complaint for Failure to Comply with NRS 41A.071* on March 26, 2020. Defendant Mark McAllister, M.D. filed a *Motion to Dismiss* on April 3, 2020. On April 13, 2020, Plaintiffs filed an *Amendment to Civil Complaint/Return Services of Summons* that attaches as Attachment 1 an affidavit signed by Gary K. Orr indicating that he personally served Defendants with a copy of the Summons and Complaint/Petition at several locations at St. Mary’s Regional Medical Center. Plaintiffs now bring the instant Application requesting entry of default judgment against Defendants Tanzeel Islam, M.D. (“Dr. Islam”) and Sridevi Challapalli, M.D. (“Dr. Challapalli”) for failure to answer the complaint.

II. Law

Prior to entry of a default judgment, plaintiff must obtain a default against the defendant. NRC 55 governs entry of a default and default judgment:

Rule 55. Default; Default Judgment

(a) **Entering a Default.** When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.

(b) Entering a Default Judgment.

(1) **By the Clerk.** If the plaintiff’s claim is for a sum certain or a sum that can be made certain by computation, the clerk — on the plaintiff’s request, with an affidavit showing the amount due — must enter judgment for that amount and costs against a defendant who has been defaulted for not appearing and who is neither a minor nor an incapacitated person.

(2) **By the Court.** In all other cases, the party must apply to the court for a default judgment. A default judgment may be entered against a minor or incapacitated person only if represented by a general guardian, conservator, or other like fiduciary who has appeared. If the party against whom a default judgment is sought has appeared personally or by a representative, that party or its representative must be served with written notice of the application at least 7 days before the hearing. The court may conduct hearings or make referrals — preserving any statutory right to a jury trial — when, to enter or effectuate judgment, it needs to:

- (A) conduct an accounting;
- (B) determine the amount of damages;
- (C) establish the truth of any allegation by evidence; or
- (D) investigate any other matter.

Further, WDCR 26 sets for additional criteria for default judgment applications:

An application for a judgment by default irrespective of the amount of the proposed judgment must be made upon affidavit unless the court specifically requests the presentation of oral testimony. Supporting affidavits must be made on personal knowledge and shall set forth such facts as would be admissible in evidence, show affirmatively that the affiant is competent to testify to the matters stated therein, and avoid mere general conclusions or argument. An affidavit substantially defective in these respects may be stricken, wholly or in part, and the court may decline to consider the application for the default judgment.

III. Legal Analysis

Plaintiffs seek entry of a default judgment against Defendants Dr. Islam and Dr. Challapalli for “non answer/response.” However, Plaintiffs have not obtained a clerk’s default against Dr. Islam or Dr. Challapalli in accordance with NRCP 55(b)(1). Further, Plaintiffs’ Application is deficient and is not in compliance with NRCP 55 or WDCR 26. Therefore, this Court finds good cause to deny Plaintiffs’ Application.

Based upon the foregoing and good cause appearing,

IT IS HEREBY ORDERED that Plaintiffs’ *Application for Default Judgment Pursuant to Rule 54/55/Other Against Defendants Tanzeel Islam, M.D. and Sridevi Challapalli, M.D. for Non Answer/Response* is DENIED.

IT IS SO ORDERED.

DATED this 5th day of May, 2020.


KATHLEEN DRAKULICH
DISTRICT JUDGE

CERTIFICATE OF SERVICE

CASE NO. CV20-00422

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 May, 2020, I electronically filed the **ORDER DENYING APPLICATION FOR DEFAULT JUDGMENT** with the Clerk of the Court by using the ECF system.

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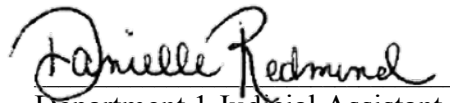
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ST. MARY'S REGIONAL MEDICAL CENTER

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Civil

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MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

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SRIDEVI CHALLAPALLI

MARILEE BROWN

MARILOU BROWN

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

ORIGINAL

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BAR NUMBER: N/A (Pro Se litigants)
ADDRESS: 45 Nives Court
Sparks, NV 89441
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IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*), Plaintiffs, in Proper Person

Case No: CV20-00422
Dept No: 1

VS

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)
Mark McAllister, MD (St. Mary's Interventional Radiologist)
Tanzeel Islam, MD (St. Mary's Hospitalist)
Sridevi Challapalli, MD (St. Mary's Cardiologist),
DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

**PLAINTIFFS' OPPOSITION TO DEFENDANT MCALLISTER'S DISMISSAL MOTION OF:
PLAINTIFF'S HEARING REQUEST ELSE CONSIDERATION OF PLAINTIFFS' NEW / REITERATED
REFUTES (CLARIFICATIONS) IN LIU OF HEARING TO UPHOLD PLAINTIFFS' COMPLAINT ISSUES
(See Separate Opposition/Motion Filings on Same Issues, as well)**

I INTRODUCTION

1. On April 27, 2020, Plaintiffs received Defendants' Tammy Evans/Prem Reddy, MD's April 20, 2020

DELINQUENT/ERRONEOUS REPRESENTATION INFO Reply to their April 9, 2020 Opposition

(Filed by the Court on April 13, 2020). Plaintiffs Received said Defendants' **DELINQUENT/ERRONEOUS**

REPRESENTATION INFO Reply **AFTER** they had Filed their **Hearing Request with New and Relterated**

Refutes / Clarifications. Plaintiffs' Herein and in their Corresponding Filings seek **Dismissal of said**

Reply for such Delinquency/Erroneous Representation Info. Et Al

2. On May 1, 2020, Plaintiffs received Defendant McAllister, MD's April 28, 2020 dismissal Motion of their
Hearing Request because it contained New and **Relterated** Refutes.

3. Plaintiffs' provide an **Amended Brief / Supplemental Pleading Request** (*Separate Filing*) in **Refute and/or**

Clarification of the **erroneous** information contained in Defendants' dismissal pleadings that are **Redundant**

Themselves and composed of **erroneous** information; with Plaintiffs Supporting their Hearing Request if needbe

or in **Refute** of the Defendants' **erroneous** pleadings To:

a. **JUSTIFIABLY UPHOLD their COMPLAINT ISSUES - Law MUST be based on Merit/Justice, such as the**

1/5

1 factual/meritous arguments of Plaintiffs' Complaint and Filings; NOT based on the *frivolous* dismissal
2 reasonings given by Defendants;

3 b. **SUPPORT Court's DISMISSAL** of Defendants Tiffany Coury (*replaced Tammy Evans*) / Prem Reddy's
4 April 20, 2020 **DELINQUENT/ERRONEOUS REPRESENTATION INFO** Reply

5 c. **SUPPORT Court's DENIAL** of Defendant McAllister's April 28, 2020 dismissal request of Plaintiffs'
6 April 24, 2020 Hearing Request/Consideration of Plaintiffs' **meritous** information containing **New and**
7 **Relterated Clarifications** therein of Defendants' **erroneous** information;

8 d. (See Separate Opposition/Motion Filings on Same Issues, as well)

9 II. **MEMORANDUM OF POINTS AND AUTHORITIES** (*Redundant Points for Important Relevancy*)

10 **STATEMENT OF FACTS and LEGAL ARGUMENTS / CLARIFICATONS**

11 A. In **DIRECT Refute** of Defendant McAllister's April 28, 2020 dismissal Motion of Plaintiffs' Hearing
12 Request/Refutes In Liu of: It is noted:

13 1a. That Plaintiffs' Pleadings consist of **Relevant New and Relterated Important Refutes and**
14 **Clarifications** of Defendant's **erroneous** information – So Stated in their Pleadings

15 1b. It is also noted that the two counsel firms representing three of the five Defendants mentioned, who
16 responded to Plaintiffs' Summons/Complaint, provided dismissal Motions and Replies that **consist of**
17 **Similar Redundancy** as Plaintiffs' yet with **erroneous** information – **Refuted** by Plaintiffs' **meritous**
18 pleadings and herein, **such as: Contrary** to Defendant McAllister's **false** assertions otherwise, said
19 Defendant's actions are clearly **mentioned and/or inferred** in Plaintiffs' Complaint and Pleadings by the
20 fact in said documents this Defendant followed the **NON Medical** acts of **hospital Protocol and own NON**
21 **Communication (Below).**

22 1c. The reason why Plaintiffs' provide for **Relterated** along with **New Refutes and Clarifications** (*disclosed*
23 *herein again*) is to **Facilitate the Court's Review** of Plaintiffs' **meritous** pleadings in Support of **All** their
24 **Complaint claims Without having to keep Referring Back to Prior pleadings...** - with the Court's discretion
25 to consider same as per Defendant McAllister's own statement **"the Court has inherent authority to**
26 **administer its own procedures and manage its own affairs"**

27 1d. It is also noted, Per Defendants' Tiffany Coury (*replaced Tammy Evans*) / Prem Reddy's own dismissal
28 motion and their April 20, 2020 **DELINQUENT/ERRONEOUS REPRESENTATION INFO** Reply, **same**
29

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1. entities have solicited for a Hearing as well if needbe,

2. *"any oral argument allowed at the time of the hearing of this matter, if any" and "which may be*

3. *adduced at the time of the Hearing on said Motion",* Respectively. Such delineation supports Plaintiffs'

4. request for same if necessary to further support what they have already substantiated to Uphold their

5. Complaint per same document; and as noted in the Refutes/Clarifications in their Opposition, Hearing

6. Request and Herein (*Refuting Defendant's DELINQUENT Reply assertions, as well*)

7. 2. Of significance, Defendant McAllister's April 28, 2020 dismissal motion of Plaintiffs' Hearing Request

8. also supports Plaintiffs affirmation that the Court does indeed have discretion to interpret how she will rule

9. on the word terminology of *"shall"* in that Defendant states *"the Court has inherent authority to*

10. *administer its own procedures and manage its own affairs"*

11. 3. Defendants now with Bad Faith and malice in their Replies call the Plaintiffs' pleadings *"criminal"* and

12. *"fugitive"* in nature – which indeed is refuted herein and in their other Pleadings with meritous arguments

13. Defendants cannot escape from

14. 4. See Further Addresses Below AND in Plaintiffs' other Filings

15. B. It is noted that the two counsel firms representing three of the five Defendants mentioned, who responded

16. to Plaintiffs' Summons/Complaint, provided dismissal Motions and Replies that consist of similar redundancy

17. as Plaintiffs' yet with *erroneous* information – Refuted by Plaintiffs' meritous pleadings and herein, such as:

18. Contrary to Defendant McAllister's false assertions otherwise, said Defendant's actions are clearly mentioned

19. and/or inferred in Plaintiffs' Complaint and Pleadings by the fact in said documents this Defendant followed the

20. NON Medical acts of hospital Protocol and own NON Communication:

21. *"1c. Plaintiffs Clarified in their Opposition in support of their Civil Complaint and in Refute of Defendants'*

22. *dismissal motions that their Complaint indeed has NON Medical provisions (not added as Defendants falsely*

23. *claim) in addition to the medical aspects of their Complaint, such as: Defendant Protocol and Lack of*

24. *Communication by ALL Defendants with Beverly M. Brown's Primary Cardiovascular Specialist, Dr.*

25. *Devang Desai, WHO WORKS FOR Defendant St. Mary's Regional Medical Center.*

26. *1d. Said Gross, Simple, Ordinary NON MEDICAL Negligence in the Protocol and Lack of communication*

27. *(NOT associated with NRS 41A.071) by Defendants with this patient's Primary Cardiovascular Specialist*

28. *WHO WORKS FOR Defendant St Mary's Regional Medical Center, even with Plaintiffs' urgency of said*

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contact, resulted in the health deterioration of Beverly M. Brown's condition from December 2018 through her death on March 5, 2019 --All asserted, inferred, etc in Plaintiffs' Complaint, Clarified in their Opposition"

C. IN CONCLUSION:

1. Plaintiffs' Refer To their: STATEMENT OF FACTS and LEGAL ARGUMENTS / CLARIFICATIONS
Above

IN DIRECT Refute of Defendant McAllister's April 28, 2020 dismissal Motion of Plaintiffs' Hearing Request
and/or Refutes (Clarifications) of In Liu of any Hearing to Uphold Plaintiffs' Complaint.

2. When the Court Reviews Plaintiffs' Civil Action Complaint, along with the Meritous Refuting Arguments of
their Opposition / Dismissal Motions; Hearing Request - including Herein in its Totale - containing
Corrections, Additions, Clarifications, Amendments, Valid Time Request to Seek medical expert Affidavit
if needed (Court has clear discrettion on Expert Affidavit submission--see Rule 16 provisions), valid

Refuting Arguments ETC; Such Supports the Court: Maintaining Plaintiffs Complaint pursuant to
LAWS and ARGUMENTS thoroughly addressed NOT AFFILIATED WITH 41A.071 that correspond
with Defendants Gross, Simple, Ordinary Negligence - which Clearly Supports:

a. Plaintiffs have meritous, NON-medical claims (simply nexused to ALL Defendants' medical establishment
/ acts - such as Protocol, lack of communication, Age/Other Discrimination/elderly neglect/abuses,
Decisions jeopardizing patients' / others' health and safety such As placement with infected patients,
Failure to timely fax vital medical documents, Etc) along with medical claims that

b. Validate their Civil Action to Continue (All of which are likewise subject to Medical Board Review,
Media attention, U.S. Department of Health and Human Resource Reviews, ETC in additlon to this Legal
Nexus). Plaintiffs Filings are On Behalf Of and For the Voice of other chronically ill, elderly patients who
need Proper Care from Medical Establishments from NON MEDICAL and medical decision; and the family
subjected to EMOTIONAL/OTHER ANGUISH because of such Gross, Simple, Ordinary Negligence under
described laws asserted by Plaintiffs other than NRS 41A.071; To

3. UPHOLD Plaintiffs' Complaint and Pleadings pursuant to their meritous Factual Allegations, especially:

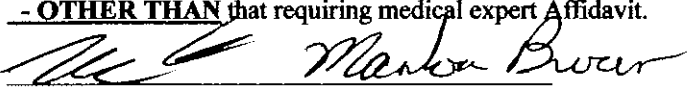
a. Plaintiffs law addresses UNRELATED to 41A.071 that support the Simple, Ordinary, Gross negligence of
Defendants as related to the meritous NON-Medical issues of their Complaint - to include their noted
applicable Laws and Statutes addressing the Breach of Duty, Simple, Ordinary, Gross Negligence, ETC

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related to Defendants' acts of Non-medical issues: (1) Protocol, (2) Lack of communication, (3) Age / Other Discrimination/jeopardy to elderly, (4) Negligence and jeopardizing this patient's/others safety related needlessly admitting patients for money; placing patients/others with/near infectious patients, etc (5) failure to expedite medical documentation that jeopardized this patient's case, Etc; simply with medical affiliation of said Complaint issues and Defendants; and

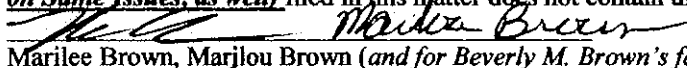
b. Plaintiffs' Refuting/Clarifying Arguments to Defendants' dismissal actions in that:

Plaintiffs' Factual Allegations noted throughout their Complaint, clarified in their Opposition, Dismissal Motions, Request for Hearing – including Herein: State, Infer and Imply medical and NON medical Issues of Breach of Duty, Simple, Ordinary, Gross Negligence, ETC governed by Statutes, laws, etc - OTHER THAN that requiring medical expert Affidavit.


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown / Others Reserved
45 Nives Court, Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 5, 2020


AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document, PLAINTIFFS' OPPOSITION TO DEFENDANT MCALLISTER'S DISMISSAL MOTION OF: PLAINTIFF'S HEARING REQUEST ELSE CONSIDERATION OF PLAINTIFFS' NEW / REITERATED REFUTES (CLARIFICATIONS) IN LIU OF HEARING TO UPHOLD PLAINTIFFS' COMPLAINT ISSUES (See Separate Opposition/Motion Filings on Same Issues, as well) filed in this matter does not contain the Social Security Number of any person.


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown / Others Reserved
Nives Court, Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 5, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that PLAINTIFFS' OPPOSITION TO DEFENDANT MCALLISTER'S DISMISSAL MOTION OF: PLAINTIFF'S HEARING REQUEST ELSE CONSIDERATION OF PLAINTIFFS' NEW/REITERATED REFUTES (CLARIFICATIONS) IN LIU OF HEARING TO UPHOLD PLAINTIFFS' COMPLAINT ISSUES (See Separate Opposition/Motion Filings on Same Issues, as well) was served via regular mail or in person by Plaintiffs to Defendants' Counsels on May 5, 2020


Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown / Others Reserved
Nives Court, Sparks, NV 89441
775-425-4216
Date: May 5, 2020

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ORIGINAL

CODE: 2315

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court
Sparks, NV 89441

Telephone: (775) 425-4216

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*), Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)
Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

PLAINTIFFS' MOTION TO DISMISS Defendants Tiffany Coury (*replaced Tammy Evans*) / Prem Reddy's April 20, 2020 DELINQUENT/ERRONEOUS REPRESENTATION Reply (*See Separate Opposition/Motion Filings as well*)

I

INTRODUCTION

1a. On April 20, 2020, Plaintiffs received Defendant McAllister's Reply to their April 9, 2020 Opposition (*Filed by the Court on April 13, 2020*). Plaintiffs did NOT receive any Reply from Defendants Tiffany Coury / Prem Reddy's Counsels. Plaintiffs stated this in their "*REQUEST FOR A Hearing (et al)*"

1b. These Defendants through their Counsels' employee "*Arla Clark*" asserted in their Reply (*Et al*) Certificate of Services that their Reply (*Et al*) was sent electronically to Plaintiffs

(Exh 1. Defendants 4/20/2020 Reply Certificate of Service - Reply sent electronically to Plaintiffs: Defendants' DELINQUENT with ERRONEOUS/DEFICIENT information delineated in their Representation/Title facts - (Tiffany Coury replaced Tammy Evans))

1c. Plaintiffs are Exempt from Electronic filing (sending/receipt).

2b. On Monday April 27, 2020, Plaintiffs received Defendants "*Tammy Evans/Prem Reddy, MD's April 20, 2020 Reply (Et al)*" by Mail and noted Defendants had filed their Reply DELINQUENTLY WITH THE COURT and ERRONEOUS/DEFICIENT in its Representation and Title facts (Tiffany Coury (*replaced Tammy Evans*))

2c. Plaintiffs received Defendants' DELINQUENT/ERRONEOUS Reply (Et al) AFTER Plaintiffs had Filed their Hearing Request (*with Clarifications and Justified New and Reiterated Refutes of the*)

V/11

1. Defendants' *erroneous* assertions in their dismissal motions).

2d. Plaintiffs Herein and in their corresponding Filings seek Dismissal of Defendant's REPLY (Et al) because of their DELINQUENCY and ERRONEOUS/DEFICIENT information delineated in their Representation and Titling facts - (Tiffany Coury replaced Tammy Evans) - addressed further below.

3. Plaintiffs' provide this MOTION TO DISMISS (Separate Filings also) in Refute/Clarification of the *erroneous* information contained in Defendants' dismissal pleadings that are Redundant Themselves and composed of erroneous information; with Plaintiffs Supporting their Hearing Request if needbe or in Refute /Clarification of Defendants' *erroneous* pleadings.

4. Plaintiffs' provide an Amended Brief/Supplemental Pleading Request (Separate Filing) in Refute/Clarification of the *erroneous* information in Defendants' dismissal pleadings that are Redundant Themselves; with Plaintiffs Supporting their Hearing Request if needbe or in Refute of Defendants' *erroneous* pleadings To:

a. JUSTIFIABLY UPHOLD their COMPLAINT ISSUES - Law MUST be based on Merit/Justice, such as the factual/meritous arguments of Plaintiffs' Complaint and Filings; NOT based on the frivolous dismissal reasonings given by Defendants;

b. SUPPORT Court's DISMISSAL of Defendants Tiffany Coury (replaced Tammy Evans) / Prem Reddy's April 20, 2020 DELINQUENT Reply

c. (See Separate Opposition/Motion Filings on Same Issues, as well)

II. MEMORANDUM OF POINTS AND AUTHORITIES (Redundant Points for Important Relevancy)

1. On April 27, 2020, Plaintiffs received Defendants' Tammy Evans/Prem Reddy, MD's April 20, 2020 DELINQUENT Reply (Et al) to their April 9, 2020 Opposition (Filed by the Court on April 13, 2020). Plaintiffs received said Defendants' DELINQUENT Reply AFTER they had Filed their Hearing Request (with New and Reiterated Refutes/Clarifications). Plaintiff's Herein and in their Other Filings seek Dismissal of said Reply DELINQUENCY and ERRONEOUS/DEFICIENT information delineated in their Representation, Titling facts - ((Tiffany Coury replaced Tammy Evans) - addressed further below

2. The reason why Plaintiffs provide for Reiterated along with New Refutes (as disclosed herein again) is to facilitate the Court's review of Plaintiffs' meritous pleadings in Support of All their Complaint claims WITHOUT having to Keep REFERRING BACK to Pprior pleadings; with the Court's discretion to consider same per Defendant's own statement "the Court has inherent authority to administer its own

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1. *procedures, manage its own affairs"*

2. 3a. It is also noted Per Defendants' Tiffany Coury (*replaced Tammy Evans*) / Prem Reddy's own dismissal
3. motion and their April 20, 2020 DELINQUENT Reply that same entities have solicited for a Hearing as well if
4. needbe, "any oral argument allowed at the time of the hearing of this matter, if any" and "which may be
5. adduced at the time of the Hearing on said Motion", Respectively.

6. 3b. Such delineations support Plaintiffs' Request for a Hearing if necessary to further support what they
7. have already substantiated - to Uphold Plaintiffs' their Meritous Complaint issues (Refutes/Clarificatons
8. In Plaintiffs' Opposition, Hearing Request and Herein - Clarifying Defendant's DELINQUENT Reply
9. and Erroneous Representation assertions, as well)

10. 4. Of significance, Defendant McAllister's April 28, 2020 dismissal motion of Plaintiffs' Hearing Request also
11. supports Plaintiffs affirmation that the Court does indeed have discretion to interpret how she will rule on the
12. word terminology of "shall" in that Defendant states "the Court has inherent authority to administer its own
13. procedures and manage its own affairs"

14. 5. Defendants now with Bad Faith and malice in their Replies call the Plaintiffs' pleadings "*criminal*" and
15. "*fugitive*" in nature – which indeed is refuted/clarified herein and in their other Pleadings with meritous
16. arguments Defendants cannot escape from

17. 6. See Further Addresses Below AND in Plaintiffs' other Filings

18. III STATEMENT OF FACTS and LEGAL ARGUMENTS /REFUTES

19. A. DISMISSAL OF DEFENDANTS Tiffany Coury (replaced Tammy Evans) Prem Reddy, MD REPLY FOR 20. DELINQUENCY AND INVALID REPRESENTATION

21. 1a. Defendants *Tammy Evans*/Prem Reddy, MD's April 20, 2020 DELINQUENT Reply to Plaintiffs' April 9, 2020
22. Opposition Filed by the Court on April 13, 2020. Pursuant to Nevada Revised Statutes, any Reply MUST be filed
23. within five (5) days of an Opposition. Defendants FAILED TO TIMELY FILE their Reply and same must be
24. DISMISSED FOR DELINQUENCY. Defendants are NOT Exempt from Electronic Filing and Receive / Submit
25. Court Filings instantly once same Pleadings/Orders are Filed by the Court. Defendants have NO excuse for
26. submitting Delinquent Filings and their Reply MUST BE DISMISSED for said reasoning.

27. 1b. Plaintiffs are Exempt from Electronic Filing and Service in this Matter. Thus Plaintiffs do not submit/receive
28. electronic and must rely on in person/mailings (*thus delays*); Defendants have access to ALL Filings with

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1. attachments via Electronic means while Plaintiffs do NOT. Plaintiffs mailed these respective Filings to the Court as the Court's Filing Office is closed due to the *Coronavirus Quarantine*, with mailing or in person service to Defendants as noted in their Certificate of Service.

1c. **CONCLUSION:** Defendants' Tiffany Coury (replaced Tammy Evans) Prem Reddy, MD Reply MUST Be DISMISSED for DELINQUENCY And ALL Assertions therein VOIDED.

2a. Also, Defendant Counsel is also NOT authorized to Represent Tiffany Coury - who replaced Tammy Evans as a Defendant in this matter. Such is because of Two (2) Deficiencies in Defendant's Substitution of Attorney forms that make same Invalid (See Exhibit 1 of Defendant's Reply):

2b. Defendants' counsel filed a Substitution of Counsel form for "Tammy Evans", signed by "Tammy Evans", who is NOT a Defendant in this matter. Plaintiffs' clearly specified they changed and served Defendant Tiffany Coury, NOT Tammy Evans, who no longer worked for St. Mary's Regional Medical Center at the time of Plaintiffs' filing

2c. Defendants' counsel filed a Substitution of Counsel form for "Tammy Evans", signed by "Tammy Evans", who is NOT a Defendant in this matter; Yet there is NO signature for Helen Peltekci, Esq as an Authorized Representative. Such make said Representation by same counsel of Tiffany Coury VOID.

2d. **CONCLUSION:** Defendants' April 20, 2020 Reply for Tammy Evans MUST be VOIDED / DISMISSED in its ENTIRETY for INVALID REPRESENTATION of same Defendant.

3. **CONCLUSION:** Defendants Filing is DELINQUENT with ERRONEOUS/DEFICIENT information delineated in their Representation/Title facts - (Tiffany Coury replaced Tammy Evans) - and therefore MUST be VOIDED / DISMISSED in its ENTIRETY

(Exh 1. Defendants 4/20/2020 Reply Certificate of Service - Reply sent electronically to Plaintiffs: Defendants' DELINQUENT with ERRONEOUS/DEFICIENT information delineated in their Representation/Title facts - (Tiffany Coury replaced Tammy Evans)

B/C. **CLARIFICATION / REFUTES TO AFOREMENTION DELINQUENT REPLY**

Plaintiffs Request that the Court consider the meritous Refutes/Clarifications/Amendments contained in their Opposition and Hearing Request nexused to their Complaint, as well as REITERATED Refutes Herein to UPHOLD their Civil Action.

B. **DIRECT REFUTES / CLARIFICATONS**

1. Plaintiffs DO NOT REPRESENT "Beverley's" "estate" (Defendant Reply pg 7). There is NO estate

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1 2. Plaintiffs Represent THEMSELVES (simply noting that they and their father had power of attorney
 2 regarding their mother and vice-versa if needed/ simple terminology, Complaint pgs 1,2, etc)

3 See Exh 1: 4/2019 St Mary's disclosure form for Beverly Brown (Marilee, Marilou Brown personal
 4 representatives noted)

5 as Specified, Inferred, Etc in their Complaint and Clarified in their Opposition,

6 Hearing Request/Herein - with Laws, Causes of Action / Claims for Relief / Prayer for Relief noting

7 Plaintiffs' Damages - "Emotional Anguish to her family" (Complaint pgs 2, 3, 4, 5, 12, 14, 15, 16, etc)

8 - Laws / NON Medical issues clarifications such as: Protocol, Non communication, Age Discrimination

9 Jeopardy to Safety, Etc (Complaint pgs 2, 3, 4, 5, 6, 7, 8, 9,10,11,12, 13, 14, 15, 16, etc)

10 See Exh 2: 5/2019 Renown Palliative care ("bad experience at St. Mary's") and Exh 3: 3/5/19 Fax cover
 11 pg from St Mary's to Renown (Negligent fax - contributing to lack of communication and patient's death)

12 For The:

13 2a. Deterioration, Suffering and Loss of their mother Plaintiffs EXPERIENCED Emotionally as much as

14 their mother did, Caused by the Gross, Simple, Ordinary NON MEDICAL Negligence by Defendants

15 through their Protocol and Lack of communication (NOT associated with NRS 41A.071) by Defendants

16 with this patient's Primary Cardiovascular Specialist WHO WORKS FOR Defendant, even with

17 Plaintiffs' urgency of said contact; And

18 - Complaint Background information by Plaintiffs of Defendant Protocol to Admit as many patients as

19 possible to the Hospital for money (Complaint pgs 6, 7, etc) - jeopardizing patient's life/causing

20 injury to Patient and causing Emotional, etc Anguish to Plaintiffs/Patient's family for which they are

21 authorized relief and compensation - representing themselves; And

22 - Jeopardy to their mother's and Plaintiffs'/Plaintiffs' family's lives by placing Plaintiffs' mother and

23 nexusing them/their visiting family to same jeopardy by placing their mother in a room/floor with a known

24 infected patient(s) that were thereafter quarantine;

25 Etc - All as addressed in Plaintiffs' Complaint and Pleadings;

26 b. All of which Resulted in the health deterioration of Beverly M. Brown's condition from December 2018

27 through her death on March 5, 2019, causing significant Emotional Anguish, etc to Plaintiffs and their family

- All Asserted, Inferred, etc throughout Plaintiffs' Complaint (Ex pgs 2-5,9,12,14,15,16, etc) and clarified in

their Opposition, Request For a Hearing and Herein.

5/11

1 3a Plaintiffs' Factual Allegations noted throughout their Complaint, clarified in their Opposition, Request for
 2 a Hearing, Herein - State, Infer and Imply medical and NON medical Issues of Breach of Duty, Simple,
 3 Ordinary and Gross Negligence Based on And governed by Statutes, laws, etc - OTHER THAN that
 4 requiring medical expert Affidavit

5 3b. Thus Plaintiffs seek said damages FOR THEMSELVES AND REPRESENT THEMSELVES for the
 6 aforementioned/below mentioned reiterated Damages and Loss under the Statutes noted in their Complaint,
 7 any Others yet Unknown Statutes as stated in their Complaint and Other Filings - which Defendants asserted
 8 Plaintiffs are authorized to do per their Reply Pg 7: "Plaintiffs may represent themselves" and "Plaintiffs
 9 may recover damages in a wrongful death action" - which Plaintiffs clarify herein they DO REPRESENT
 10 THEMSELVES, NOT AN ESTATE.

11 4. To Clarify, Plaintiffs use of their term as "representatives, heirs", etc are terms simply to designate their
 12 connection to Beverly M. Brown (*See Exh 1. 4/2019 St Mary's disclosure form for Beverly Brown*
 13 (*Marilee, Marilou Brown personal representatives noted*) as per NON lawyer/pro se/lay person
 14 interpretation of the Statutes and legal terminology used (*It is noted that the Court state - "Pleadings of*
 15 *a pro per litigant (Plaintiff - non lawyer) are held to a less stringent standard than formal pleading*
 16 *drafted by lawyers (Defendant) (caselaw)".*

17 5. In addition, Plaintiffs have sought to add their brother Gregory J. Brown as a Party who has likewise
 18 suffered the Wrongful Loss of his mother; and Reserve the right to add Beverly M. Brown's husband and
 19 any other family member if needbe so they may also Personally Represent themselves in this matter for
 20 their Similar Loss. Of note, Beverly M. Brown's husband, Charles Brown, has health issues than impede
 21 mobility and thus reserves his right to be included/added as a Party to this matter Pro Se, in ABSENTEE
 22 because of his health/mobility condition at eighty eight (88) years of age.

23 6. As per Defendant's Reply, Gross Miscarriage of Justice to Mandate Plaintiffs secure counsel at \$300+
 24 dollars an hour (which they would eagerly do but financially CANNOT AFFORD); when they are clearly
 25 Plaintiffs in this matter REPRESENTING THEMSELVES in their own Suffering and Loss of their mother
 26 unlike her own because of the NON MEDICAL Gross, Ordinary, Simple, Etc Negligence of Defendants
 27 simply affiliated with medical institutions and acts of Defendants:

28 The Nevada Supreme Court Affirms - Implications, Inference and Direct statements of Breach of Duty,

6/11

1 Simple, Ordinary and Gross Negligent claims by Plaintiffs in their Civil Action Complaints WITHOUT
 2 the necessity of medical expert affidavits Survive any dismissal motion by Defendants, as Plaintiffs do in
 3 their Civil Action: "Reversing the district court in part, the Nevada Supreme Court held that the
 4 gravamen of each claim, rather than its form, must be examined...the Court held the following:

5 "a claim is not for medical malpractice if it is not related to medical diagnosis, judgment, treatment"

6 - It is duly noted that a Court or Jury can properly evaluate Plaintiffs' claims despite any inaccurate
 7 titling depiction of same, and derive said claims as involving Ordinary, Simple and Gross Negligence by
 8 Defendants or Defendants' twisting of the facts - allegations that are based on NON medical functions
 9 in which same acts were discerned as a set of duties and facts based on Gross, Simple, Ordinary Negligence;
 10 Breach of Duty, etc" - Such as illustrated in Plaintiffs factual allegations and amended, clarified laws, etc
 11 addressed throughout their Complaint, Clarified in their Opposition, Request for a Hearing and Herein.

12 7. Plaintiffs could NEVER AFFORD said representation, and the Courts of Nevada have apparently made it
 13 unfeasible in their requisites for many meritorious Plaintiffs to obtain counsel or medical testimony willing to
 14 represent these matters because of limited financial gain for attorneys; and damage to reputation for medical
 15 experts - all clearly asserted, inferred, etc in Plaintiffs pleadings - regardless of terminology Plaintiffs used
 16 in their pleadings (It is noted that the Court state - "Pleadings of a pro per litigant (Plaintiff - non lawyer)
 17 are held to a less stringent standard than formal pleading drafted by lawyers (Defendant)(caselaw).

18 8. In addition, Plaintiffs' do NOT KNOW nor do they REPRESENT any "BEVERLEY depicted by Defendants
 19 Tiffany Court/Prem Reddy, MD's Counsel - thus Defendants' Reply FALSELY asserting Plaintiffs represent
 20 "BEVERLEY" IS ERRONEOUS and MUST BE VOIDED AND DISMISSED IN ITS ENTIRETY.

21 9a. Defendants' Counsel's terminology of asserting Plaintiffs are CRIMINAL in Defendant's ERRONEOUS
 22 assertion that Plaintiffs are representing "Beverley's estate" is ABSURD

23 9b. Defendants' Counsel COMPLETELY DISREGARDS the SUFFERING, DEATH and family
 24 (PLAINTIFFS') ANGUISH CAUSED by Defendants' NON MEDICAL Simple, Gross, Ordinary Negligent
 25 Acts, PROTOCOL, Etc by simply affiliated with medical aspects, all NOTED THROUGHOUT PLAINTIFFS'
 26 COMPLAINT (Pgs 2 - 16); And DISREGARDS the APPLICABLE LAWS and STATUTES referenced
 27 throughout Plaintiffs' Complaint and Clarified in their Filings that do NOT require any medical Affidavit;
 28 Yet Admitted PLAINTIFFS' ARE ENTITLED TO COMPENSATION for said acts.

7/11

1 10a. In addition to the fact that Defendants' Delinquent Filed, Deficient Reply erroneously twists
2 Plaintiffs' *examples and verbiage* they used to express Defendant's medical negligent issues to falsely
3 assert that the message of Plaintiffs' entire Complaint relates only to Professional Negligence -when it is
4 NOT; VS. Gross, Simple, Ordinary NON Medical Acts (noted throughout Plaintiffs' Complaint
5 Pgs 2 -16, ETC) of Negligence as clarified in Plaintiffs' Filings.
6 10b/1. One example is where Defendant falsely delineates in his Delinquent Reply medical verbiage, "*foot*
7 *wound, afib, improper amputation, low oxygen levels, pulmonary injury*" to intentionally Confuse the Court
8 and Distort the facts. Said issues relate to a *Continuing Violation Theory* by Defendants, but Plaintiffs were
9 usingsame as background to address Defendants' NON MEDICAL PROTOCOL of Admitting as many
10 patients as possible to the Hospital To Make Money (Complaint Pgs 6, 7). Defendant's act of admitting
11 this patient at that time pursuant to this NON MEDICAL PROTOCOL of Admitting as many patients as
12 possible to the Hospital To Make Money that indeed jeopardized this patient's life, did cause injury to this
13 patient's limb resulting in amputation, etc; but Defendants' NON MEDICAL PROTOCOL of Admitting as
14 Many patients as possible to the Hospital To Make Money is SEPARATE and DISTINCT from any
15 medical care for the sole purpose of Defendants' Financial Gain.
16 10b/2. Contrary to Defendants' false assertions of *splitting hairs* to erroneously confuse the Court to have
17 all claims dismissed, Plaintiffs VALIDATE their NON MEDICAL claims through the Nevada Supreme
18 Court's own rulings that hold claims NOT specifically affiliated with medical treatment - such as Defendants'
19 NON MEDICAL PROTOCOL of Admitting as many patients as possible to the Hospital to Make Money
20 (that caused such personal injury and emotional anguish to the patient Plaintiffs and their family);
21 NO CONTACT WITH CHRONICALLY ILL PATIENT'S PRIMARY SPECIALISTS AND NON
22 COMMUNICATION WITH FAMILY, ETC; PLACING PATIENTS/PERSONS AROUND KNOWN
23 INFECTIOUS PATIENTS; AGE DISCRIMINATION "SHES OLD"/ ELDERLY ABUSE OF DNR
24 EMPHASIS; DELINQUENT FAXING OF MEDICAL DOCUMENTS; ETC - as Meritous
25 WITHOUT a medical expert Affidavit:
26 "Reversing the district court in part, the Nevada Supreme Court held that the gravamen of each
27 claim, rather than its form, must be examined...the Court held the following: "a claim is not for
28 medical malpractice if it is not related to medical diagnosis, judgment, treatment"

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10c. This Defendant deceptively OMITs all this in his Fraudulent, Deceptive argument.

10d. Plaintiffs damages relate to the significant Emotional Anguish, etc to themselves and their family which is afforded as a personal claim by Plaintiffs representing themselves and for the loss of their mother in this case afforded under noted/Other Unknown Laws, Statutes than the ONE dictated by Defendants. caused by Defendants' NON medical Gross, Ordinary, Simple Negligence of Defendants' NON MEDICAL PROTOCOL of Admitting as many patients as possible to the Hospital to make money.

C. SEE Reiterated Refutes/ Clarificatons in Plaintiffs' Amendment/Supplemental Request and Other Filings in their Civil Action: IN ADDITION to the DIRECT Refutes / Clarificatoins Above

D. IN CONCLUSION:

1a. See Above "III. STATEMENT OF FACTS and LEGAL ARGUMENTS / REFUTES:

A. DISMISSAL OF DEFENDANTS Tiffany Coury (replaced Tammy Evans) Prem Reddy, MD

REPLY FOR DELINQUENCY AND INVALID REPRESENTATION

B/C. CLARIFICATION / REFUTES TO AFOREMENTION DELINQUENT REPLY"

1b. CONCLUSION: Defendants Filing is DELINQUENT with ERRONEOUS/DEFICIENT information delineated in their Representation/Title facts - (Tiffany Coury replaced Tammy Evans) - and therefore MUST be VOIDED / DISMISSED in its ENTIRETY

(Exh 1. Defendants 4/20/2020 Reply Certificate of Service - Reply sent electronically to Plaintiffs: Defendants' DELINQUENT with ERRONEOUS/DEFICIENT information delineated in their Representation/Title facts - (Tiffany Coury replaced Tammy Evans)

2. When the Court Reviews Plaintiffs' Civil Action Complaint, along with the Meritous Refuting Arguments of their Opposition / Dismissal Motions; Hearing Request - including Herein in its Totale - containing Corrections, Additions, Clarifications, Amendments, Valid Time Request to Seek medical expert Affidavit if needed (Court has clear discretion on Expert Affidavit submisson-see Rule 16 provisions), valid Refuting Arguments ETC; Such Supports the Court; Maintaining Plaintiffs Complaint pursuant to LAWS and ARGUMENTS thoroughly addressed NOT AFFILIATED WITH 41A.071 that correspond with Defendants Gross, Simple, Ordinary Negligence - which Clearly Supports

a. Plaintiffs have meritous,

NON-medical claims (simply nexused to ALL Defendants' medical establishment / acts - such as Protocol, lack of communication, Age/Other Discrimination/elderly neglect/abuses, Decisions

9/11

1 jeopardizing patients' / others' health and safety such As placement with infected patients, Failure to
2 timely fax vital medical documents, Etc) along with medical claims that

3 **b. Validate**

4 their Civil Action to Continue (All of which are likewise subject to Medical Board Review, Media
5 attention, U.S. Department of Health and Human Resource Reviews, ETC in addition to this Legal
6 Nexus). Plaintiffs Filings are On Behalf Of and For the Voice of other chronically ill, elderly patients
7 who need Proper Care from Medical Establishments from NON MEDICAL and medical decision;
8 and the family subjected to EMOTIONAL/OTHER ANGUISH because of such Gross, Simple,
9 Ordinary Negligence under described laws asserted by Plaintiffs other than NRS 41A.071; To

10 c. Plaintiffs seek said damages FOR THEMSELVES AND REPRESENT THEMSELVES for the
11 aforementioned /below mentioned reiterated Damages and Loss under the Statutes noted in their Complaint,
12 any Others yet Unknown Statutes as stated in their Complaint and Other Filings - which Defendants asserted
13 Plaintiffs are authorized to do per their Reply Pg 7: "Plaintiffs may represent themselves" and "Plaintiffs
14 may recover damages in a wrongful death action" - which Plaintiffs clarify herein they DO REPRESENT
15 THEMSELVES, NOT AN ESTATE.



16 **3. UPHOLD Plaintiffs' Complaint and Pleadings pursuant to their meritous Factual Allegations, especially**

17 a. Plaintiffs law addresses UNRELATED to 41A.071 that support the Simple, Ordinary, Gross negligence of
18 Defendants as related to the meritous NON-Medical issues of their Complaint - to include their noted
19 applicable Laws and Statutes addressing the Breach of Duty, Simple, Ordinary, Gross Negligence, ETC
20 related to Defendants' acts of Non-medical issues; (1) Protocol, (2) Lack of communication, (3) Age /
21 Other Discrimination/jeopardy to elderly, (4) Negligence and jeopardizing this patient's/others safety
22 related needlessly admitting patients for money; placing patients/others with/near infectious patients,
23 etc (5) failure to expedite medical documentation that jeopardized this patient's case, Etc; simply with
24 medical affiliation of said Complaint issues and Defendants; and

25 b. Plaintiffs' Refuting Arguments to Defendants' dismissal actions in that Plaintiffs' Factual Allegations
26 noted throughout their Complaint, clarified in their Opposition/Dismissal Motions; Request for Hearing -
27 including Herein: State, Infer and Imply medical and NON medical Issues of Breach of Duty, Simple,



10/11

1. Ordinary, Gross Negligence, ETC governed by Statutes, laws, etc - OTHER THAN that requiring medical
 2. expert Affidavit.

3. 
 4. Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
 5. Gregory J. Brown /  Others Reserved
 6. 45 Nives Court
 Sparks, NV 89441
 Telephone: (775) 425-4216
 Date: May 5, 2020



7. AFFIRMATION Pursuant to NRS 239B.030

8. The undersigned do hereby affirm that the preceding document PLAINTIFFS' MOTION TO
 9. DISMISS Defendants Tiffany Coury (replaced Tammy Evans) / Prem Reddy's April 20, 2020
 10. DELINQUENT/ERRONEOUS REPRESENTATION Reply (See Separate Opposition/Motion Filings
 11. as well) Filed in this matter does not contain the Social Security Number of any person.

12. 
 13. Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
 14. Gregory J. Brown /  Others Reserved
 Nives Court
 Sparks, NV 89441
 Telephone: (775) 425-4216
 Date: May 5, 2020

15. CERTIFICATE OF SERVICE

16. The undersigned do hereby affirm that PLAINTIFFS' MOTION TO DISMISS Defendants Tiffany
 17. Coury (replaced Tammy Evans) / Prem Reddy's April 20, 2020 DELINQUENT / ERRONEOUS
 18. REPRESENTATION Reply (See Separate Opposition/Motion Filings as well) was served via
 19. regular mail or in person by Plaintiffs to Defendants' Counsels on May 5, 2020

20. 
 21. Marilee Brown, Marilou Brown, Pro Se Plaintiffs
 22. Gregory J. Brown /  Others Reserved
 Nives Court
 Sparks, NV 89441
 775-425-4216
 Date: May 5, 2020

Exhibit

Exh 1. Defendants 4/20/2020 Reply Certificate of Service - Reply sent electronically to Plaintiffs:
Defendants' DELINQUENT with ERRONEOUS/DEFICIENT information delineated in their
Representation/Title facts - (Tiffany Coury replaced Tammy Evans

11/11

Exhibit 1

Exhibit 1

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of HALL PRANGLE & SCHOONVELD, LLC; that on the 20th day of April, 2020, I served a true and correct copy of the foregoing

DEFENDANTS ST. MARY'S REGIONAL MEDICAL CENTER, TAMMY EVANS, AND

PREM REDDY M.D.'S REPLY IN SUPPORT OF MOTION TO DISMISS via:

X E-Flex Electronic Service;

 U.S. Mail, first class postage pre-paid to the following parties at their last known address;

Marilee Brown
Marilou Brown
45 Nives Court
Sparks, NV 89441
Plaintiff in Pro Per

/s/ Arla Clark
An employee of HALL PRANGLE & SCHOONVELD, LLC

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-05-06 15:22:55.893.
RICHARD DE JONG, ESQ. - Notification received on 2020-05-06 15:22:55.818.
ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-05-06 15:22:55.868.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

05-06-2020:15:20:32

Clerk Accepted:

05-06-2020:15:22:27

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Amended

- **Continuation
- **Continuation
- **Continuation

Opposition to

Mtn to Dismiss

- **Continuation

Filed By:

Deputy Clerk YViloria

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ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

RICHARD DE JONG, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, PREM REDDY,
M.D., TAMI EVANS

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

TIFFANY COURRY, CEO

TANZEEL ISLAM, M.D.

MICHAEL E. PRANGLE, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, PREM REDDY,
M.D., TAMI EVANS

SRIDEVI CHALLAPALLI

MARILEE BROWN

MARILOU BROWN

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

1 **3795**

2 Edward J. Lemons, Esq., Bar No. 699
3 Alice Campos Mercado, Esq., Bar No. 4555
4 **LEMONS, GRUNDY & EISENBERG**
5 6005 Plumas Street, Third Floor
6 Reno, Nevada 89519
7 (775) 786-6868; (775) 786-9716
8 ejl@lge.net; acm@lge.net

9 *Attorneys for Defendant*
10 *Mark McAllister, M.D.*

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

-o0o-

11 **MARILEE BROWN, MARILOU BROWN**
12 (FOR BEVERLY M. BROWN'S FAMILY),

13 Plaintiffs,

14 vs.

15 **ST. MARY'S REGIONAL MEDICAL CENTER;**
16 **TAMI EVANS; PREM REDDY, M.D.;**
17 **MARK MCALLISTER, M.D.; TANZEEL ISLAM, M.D.;**
18 **DOES I THROUGH X, INCLUSIVE;**
19 **ROES BUSINESSES I THROUGH X INCLUSIVE,**

20 Defendant.

Case No.: CV20-00422

Dept. No. 1

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DEFENDANT MARK MCALLISTER, M.D.'S REPLY IN SUPPORT OF
MOTION TO STRIKE PLAINTIFFS'
"REQUEST FOR HEARING WITH REITERATED REFUTES OF DEFENDANTS' ANSWERS," ETC.

22 Defendant, MARK MCALLISTER, M.D., by and through his counsel, LEMONS,
23 GRUNDY & EISENBERG, submits the following points and authorities in reply to plaintiffs'
24 opposition to Dr. McAllister's Motion to Strike plaintiff's *"Request for Hearing with*
25 *Reiterated Refutes of Defendants' (Tiffany Coury replaced Tammy Evans, Prem Reddy,*
26 *MD, Mark McAllister, MD) Answers in liu [sic] of a hearing – if Same Supports Upholding*
27 *Plaintiffs' Complaint," and accompanying "Request for Submission," served April 26,*
28 2020.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

On April 28, 2020, Dr. McAllister filed a motion to strike plaintiffs' purported "Request for Hearing" on the grounds that it was effectively an unauthorized surreply to Defendant's reply in support of his motion to dismiss, in violation of the Second Judicial District Court Rules. Dr. McAllister's motion showed that the rules of this judicial district provide for the filing of a motion, opposition and reply, followed by a request for submission, but do not provide for the filing of surreplies. *See Motion to Strike, p. 2, citing WDCR 10(3) and WDCR 12(1) through (4).*

In response plaintiff has served this defendant with a document entitled in part "*Plaintiffs' Opposition to Defendant McAllister's Dismissal Motion*," as well as with a document entitled in part "*Plaintiffs' Amended Pleading/Supplemental Brief Request in Support of Their Hearing Request*," etc. Despite the number of pages of largely illegible content,¹ plaintiffs' prolix documents do not respond to the points and legal authorities regarding their improperly filed document. Instead, plaintiffs repeat the arguments made in their complaint and in the numerous other documents they have filed in this action.

Because plaintiffs have not responded to the specific arguments in Defendant McAllister's motion, defendant submits that his motion to strike may be granted for all of the reasons stated in his motion.

II. LEGAL ANALYSIS

Dr. McAllister moved to strike plaintiffs' "request for hearing," because it included additional arguments in opposition to Dr. McAllister's motion to dismiss, which had already been fully briefed and submitted for decision. Dr. McAllister's motion showed that plaintiffs' document was effectively an unauthorized surreply to Dr. McAllister's reply, making it a fugitive document. Plaintiffs did not address these arguments.

¹ Aside from being unintelligible, plaintiff's "Amended Pleading" is highly illegible. There are pages with black smears, indicating she ran out of printer ink but continued to print, while other pages are printed in yellow and in small font (apparently 9 or 10 pt), making their contents virtually undiscernible.

1 Plaintiffs' failure to respond to the arguments asserted in Dr. McAllister's motion to strike
2 constitutes a concession that his arguments are meritorious and a consent to granting
3 his motion. See DCR 13(3) ("Failure of the opposing party to serve and file his written
4 opposition may be construed as an admission that the motion is meritorious and a
5 consent to granting the same"); see also *Walls v. Brewster*, 112 Nev. 175, 912 P.2d 261
6 (1996) (court affirmed granting of defendant's motion to dismiss to which plaintiff failed
7 to respond).

8 Here, by continuing to file numerous documents that purport to respond to a fully
9 briefed and submitted motion to dismiss, plaintiffs are violating established rules of
10 practice and procedure. Instead of addressing the points in the motion to strike, plaintiffs
11 filed additional documents, including an "amended pleading and supplemental brief" in
12 support of the very "Request for Hearing" Dr. McAllister has moved to strike. Rather than
13 attempting to show why their "request for hearing" should not be stricken, plaintiffs
14 simply regurgitate all of the arguments they made in opposition to Dr. McAllister's and
15 the other defendants' motions to dismiss and in subsequently filed documents.

16 Plaintiffs have no authority under the rules of procedure or the rules of this court
17 to incessantly file documents purporting to respond to Dr. McAllister's motion to dismiss,
18 which has been briefed and submitted for decision. Therefore, plaintiffs' "request for
19 hearing" and the recently filed "amended pleading/supplemental brief" are improper
20 surreplies that may be stricken as impertinent, redundant and fugitive documents.

21 III. CONCLUSION

22 For the reasons stated above and in his Motion to Strike filed April 28, 2020,
23 defendant Mark McAllister, M.D. respectfully asks the Court to strike plaintiffs' "*Request*
24 *for Hearing with Reiterated Refutes of Defendants' (Tiffany Coury replaced Tammy*
25 *Evans, Prem Reddy, MD, Mark McAllister, MD) Answers in liu [sic] of a hearing – if Same*
26 *Supports Upholding Plaintiffs' Complaint,*" and the accompanying "*Request for*
27 *Submission,*" as well as "*Plaintiffs' Amended Pleading/Supplemental Brief Request in*
28 *Support of their Hearing Request, etc.*"

AFFIRMATION

Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding document DOES NOT contain the Social Security Number of any person.

DATED this 7th day of May, 2020.

LEMONS, GRUNDY & EISENBERG
Attorneys for Defendant
Mark McAllister, M.D.

By: 

EDWARD J. LEMONS, ESQ.
ALICE CAMPOS MERCADO, ESQ.

CERTIFICATE OF SERVICE

I am a citizen of the United States. My business address is 6005 Plumas Street, Suite 300, Reno, NV 89519, and I am employed by LEMONS, GRUNDY & EISENBERG in the City of Reno and County of Washoe where this service occurs. I am over the age of 18 years and not a party to the within action. I am readily familiar with my employer's normal business practice for collection and processing of U.S. Mail and that practice is that mail is deposited with the U.S. Postal Service the same day and the day of collection in the ordinary course of business.

On May 07, 2020, I caused to be served to the addressee(s) listed below, a true copy of the foregoing document(s) and described as ***Reply in Support of Motion to Strike Plaintiffs' "Request for Hearing With Reiterated Refutes of Defendants' Answers," etc.***

☒ **BY MAIL:** in an envelope with postage thereon fully prepaid to be placed in the U.S. Mail at Reno, Nevada;

Marilee Brown
Marilou Brown
45 Nives Court
Sparks, Nevada 89441

☐ **BY PERSONAL SERVICE:** in an envelope to be hand delivered this date;

☐ **BY OVERNIGHT DELIVERY:** in an envelope to be delivered to an overnight delivery carrier with delivery fees provided for;

☐ **BY FACSIMILE:** by transmitting by facsimile to the respective fax telephone phone number(s).

☒ **BY USING THE COURT'S EFS** which electronically served the following:

Michael E. Prangle, Esq.
Richard J. Dejong, Esq.
HALL, PRANGLE & SCHOONVELD, LLC

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.



3860

Edward J. Lemons, Esq., Bar No. 699
Alice Campos Mercado, Esq., Bar No. 4555
Lemons, Grundy & Eisenberg
6005 Plumas Street, Third Floor
Reno, Nevada 89519
(775) 786-6868; (775) 786-9716
ejl@lge.net; acm@lge.net

Attorneys for Defendant
Mark McAllister, M.D.

IN THE SECOND JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR THE
COUNTY OF WASHOE
-o0o-

MARILEE BROWN, MARILOU BROWN
(FOR BEVERLY M. BROWN'S FAMILY),

Plaintiffs,

vs.

ST. MARY'S REGIONAL MEDICAL CENTER;
TAMI EVANS; PREM REDDY, M.D.;
MARK MCALLISTER, M.D.; TANZEEL ISLAM, M.D.;
DOES I THROUGH X, INCLUSIVE;
ROES BUSINESSES I THROUGH X INCLUSIVE,

Defendant.

Case No.: CV20-00422

Dept. No. 1

REQUEST FOR SUBMISSION

It is requested that Defendant, MARK MCALLISTER, M.D.'s *Motion to Strike Plaintiffs'*
"Request for Hearing with Reiterated Refutes of Defendants' Answers," Etc., which was filed in
the above-entitled matter on April 28, 2020, be submitted to the Court for decision.

AFFIRMATION

Pursuant to NRS 239B.030, the undersigned does hereby affirm that the preceding
document DOES NOT contain the Social Security Number of any person.

DATED this 7th day of May, 2020

LEMONS, GRUNDY & EISENBERG
Attorneys for Defendant
Mark McAllister, M.D.

By: 

EDWARD J. LEMONS, ESQ.
ALICE CAMPOS MERCADO, ESQ.

CERTIFICATE OF SERVICE

I am a citizen of the United States. My business address is 6005 Plumas Street, Suite 300, Reno, NV 89519, and I am employed by LEMONS, GRUNDY & EISENBERG in the City of Reno and County of Washoe where this service occurs. I am over the age of 18 years and not a party to the within action. I am readily familiar with my employer's normal business practice for collection and processing of U.S. Mail and that practice is that mail is deposited with the U.S. Postal Service the same day and the day of collection in the ordinary course of business.

On May 07, 2020, I caused to be served to the addressee(s) listed below, a true copy of the foregoing document(s) and described as *Request for Submission*.

☒ **BY MAIL:** in an envelope with postage thereon fully prepaid to be placed in the U.S. Mail at Reno, Nevada;

Marilee Brown
Marilou Brown
45 Nives Court
Sparks, Nevada 89441

☐ **BY PERSONAL SERVICE:** in an envelope to be hand delivered this date;

☐ **BY OVERNIGHT DELIVERY:** in an envelope to be delivered to an overnight delivery carrier with delivery fees provided for;

☐ **BY FACSIMILE:** by transmitting by facsimile to the respective fax telephone phone number(s).

☒ **BY USING THE COURT'S EFS** which electronically served the following:

Michael E. Prangle, Esq.
Richard J. Dejong, Esq.
HALL, PRANGLE & SCHOONVELD, LLC

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.



Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-05-07 14:21:58.519.
RICHARD DE JONG, ESQ. - Notification received on 2020-05-07 14:21:58.264.
ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-05-07 14:21:58.494.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

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A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

05-07-2020:14:20:20

Clerk Accepted:

05-07-2020:14:21:16

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Request for Submission

Filed By:

Edward J. Lemons

You may review this filing by clicking on the following link to take you to your cases.

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MCALLISTER

RICHARD DE JONG, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, PREM REDDY,
M.D., TAMI EVANS

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

TIFFANY COURRY, CEO
TANZEEL ISLAM, M.D.

MICHAEL E. PRANGLE, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, PREM REDDY,
M.D., TAMI EVANS

SRIDEVI CHALLAPALLI

MARILEE BROWN

MARILOU BROWN

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-05-07 14:26:23.82.
RICHARD DE JONG, ESQ. - Notification received on 2020-05-07 14:26:23.752.
ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-05-07 14:26:23.797.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

05-07-2020:14:19:10

Clerk Accepted:

05-07-2020:14:25:53

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Reply

Filed By:

Edward J. Lemons

You may review this filing by clicking on the following link to take you to your cases.

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MCALLISTER

RICHARD DE JONG, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, PREM REDDY,
M.D., TAMI EVANS

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

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TIFFANY COURRY, CEO
TANZEEL ISLAM, M.D.

MICHAEL E. PRANGLE, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, PREM REDDY,
M.D., TAMI EVANS

SRIDEVI CHALLAPALLI

MARILEE BROWN

MARILOU BROWN

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

FILED

ORIGINAL

CODE: 3795

2020 MAY 14 AM 11:55

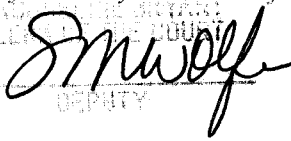
NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court

Sparks, NV 89441

Telephone: (775) 425-4216



 J. M. WOLF
 DEPUTY

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*), Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUESTING TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF

I

INTRODUCTION

1. On May 11, 2020, Plaintiffs received Defendant McAllister, MD's "*Reply*" to their May 6, 2020 Opposition of Defendant McAllister's Motion to Strike Plaintiffs' April 24, 2020 Hearing Request (*Filed by the Court on April 28, 2020*); and assert in Same document same as an Opposition/Request to Strike Plaintiffs May 6, 2020 Amended Pleading/Supplemental Brief.

1b. Plaintiffs have not received any Opposition to their May 6, 2020 Amended Pleading/Supplemental Brief from Defendants Tiffany Coury (*replaced Tammy Evans*) / Prem Reddy's on same matter and reserve the right to provide a Reply to same if any is received.

2. Plaintiffs provide this **REPLY (OPPOSITION)** To Defendant McAllister's May 7, 2020 **(OPPOSITION)** REPLY through which Defendant McAllister inappropriately requests to strike PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF

3. Plaintiffs' May 6, 2020 ~~May 6, 2020~~ "Amended Pleading/Supplemental Brief," (*Pursuant to Rule 15*)" is **a Separate and Distinct document** from their May 6, 2020 Opposition to Defendant McAllister's Motion to

Strike Plaintiffs Hearing Request. Yet Defendant McAllister incorrectly requests to Strike said document in his May 7, 2020 Reply to Plaintiffs' May 6, 2020 Opposition.

4. Therefore Plaintiffs consider Defendant McAllister's May 7, 2020 Reply as an **Opposition** to their May 6, 2020 AMENDED PLEADING/SUPPLEMENTAL BRIEF in Refute and/or Clarification of the *erroneous* information contained in Defendant McAllister's Opposition ("Reply") assertions that are **Redundant Themselves** and composed of **erroneous** information; with Plaintiffs Supporting their Hearing Request if needbe or in Refute/Clarification of Defendants' erroneous pleadings To: JUSTIFIABLY UPHOLD their COMPLAINT ISSUES - Law MUST be based on Merit/Justice, such as the factual/meritous arguments of Plaintiffs' Complaint and Filings; NOT based on the frivolous dismissal reasonings by Defendant.

II. MEMORANDUM OF POINTS AND AUTHORITIES (Redundant Points for Important Relevancy)

A. INTRODUCTORY REFUTE

1. Per Defendant's own assertion in their April 16, 2020 Motion To Dismiss Plaintiff's Complaint Reply, Defendants cannot file a Request to Strike Plaintiffs' May 6, 2020 AMENDED PLEADING/SUPPLEMENTAL BRIEF with Defendant's May 7, 2020 Motion to Strike Plaintiffs' Hearing Request Reply on grounds that it violates WDCR 10(3). Said documents are separate and district filings.

2. In addition, Defendant McAllister incorrectly filed a Request for Submission related to their Request to Strike Plaintiffs' May 6, 2020 AMENDED PLEADING/SUPPLEMENTAL BRIEF without allowing for Plaintiffs to Reply to what is clearly Defendant McAllister's Opposition to Plaintiffs' May 6, 2020 AMENDED PLEADING / SUPPLEMENTAL BRIEF.

3. For the above reasons, Plaintiffs' **Request the Court consider** Defendant McAllister's (incorrectly annotated May 7, 2020 Reply) **as their Opposition** to Plaintiffs' May 6, 2020 AMENDED PLEADING / SUPPLEMENTAL BRIEF - for which Plaintiffs' provide this **Reply to same:**

Or consider this Brief as an **Opposition** to Defendant McAllister's *erroneous* assertions annotated in their Reply that **Correspond to their titled "Request to Strike Plaintiffs' May 6, 2020 AMENDED PLEADING / SUPPLEMENTAL BRIEF"**

B. DIRECT REFUTES: to Defendant McAllister's May 7, 2020 **Opposition (Reply)** to Plaintiffs' May 6, 2020 AMENDED PLEADING/SUPPLEMENTAL BRIEF:

1. As per the above and in their Filings, Plaintiffs' May 6, 2020 AMENDED Brief, with REQUEST of the Court that Same Be Considered as SUPPLEMENT to their meritous pleadings pursuant to Rule 15 (a-d) / Other applicable Statutes/Laws, etc yet unknown to Plaintiffs - (Filing known as "Plaintiffs' May 6, 2020 AMENDED PLEADING / SUPPLEMENTAL BRIEF") is in Support Plaintiffs' Request for any Hearing for clarification if needbe; and further Refute of Defendants' dismissal pleadings of Plaintiffs' meritous Complaint issues:
2. In Refute of Defendant McAllister's May 7, 2020 Opposition (Reply) to Plaintiffs' May 6, 2020 AMENDED PLEADING / SUPPLEMENTAL BRIEF, it is noted: Plaintiffs' provided in their May 6, 2020 Opposition to Defendant's Motion to Strike Plaintiffs' Request for a Hearing, et al Relevant New / Reiterated Important Refutes and/or Clarifications of Defendant McAllister's erroneous information;
3. It is also noted that the two counsel firms representing three of the five Defendants mentioned, who responded to Plaintiffs' Summons/Complaint, provided dismissal Motions and Replies that consist of similar redundancy as Plaintiffs' yet with erroneous information – Refuted by Plaintiffs' meritous pleadings and herein, such as: Contrary to Defendant McAllister's false assertions otherwise, said Defendant's actions are clearly mentioned and/or inferred in Plaintiffs' Complaint and Pleadings by the fact in said documents this Defendant followed the NON Medical acts of hospital Protocol and own NON Communication, as per Below;
4. The reason why Plaintiffs' provide for Reiterated along with New Refutes (as disclosed herein again) is to facilitate the Court's review of Plaintiffs' meritous pleadings in Support of All their Complaint claims. Without having to keep Referring Back to Prior Pleadings- with the Court's discretion to consider same as per Defendant McAllister's own statement "the Court has inherent authority to administer its own procedures and manage its own affairs"
5. Defendant McAllister has Direct Access to the Court's Filings through electronic means for which they can download all documents they have been provided duplicates with. Plaintiffs do not have access to same as they are Electronically Exempt from said filings; Although Defendants' may be directly served with same Filings as the Court but of different color, smaller font, etc because of Plaintiffs' printer issues/whatnot, Defendants are able to obtain clearer copies by downloading same from the Court's electronic system. Therefore, Defendant McAllister's frivolous complaining on this topic is MOOT.
- 6a. Defendant falsely states Plaintiffs did not address Defendant McAllister's arguments and therefore

8 March 2020
May 2020

Defendants' St. Mary's staff protesting on issues of poor communication by Management

3/5

Plaintiffs' Opposition "*should be construed as an admission...court granting motion to dismiss which plaintiff failed to respond*" This statement is a **BLATANT LIE**

6b. The Court Filings Support Plaintiffs **DID RESPOND WITH A FULL OPPOSITION And Other Filings** – through which Plaintiffs **Fully and Directly addressed All of Defendant's arguments** in Details – to the point Defendant McAllister **complains** about Plaintiffs' redundancy (See Addresses in Plaintiffs' Opposition /Other Filings.

7. Defendant McAllister, as stated before, with **Bad Faith and Malice** in their Replies call the Plaintiffs' pleadings "**criminal**" and "**fugitive**" in nature – which indeed is **Refuted** herein and in their other Pleadings with **meritous** arguments the Defendants cannot escape from. Defenant is simply **TWISTING FACTS** to Support his **false** Arguments to the Court which are **Irrevocably Refuted** by Plaintiffs' Filings.

III. **CONCLUSION**

1. Plaintiffs' May 6, 2020 "Amended Pleading/Supplemental Brief... (Pursuant to Rule 15)" is **a Separate and Distinct document** from their May 6, 2020 Opposition to Defendant McAllister's Motion to Strike Plaintiffs Hearing Request. Therefore, Plaintiffs consider Defendant McAllister's May 7, 2020 Reply as an Opposition to their May 6, 2020 AMENDED PLEADING/SUPLEMNTAL BRIEF and **Provide this Reply to same.**

2. Plaintiffs therefore as per the arguments Above and as supported in their Court Filings, Request the Court:

a. **DENY** Defendant's **erroneously** Request to Strike Plaintiffs May 6, 2020 "Amended Pleading/Supplemental Brief..." (Pursuant to Rule 15"); AND

b. **In Refute and/or Clarification** of the **erroneous** information contained in Defendant McAllister's May 7, 2020 Opposition ("Reply")/Other filings that are **Redundant Themselves** and composed of **erroneous** information; with Plaintiffs Supporting their Hearing Request if needbe or in **Refute/Clarification** of Defendants' **erroneous** pleadings;

c. That the Court **JUSTIFIABLY UPHOLD Plaintiffs' COMPLAINT ISSUES – IN THAT Law MUST be based**

on Merit/Justice, such as the factual/meritous arguments of Plaintiffs' Complaint and Other Court Filings; **NOT** based on the **frivolous** dismissal reasonings given by **Defendants - WHO TO THIS DATE CANNOT EVEN, GET THE CASE TITLE CAPTION CORRECT.**

24/5

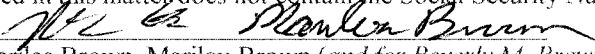


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown / Others Reserved
45 Nives Court, Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document, PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUEST TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF

Filed in this matter does not contain the Social Security Number of any person.



Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown / Others Reserved
Nives Court, Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUEST TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF


was served via regular mail or in person by Plaintiffs to Defendants' Counsels on May 14, 2020



Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown / Others Reserved
Nives Court, Sparks, NV 89441
775-425-4216
Date: May 14, 2020

FILED

2020 MAY 14 AM 11:56

CLARENCE BRYANT
CLERK OF THE COURT
BY  DEPUTY

ORIGINAL

CODE: 3860

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (*Prime HealthCare*)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

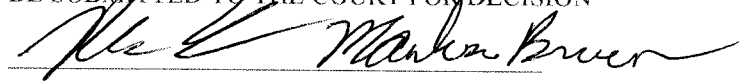
Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

REQUEST FOR SUBMISSION

The undersigned request that their ^{May 6, 2020} PLAINTIFFS' OPPOSITION TO DEFENDANT MCALLISTER'S DISMISSAL MOTION OF: PLAINTIFF'S HEARING REQUEST ELSE CONSIDERATION OF PLAINTIFFS' NEW / REITERATED REFUTES (CLARIFICATIONS) IN LIU OF HEARING TO UPHOLD PLAINTIFFS' COMPLAINT ISSUES (See Separate Opposition/Motion Filings on Same Issues, as well)

BE SUBMITTED TO THE COURT FOR DECISION


Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro SeGregory J. Brown  Others Reserved

45 Nives Court

Sparks, NV 89441

Telephone: (775) 425-4216



Date: May 14, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document, Plaintiffs' Request For Submission of PLAINTIFFS' May 6, 2020 OPPOSITION TO DEFENDANT MCALLISTER'S DISMISSAL MOTION

**OF: PLAINTIFF'S HEARING REQUEST ELSE CONSIDERATION OF PLAINTIFFS' NEW/
REITERATED REFUTES (CLARIFICATIONS) IN LIEU OF HEARING TO UPHOLD PLAINTIFFS'
COMPLAINT ISSUES (See Separate Opposition/Motion Filings on Same Issues, as well)**



filed in this matter does not contain the Social Security Number of any person.


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown  / Others Reserved
Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request For Submission of **PLAINTIFFS' May 6, 2020
OPPOSITION TO DEFENDANT MCALLISTER'S DISMISSAL MOTION OF: PLAINTIFF'S HEARING
REQUEST ELSE CONSIDERATION OF PLAINTIFFS' NEW / REITERATED REFUTES
(CLARIFICATIONS) IN LIEU OF HEARING TO UPHOLD PLAINTIFFS' COMPLAINT ISSUES
(See Separate Opposition/Motion Filings on Same Issues, as well)**

was served via regular mail or in person by Plaintiffs to Defendants' Counsels on May 14, 2020


Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown  / Others Reserved
Nives Court
Sparks, NV 89441
775-425-4216
Date: May 14, 2020

FILED

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ORIGINAL

1. CODE: 3860
 2. NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)
 3. BAR NUMBER: N/A (Pro Se litigants)
 4. ADDRESS: 45 Nives Court
 Sparks, NV 89441
 5. TELEPHONE: (775) 425-4216

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

7. Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*)
 Plaintiffs, in Proper Person

8. Case No: CV20-00422
 9. VS Dept No: 1

10. St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)
 Mark McAllister, MD (St. Mary's Interventional Radiologist)
 11. Tanzeel Islam, MD (St. Mary's Hospitalist)
 Sridevi Challapalli, MD (St. Mary's Cardiologist),
 12. DOES I through X inclusive; ROES Businesses I through X inclusive
 Defendants,

14. REQUEST FOR SUBMISSION


15. PLAINTIFFS' REQUEST THAT THEIR: of PLAINTIFFS REQUEST TO SUBMIT THE FOLLOWING
(ALREADY FILED DOCUMENTS) TO THE COURT FOR DECISION -AS THE RESPONSE TIME
 16. FOR SAME HAS LAPSED: REQUEST FOR SUBMISSION DOCUMENTS FILED SEPARATELY
FOR EACH DOCUMENT was Be SUBMITTED TO THE COURT FOR DECISION

17. Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se
 Gregory J. Brown
 18. 45 Nives Court
 Sparks, NV 89441
 19. Telephone: (775) 425-4216
 Date: May 14, 2020

20. AFFIRMATION Pursuant to NRS 239B.030

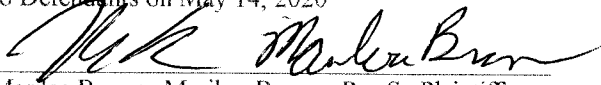
21. The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request
 For Submission of PLAINTIFFS REQUEST TO SUBMIT THE FOLLOWING (ALREADY FILED
 22. DOCUMENTS) TO THE COURT FOR DECISION - AS THE RESPONSE TIME FOR SAME HAS
LAPSED: REQUEST FOR SUBMISSION DOCUMENTS FILED SEPARATELY FOR EACH
 23. DOCUMENT was not contain the Social Security Number of any person.




Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se
Gregory J. Brown 
Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

CERTIFICATE OF SERVICE


The undersigned do hereby affirm that Plaintiffs' Request For Submission of **PLAINTIFFS REQUEST TO SUBMIT THE FOLLOWING (ALREADY FILED DOCUMENTS) TO THE COURT FOR DECISION - AS THE RESPONSE TIME FOR SAME HAS LAPSED: REQUEST FOR SUBMISSION DOCUMENTS FILED SEPARATELY FOR EACH DOCUMENT** was served via regular mail and in person by Plaintiffs to Defendants on May 14, 2020



Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown 
45 Nives Court
Sparks, NV 89441
775-425-4216
Date: May 14, 2020

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2020 MAY 14 AM 11:56

JUDGE LUCY DRYANT
 CLERK OF THE COURT
 BY 
 DEPUTY
 ORIGINAL

CODE: 3860

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (*Prime HealthCare*)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

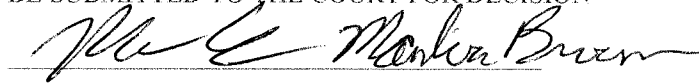

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

REQUEST FOR SUBMISSION

The undersigned request that their PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUEST TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF

BE SUBMITTED TO THE COURT FOR DECISION


Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro SeGregory J. Brown  Others Reserved

45 Nives Court

Sparks, NV 89441

Telephone: (775) 425-4216


Date: May 14, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document, Plaintiffs' Request for Submission of PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUEST TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF filed in this matter does not contain the Social Security Number of any person.

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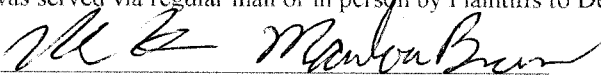



Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se
Gregory J. Brown  / Others Reserved
Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request for Submission of **PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUEST TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/SUPPLEMENTAL BRIEF**

was served via regular mail or in person by Plaintiffs to Defendants' Counsels on May 14, 2020



Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown  / Others Reserved
Nives Court
Sparks, NV 89441
775-425-4216
Date: May 14, 2020

FILED

ORIGINAL

2020 MAY 14 AM 11:56

CODE: 3860

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court

Sparks, NV 89441

TELEPHONE: (775) 425-4216



 CLERK OF THE COURT
 DEPUTY

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*), Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)
 Mark McAllister, MD (St. Mary's Interventional Radiologist)
 Tanzeel Islam, MD (St. Mary's Hospitalist)
 Sridevi Challapalli, MD (St. Mary's Cardiologist),
 DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

**PLAINTIFFS REQUEST TO SUBMIT THE FOLLOWING (ALREADY FILED DOCUMENTS) TO
 THE COURT FOR DECISION - AS THE RESPONSE TIME FOR SAME HAS LAPSED: REQUEST
 FOR SUBMISSION DOCUMENTS FILED SEPARATELY FOR EACH DOCUMENT:**

1. **REQUEST TO ADD GREGORY J. BROWN AS PARTY (*Motion to proceed INFORMA PAUPERIS
 filed separately*)**
2. **PLAINTIFF GREGORY J. BROWN's Motion to Proceed INFORMA PAUPERIS, WITH AFFIDAVIT
 OF POVERTY IN SUPPORT OF MOTION TO PROCEED INFORMA PAUPERIS**

PLAINTIFFS Requested to add their brother, Gregory J. Brown, as a party in this matter, with his Motion to proceed Informa Pauperis filed separately.

**3. PLAINTIFFS' APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO RULE 54/55/OTHER
 AGAINST DEFENDANTS Tanzeel Islam, MD and Sridevi Challapalli, MD FOR NON ANSWER /
 NON RESPONSE**

a. On April 24, 2020. Plaintiffs Filed their APPLICATION FOR **DEFAULT JUDGMENT PURSUANT TO RULE 54 /55/Other** against Defendants Tanzeel Islam, MD and Sridevi Challapalli, MD for **NO Answer /Response** to Plaintiffs' March 3, 2020 Civil Complaint/Summons served upon them on March 17, 2020.

Only Defendants Tiffany Coury (*replaced Tammy Evans*) and Prem Reddy, MD. through their counsel; And Mark McAllister, MD, through his counsel, Responded to Plaintiffs' Summons/Complaint served upon All Defendants on March 17, 2020

b. Plaintiffs Request the Court Grant Default Judgment to Plaintiffs against Defendants Tanzeel Islam, MD (*St. Mary's Hospitalist*) and Sridevi Challapalli, MD (*St. Mary's Cardiologist*) For

- Failure to Answer their March 3, 2020 Summons/Civil Complaint served upon them on March 17, 2020; And

- Failure to Respond to their April 24, 2020 Motion for Default Judgment (*filed by the Court on April 28, 2020*);

1/2

c. Pursuant to Defendant McAllister's May 7, 2020 (Opposition (*Reply*) Filing, it is Affirmed to the effect, that Per:

DCR 13(3)(Failure of the opposing party to serve and file his written opposition may be construed as an admission that the motion is meritorious and a consent to granting same"); see also Walls v. Brewster, 112 Nev.175, 912P2d261(1996) (court affirmed granting motion (*application*)...when there is a failure to respond)



d. In said April 24, 2020 Application For Default Judgment, Plaintiffs Simply Request of these two (2) Defendants, Tanzeel Islam, MD and Sridevi Challapalli, MD:

A. Financial/other Compensation as deemed reasonable and appropriate by the Court.

And

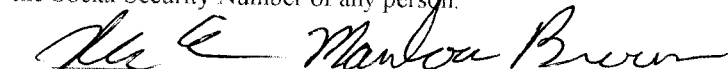

B. Consider Plaintiffs' claims noted in their Complaint and make effort to appropriately evaluate their actions and communicate with patients' family, physicians to facilitate best care for their patients; vs simply following automatic hospital "protocol" that can have detrimental consequences, especially for patients with chronic diseases monitored for years by said physicians who best know them.

4, Plaintiffs' May 6, 2020 OPPOSITION


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown 
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Telephone: (775) 425-4216
Date: May 14, 2020

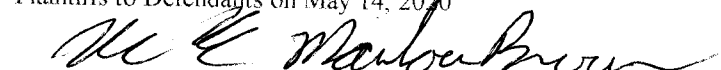

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document in this matter, does not contain the Social Security Number of any person.


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown 
45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' was served via regular mail and/or in person by Plaintiffs to Defendants on May 14, 2020


Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown 
Nives Court
Sparks, NV 89441
775-425-4216
Date: May 14, 2020

FILED

2020 MAY 14 AM 11:56
ORIGINAL

CODE: 3860

NAME: Marilee Brown, Marilou Brown (and for Beverly M. Brown's family)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court

Sparks, NV 89441

TELEPHONE: (775) 425-4216

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

Marilee Brown, Marilou Brown (for Beverly M. Brown's family)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

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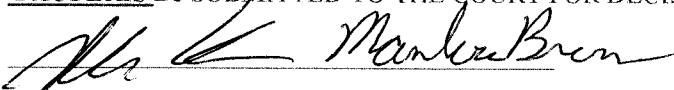
Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive,

Defendants

REQUEST FOR SUBMISSION

PLAINTIFFS' REQUEST THAT PLAINTIFF GREGORY J. BROWN's Motion to Proceed INFORMA PAUPERIS, WITH AFFIDAVIT OF POVERTY IN SUPPORT OF MOTION TO PROCEED INFORMA PAUPERIS Be SUBMITTED TO THE COURT FOR DECISION - (Time lapsed for response)



Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se

Gregory J. Brown

45 Nives Court

Sparks, NV 89441

Telephone: (775) 425-4216

Date: May 14, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request For Submission of PLAINTIFF GREGORY J. BROWN's Motion to Proceed INFORMA PAUPERIS, WITH AFFIDAVIT OF POVERTY IN SUPPORT OF MOTION TO PROCEED INFORMA PAUPERIS does not contain the Social Security Number of any person.



Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se

Gregory J. Brown

45 Nives Court

Sparks, NV 89441

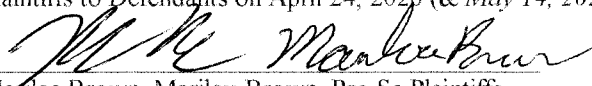
Telephone: (775) 425-4216

1/2

Date: May 14, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request For Submission of **PLAINTIFF GREGORY J. BROWN's Motion to Proceed INFORMA PAUPERIS, WITH AFFIDAVIT OF POVERTY IN SUPPORT OF MOTION TO PROCEED INFORMA PAUPERIS** was served via regular mail and in person by Plaintiffs to Defendants on April 24, 2020 (& *May 14, 2020*)


Marilee Brown, Marilou Brown, Pro Se Plaintiffs

Gregory J. Brown

45 Nives Court

Sparks, NV 89441

775-425-4216

Date: May 14, 2020

FILED

ORIGINAL

2020 MAY 14 AM 11:56

CODE: 3860

NAME: Marilee Brown, Marilou Brown (and for Beverly M. Brown's family)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court

Sparks, NV 89441

TELEPHONE: (775) 425-4216

BY  DEPUTY

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

Marilee Brown, Marilou Brown (for Beverly M. Brown's family), Plaintiffs, in Proper Person

VS

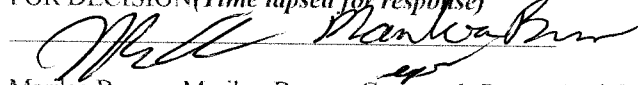
Case No: CV20-00422

Dept No: 1

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DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants

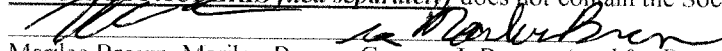
REQUEST FOR SUBMISSION

PLAINTIFFS' REQUEST THAT THEIR: PLAINTIFFS' REQUEST TO ADD GREGORY J. BROWN AS PARTY (Motion to proceed INFORMA PAUPERIS filed separately) Be SUBMITTED TO THE COURT FOR DECISION (Time lapsed for response)


Marilee Brown, Marilou Brown, Gregory J. Brown (and for Beverly M. Brown's family), Pro Se
45 Nives Court, Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

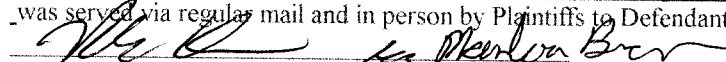
AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request For Submission of PLAINTIFFS' REQUEST TO ADD GREGORY J. BROWN AS PARTY (Motion to proceed INFORMA PAUPERIS filed separately) does not contain the Social Security Number of any person.


Marilee Brown, Marilou Brown, Gregory J. Brown (and for Beverly M. Brown's family), Pro Se
45 Nives Court, Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request For Submission of PLAINTIFFS' REQUEST TO ADD GREGORY J. BROWN AS PARTY (Motion to proceed INFORMA PAUPERIS filed separately) was served via regular mail and in person by Plaintiffs to Defendants in April 24, 2020 (& May 14, 2020)


Marilee Brown, Marilou Brown, Gregory J. Brown (and for Beverly M. Brown's family), Pro Se Plaintiffs
45 Nives Court, Sparks, NV 89441
775-425-4216
Date: May 14, 2020

11

FILED

2020 MAY 14 AM 11:56

ORIGINAL

1. CODE: 3860
 2. NAME: Marilee Brown, Marilou Brown (and for Beverly M. Brown's family)
 3. BAR NUMBER: N/A (Pro Se litigants)
 4. ADDRESS: 45 Nives Court
 Sparks, NV 89441
 5. TELEPHONE: (775) 425-4216

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


7. Marilee Brown, Marilou Brown (for Beverly M. Brown's family)
 Plaintiffs, in Proper Person

9. VS Case No: CV20-00422
 Dept No: 1

10. St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)
 Mark McAllister, MD (St. Mary's Interventional Radiologist)
 11. Tanzeel Islam, MD (St. Mary's Hospitalist)
 Sridevi Challapalli, MD (St. Mary's Cardiologist),
 12. DOES I through X inclusive, ROES Businesses I through X inclusive
 Defendants,

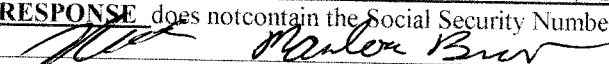
REQUEST FOR SUBMISSION

PLAINTIFFS' REQUEST THAT THEIR: PLAINTIFFS' APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO RULE 54/55/OTHER AGAINST DEFENDANTS Tanzeel Islam, MD and Sridevi Challapalli, MD FOR NON ANSWER/RESPONSE Be SUBMITTED TO THE COURT FOR DECISION


 Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
 Gregory J. Brown
 45 Nives Court
 Sparks, NV 89441
 Telephone: (775) 425-4216
 Date: May 14, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request For Submission of PLAINTIFFS' APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO RULE 54/55/OTHER AGAINST DEFENDANTS Tanzeel Islam, MD and Sridevi Challapalli, MD FOR NON ANSWER / RESPONSE does not contain the Social Security Number of any person.


 Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
 Gregory J. Brown
 Nives Court
 Sparks, NV 89441


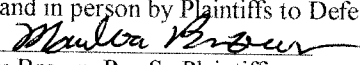
1/2

Telephone: (775) 425-4216

Date: May 14, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request For Submission of **PLAINTIFFS' APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO RULE 54/55/OTHER AGAINST DEFENDANTS Tanzeel Islam, MD and Sridevi Challapalli, MD FOR NON ANSWER/RESPONSE** was served via regular mail and in person by Plaintiffs to Defendants on April 24, 2020 (& May 14, 2020)

 
Marilee Brown, Marilou Brown, Pro Se Plaintiffs

Gregory J. Brown

45 Nives Court

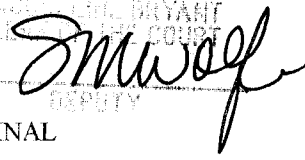
Sparks, NV 89441

775-425-4216

Date: May 14, 2020

FILED

2020 MAY 14 AM 11:56

DEPUTY CLERK OF COURT
BY 
DEPUTY
ORIGINAL

CODE: 3860

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (*Prime HealthCare*)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

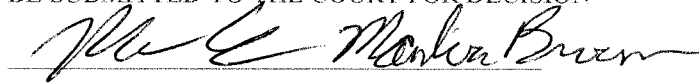

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

REQUEST FOR SUBMISSION

The undersigned request that their PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT
MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUEST TO STRIKE PLAINTIFFS'
MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF

BE SUBMITTED TO THE COURT FOR DECISION


Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro SeGregory J. Brown  Others Reserved

45 Nives Court

Sparks, NV 89441

Telephone: (775) 425-4216


Date: May 14, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document, Plaintiffs' Request for Submission of PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION
("REPLY") REQUEST TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/
SUPPLEMENTAL BRIEF filed in this matter does not contain the Social Security Number of any person.

1/2

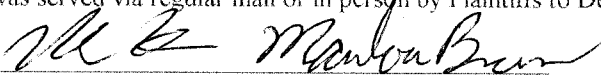



Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se
Gregory J. Brown  / Others Reserved
Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 14, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request for Submission of **PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUEST TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/SUPPLEMENTAL BRIEF**

was served via regular mail or in person by Plaintiffs to Defendants' Counsels on May 14, 2020



Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown  / Others Reserved
Nives Court
Sparks, NV 89441
775-425-4216
Date: May 14, 2020

IAFD

MICHAEL E. PRANGLE, ESQ.

Nevada Bar No. 8619

RICHARD D. DEJONG, ESQ

Nevada Bar No. 15207

HALL PRANGLE & SCHOONVELD, LLC

1140 North Town Center Drive, Ste. 350

Las Vegas, Nevada 89144

Phone: 702-889-6400

Facsimile: 702-384-6025

efile@hpslaw.com*Attorneys for Defendant**St. Mary's Regional Medical Center,**Tammy Evans (erroneously named as Tami Evans),**Prem Reddy, M.D., Tanzeel Islam, M.D. and Sri Challapalli, M.D.*

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

Marilee Brown, Marilou Brown (for Beverly
M. Brown's Family),

Plaintiffs,

vs.

St. Mary's Regional Medical Center, Tami
Evans, Prem Reddy, M.D., Mark McAllister,
M.D., Tanzeel Islam, M.D., DOES I through
X inclusive; ROES Businesses I through X
inclusive,

Defendants.

CASE NO. CV20-00422
DEPT NO. I

**DEFENDANT TANZEEL ISLAM, M.D. AND SRI CHALLAPALLI, M.D.'S INITIAL
APPEARANCE FEE DISCLOSURE**

Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are submitted for
parties appearing in the above-entitled action as indicated below:

///

///

Name of Defendants:

TANZEEL ISLAM, M.D.	\$30.00
SRI CHALLAPALLI, M.D.	\$30.00
TOTAL REMITTED:	\$60.00

DATED this 15th day of May, 2020.

HALL PRANGLE & SCHOONVELD, LLC

/s/ Richard D. De Jong
 MICHAEL E. PRANGLE, ESQ.
 Nevada Bar No. 8619
 RICHARD D. DEJONG, ESQ
 Nevada Bar No. 15207
 1140 North Town Center Drive, Suite 350
 Las Vegas, NV 89144
*Attorneys for Defendant St. Mary's Regional
 Medical Center, Tammy Evans (erroneously named
 as Tami Evans), Prem Reddy, M.D., Tanzeel Islam,
 M.D. and Sri Challapalli, M.D.*

AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does affirm that the preceding document does not contain the Social Security Number of any person.

DATED this 15th day of May, 2020.

HALL PRANGLE & SCHOONVELD, LLC

/s/ Richard D. De Jong
 MICHAEL E. PRANGLE, ESQ.
 Nevada Bar No. 8619
 RICHARD D. DEJONG, ESQ
 Nevada Bar No. 15207
 1140 North Town Center Drive, Suite 350
 Las Vegas, NV 89144
*Attorneys for Defendant St. Mary's Regional
 Medical Center, Tammy Evans (erroneously named
 as Tami Evans), Prem Reddy, M.D., Tanzeel Islam,
 M.D. and Sri Challapalli, M.D.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of HALL PRANGLE & SCHOONVELD, LLC; that on the 15th day of May, 2020, I served a true and correct copy of the foregoing

INITIAL APPEARANCE FEE DISCLOSURE via:

X E-Flex Electronic Service;

X U.S. Mail, first class postage pre-paid to the following parties at their last known address;

Marilee Brown
Marilou Brown
45 Nives Court
Sparks, NV 89441
Plaintiff in Pro Per

Edward J. Lemons, Esq.
Alice Campos Mercado, Esq.
Lemons, Grundy & Eisenberg
6005 Plumas street, 3rd Floor
Reno, NV 89519
*Attorneys for Defendant Mark McAllister,
M.D.*

/s/ Arla Clark
An employee of HALL PRANGLE & SCHOONVELD, LLC

HALL PRANGLE & SCHOONVELD, LLC
1140 NORTH TOWN CENTER DRIVE, STE. 350
LAS VEGAS, NEVADA 89144
TELEPHONE: 702-889-6400 FACSIMILE: 702-384-6025

MICHAEL E. PRANGLE, ESQ.
Nevada Bar No. 8619
RICHARD D. DEJONG, ESQ
Nevada Bar No. 15207
HALL PRANGLE & SCHOONVELD, LLC
1140 North Town Center Drive, Ste. 350
Las Vegas, Nevada 89144
Phone: 702-889-6400
Facsimile: 702-384-6025
efile@hpslaw.com

JOHN C. KELLY, ESQ.
Carroll, Kelly, Trotter, & Franzen
8329 W. Sunset Rd., Ste. 260
Las Vegas, NV 89113
jckelly@cktfrmaw.com
Attorneys for Defendant
St. Mary's Regional Medical Center,
Tammy Evans (erroneously named as Tami Evans),
And Prem Reddy, M.D.

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

Marilee Brown, Marilou Brown (for Beverly
M. Brown's Family),

Plaintiffs,

vs.

St. Mary's Regional Medical Center, Tami
Evans, Prem Reddy, M.D., Mark McAllister,
M.D., Tanzeel Islam, M.D., DOES I through
X inclusive; ROES Businesses I through X
inclusive,

Defendants.

CASE NO. CV20-00422
DEPT NO. I

**ERRATA TO DEFENDANTS ST.
MARY'S REGIONAL MEDICAL
CENTER, TAMMY EVANS, AND PREM
REDDY M.D.'S REPLY IN SUPPORT
OF MOTION TO DISMISS**

COMES NOW, Defendants, ST. MARY'S REGIONAL MEDICAL CENTER, TAMMY
EVANS (erroneously named as Tami Evans) PREM REDDY, M.D., TANZEEL ISLAM, M.D.
and SRI CHALLAPALLI, M.D (hereafter "St. Mary's Defendants") by and through its counsel

of record, HALL PRANGLE & SCHOONVELD, LLC, and hereby provides this Errata to its Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with NRS 41A.071.

On May 15, 2020, Tanzeel Islam, M.D. and Sri Challapalli, M.D. entered their initial appearance. They are represented by their counsel of record, HALL PRANGLE & SCHOONVELD, LLC. St. Mary's Regional Medical Center, Tammy Evans, and Prem Reddy, M.D. previously filed and fully briefed a Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with NRS 41A.071.

Had Tanzeel Islam, M.D. and Sri Challapalli, M.D. been properly served they would have also brought the aforementioned motion. In the interests of judicial economy, the St. Mary's Defendants request that Tanzeel Islam, M.D. and Sri Challapalli, M.D. be added to the pleadings related to the aforementioned Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with NRS 41A.071 and that for purposes of hearing the motion this Court consider the motion brought by the five parties referenced in this Errata.

DATED this 15th day of May 2020.

HALL PRANGLE & SCHOONVELD, LLC

By: /s/ Richard D. De Jong

MICHAEL E. PRANGLE, ESQ.

Nevada Bar No. 8619

RICHARD D. DEJONG, ESQ.

Nevada Bar No. 15207

HALL PRANGLE & SCHOONVELD, LLC

1140 North Town Center Drive, Ste. 350

Las Vegas, Nevada 89144

Phone: 702-889-6400

Facsimile: 702-384-6025

efile@hpslaw.com

Attorneys for Defendant St. Mary's Regional Medical Center, Tammy Evans (erroneously named as Tami Evans), Prem Reddy, M.D., Tanzeel Islam, M.D. and Sri Challapalli, M.D.

AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does affirm that the preceding document does not contain the Social Security Number of any person.

DATED this 15th day of May, 2020.

HALL PRANGLE & SCHOONVELD, LLC

/s/ Richard De Jong

MICHAEL E. PRANGLE, ESQ.

Nevada Bar No. 8619

RICHARD D. DEJONG, ESQ

Nevada Bar No. 15207

1140 North Town Center Drive, Suite 350

Las Vegas, NV 89144

*Attorneys for Defendant St. Mary's Regional
Medical Center, Tammy Evans (erroneously named
as Tami Evans), Prem Reddy, M.D., Tanzeel Islam,
M.D. and Sri Challapalli, M.D.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of HALL PRANGLE & SCHOONVELD, LLC; that on the 15th day of May, 2020, I served a true and correct copy of the foregoing **ERRATA TO DEFENDANTS ST. MARY'S REGIONAL MEDICAL CENTER, TAMMY EVANS, AND PREM REDDY M.D.'S REPLY IN SUPPORT OF MOTION TO DISMISS**

via:

 X E-Flex Electronic Service;

 X U.S. Mail, first class postage pre-paid to the following parties at their last known address;

Marilee Brown
 Marilou Brown
 45 Nives Court
 Sparks, NV 89441
Plaintiff in Pro Per

Edward J. Lemons, Esq.
 Alice Campos Mercado, Esq.
 Lemons, Grundy & Eisenberg
 6005 Plumas street, 3rd Floor
 Reno, NV 89519
*Attorneys for Defendant Mark McAllister,
 M.D.*

/s/ Arla Clark
 An employee of HALL PRANGLE & SCHOONVELD, LLC

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-05-18 08:32:35.1.

RICHARD DE JONG, ESQ. - Notification received on 2020-05-18 08:32:35.027.

ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-05-18 08:32:35.076.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

05-15-2020:16:11:01

Clerk Accepted:

05-18-2020:08:31:59

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Initial Appear. Fee Disclosure
Reply

Filed By:

Richard de Jong

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

RICHARD DE JONG, ESQ. for SRIDEVI
CHALLAPALLI, PREM REDDY, M.D., ST.
MARY'S REGIONAL MEDICAL CENTER, TAMI
EVANS, TANZEEL ISLAM, M.D.

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

TIFFANY COURY, CEO

HEATHER S. HALL, ESQ. for PREM REDDY,
M.D., ST. MARY'S REGIONAL MEDICAL
CENTER, TAMI EVANS

MARILOU BROWN

MICHAEL E. PRANGLE, ESQ. for SRIDEVI
CHALLAPALLI, PREM REDDY, M.D., ST.
MARY'S REGIONAL MEDICAL CENTER, TAMI
EVANS, TANZEEL ISLAM, M.D.

MARILEE BROWN

3060

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

MARILEE BROWN, MARILOU BROWN,
GREGORY J. BROWN (for Beverly M.
Brown's family),

Plaintiffs,

Case No.: CV20-00422

Dept. No.: 1

vs.

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMI EVANS; PREM REDDY,
M.D.; MARK McALLISTER, M.D.; TANZEEL
ISLAM, M.D.; SRIDEVI CHALLAPALLI,
M.D., and DOES I through X, inclusive; ROE
BUSINESSES I through X, inclusive,

Defendants.

_____ /

ORDER GRANTING REQUEST TO ADD GREGORY J. BROWN AS PARTY

Currently before the Court is Plaintiffs Marilee Brown, Marilou Brown (for Beverly M. Brown's family) ("Plaintiffs") *Request to Add Gregory Brown as Party (Motion to Proceed Informa Pauperis filed Separately)* ("Request") filed April 28, 2020 and submitted to the Court on April 28, 2020 and May 14, 2020.¹ D.C.R. 13(3) provides "[f]ailure of the opposing party to serve and file his written opposition may be construed as an admission that the motion is meritorious and a consent to

¹ On May 5, 2020, this Court issued an *Order Vacating Submission* which vacated the April 28, 2020 submission of the Request as premature.

granting the same.” The timeframe for Defendants to respond has passed and Defendants have not filed a response to the Request. Accordingly, this Court finds good cause to grant Plaintiffs’ request.²

Based upon the foregoing and good cause appearing,

IT IS HEREBY ORDERED that Plaintiffs’ *Request to Add Gregory Brown as Party* is GRANTED. Mr. Brown is required to adhere to all rules that govern participating as a party before the Second Judicial District Court including making court appearances in person unless otherwise approved by the Court and filing and signing all pleadings or joint pleadings that name him as a moving party.

IT IS SO ORDERED.

DATED this 26th day of May, 2020.


KATHLEEN DRAKULICH
DISTRICT JUDGE

² While Plaintiffs’ Request does not specify whether they want to add Gregory J. Brown as a Plaintiff or Defendant, this Court has reviewed the documents on file herein and on April 28, 2020, an *Affidavit of Poverty in Support of Motion to Proceed Informa Pauperis* was filed signed by Gregory J. Brown indicating “I am the Plaintiff/Petitioner....” Therefore, this Court can deduce that Plaintiffs desire to add Gregory J. Brown as a Plaintiff.

CERTIFICATE OF SERVICE

CASE NO. CV20-00422

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 26th day of May, 2020, I electronically filed the **ORDER GRANTING REQUEST TO ADD GREGORY J. BROWN AS PARTY** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

EDWARD LEMONS, ESQ. for MARK MCALLISTER

ALICE CAMPOS MERCADO, ESQ. for MARK MCALLISTER

RICHARD DE JONG, ESQ. for SRIDEVI CHALLAPALLI, PREM REDDY, M.D.,
ST. MARY'S REGIONAL MEDICAL CENTER, TAMI EVANS,
TANZEEL ISLAM, M.D.

Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:

MARILEE BROWN
45 NIVES COURT
SPARKS, NV 89441

MARILOU BROWN
45 NIVES COURT
SPARKS, NV 89441

GREGORY J BROWN
45 NIVES COURT
SPARKS, NV 89441


Department 1 Judicial Assistant

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-05-26 09:01:47.888.

RICHARD DE JONG, ESQ. - Notification received on 2020-05-26 09:01:47.809.

ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-05-26 09:01:47.862.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

05-26-2020:09:00:42

Clerk Accepted:

05-26-2020:09:01:17

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Ord Granting

Filed By:

Judicial Asst. DRedmond

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

RICHARD DE JONG, ESQ. for SRIDEVI
CHALLAPALLI, PREM REDDY, M.D., ST.
MARY'S REGIONAL MEDICAL CENTER, TAMI
EVANS, TANZEEL ISLAM, M.D.

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

TIFFANY COURY, CEO

HEATHER S. HALL, ESQ. for PREM REDDY,
M.D., ST. MARY'S REGIONAL MEDICAL
CENTER, TAMI EVANS

MARILOU BROWN

MICHAEL E. PRANGLE, ESQ. for SRIDEVI
CHALLAPALLI, PREM REDDY, M.D., ST.
MARY'S REGIONAL MEDICAL CENTER, TAMI
EVANS, TANZEEL ISLAM, M.D.

MARILEE BROWN

3366

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

MARILEE BROWN, MARILOU BROWN,
GREGORY J. BROWN (for Beverly M.
Brown's family),

Plaintiffs,

Case No.: CV20-00422

Dept. No.: 1

vs.

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMI EVANS; PREM REDDY,
M.D.; MARK McALLISTER, M.D.; TANZEEL
ISLAM, M.D.; SRIDEVI CHALLAPALLI,
M.D., and DOES I through X, inclusive; ROE
BUSINESSES I through X, inclusive,

Defendants.

_____ /

ORDER VACATING SUBMISSION

On April 28, 2020, Plaintiffs Marilee Brown, Marilou Brown (for Beverly M. Brown's family) ("Plaintiffs") filed an *Application for Default Judgment Pursuant to Rule 54/55/Other Against Defendants Tanzeel Islam, M.D. and Sridevi Challapalli, M.D. for Non Answer/Response* ("Application").¹ On May 5, 2020, this Court issued an *Order Denying Plaintiffs Application for Default Judgment* which denied the Application because (1) Plaintiffs' failure to obtain a clerk's default against Dr. Islam or Dr. Challapalli in accordance with NRCP 55(b)(1); and, (2) Plaintiffs'

¹ On May 15, 2020 the law firm of Hall Prangle & Schoonveld, LLC entered their initial appearance on behalf of Defendants Tanzeel Islam, M.D. ("Dr. Islam") and Sri Challapalli, M.D. ("Dr. Challapalli").

Application was deficient and was not in compliance with NRCP 55 or WDCR 26. Plaintiffs have done nothing to remedy these issues, yet they have again submitted the Application to the Court for consideration on May 14, 2020. This Court has already entered a ruling on Plaintiffs' Application and therefore, finds good cause to vacate the submission

Based upon the foregoing and good cause appearing,

IT IS HEREBY ORDERED that the submission of Plaintiffs' *Application for Default Judgment Pursuant to Rule 54/55/Other Against Defendants Tanzeel Islam, M.D. and Sridevi Challapalli, M.D. for Non Answer/Response* is VACATED.

IT IS SO ORDERED.

DATED this 26th day of May, 2020.


KATHLEEN DRAKULICH
DISTRICT JUDGE

CERTIFICATE OF SERVICE

CASE NO. CV20-00422

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 26th day of May, 2020, I electronically filed the **ORDER VACATING SUBMISSION** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

EDWARD LEMONS, ESQ. for MARK MCALLISTER

ALICE CAMPOS MERCADO, ESQ. for MARK MCALLISTER

RICHARD DE JONG, ESQ. for SRIDEVI CHALLAPALLI, PREM REDDY, M.D.,
ST. MARY'S REGIONAL MEDICAL CENTER, TAMI EVANS,
TANZEEL ISLAM, M.D.

Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:

MARILEE BROWN
45 NIVES COURT
SPARKS, NV 89441

MARILOU BROWN
45 NIVES COURT
SPARKS, NV 89441

GREGORY J BROWN
45 NIVES COURT
SPARKS, NV 89441


Danielle Redmond
Department I Judicial Assistant

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-05-26 09:05:00.288.
RICHARD DE JONG, ESQ. - Notification received on 2020-05-26 09:05:00.206.
ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-05-26 09:05:00.259.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

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-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

05-26-2020:09:03:53

Clerk Accepted:

05-26-2020:09:04:28

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Ord Vacating

Filed By:

Judicial Asst. DRedmond

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The following people were served electronically:

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

RICHARD DE JONG, ESQ. for SRIDEVI
CHALLAPALLI, PREM REDDY, M.D., ST.
MARY'S REGIONAL MEDICAL CENTER, TAMI
EVANS, TANZEEL ISLAM, M.D.

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

TIFFANY COURY, CEO

HEATHER S. HALL, ESQ. for PREM REDDY,
M.D., ST. MARY'S REGIONAL MEDICAL
CENTER, TAMI EVANS

MARILOU BROWN

MICHAEL E. PRANGLE, ESQ. for SRIDEVI
CHALLAPALLI, PREM REDDY, M.D., ST.
MARY'S REGIONAL MEDICAL CENTER, TAMI
EVANS, TANZEEL ISLAM, M.D.

MARILEE BROWN

ORIGINAL

CODE:

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court

Sparks, NV 89441

Telephone: (775) 425-4216

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*), Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

PLAINTIFFS' (a): OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15, 2020 ERRATA RELATED TO PLAINTIFFS' May 14, 2020 (& Prior) DEFAULT MOTIONS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI; (b): IN SUPPORT OF PLAINTIFFS' MAY 6 / 14, 2020 SUPPLEMENTAL & DISMISSAL FILINGS NEXUSED TO DEFENDANTS' REPLIES/ERRATA; (c): WITH PLAINTIFFS' NOTICE OF THEIR REQUEST FOR SUBMISSION OF ALL ADJUDICATED FILINGS FOR NO RESPONSE/OTHER (Separate Filings)

I

INTRODUCTION

On May 21, 2020, Plaintiffs received Defendants Tiffany Coury's (*replaced Tammy Evans*)/Prem Reddy, MD's May 15, 2020 ERRATA (*Defendants mailed same to Plaintiffs on May 18, 2020*) and provide this Opposition to Same under "**MEMORANDUM OF POINTS & AUTHORITIES (Redundant Points for Important Relevancy)**"

II

STATEMENT OF FACTS and LEGAL ARGUMENTS /REFUTES

A.

BACKGROUND SUMMARY

1. Plaintiffs' Pleadings consist of Relevant New/Reiterated Important Refutes and/or Clarifications of

Defendants' **erroneous** information – So Stated in their Pleadings.

2. It is Noted that **the two counsel firms representing three (3) of the five (5) Defendants** mentioned, who

Responded to Plaintiffs' Summons/Complaint, provided Pleadings that **consist of similar Redundancy** as

Plaintiffs', yet with **erroneous** information – **Refuted** by Plaintiffs' **meritous** Pleadings and Herein.

3. The reason why Plaintiffs' provide for Reiterated along with New Refutes (as disclosed herein again) is to

1/17

1 facilitate the Court's review of Plaintiffs' meritous pleadings in Support of All their Complaint claims Without
 2 having to keep Referring Back to Prior Pleadings - with the Court's discretion to consider same as per

3 Defendant McAllister's own statement "the Court has inherent authority to administer its own procedures
 4 and manage its own affairs"

5 4. Contrary to Defendant McAllister's Hearing Oppositions, it is noted by Defendants Tiffany Coury (*replaced*
 6 *Tammy Evans*)/Prem Reddy's own dismissal Motion; April 20, 2020 **DELINQUENT/ERRONEOUS**
 7 **REPRESENTATION** Reply, and their May 15, 2020 ERRATA containing FALSE assertions, that same entities
 8 solicited for a Hearing as well if need be: "any oral argument allowed at the time of the hearing of this

9 matter, if any" and "which may be adduced at the time of the Hearing on said Motion" and "that for
 10 purposes of hearing the motion.", Respectively. Such delineations Support Plaintiffs' request for same if
 11 necessary to further support what they have already substantiated to **UPHOLD** their Complaint per same
 12 document and the **Refutes in their Opposition, Hearing Request, Other Filings and Herein.**

13 **B. BACKGROUND AND SUBMISSION REQUESTS**

14 1a. On May 6, 2020, Plaintiffs Filed a "MOTION TO DISMISS of Defendants' Tiffany Coury (*replaced Tammy*
 15 *Evans*)/Prem Reddy's April 20, 2020 **DELINQUENT/ERRONEOUS REPRESENTATION Reply**" to their
 16 April 9, 2020 Opposition (*Filed by the Court on April 13, 2020*). Plaintiffs received said document on April 27,
 17 2020.

18 1b. To date, May 28, 2020, Plaintiffs' have **NOT** received any opposing Response from same Defendant on this
 19 Filing. Plaintiffs to date have only received said Defendants' May 15, 2020 ERRATA to Plaintiffs' May 14, 2020
 20 Default Application Brief Submission regarding Defendants Tanzeel Islam and Sridevi Challapalli (*Plaintiffs'*
 21 *Opposition Filed May 28, 2020 to Same*).

22 1c. Plaintiffs therefore Request their May 6, 2020 "MOTION TO DISMISS of Defendants' Defendants Tiffany
 23 *Coury* (*replaced Tammy Evans*)/Prem Reddy's April 20, 2020 **DELINQUENT / ERRONEOUS**
 24 **REPRESENTATION Reply**" Be SUBMITTED TO THE COURT for DECISION (*Separate REQUEST FOR*
 25 *SUBMISSION Filing*).

26 2a. On May 6, 2020, Plaintiffs Filed "**PLAINTIFFS' AMENDED PLEADING / SUPPLEMENTAL BRIEF**
 27 **REQUEST IN SUPPORT OF THEIR HEARING REQUEST/INFO CONSIDERATION IN LIU OF;**
 28 **CLARIFICATION OF DEFENDANTS' ERRONEOUS INFORMATION WITHIN SAID PLEADINGS.**

1. (Plaintiffs' DIRECT And REITERATED REFUTES) IN SUPPORT OF THE COURT JUSTIFIABLY
 2. UPHOLDING PLAINTIFFS' COMPLAINT ISSUES

3 2b. To date, May 28, 2020, Plaintiffs' have NOT received any specific Response from any Defendant on the
 4 aforementioned Filing and therefore Request this document Be SUBMITTED TO THE COURT FOR DECISION
 5 (Separate REQUEST FOR SUBMISSION Filing).

6 3a. On May 14, 2020, Plaintiffs Filed PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT
 7 MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUESTING TO STRIKE PLAINTIFFS'
 8 MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF

9 3b. To date, May 28, 2020, Plaintiffs have NOT received any further Response from Defendant McAllister,
 10 MD or any other Defendant regarding this and the aforementioned Filings.

11 3c/1. Therefore, Plaintiffs REQUEST FOR SUBMISSION All Three (3) Plaintiffs' May 6 & May 14, 2020
 12 documents Be SUBMITTED TO THE COURT FOR DECISION (Separate REQUEST FOR SUBMISSION
 13 Filing).

14 3c/2. NOTE: Pursuant to Defendant McAllister's May 7, 2020 (Opposition (Reply) Filing, it is Affirmed to the
 15 effect, that Per: DCR 13(3)(Failure of the opposing party to serve and file his written opposition may be
 16 construed as an admission that the motion is meritorious and consent to granting same"); see also Walls
 17 vs. Brewster, 112 Nev.175, 912P2d261(1996) (court affirmed granting motion (application)...when there
 18 is a failure to respond)

19 3c/3. With same verbiage addressed in the Summons and Nevada Rules of Civil Procedure language,
 20 verbiage Delineated in this Brief

21 - ALL SUPPORTING DEFAULT JUDGMENT AGAINST THESE TWO (2) DEFENDANTS -

22 4. On April 13, 2020, Plaintiffs Filed a Detailed Court Brief, "Amendment to Civil Complaint/Return Service
 23 of SUMMONS" Document that was Vacated by the Court for Early submission on April 17, 2020. Plaintiffs

24 Now Resubmit to the Court For Decision, on May 28, 2020, this Return Service Document with Supporting

25 Attachments Affirming Proper Service, including Additional March 17, 2020 Exhibit Attached Herein -

26 ALL REFUTING Defendant counsels FALSE STATEMENT in their ERRATA of alleged improper service)

27 (Separate REQUEST FOR SUBMISSION Filing).

28 III. MEMORANDUM OF POINTS AND AUTHORITIES (Redundant Points for Important Relevancy)

STATEMENT OF FACTS and LEGAL ARGUMENTS /REFUTES

1 A. See Plaintiffs' abovementioned MOTION TO DISMISS Filing of Defendants Tiffany Coury (replaced
 2 Tammy Evans) / Prem Reddy, MD's April 20, 2020 DELINQUENT/ERRONEOUS REPRESENTATION Reply
 3 to their April 9, 2020 Opposition (Court Filed ON April 13, 2020) And Other Filings Noted for Submission
 4 to the Court For Decision: See Facts Legal Addresses Above as well.

5 B. Plaintiffs' DIRECT REFUTE of Defendant Tiffany Coury(replaced Tammy Evans)/Prem Reddy, MD's May
 6 15, 2020 ERRATA in Support of Plaintiffs' DEFAULT JUDGMENT against Defendants Tanzeel Islam, MD
 7 and Sridevi Challapalli, MD for NON Response (See Plaintiffs' May 14, 2020 and Prior Filings on same):

8 1. Counsels DeJong, Prangle's *Sole, False, Indirect* reasoning in their ERRATA appears to be that Plaintiffs
 9 purportedly "did not properly serve Defendants Tanzeel Islam and "Sri" (misspelled by Counsels) Challapalli.
 10 Said assertion is a BLATANT LIE TO THE COURT and REFUTED Herein:

11 1/a. The Plaintiffs' provided a Return Service Brief of their Service of ALL Defendants, along with a Request for
 12 Submission, labeled "Amendment to Civil Complaint/Return Service of Summons" that was Filed by the Court
 13 on April 13, 2020 after receipt by mail from Plaintiffs. The Court VACATED Submission of same on April 17,
 14 2020 for early submission of said document to the Court for Decision; which Plaintiffs now ReSubmit again for
 15 Court Decision as Court Requisite Time Response has now lapsed. :

16 1/b. This document, Plaintiffs' "Amendment to Civil Complaint/Return Service of Summons" provided
 17 Details and Supporting Documents of Plaintiffs' VALID Service on ALL Defendants, including Tanzeel
 18 Islam and Sridevi Challapalli, on March 17, 2020, reiterated below. Plaintiffs provide an additional Exhibit
 19 Supporting Proof Cardiologist Sridevi Challapalli WAS Properly Served, further addressed below.

20 1/c. In addition, Plaintiffs Supported in their Other Pleadings and Herein Refutes Reiterating the above Facts:
 21 Plaintiffs followed correct Civil Procedure as addressed in the Return Service Document relaying Proper
 22 Service to ALL Defendants via their Official Representatives; in addition to following the instructions of
 23 Defendants' Representatives themselves, who instructed Plaintiffs to provide any documentation to said
 24 officials for delivery to the appropriate Defendants. Proper Service was done by same means.

25 Plaintiffs Properly served ALL Defendants despite the Corona virus Pandemic Protocol causing challenges to
 26 make same Service - which was successfully executed; For Example. Full, Proper Service was executed by
 27 Plaintiffs, per the Details of Plaintiffs April 13, 2020 Court Filed Return Service Document - now

u/17

ReSubmitted to the Court For Decision, with the reiterated facts of Plaintiffs' Other Pleadings that:

- Tanzeel Islam was served the Complaint/Summons package via Tiffany Coury's assistant **as Both work in the Same Building**. Same documents were given to this Assistant per the instructions of Tiffany Coury's Risk Mgmt Department, at the hospital emergency room (ER) entrance on March 17, 2020 (*the only available entrance*) by Plaintiffs' Independent Server, Gary Orr; witnessed by Plaintiffs.

Defendants Tiffany Coury/Prem Reddy Responded to the Properly Served Complaint/Summons through their Counsel, **while Defendant Tanzeel Islam FAILED To Respond At All**.

Note: Plaintiffs even contacted the ER Department and advised them of the crowded conditions at the ER entrance for COVID 19 screening – wherein the ER manager opened up a 2nd entrance for screening a few days later

- Cardiologist Sridevi Challapalli Works in the Same Building as Defendant McAllister. Both served on the Same Date - March 17, 2020. Plaintiffs' Complaint/Summons **were served on Both Defendants' Assistants for delivery to Defendants, per the instructions of Defendants' assistants, on March 17, 2020 by Plaintiffs' Independent Server, Gary Orr**; witnessed by Plaintiffs. Defendant McAllister responded to the Properly Served Complaint/Summons through his Counsel, **while Defendant Sridevi Challapalli FAILED To Respond At all**

- (See Additional Evidence of service noted Below and Attached; also Addressed in Detail in Plaintiffs April 13, 2020 Amendment to Civil Complaint/Return Service of Summons Filing, ETC:

“ AMENDMENT TO CIVIL COMPLAINT / RETURN SERVICE OF SUMMONS (Information)

During the Service Process, Plaintiffs were notified that Defendant Tammy (Tami) Evans no longer works with St. Mary's Regional Medical Center and CEO Tiffany Coury replaced this Defendant.

Plaintiffs Request this change, Addition of Gregory J. Brown as a Plaintiff (*Informa Pauperis*) Be

Reflected in this Civil Action with the Courts (*See Plaintiff's Opposition to Defendant's Dism Motion*);

2. Per the Affidavit of Service (*Attachment 1*), the following Defendants were served through an authorized agent for same by a person who is not a party to this action, Mr. Gary R. Orr, at the

locations addressed in Mr. R. Orr's Affidavit as reflected below. The undersigned do hereby affirm that

Plaintiffs' Civil Complaint and Summons (Attachment 1), with a Settlement Notice that **went ignored**

by Defendants, **were served on each Defendant via their authorized agents by Mr. Gary R. Orr on**

March 17, 2020; cc excerpt to Prem Reddy, MD (Prime HealthCare) via regular mail to (Prime HealthCare

@ 3480 E. Guasti Road, Ontario, CA 91761; 909-235-4400)

a. Mary's Regional Medical Center CEO Tiffany Coury/cc excerpt to Prem Reddy, MD via regular mail; &

b. Tanzeel Islam, MD (St. Mary's Hospitalist) at Mary's Regional Medical Center through CEO Tiffany Coury's assistant “Cheryl” (LNU) at the emergency entrance of St. Mary's hospital at 235 West 6th Street, Reno, NV 89503(Coronavirus Quarantine)

c. Mark McAllister, MD (St. Mary's Interventional Radiologist) through his assistant “Marcy” (LNU) via front desk Radiology “Jessica” (LNU) at St Mary's Regional Medical Center Group, 645 N. Arlington Ave, #250, 2. Reno, NV 89503 (Coronavirus Quarantine)

1. d. Sridevi Challapalli, MD (St. Mary's Cardiologist) through Cardiology via front desk "Pamola(sp?) (LNU)
 2. at St Mary's Regional Medical Center Group, 645 N. Arlington Ave, #555, Reno, NV 89503 (Coronavirus
 3. Quarantine)

4. Of Note: Plaintiffs are **Exempt from Electronic Filing and Service** in this Matter thus send/receive filings
 5. often delayed. Plaintiffs mailed these Filings due to Court's Filing Office closure (Coronavirus Quarantine)

6. Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
 7. 45 Nives Court, Sparks, NV 89441
 8. Telephone: (775) 425-4216
 9. Date: April 9, 2020 "

10. 1/d. EVIDENCE SUPPORTING SAID SERVICE:

11. - See Plaintiffs' April 13, 2020 Service Brief (*reiterated address above*) and the Affidavit by Plaintiffs'

12. Independent Server, Mr. Gary Orr; attached to same (Plaintiffs' April 13, 2020 Amendment to Civil

13. Complaint/Return Service of Summons Filing, ETC) ; Again Herein;

14. - See Attached March 17, 2020 document Supporting Proper Service of Defendant Sridevi Challapalli at the

15. Cardiology Department by Plaintiffs' Independent Server, Mr. Gary Orr;

16. Summary: The Above Brief and Related Documents Support Valid Service was made upon Defendants,

17. Tanzeel Islam and Cardiologist Sridevi Challapalli, on March 17, 2020. (Reference against to Plaintiffs'

18. April 13, 2020 Amendment to Civil Complaint/Return Service of Summons Filing, ETC) and Herein.

19. 1/e. Plaintiffs' Return Service documents, among Plaintiffs' and the Court's Filings, clearly show ALL

20. Defendants, including Defendants Tanzeel Islam and Sridevi Challapalli, in the TITLES. Such support

21. Defendants' counsels were well aware of these two (2) Defendants in Plaintiffs' Civil action - Reiterated in

22. ALL of Plaintiffs' and the Court's Filings. Said Counsels Still did NOT argue improper service NOR did they

23. Seek to Represent same two (2) Defendants, Tanzeel Islam and Sridevi Challapalli Until Plaintiffs' May 14,

24. 2020 Final Default Submissions against these two (2) Defendants - TWO (2) months after they were served,

25. multiple chances for said Defendants or counsels to Reply or Claim Said Representation, yet they did NOT.

26. 1/f. Again, ALL of Plaintiffs' and the Courts TITLES have Consistently Noted these two (2) Defendants,

27. Such as The Court's Orders of:

28. Granting Plaintiffs' Electronic Filing Exemption, dated March 3, 2020;

29. VACATE Order of Return Service Submission Request, dated April 17, 2020 (Resubmitted 5/27/20)

VACATE Order of Party Submission Request, dated May 5, 2020 (Resubmitted 5/14/20)

6/17

1 Said Documents Clearly Show ALL Defendants, including Tanzeel Islam and Sridevi Challapalli, in the Court
 2 TITLES; And show Defendants Counsels Never Solicited to or Represented these two (2) Defendants; Nor did
 3 they claim Improper Service Despite same Counsels being well aware of these two (2) Defendants in Plaintiffs'
 4 Civil Action; And Same Defendants were also noted in ALL of Plaintiffs aforementioned Default Filings
 5 against these two (2) Defendants - with NO response by either of the two (2) Defendants or counsel to
 6 replewnt same.

7 2/a. Again, On April 17, 2020, the Court Vacated same document (Plaintiffs' Amendment of Civil Complaint/
 8 Return Service of Summons) due to preliminary submission pursuant to Defendants Counsels' protest of
 9 preliminary submission – Now Resubmitted for Decision as Appropriate time has lapsed for said
 10 Submission.

11 2/b. These Counsels are well aware of said two (2) Defendants as they have received/accessed all these
 12 Filings electronically and by mail (*with often expedited responses upon viewing same electronically,*
 13 *as noted*) and said Counsel did NOT include same Defendants in their Representation Nor did they
 14 Address any Improper Service of same: UNTIL Plaintiffs' May 14, 2020 Latest Meritous Default
 15 Judgment Submission against these two (2) Defendants AFTER WHICH SAID COUNSEL SUBMITTED
 16 THEIR MAY 15, 2020 ERRATA with FALSE ACCUSATIONS to DECEIVE the Court into allowing
 17 representation so as to counter Plaintiffs' JUSTIFIED DEFAULT JUDGMENT AGAINST THESE
 18 TWO (2) Defendants;

19 2/c. Likewise, Defendants Counsels also did NOT argue Improper Service, Nor did they Seek to
 20 Represent these Ywo (2) Defendants AT ANY Time Until their May 15, 2020 ERRATA to Plaintiffs'
 21 Additional May 14, 2020 Default Judgment and Request for Submission of same. Again, Said Counsels'
 22 ERRATA contained FALSE assertions of Plaintiffs' purported improper service - **REFUTED HEREIN.**

23 3. Defendants' Counsels DeJong, Prangle ONLY NOW Attempt to include Defendants' Tanzeel Islam and
 24 "Sri" (*misspelled by counsel*) Challapalli in their purported False Representation of same because these
 25 Two (2) Defendants Failed to Respond to Plaintiffs' Civil Action and Default Applications:

26 3a/1: As REQUIRED BY SUMMONS' VERBIAGE;

27 3a/2: And AFORDED BY the Nevada Rules of Civil Procedure;

28 (*With Said verbiage addressed in the Summons and Nevada Rules of Civil Procedure language delineated in this Brief*)

1 3a/3: Pursuant to Defendant McAllister's May 7, 2020 (Opposition (Reply) Filing, it is Affirmed to the
 2 effect, that Per: DCR 13(3)(Failure of the opposing party to serve and file his written opposition may be
 3 construed as an admission that the motion is meritorious and consent to granting same"); see also
 4 Walls vs. Brewster, 112 Nev.175, 912P2d261(1996) (court affirmed granting motion (application)...
 5 when there is a failure to respond)

6 3b. All addressed in Plaintiffs' Default Application for MULTIPLE NON RESPONSES by these two (2)
 7 Defendants (Plaintiffs' May 14, 2020 and Other Default Judgment Submissions). In said Applications, the
 8 Plaintiffs' have made REASONABLE and JUSTIFIABLY Requests of the Court regarding these two (2)
 9 Defendants, especially given the significant amount of time and opportunity for these two (2) Defendants
 10 to Respond – and they did NOT.

11 3c/1. It would be behooving for these two (2) Defendants to directly address these Counsel regarding this
 12 matter for reconciliation between them; but it is NOT justified for the Defendant to ask the Court to grant
 13 this Errata for the FALSE reasons given by same for their and Defendants' negligent FAILURE TO
 14 ANSWER Plaintiffs' Summons and Default Application Filings – an Answer which was NOT done until
 15 Plaintiffs Filed their last May 14, 2020 Default Judgment Request – received by said Counsel electronically
 16 with immediate response by these counsel because they realized their or Defendants' Negligence in NOT
 17 Responding; thereafter COVERING UP SAME NEGLIGENCE with BLATANT LIES to the Court.

18 3c/2. Therefore, For the reasons given in their Filings and Herein, Plaintiffs make the JUSTIFIED AND
 19 REASONABLE REQUEST OF THE COURT that Same GRANT their DEFAULT MOTION against these
 20 two (2) Defendants for multiple NON Response as noted in their Filings, and DENY counsels ERRATA.

21 3d. Defendants' Counsels FALSE assertions are Simply Designed to DECEPTIVELY AVOID DEFAULT
 22 JUDGMENT against these two (2) Defendants, Tanzeel Islam and Sridevi Challapalli.

23 3e. Plaintiffs' Respectfully Request the Court DENY Counsel's ERRATA pursuant to these FACTS,
 24 SUPPORTED BY THE EVIDENCE, ADDRESSED HEREIN AND IN PLAINTIFFS' FILINGS.

25 4a. It is ALSO noted that Counsel Hall have NOT corrected the erroneous Representation documents for
 26 their purported client Tiffany Coury which they continue to designate and who signed under Tammy
 27 Evans. As stated in Plaintiffs' Motion to Dismiss and in all of Plaintiffs' Filings, Tammy Evans was
 28 replaced by Tiffany Coury and no longer works for Defendant St. Mary's Regional Medical Center.
 29 Defendant Counsel has NOT corrected their erroneous representation in their Delinquent, Erroneous
Reply and Justifies the Plaintiffs Request for Dismissal of Defendant's Delinquent, Erroneous Reply.

4b. Likewise, Counsels DeJong and Prangle - in their May 15, 2020 ERRATA - have Failed to provide any Representation signatures for the Two (2) Default Defendants, Tanzeel Islam and Sridevi Challapalli in their Expedited May 15, 2020 Electronic Response to Plaintiffs' May 14, 2020 LEGITIMATE Default Filing (along with prior Default Filings) against these Two (2) Defendants; Just as same Counsel Failed to provide any Corrected Named Representation of Tiffany Coury; - Further INVALIDATING any legitimate representation of Defendants "Sri" (misspelled by said Counsel) Challapalli and Tanzeel Islam.

III. CONCLUSION AND SUMMARY ARGUMENTS

1. Plaintiffs' Filings and Herein SUPPORT Defendants' varied NON RESPONSES to their Filings Affirm that Plaintiffs' Pleadings are True, Factual, Accurate (per their own verbiage):

a. "Pursuant to Defendant McAllister's May 7, 2020 (Opposition (Reply) Filing, it is Affirmed to the effect, Per: DCR 13(3)(Failure of the opposing party to serve and file his written opposition may be construed as an admission that the motion is meritorious and consent to granting same"); see also Walls v. Brewster, 112Nev.175, 912P2d261(1996)(court affirmed granting motion (application) when there is a failure to respond)"

b. "Pursuant to PLAINTIFFS' APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO RULE 54/ 55/OTHER AGAINST DEFENDANTS Tanzeel Islam, MD and Sridevi Challapalli, MD FOR NON ANSWER /NON RESPONSE And Thus Supports Default Judgment against these Two (2) Defendants"

- As REQUIRED BY SUMMONS' VERBIAGE;

- And AFORDED BY the Nevada Rules of Civil Procedure;

(With Said verbiage addressed in the Summons and Nevada Rules of Civil Procedure language delineated in this Brief)

2a. Court's DISMISSAL of Defendants McAllister and Tiffany Coury *(replaced Tammy Evans)* / Prem Reddy's April 20, 2020 DELINQUENT/ERRONEOUS REPRESENTATION Replies;

2b. Court's DENIAL of Defendant McAllister's April 28, 2020 dismissal request of Plaintiffs'

April 24, 2020 Hearing Request/Consideration of Plaintiffs' meritous information containing New and

Reiterated Clarifications therein of Defendants' erroneous information; A Hearing if needbe which even

Defendant Tiffany Coury *(replaced Tammy Evans)* / Prem Reddy consistently Solicit for;

2c. Per Plaintiffs May 28, 2020 Opposition Herein: Court's DENIAL of Defendants Tiffany Coury *(replaced Tammy Evans)* / Prem Reddy's May 15, 2020 ERRATA *(mailed by Defendants on May 18, 2020 and received by Plaintiffs on May 21, 2020)* containing FALSE REASONINGS for INVALID REPRESENTATION and

GRANITING OF PLAINTIFFS' DEFAULT APPLICATION against Defendants Tanzeel Islam and Sridevi

1 Challapalli; pursuant to the aforementioned/below mentioned Requests; with Separate Request For
2 Submission Filings.

3 **2d. Summary:** Plaintiffs Request the aforementioned Filings be submitted to the Court for Decision. **Except for**
4 **this Brief** (*See Introductory/Background Addresses Above And Separate REQUEST FOR SUBMISSION*
5 *Filings on Same Issues, as well*)

6 **3a/1.** Counsels DeJong and Prangle's **False assertions are Simply Designed To DECEPTIVELY AVOID**
7 **DEFAULT JUDGMENT against same two (2) Defendants; and same ERRATA must be DENIED Pursuant**
8 **to Plaintiffs' FACUAL REFUTES HEREIN, SUPPORTED BY THE EVIDENCE ADDRESSED HEREIN**
9 **AND IN PLAINTIFFS' OTHER FILINGS.SUPPORTING DEFAULT JUDGMENT AGAINST Defendants**
10 **Sridevi Challapalli and Tanzeel Islam.**

11 **3a/2.** For the aforementioned reasons, Plaintiffs' Request the Court **DENY Defendants Tammy Evans/Prem**
12 **Reddy, MD's May 15, 2020 ERRATA in Support of Plaintiffs' DEFAULT JUDGMENT against**
13 **Defendants' Tanzeel Islam, MD and Sri Challapalli, MD for NON Responses.**

14 **3b/1.** Defendants' Counsels DeJong, Prangle ONLY NOW Attempt to include Defendants' Tanzeel Islam and
15 "Sri" (misspelled by counsel) Challapalli in their purported False Representation of same because these
16 Two (2) Defendants Failed to Respond to Plaintiffs' Civil Action and Default Applications as REQUIRED by
17 the SUMMONS' VERBIAGE and AFORDED BY the Nevada Rules of Civil Procedure Addressed Above and
18 in Plaintiffs' Default Application FOR MULTIPLE NON RESPONSE by these two (2) Defendants
19 (Plaintiffs' May 14, 2020 and Other Default Judgment Submissions).

20 **3b/2.** In said Applications, the **Plaintiffs' have made REASONABLE and JUSTIFIABLE Requests of the Court**
21 **Regarding these two (2) Defendants, especially given the significant amount of time and opportunity** for these
22 **Two (2) Defendants to Respond – and they did NOT.**

23 **3c.** Again, It would be behooving for these two (2) Defendants to directly address these Counsel regarding
24 this matter for reconciliation between them; but it is NOT justified for same to request the Court grant their
25 for the FALSE reasons given for their or Defendants' negligent actions of **FAILING** to answer Plaintiffs'
26 Summons and Default Application Filings – an Answer which was not done until Plaintiffs Filed their last
27 May 14, 2020 Default Judgment Request – received by said Counsel electronically with immediate
28 response because they realized their or Defendants' negligence in responding.

10/17

1 3d. For the reasons given in their Filings, Herein, Plaintiffs make the JUSTIFIED and REASONABLE

2 REQUEST OF THE COURT that Same GRANT their DEFAULT MOTION and as Noted in their Filings:

3 - PLAINTIFFS' APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO RULE 54/55/OTHER
 4 AGAINST DEFENDANTS Tanzeel Islam, MD and Sridevi Challapalli, MD FOR NON ANSWER /
 5 NON RESPONSE

6 - As REQUIRED BY SUMMONS' VERBIAGE:

7 - And AFORDED BY the Nevada Rules of Civil Procedure:

8 *(With Said verbiage addressed in the Summons and Nevada Rules of Civil Procedure language*
 9 *delineated in this Brief)*

10 3e/1. On April 24, 2020. Plaintiffs Filed their APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO
 11 RULE 54 /55/Other against Defendants Tanzeel Islam, MD and Sridevi Challapalli, MD for NO Answer
 12 /Response to Plaintiffs' March 3, 2020 Civil Complaint/Summons served upon them on March 17, 2020.

13 Only Defendants Tiffany Coury (*replaced Tammy Evans*) and Prem Reddy, MD, through their counsel;
 14 And Mark McAllister, MD, through his counsel, Responded to Plaintiffs' Summons/Complaint served
 15 upon All Defendants on March 17, 2020

16 3e/2. Plaintiffs Request the Court Grant Default Judgment to Plaintiffs against Defendants Tanzeel Islam,
 17 MD (*St. Mary's Hospitalist*) and Sridevi Challapalli, MD (*St. Mary's Cardiologist*) For

18 - Failure to Answer their March 3, 2020 Summons/Civil Complaint served upon them on March 17, 2020; And

19 - Failure to Respond to their April 24, 2020 Motion for Default Judgment (*filed by Court on April 28, 2020*):

20 3e/3. Pursuant to the Court Summons PROPERLY served upon ALL Defendants:

21 "THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU
 22 RESPOND

23 IN WRITING, WITHIN 21 DAYS."...."If you intend to defend this lawsuit, you must do the following within
 24 21 days after service of this summons (March 17, 2020) – File with the Clerk a formal written answer in
 25 accordance with the rules of the Court" and serve a copy on plaintiffs"

26 "Unless you (Defendants) respond, a Default WILL be entered upon application of the Plaintiffs and this
 27 Court may enter a judgment against you for the relief demanded in the Complaint"

28 3e/4 Pursuant to Defendant McAllister's May 7, 2020 (Opposition (Reply) Filing, it is Affirmed to the
 29 effect, that Per:

30 DCR 13(3)(Failure of the opposing party to serve and file his written opposition may
 31 be construed as an admission that the motion is meritorious and consent to
 32 granting same"); see also Walls v. Brewster, 112 Nev.175, 912P2d261(1996)
 33 (court affirmed granting motion (*application*)...when there is a failure to respond)

34 3e/5. PLAINTIFFS' APPLICATION FOR DEFAULT JUDGMENT PURSUANT TO RULE 54/55/OTHER
 35 AGAINST DEFENDANTS Tanzeel Islam, MD and Sridevi Challapalli, MD FOR NON ANSWER /
 36 NON RESPONSE

37 3f. In said April 24, 2020 Application For Default Judgment, Plaintiffs Simply Request of these Two (2)
 38 Defendants, Tanzeel Islam, MD and Sridevi Challapalli, MD: the Following Justified and Reasonable Relief:

1 **A. Financial/other Compensation as deemed reasonable and appropriate by the Court:**

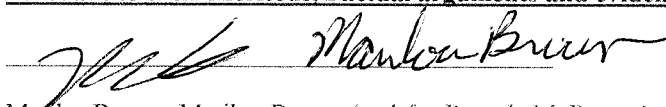
2 And

3 **B. Consider Plaintiffs' claims noted in their Complaint and make effort to appropriately evaluate their**
 4 **actions and communicate with patients' family, physicians to facilitate best care for their patients; vs.**
 5 **simply following automatic hospital "protocol" that can have detrimental consequences, especially for**
 6 **patients with chronic diseases monitored for years by said physicians who best know them."**

7 **4a. Defendant counsel assert this ERRATA is based on justice and economics. Yet where was same criteria**
 8 **afforded to Plaintiffs, their family and their mother wherein Defendants committed medical and NON**
 9 **medical negligent acts that contributed to the suffering and death of their mother, and therefore the**
 10 **physical and emotional suffering, anguish and other compensatory loss clearly delineated in Plaintiffs'**
 11 **Filings – for which they seek Reasonable Compensation that will never compensate them for the way their**
 12 **loss occurred (?).**

13 **4b. Plaintiffs Request the Court Justifiably DENY Defendant counsels' ERRATA for Reasonable Justice and**
 14 **Economics Afforded to Plaintiffs as Deemed Appropriate by the Court pursuant to what they addressed in their**
 15 **Filings and Default Application/Submitted Motions.**

16 **5. As well as For the Court to UPHOLD Plaintiffs' meritous Civil Complaint against Defendant McAllister and**
 17 **Defendants Tiffany Coury (*Replaced Tammy Evans*) / Prem Reddy, MD and for Continued Proceedings**
 18 **Pursuant to their Meritous, Factual arguments and evidence provided in their Pleadings.**

19 
 20 Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
 21 Gregory J. Brown
 22 45 Nives Court
 23 Sparks, NV 89441
 24 Telephone: (775) 425-4216
 25 Date: May 28, 2020

26 **Exhibits**

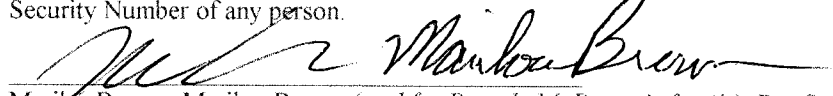
27 **(Evidence Supporting said Service)**

- 28 1. March 17, 2020 Affidavit by Plaintiffs' Independent Server, Mr. Gary Orr; Attached to Plaintiffs' April 13,
 29 **2020 Amendment to Civil Complaint/Return Service of Summons Filing, ETC**
 30 2. March 17, 2020 document Supporting Proper Service of Defendant Sridevi Challapalli at the Cardiology Dept
 31 by Plaintiffs' Independent Server, Mr. Gary Orr – same building as Defendant McAllister:

32 **AFFIRMATION Pursuant to NRS 239B.030**

33 The undersigned do hereby affirm that the preceding document in this matter, **PLAINTIFFS' (a):**

1 OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15,
 2 2020 ERRATA RELATED TO PLAINTIFFS' May 14, 2020 (& Prior) DEFAULT MOTIONS AGAINST
 3 DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI; (b) IN SUPPORT OF PLAINTIFFS'
 4 MAY 6 / 14, 2020 SUPPLEMENTAL & DISMISSAL FILINGS NEXUSED TO DEFENDANTS' REPLIES
 5 /ERRATA; (c) WITH PLAINTIFFS' NOTICE OF THEIR REQUEST FOR SUBMISSION OF ALL
 6 ADJUDICATED FILINGS FOR NO RESPONSE/OTHER (Separate Filings) does not contain the Social
 7 Security Number of any person.

8 
 9 Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
 10 Gregory J. Brown
 11 45 Nives Court
 12 Sparks, NV 89441
 13 Telephone: (775) 425-4216
 14 Date: May 28, 2020

15 CERTIFICATE OF SERVICE

16 The undersigned do hereby affirm that PLAINTIFFS' (a) OPPOSITION TO DEFENDANTS TAMMY
 17 EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15, 2020 ERRATA RELATED TO PLAINTIFFS' May
 18 14, 2020 (& Prior) DEFAULT MOTIONS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI
 19 CHALLAPALLI; (b) IN SUPPORT OF PLAINTIFFS' MAY 6 / 14, 2020 SUPPLEMENTAL &
 20 DISMISSAL FILINGS NEXUSED TO DEFENDANTS' REPLIES/ERRATA; (c) WITH PLAINTIFFS'
 21 NOTICE OF THEIR REQUEST FOR SUBMISSION OF ALL ADJUDICATED FILINGS FOR NO
 22 RESPONSE/OTHER (Separate Filings) was served via regular mail and in person by Plaintiffs to
 23 Defendants on May 28, 2020

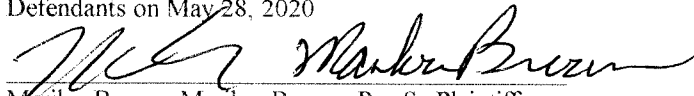
24 
 25 Marilee Brown, Marilou Brown, Pro Se Plaintiffs
 26 Gregory J. Brown
 27 45 Nives Court
 28 Sparks, NV 89441
 29 775-425-4216
 30 Date: May 28, 2020

Exhibit 1

Exhibit 1

Pg 14/17

Exh 1

5

6

7. State of Nevada)

8.) SS

9. County of Washoe)

10. I being first duly sworn, is not a party to this action, is over 18 years of age and say:

11. Within the time frame designated for service, Affiant ^{Gary K. Orr} on behalf of Plaintiffs Marilee

Brown, Marilou Brown – and for Beverly M. Brown's family, personally served upon Defendants at their

last known address, Parties and Address noted below in Reno, Nevada, a copy of the within Summons and Complaint/Petition addressed as follows:

Parties Served:

- Tiffany Scoville (Tamm)*
1. St. Mary's Regional Medical Center – ~~Tami Evans~~, Director of Medical Services/Risk Mgmt. (Prime HealthCare – 3480 E. Guasti Road, Ontario, CA 91761; 909-235-4400)
 2. Mark McAllister, MD (St Mary's Interventional Radiologist)
 3. Tanzeel Islam, MD (St. Mary's Hospitalist)
 4. Sridevi CHALLAPALLI, MD (St. Mary's Cardiologist)
- St. Mary's / POC's 1-X inclusive - pending*

At:

St. Mary's Regional Medical Center
Risk Management and Legal Department

235 West 6th Street

Reno, NV 89503 (Tele: 775-770-3228/3210; 775-770-3745) And

cc (Prime HealthCare @ 3480 E. Guasti Road, Ontario, CA 91761(909-235-4400)

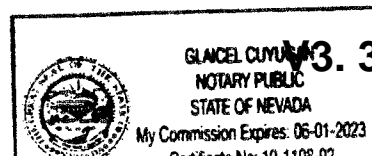
Marilee Brown
For Marilee Brown, Marilou Brown, Pro Se Plaintiffs
45 Nives Court
Sparks, NV 89441
775-425-4216
Date: February , 2020

16. Signature of Person who will deliver/serve the document:

(for Plaintiffs Marilee Brown, Marilou Brown – and for Beverly M. Brown's family)

17. Subscribed and Sworn to me on this 17th day of March, 2020

18. Notary Public



V3. 303

Exh 1

B 15/17

Exhibit 2

E+h 2

TRAVEL EXPOSURE SCREENING

COVID -19

Patient Name: Gary Orr Date of Birth: 9/30/46Department: Cardiology Position: _____

	YES	NO	I DON'T KNOW
1. Are you currently experiencing respiratory symptoms (sore throat, cough, shortness of breath, cold, or flu-like symptoms)?		✓	
2. Do you have a fever?		✓	
3. Have you traveled outside the U.S. in the last 14 days? If yes, when _____ where _____		✓	
4. Have you traveled within the U.S. in the last 14 days? If yes, when _____ where _____		✓	
5. Have you been on a cruise in the last 14 days? If yes, when _____ where _____		✓	
6. Have you had close contact with a person who is under investigation for COVID-19?		✓	
7. Have you had close contact with an ill, laboratory-confirmed COVID-19 patient?		✓	

By signing, I acknowledge that the information is true and correct to the best of my knowledge.

Signature: Gary OrrDate: 03/17/20

E+h 2

Pg 17/17

FILED
2020 MAY 28 PM 12:33
ORIGINAL

CODE: 3860
NAME: Marilee Brown, Marilou Brown (and for Beverly M. Brown's family)
BAR NUMBER: N/A (Pro Se litigants)
ADDRESS: 45 Nives Court
Sparks, NV 89441
TELEPHONE: (775) 425-4216

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

Marilee Brown, Marilou Brown (for Beverly M. Brown's family), Plaintiffs, in Proper Person

VS

Case No: CV20-00422
Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)
Mark McAllister, MD (St. Mary's Interventional Radiologist)
Tanzeel Islam, MD (St. Mary's Hospitalist)
Sridevi Challapalli, MD (St. Mary's Cardiologist),
DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

PLAINTIFFS' REQUEST TO SUBMIT THIS SUBMISSION BRIEF AND THE (ALREADY FILED DOCUMENTS) TO THE COURT FOR DECISION - AS THE RESPONSE TIME FOR SAME HAS LAPSED: REQUEST FOR SUBMISSION DOCUMENTS FILED SEPARATELY FOR EACH DOCUMENT:

1. Plaintiffs "AMENDMENT TO CIVIL COMPLAINT/RETURN SERVICE OF SUMMONS", filed by the Courton April 13, 2020, with (Plaintiffs' Opposition to Motion to Dismiss, et al Already Submitted to the Court)

2. "PLAINTIFFS' MOTION TO DISMISS Defendants Tiffany Coury (replaced Tammy Evans) / Prem Reddy's April 20, 2020 DELINQUENT/ERRONEOUS REPRESENTATION Reply (See Separate Opposition/Motion Filings as well), Received April 27, 2020 and Filed May 6, 2020 _

3. PLAINTIFFS' AMENDED PLEADING / SUPPLEMENTAL BRIEF **REQUEST IN SUPPORT OF THEIR HEARING REQUEST/INFO CONSIDERATION IN LIU OF; CLARIFICATION OF DEFENDANTS' ERRONEOUS INFORMATION WITHIN SAID PLEADINGS, (Plaintiffs' DIRECT And REITERATED REFUTES) IN SUPPORT OF THE COURT JUSTIFIABLY UPHOLDING PLAINTIFFS' COMPLAINT ISSUES,** Filed May 6, 2020

4. "PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUESTING TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF", Filed on May 14, 2020.

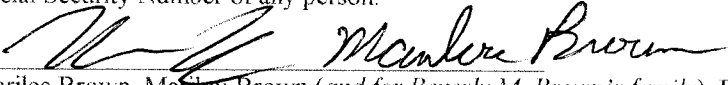
Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown
45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216

1/2

1 Date: May 28, 2020


2 AFFIRMATION Pursuant to NRS 239B.030

3 The undersigned do hereby affirm that the preceding document in this matter, PLAINTIFFS' REQUEST
4 TO SUBMIT THIS SUBMISSION BRIEF AND THE (ALREADY FILED DOCUMENTS) TO THE
5 COURT FOR DECISION - AS THE RESPONSE TIME FOR SAME HAS LAPSED: REQUEST FOR
6 SUBMISSION DOCUMENTS FILED SEPARATELY FOR EACH DOCUMENT does not contain the
7 Social Security Number of any person.

8 
9 Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
10 Gregory J. Brown
11 45 Nives Court
12 Sparks, NV 89441
13 Telephone: (775) 425-4216
14 Date: May 28, 2020

15 CERTIFICATE OF SERVICE

16 The undersigned do hereby affirm that PLAINTIFFS' REQUEST TO SUBMIT THIS SUBMISSION BRIEF
17 AND THE (ALREADY FILED DOCUMENTS) TO THE COURT FOR DECISION - AS THE RESPONSE
18 TIME FOR SAME HAS LAPSED: REQUEST FOR SUBMISSION DOCUMENTS FILED SEPARATELY
19 FOR EACH DOCUMENT was served via regular mail and in person by Plaintiffs to Defendants on
20 May 28, 2020

21 
22 Marilee Brown, Marilou Brown, Pro Se Plaintiffs
23 Gregory J. Brown
24 45 Nives Court
25 Sparks, NV 89441
26 775-425-4216
27 Date: May 28, 2020

FILED

ORIGINAL 2020 MAY 28 PM 12:34

CODE: 3860

NAME: Marilee Brown, Marilou Brown (and for Beverly M. Brown's family)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

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

Marilee Brown, Marilou Brown (for Beverly M. Brown's family)

Plaintiffs, in Proper Person

Case No: CV20-00422

Dept No: 1

VS

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

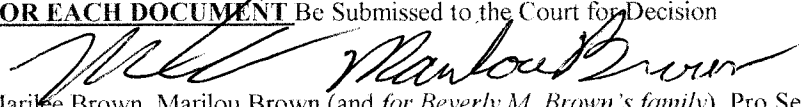
Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

REQUEST FOR SUBMISSION

The undersigned request that **PLAINTIFFS' REQUEST TO SUBMIT THIS SUBMISSION BRIEF AND THE (ALREADY FILED DOCUMENTS) TO THE COURT FOR DECISION - AS THE RESPONSE TIME FOR SAME HAS LAPSED: REQUEST FOR SUBMISSION DOCUMENTS FILED SEPARATELY FOR EACH DOCUMENT** Be Submitted to the Court for Decision


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se

Gregory J. Brown

45 Nives Court

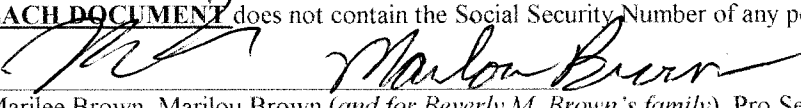
Sparks, NV 89441

Telephone: (775) 425-4216

Date: May 28, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request For Submission of **PLAINTIFFS' REQUEST TO SUBMIT THIS SUBMISSION BRIEF AND THE (ALREADY FILED DOCUMENTS) TO THE COURT FOR DECISION - AS THE RESPONSE TIME FOR SAME HAS LAPSED: REQUEST FOR SUBMISSION DOCUMENTS FILED SEPARATELY FOR EACH DOCUMENT** does not contain the Social Security Number of any person.


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se

Gregory J. Brown

45 Nives Court

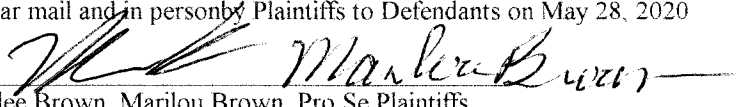
Sparks, NV 89441

Telephone: (775) 425-4216

Date: May 28, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request For Submission of PLAINTIFFS' REQUEST TO SUBMIT THIS SUBMISSION BRIEF AND THE (ALREADY FILED DOCUMENTS) TO THE COURT FOR DECISION - AS THE RESPONSE TIME FOR SAME HAS LAPSED: REQUEST FOR SUBMISSION DOCUMENTS FILED SEPARATELY FOR EACH DOCUMENT was served via regular mail and in person by Plaintiffs to Defendants on May 28, 2020


Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown
45 Nives Court
Sparks, NV 89441
775-425-4216
Date: May 28, 2020

FILED

2020 MAY 28 PM 12:34

ORIGINAL

1. ORIGINAL
2. CODE: 3860
3. NAME: Marilee Brown, Marilou Brown (and for Beverly M. Brown's family)
4. BAR NUMBER: N/A (Pro Se litigant)
5. ADDRESS: 45 Nives Court, Sparks, NV 89441
6. TELEPHONE: (775) 425-4216

7. IN THE SECOND JUDICIAL DISTRICT COURT OF
8. THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE
9. Marilee Brown, Marilou Brown (for Beverly M. Brown's family), Plaintiffs, in Proper Person
10. Case No: CV20-00422
11. Dept No: 1
12. VS

13. St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)
14. Mark McAllister, MD (St. Mary's Interventional Radiologist)
15. Tanzeel Islam, MD (St. Mary's Hospitalist)
16. Sridevi Challapalli, MD (St. Mary's Cardiologist).
17. DOES I through X inclusive: ROES Businesses I through X inclusive, Defendants,

18. REQUEST FOR SUBMISSION

19. The undersigned request that their AMENDMENT TO CIVIL COMPLAINT / RETURN SERVICE OF SUMMONS BE SUBMITTED TO THE COURT FOR DECISION
20. Marilee Brown, Marilou Brown, Gregory J. Brown (and for Beverly M. Brown's family), Pro Se
21. 45 Nives Court, Sparks, NV 89441
22. Telephone: (775) 425-4216
23. Date: (April 9, 2020) **May 28, 2020**

24. AFFIRMATION Pursuant to NRS 239B.030

25. The undersigned do hereby affirm that the preceding document, AMENDMENT TO CIVIL COMPLAINT / RETURN SERVICE OF SUMMONS filed in this matter does not contain the 20. Social Security Number of any person.

26. Date: (April 9, 2020) **May 28, 2020**
27. Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
28. Gregory J. Brown
29. 45 Nives Court, Sparks, NV 89441
30. Telephone: (775) 425-4216

31. CERTIFICATE OF SERVICE

32. The undersigned do hereby affirm that Plaintiffs' AMENDMENT TO CIVIL COMPLAINT / RETURN SERVICE OF SUMMONS was served via regular mail by Plaintiffs' Defendants' Counsels on April 9, 2020 (May 28, 2020)
33. Marilee Brown, Marilou Brown, Gregory J. Brown Pro Se Plaintiffs
34. 45 Nives Court, Sparks, NV 89441 775-425-4216
35. Date: (April 9, 2020) **May 28, 2020**

FILED

2020 MAY 28 PM 12:34

ORIGINAL

CODE: 3860

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (*Prime HealthCare*)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants.

REQUEST FOR SUBMISSION

The undersigned request that **PLAINTIFFS' AMENDED PLEADING / SUPPLEMENTAL BRIEF REQUEST IN SUPPORT OF THEIR HEARING REQUEST/INFO CONSIDERATION IN LIU OF: CLARIFICATION OF DEFENDANTS' ERRONEOUS INFORMATION WITHIN SAID PLEADINGS, (Plaintiffs' DIRECT And REITERATED REFUTES) IN SUPPORT OF THE COURT JUSTIFIABLY UPHOLDING PLAINTIFFS' COMPLAINT ISSUES (See Separate Opposition/Motion Filings on Same Issues, as well)**

BE SUBMITTED TO THE COURT FOR DECISION

Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se
Gregory J. Brown / Others Reserved

45 Nives Court
Sparks, NV 89441

Telephone: (775) 425-4216

Date: May 28, 2020

AFFIRMATION

The undersigned do hereby affirm that the preceding document, **PLAINTIFFS' AMENDED PLEADING / SUPPLEMENTAL BRIEF REQUEST IN SUPPORT OF THEIR HEARING REQUEST/INFO CONSIDERATION IN LIU OF: CLARIFICATION OF DEFENDANTS' ERRONEOUS INFORMATION WITHIN SAID PLEADINGS (Plaintiffs' DIRECT And REITERATED REFUTES) IN SUPPORT OF THE COURT JUSTIFIABLY UPHOLDING PLAINTIFFS' COMPLAINT ISSUES (See Separate Opposition/Motion Filings on Same Issues, as well)** filed in this matter does not contain the Social Security Number of any person.

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Marilee Brown

Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se
Gregory J. Brown *✓* / Others Reserved
Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 28, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that **PLAINTIFFS' AMENDED PLEADING / SUPPLEMENTAL BRIEF REQUEST IN SUPPORT OF THEIR HEARING REQUEST/INFO CONSIDERATION IN LIU OF; CLARIFICATION OF DEFENDANTS' ERRONEOUS INFORMATION WITHIN SAID PLEADINGS, (Plaintiffs' DIRECT And REITERATED REFUTES) IN SUPPORT OF THE COURT JUSTIFIABLY UPHOLDING PLAINTIFFS' COMPLAINT ISSUES (See Separate Opposition/Motion Filings on Same Issues, as well)** was served via regular mail or in person by Plaintiffs to Defendants' Counsels on May 28, 2020

Marilee Brown

Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown *✓* / Others Reserved
Nives Court
Sparks, NV 89441
775-425-4216
Date: May 28, 2020

2/2

FILED

2020 MAY 28 PM 12:35

ORIGINAL

CODE: 3860

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

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

Marilee Brown, Marilou Brown (*for Beverly M. Brown's family*)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422


Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (*Prime HealthCare*)
Mark McAllister, MD (St. Mary's Interventional Radiologist)
Tanzeel Islam, MD (St. Mary's Hospitalist)
Sridevi Challapalli, MD (St. Mary's Cardiologist),
DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

REQUEST FOR SUBMISSION

The undersigned request that their **PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT
MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY") REQUESTING TO STRIKE
PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL BRIEF**

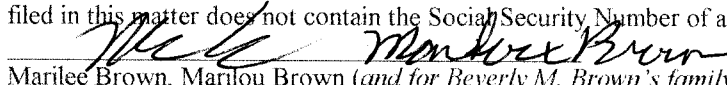
BE SUBMITTED TO THE COURT FOR DECISION


Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se
Gregory J. Brown / Others Reserved
45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: May 28, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document, Plaintiffs' Request For Submission of **PLAINTIFFS' REPLY (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION
("REPLY") REQUESTING TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/
SUPPLEMENTAL BRIEF**

filed in this matter does not contain the Social Security Number of any person.

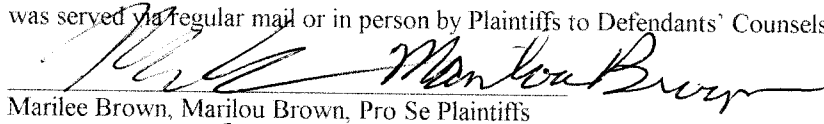

Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se
Gregory J. Brown / Others Reserved

1 Nives Court
2 Sparks, NV 89441
3 Telephone: (775) 425-4216
4 Date: May 28, 2020

5 CERTIFICATE OF SERVICE

6 The undersigned do hereby affirm that Plaintiffs' Request For Submission of PLAINTIFFS' REPLY
7 (OPPOSITION) TO DEFENDANT MCALLISTER'S May 7, 2020 OPPOSITION ("REPLY")
8 REQUESTING TO STRIKE PLAINTIFFS' MAY 6, 2020 AMENDED PLEADING/ SUPPLEMENTAL
9 BRIEF

10 was served via regular mail or in person by Plaintiffs to Defendants' Counsels on May 28, 2020

11 
12 Marilee Brown, Marilou Brown, Pro Se Plaintiffs

13 Gregory J. Brown  / Others Reserved

14 Nives Court
15 Sparks, NV 89441
16 775-425-4216
17 Date: May 28, 2020
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2/2

FILED

ORIGINAL

2020 JUN -5 AM 11:59

CODE: 3860

NAME: Marilee Brown, Marilou Brown (and for Beverly M. Brown's family)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

MARILEE BROWN
CLERK OF THE COURT

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

Marilee Brown, Marilou Brown (for Beverly M. Brown's family)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)

Mark McAllister, MD (St. Mary's Interventional Radiologist)


Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

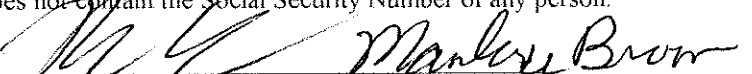
REQUEST FOR SUBMISSION


The undersigned request that **PLAINTIFFS' (a): ^{May 28, 2020} OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15, 2020 ERRATA RELATED TO PLAINTIFFS' May 14, 2020 (& Prior) DEFAULT MOTIONS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI; (b): IN SUPPORT OF PLAINTIFFS' MAY 6 / 14, 2020 SUPPLEMENTAL & DISMISSAL FILINGS NEXUSED TO DEFENDANTS' REPLIES/ERRATA; (c): WITH PLAINTIFFS' NOTICE OF THEIR REQUEST FOR SUBMISSION OF ALL ADJUDICATED FILINGS FOR NO RESPONSE/OTHER (Separate Filings) Be Submitted to the Court for Decision**


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown
45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: June 5, 2020

AFFIRMATION Pursuant to NRS 239B.030

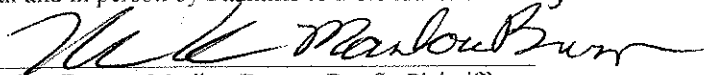

The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request For Submission of **PLAINTIFFS' (a): ^{May 28, 2020} OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15, 2020 ERRATA RELATED TO PLAINTIFFS' May 14, 2020 (& Prior) DEFAULT MOTIONS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI; (b): IN SUPPORT OF PLAINTIFFS' MAY 6 / 14, 2020 SUPPLEMENTAL & DISMISSAL FILINGS NEXUSED TO DEFENDANTS' REPLIES/ERRATA; (c): WITH PLAINTIFFS' NOTICE OF THEIR REQUEST FOR SUBMISSION OF ALL ADJUDICATED FILINGS FOR NO RESPONSE/OTHER (Separate Filings)** does not contain the Social Security Number of any person.


Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se

Gregory J. Brown 
45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: June 5, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request For Submission of PLAINTIFFS' (a): May 28, 2020
OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15,
2020 ERRATA RELATED TO PLAINTIFFS' May 14, 2020 (& Prior) DEFAULT MOTIONS AGAINST
DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI; (b): IN SUPPORT OF PLAINTIFFS'
MAY 6 / 14, 2020 SUPPLEMENTAL & DISMISSAL FILINGS NEXUSED TO DEFENDANTS' REPLIES
/ERRATA; (c): WITH PLAINTIFFS' NOTICE OF THEIR REQUEST FOR SUBMISSION OF ALL
ADJUDICATED FILINGS FOR NO RESPONSE/OTHER (Separate Filings) was served via regular
mail and in person by Plaintiffs to Defendants on June 5, 2020


Marilee Brown, Marilou Brown, Pro Se Plaintiffs
Gregory J. Brown 
45 Nives Court
Sparks, NV 89441
775-425-4216
Date: June 5, 2020

ORIGINAL

FILED

CODE: 1020

NAME: Marilee Brown, Marilou Brown (and for Beverly M. Brown's family)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court
Sparks, NV 89441

Telephone: (775) 425-4216

JACQUELINE DAYANT
CLERK OF THE COURTIN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

Marilee Brown, Marilou Brown (for Beverly M. Brown's family), Plaintiffs, in Proper Person

Case No: CV20-00422

Dept No: 1

VS

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)
Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

PLAINTIFFS' ADDENDUM TO THEIR MAY 28, 2020 OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15, 2020 ERRATA - NEXUSED TO PLAINTIFFS' April 28(24)2020 & May 14, 2020 DEFAULT FILINGS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI, (Etc)

INTRODUCTION

- I
- A. On June 1, 2020, Plaintiffs received the Court's May 26, 2020 Order Vacating their May 14, 2020 Default Judgment Request (that supported their April 28(24), 2020 Application To The Court for Default Judgment against the two (2) named Defendants). The Court mailed this May 26, 2020 Order on May 28, 2020, which was received by Plaintiffs on June 1, 2020.
- B. This Addendum is in furtherance of Plaintiffs' May 28, 2020 Opposition (No Reply yet received by Defendants to Plaintiffs' Opposition) Nexused to Plaintiffs' April 28(24), 2020 and May 14, 2020 Default Judgment Applications and for Reconsideration of Justified Default Judgment by the Court.

II STATEMENT OF FACTS and LEGAL ARGUMENTS /REFUTES**A. BACKGROUND SUMMARY**

1. The Court asserts a May 5, 2020 Order Denying Plaintiffs' Application for Default pursuant to two (2) technicality issues related to NRCP 55 and WDCR 26. The Court asserts Plaintiffs, to the affect, "have

1 *done nothing to remedy these issues...again submitted another application after the Court entered*
 2 *a ruling....and thus vacated Plaintiffs' May 14, 2020 submission for Default Judgment...".*

3 2. Plaintiffs submit this Addendum to their aforementioned May 28, 2020 Opposition for in Support of their
 4 May 28, 2020 Opposition Nexused to their Default Judgment Requests, with the meritous arguments noted:

5 **B** **.STATEMENT OF FACTS and LEGAL ARGUMENTS**

6 1. Plaintiffs Filed their April 28(24), 2020 and May 14, 2020 Default Judgments; And May 28, 2020 nexused
 7 Opposition to same with **meritous** arguments - for the Court to Consider for Granting Plaintiffs' Default
 8 Judgments and Opposition. Plaintiffs will a File Motion For Reconsideration to the Court's May 26, 2020
 9 Order with same/more details to Support their Default Motion and May 28, 2020 Opposition, if required.

10 2. **NO RECEIPT OF THE COURT'S MAY 5, 2020 ORDER:**

11 a/1. Plaintiffs **NEVER RECEIVED the Court's May 5, 2020 Order.** The Court's assistant ONLY sent the May 5,
 12 2020 Order NOTED in their May 28, 2020 Opposition; Else they would have addressed said Order immediately
 13 (as Plaintiffs historically have).

14 a/2. **Nor have any of the Defendants mentioned said Order in any of their defenses,** including Defendants'
 15 **ERRATA that Plaintiffs Oppose for which this Addendum relates.** Such would have alerted Plaintiffs that
 16 such an Order existed on their Default Judgment Application/Requests and they would have addressed
 17 such an Order immediately.

18 b/1. Plaintiffs are **electronically exempt and only get the Court's and Defendants' Filings by mail. They have**
 19 **NO access to Court Filings except by Direct mailed receipt from the Court or Defendants.**

20 b/2.**Of Note,** Plaintiffs' receipt of the Court's mailings are delayed by a minimum of five plus (5+) days because
 21 the Court mailings consistently sit in the Court mailing system for two days before they are sent out and
 22 received three or so days beyond; similar to delayed mailings by Defendants.

23 c/1. Plaintiffs received **BOTH** of the Court's May 26, 2020 two (2) of the Court's Orders **in one (1) envelope**
 24 **- which did NOT happen on May 5, 2020.** The Court's Assistant **only put one (1)** of the Court's two (2)
 25 **Orders in the May 5, 2020 Filing envelope** (the **VACATE Order of Party Submission Request, dated May**
 26 **5, 2020 - which was NOT the May 5, 2020 Order Denying Plaintiffs' Default Judgment Request/Application).**

27 c/2. Plaintiffs had named in their May 28, 2020 Opposition the aforementioned May 5, 2020 Order, which was one
 28 of three (3) they received from the Court in this litigation matter - **None of which were the May 5, 2020 Order**

Denying Plaintiffs' Default Judgment Request/Application.3. MERITOUS Arguments for DEFAULT JUDGMENT Nexused to Plaintiffs' May 28, 2020 OPPOSITION:

Plaintiffs Filed their April 28, 2020, May 14, 2020 Default Judgments and May 28, 2020 nexused Opposition to same with **meritous** arguments; Plaintiffs provide the following meritous arguments as well::

a. NRCP 55 (a) ENTRY allows for Request for Default Judgment FACTS to be made by Affidavit or otherwise against those who have failed to defend, *"that fact is made to appear by affidavit or otherwise, the clerk shall enter the party's default"*

b/1. NRCP 55 (b)(2) allows for Judgment by Default to be made by the Court – which is what Plaintiffs did or intention was - which appeared **NOT** to need any application through the Clerk *(contrary to the May 5, 2020 Order asserted).*

b/2. NRCP (b)(1) is through application for Entry by the Clerk, which appears NOT to be required as addressed in b/1 Above.

c. It is noted that As of and prior to May 5, 2020, the Court has been CLOSED FOR any dealings for the public with the Clerks – who are **NOT** available as they work from home *due to the Corona virus*. Thus Plaintiffs now mail or stamp file their Filings ABSENT of any Clerks and followed the Application process for Entry by the Court vs. by the Clerk as best understood.

4a. Regardless of any Entry technicality issues, which Plaintiffs now address since being aware of same per the Court's May 26, 2020 Order, the Facts Supporting their Default Judgment Requests Remain and their Request for Reasonable Relief JUSTIFIED - as addressed in their two (2) Default Judgment Filings, Supported further in their May 28, 2020 Opposition.

4b. Plaintiffs provide their *(Separately Filed Affidavit - Nexused to their Opposition Addendum)* Jointly signed Affidavit In Support of their Meritous, Justified Default Judgment Application/Request against two (2) Defendants – in compliance with Court Rules; An Affidavit which simply **REITERATES** the SAME Facts asserted in their two (2) Default Judgment Filings, Supported further in their May 28, 2020 Opposition (in compliance with WDCR 26 and NRCP 55 (if needed); **ALL TO SUPPORT the Court GRANTING Plaintiffs' Default Judgment Request/Application and DENY Defendant's May 15,]**


2020 ERRATA

Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
Gregory J. Brown

1 45 Nives Court
2 Sparks, NV 89441
3 Telephone: (775) 425-4216
4 Date: June 5, 2020

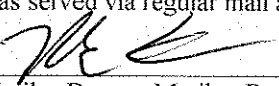
4 AFFIRMATION Pursuant to NRS 239B.030

5 The undersigned do hereby affirm that the preceding document in this matter, PLAINTIFFS' ADDENDUM
6 TO THEIR MAY 28, 2020 OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM
7 REDDY MD's MAY 15, 2020 ERRATA - NEXUSED TO PLAINTIFFS' April 28(24), 2020 & May 14,
8 2020 DEFAULT FILINGS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI
9 (Etc) does not contain the Social Security Number of any person.

10 
11 Marilee Brown, Marilou Brown (and for Beverly M. Brown's family), Pro Se
12 Gregory J. Brown
13 45 Nives Court
14 Sparks, NV 89441
15 Telephone: (775) 425-4216
16 Date: June 5, 2020

13 CERTIFICATE OF SERVICE

14 The undersigned do hereby affirm that PLAINTIFFS' ADDENDUM TO THEIR MAY 28, 2020
15 OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15,
16 2020 ERRATA - NEXUSED TO PLAINTIFFS' April 28(24), 2020 & May 14, 2020 DEFAULT
17 FILINGS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI, (Etc)
18 was served via regular mail and in person by Plaintiffs to Defendants on June 5, 2020

19 
20 Marilee Brown, Marilou Brown, Pro Se Plaintiffs
21 Gregory J. Brown
22 45 Nives Court
23 Sparks, NV 89441
24 775-425-4216
25 Date: June 5, 2020

FILED

2020 JUN -5 PM 12: 00

ORIGINAL JACQUELINE BRYANT
CLERK OF THE COURT

CODE: 3860

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOEMarilee Brown, Marilou Brown (*for Beverly M. Brown's family*)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (*Prime HealthCare*)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

REQUEST FOR SUBMISSION

The undersigned request that **PLAINTIFFS' ADDENDUM TO THEIR MAY 28, 2020 OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15, 2020 ERRATA - NEXUSED TO PLAINTIFFS' April 28(24), 2020 & May 14, 2020 DEFAULT FILINGS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI, (Etc) Be Submitted to the Court for Decision**

Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se

Gregory J. Brown

45 Nives Court

Sparks, NV 89441

Telephone: (775) 425-4216

Date: June 5 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request For Submission of **PLAINTIFFS' ADDENDUM TO THEIR MAY 28, 2020 OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury) / PREM REDDY MD's MAY 15, 2020 ERRATA - NEXUSED TO PLAINTIFFS' April 28(24), 2020 & May 14, 2020 DEFAULT FILINGS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI, (Etc) does not** contain the Social Security Number of any person.


Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro Se

Gregory J. Brown

1 45 Nives Court
2 Sparks, NV 89441
3 Telephone: (775) 425-4216
Date: June 5, 2020

CERTIFICATE OF SERVICE

4 The undersigned do hereby affirm that Plaintiffs' Request For Submission PLAINTIFFS' ADDENDUM
5 TO THEIR MAY 28, 2020 OPPOSITION TO DEFENDANTS TAMMY EVANS' (Tiffany Coury)/PREM
6 REDDY MD's MAY 15, 2020 ERRATA - NEXUSED TO PLAINTIFFS' April 28(24), 2020 & May 14,
7 2020 DEFAULT FILINGS AGAINST DEFENDANTS TANZEEL ISLAM AND SRIDEVI CHALLAPALLI
8 Etc) was served via regular mail and in person by Plaintiffs to Defendants on June 5, 2020

9 
10 Marilee Brown, Marilou Brown, Pro Se Plaintiffs
11 Gregory J. Brown
12 45 Nives Court
13 Sparks, NV 89441
14 775-425-4216
15 Date: June 5, 2020
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FILED

2020 JUN -5 PM 12:00

JACQUELINE BRYANT
CLERK OF THE COURT

ORIGINAL

CODE: 1037

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court

Sparks, NV 89441

Telephone: (775) 425-4216

IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOEMarilee Brown, Marilou Brown (*for Beverly M. Brown's family*), Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

AFFIDAVIT IN SUPPORT OF DEFAULT JUDGMENT – CV20-00422

A. We, Marilou Brown and Marilee Brown, being first duly sworn as Affiant, are over 18 years of age and say:
We, the Plaintiffs in the aforementioned matter, **do provide this Affidavit stating the FACTS of:**

1a. On April 28(24), 2020, we, the Plaintiffs Filed our APPLICATION FOR **DEFAULT JUDGMENT** against

Defendants Tanzeel Islam, MD and Sridevi Challapalli, MD for **NO Answer /Response** to our, Plaintiffs',

March 3, 2020 Civil Complaint/Summons served upon them on March 17, 2020.

Only Defendants Tiffany Coury (*replaced Tammy Evans*) and Prem Reddy, MD, through their counsel;

And Mark McAllister, MD, through his counsel, Responded to our, Plaintiffs', Summons/Complaint served

upon All Defendants on March 17, 2020

1b. By May 14, 2020, we, the Plaintiffs' Requested the Court Grant Default Judgment to us, Plaintiffs,

against Defendants Tanzeel Islam, MD (Hospitalist) Sridevi Challapalli, MD (Cardiologist) For :

- Failure to Answer our March 3, 2020 Summons/Civil Complaint served upon them on March 17, 2020; And

- Failure to Respond to our April 24, 2020 Motion for Default Judgment (*filed by Court on April 28, 2020*):

2. **In Opposition to Defendants' Errata, Counsels DeJong, Prangle ONLY NOW (May 15, 2020) Attempt to include Defendants' Tanzeel Islam and "Sri" (misspelled by counsel) Challapalli in their purported False Representation of same because these Two (2) Defendants Failed to Respond to our, Plaintiffs', Civil Action served on them on March 17, 2020, And their April 28(24), 2020 and May 14, 2020 Default Judgment Requests (except for counsels now seeking to represent same two (2) Defendants for which Plaintiffs filed their May 28, 2020 Opposition; and who made FALSE statements of improper service against us, Plaintiffs to support their request – Refuted by our May 28, 2020 Opposition**

3. **Our Default Judgment Request is Supported (again) by the Following:**

3a. **As REQUIRED BY SUMMONS' VERBIAGE** - Pursuant to the Court Summons PROPERLY served upon ALL Defendants:

"THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND IN WRITING, WITHIN 21 DAYS.".... "If you intend to defend this lawsuit, you must do the following within 21 days after service of this summons (March 17, 2020) – File with the Clerk a formal written answer in Accordance with the rules of the Court".. "And serve a copy on plaintiffs"

"Unless you (Defendants) respond, a Default WILL be entered upon application of the Plaintiffs and this Court may enter a judgment against you for the relief demanded in the Complaint"

3b. **And AFFORDED BY the Nevada Rules of Civil Procedure:**

(With Said verbiage addressed in the Summons and Nevada Rules of Civil Procedure language Delineated in our, Plaintiffs', Briefs)

3c. **Pursuant to Defendant McAllister's May 7, 2020 (Opposition (Reply) Filing, it is Affirmed to the Effect, that Per: DCR 13(3)(Failure of the opposing party to serve and file his written opposition may be Construed as an admission that the motion is meritorious and consent to granting same"); see also Walls vs. Brewster, 112 Nev.175, 912P2d261(1996) (court affirmed granting motion (application)... When there is a failure to respond)**

3d. **With the Court's own reiterated verbiage of same in the May 26, 2020 Order**

B. All while referring to our, Plaintiffs', June 2020 Addendum; May 28, 2020 Opposition to Defendants' ERRATA Nexused to our April 28(24), 2020 and May 14, 2020 Default Judgment Applications.

C. From our, Plaintiffs', research, education and experience, we also know that the Courts State:

a. ***"the Court must construe the complaint in the light most favorable to the Plaintiff and accept as true the factual allegations of the complaint(caselaw)"***, which would include Plaintiffs **Meritous, Justified** May 28, 2020 Filed Opposition and Default Judgments

b. ***"Pleadings of a pro per litigant (Plaintiff - non lawyer) are held to a less stringent standard than formal***

pleading drafted by lawyers(Defendant)(caselaw)" And

c. "the Nevada Supreme Court held that the basic underlying policy governing the exercise of discretion is to have cases decided upon the merits, rather than dismissed on procedural grounds (caselaw)"-

which would include Plaintiffs **Meritous, Justified** May 28, 2020 Filed Opposition and Default Judgments

We, Plaintiffs in the aforementioned matter, Affirm the aforementioned information is True and Accurate to the Best of our Knowledge and Supported by the Facts of this case.

Affiant Marilee Brown
45 Nives Court
Sparks, NV 89441
775-425-4216
Date: June 5, 2020

Affiant Marilou Brown
45 Nives Court
Sparks, NV 89441
775-425-4216
Date: June 5, 2020

FILED

2020 JUN -5 PM 12: 00

JACQUELINE BRYANT
CLERK OF THE COURT

ORIGINAL

CODE: 3860

NAME: Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court, Sparks, NV 89441

TELEPHONE: (775) 425-4216

IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOEMarilee Brown, Marilou Brown (*for Beverly M. Brown's family*)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (*Prime HealthCare*)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive, Defendants,

REQUEST FOR SUBMISSIONThe undersigned request that AFFIDAVIT IN SUPPORT OF DEFAULT JUDGMENT – CV20-00422
Be SUBMITTED TO THE COURT FOR DECISION.Marilee Brown, Marilou Brown, Gregory J. Brown (*and for Beverly M. Brown's family*), Pro Se
45 Nives Court, Sparks, NV 89441, Telephone: (775) 425-4216

Date: June 5, 2020

AFFIRMATION Pursuant to NRS 239B.030The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request For
Submission of AFFIDAVIT IN SUPPORT OF DEFAULT JUDGMENT – CV20-00422 does not contain
the Social Security Number of any person.Marilee Brown, Marilou Brown, Gregory J. Brown (*and for Beverly M. Brown's family*), Pro Se
45 Nives Court, Sparks, NV 89441, Telephone: (775) 425-4216

Date: June 5, 2020

CERTIFICATE OF SERVICE

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The undersigned do hereby affirm that Plaintiffs' Request For Submission of AFFIDAVIT IN SUPPORT

OF DEFAULT JUDGMENT - CV20-00422 was served via regular mail and in person by Plaintiffs to

Defendants on June 4, 2020



Marilee Brown, Marilou Brown, Gregory J. Brown Pro Se Plaintiffs
45 Nives Court, Sparks, NV 89441, 775-425-4216 *he*

Date: June 5, 2020

2/2

3060

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

MARILEE BROWN, MARILOU BROWN,
GREGORY J. BROWN (for Beverly M.
Brown's family),

Plaintiffs,

Case No.: CV20-00422

Dept. No.: 1

vs.

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMI EVANS; PREM REDDY,
M.D.; MARK McALLISTER, M.D.; TANZEEL
ISLAM, M.D.; SRIDEVI CHALLAPALLI,
M.D., and DOES I through X, inclusive; ROE
BUSINESSES I through X, inclusive,

Defendants.

**ORDER GRANTING MOTION TO DISMISS PLAINTIFFS' COMPLAINT
FOR FAILURE TO COMPLY WITH NRS 41A.071**

Currently before the Court is Defendants Saint Mary's Regional Medical Center, Tammy Evans (erroneously named as Tami Evans), and Prem Reddy, M.D.'s (collectively "Defendants Saint Mary's") *Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with NRS 41A.071* ("Motion") filed March 26, 2020. On April 13, 2020, Plaintiffs filed an *Opposition to Defendants' Motion to Dismiss – to Include Amendments/Clarification, et al as Specified in Their Civil Complaint; and Amendment Request Here to Include Additional Plaintiff (Return Service of Summons and Additional Laintiff [sic] Documentation Submitted Separately)* ("Opposition"). On April 20, 2020, Defendants filed a *Reply in Support of Motion to Dismiss* and submitted the Motion to the Court for

consideration. On May 15, 2020, Defendants Saint Mary’s filed an *Errata to Defendants St. Mary’s Regional Medical Center, Tammy Evans, and Prem Reddy M.D.’s Reply in Support of Motion to Dismiss*. Plaintiffs filed *Plaintiffs’ (a) Opposition to Defendant Tammy Evans’ (Tiffany Coury) / Prem Reddy MD’s May 15, 2020 Errata Related to Plaintiffs’ May 14, 2020 (& Prior) Default Motions Against Defendants Tanzeel Islam and Sridevi Chapallapalli; (b) in Support of Plaintiffs’ May 6 / 14, 2020 Supplemental & Dismissal Filings Nexused to Defendants’ Replies/Errata; (c) With Plaintiffs’ Notice of Their Request for Submission of all Adjudicated Filings for no Response / Other (Separate Filings)* on May 28, 2020.

I. Background

On March 3, 2020, Plaintiffs filed the *Civil Complaint* (“Complaint”) in this case which alleges medical negligence / malpractice. *See generally* Compl. On April 13, 2020, Plaintiffs filed an *Amendment to Civil Complaint / Return Service of Summons* (“Amendment to Complaint”) which sought to substitute Tiffany Coury for Defendant Tammy Evans and add Mr. Gregory J. Brown as a Plaintiff but did not alter or add to the factual allegations set forth in the Complaint. *See generally* Am. to Compl. Plaintiffs allege Beverly Morris Brown (“Ms. Brown”) died on March 5, 2019 as a result of the treatment she received in December 2018 and February 2019 from Defendants. Mot. at 3:8–12.

II. Relevant Legal Authority

In reviewing a motion to dismiss pursuant to Nevada Rules of Civil Procedure Rule 12(b)(5) for failure to state a claim upon which relief can be granted, the “court must construe the pleadings liberally and accept all factual allegations in the complaint as true . . . [and] draw every fair inference in favor of the non-moving party. ‘A complaint will not be dismissed for failure to state a claim unless it appears beyond a doubt that the plaintiff could prove no set of facts which, if accepted by the trier of fact, would entitle him or her to relief.’” *Blackjack Bonding v. City of Las Vegas Mun. Court*, 116 Nev. 1213, 1217, 14 P.3d 1275, 1278 (2000) (citing *Simpson v. Mars. Inc.*, 113 Nev. 188, 190, 929 P.2d 966, 967 (1997)). As Nevada is a “notice-pleading” jurisdiction, a complaint need only set forth sufficient facts to demonstrate the necessary elements of a claim for relief so that the defending party has “adequate notice of the nature of the claim and relief sought.” *Hay v. Hay*, 100 Nev. 196, 198,

678 P.2d 672, 674 (1984); see also *Stockmeier v. Nevada Dep't of Corrections*, 124 Nev. 313, 316, 183 P.3d 133, 135 (2008) (dismissing a claim, pursuant to NRCP 12(b)(5), is proper where the allegations are insufficient to establish the elements of a claim for relief).

NRS 41A.071 provides:

If an action for professional negligence is filed in the district court, the district court shall dismiss the action, without prejudice, if the action is filed without an affidavit that:

1. Supports the allegations contained in the action;
2. Is submitted by a medical expert who practices or has practiced in an area that is substantially similar to the type of practice engaged in at the time of the alleged professional negligence;
3. Identifies by name, or describes by conduct, each provider of health care who is alleged to be negligent; and
4. Sets forth factually a specific act or acts of alleged negligence separately as to each defendant in simple, concise and direct terms.

The Nevada Supreme Court has held that pursuant to NRS 41A.071 “a complaint filed without a supporting medical expert affidavit is void ab initio and must be dismissed. Because a void complaint does not legally exist, it cannot be amended . . . and an NRS 41A.071 defect cannot be cured through amendment.” *Washoe Med. Ctr. v. Second Judicial Dist. Court of State of Nev. ex rel. Cty. of Washoe*, 122 Nev. 1298, 1301–02, 148 P.3d 790, 792 (2006). The court went on to state that the “shall” in NRS 41A.071 “is mandatory and does not denote judicial discretion.” *Id.* at 1303 (citations omitted).

NRS 41A.015 defines professional negligence as: “[t]he failure of a provider of health care, in rendering services, to use the reasonable care, skill or knowledge used under similar circumstances by similarly trained and experienced providers of health care.” When a plaintiff’s claim is for injuries resulting from negligent medical treatment, the claim sounds in medical malpractice. *Szymborski v. Spring Mountain Treatment Center*, 133 Nev. 638, 642, 403 P.3d 1280, 1284 (2017) (citations omitted). *Szymborski* stands for the proposition that “allegations of breach of duty involving medical judgment, diagnosis, or treatment indicate that a claim is for medical malpractice.” *Id.* When a plaintiff’s claim is for injuries resulting from negligent acts that did not affect the medical treatment of a patient, the claim sounds in ordinary negligence. *Id.* (citations omitted). If the alleged breach of

a duty of care set forth in the complaint is one that was based upon medical art or science, training or expertise, then it is a claim for medical malpractice. *Id.* (citations omitted). By extension, if the jury can only evaluate the plaintiff's claims after presentation of the standards of care by a medical expert, then it is a medical malpractice case. *Id.* (citing, *Humboldt Gen. Hosp. v. Sixth Judicial Dist. Court*, 132 Nev. 544, 550–51, 376 P3d 167, 172 (2016)). If, on the other hand, the reasonableness of the health care provider's actions can be evaluated by jurors on the basis of their common knowledge and experience, then the claim is likely based in ordinary negligence. *Id.* 133 Nev. at 642 (citations omitted). Given the subtle distinction, a single set of circumstances may sound in both ordinary negligence and medical malpractice, and an inartful complaint will likely use terms that invoke both causes of action. *Id.* (citing, *Mayo v. United States*, 785 F.Supp.2d 692, 695 (M.D. Tenn. 2011)). It is the nature of the grievance rather than the form of the pleadings that determines the character of the action. *Id.* (citing, *State Farm Mut. Auto. Ins. Co. v. Wharton*, 88 Nev. 183, 186, 495 P.2d 359, 361 (1972)).

III. Analysis

Defendants Saint Mary's argue all of Plaintiffs' factual claims arise out of medical care, treatment, and alleged breaches of the medical providers' duties of care and therefore sound in medical malpractice. Mot. at 4:3–5; 5:19–22. Defendants Saint Mary's maintain all of Plaintiffs' allegations fall within the definition of professional negligence pursuant to NRS 41A.015. *Id.* at 5:26–6:4. Defendants Saint Mary's contend Plaintiffs failed to satisfy the affidavit requirement pursuant to NRS 41A.071 and the Complaint must be dismissed. *Id.* at 6:5–7:10.

Plaintiffs request a hearing to clarify this matter. Opp. at 1:15. Plaintiffs contend their claims in the Complaint rely upon other statutes. *Id.* at 2:13–14. Plaintiffs assert the Complaint can be tolled pursuant to NRS 41A.097(2) and that should be considered as a mitigating factor and for this Court to maintain all the issues until Plaintiffs can obtain a medical expert affidavit because such a dismissal would be prejudicial to Plaintiffs as they may not be able to re-file any medical issues due to running of the statute of limitations. *Id.* at 2:15–3:5; 5:3–6. Plaintiffs assert it is within this Court's discretion whether to dismiss the action. *Id.* at 3:5–6. Plaintiffs insist the word “shall” in NRS 41A.071 is not mandatory and argue cases should be decided upon the merits rather than dismissed on procedural

grounds. *Id.* at 3:11–4:7. Plaintiffs claim because pleadings of a pro per litigant are held to a less stringent standard, the Complaint should not be dismissed. *Id.* at 4:8–9. Plaintiffs insist there are factual allegations in the Complaint that are non-medical including: (1) failure to follow protocol; (2) lack of communication; (3) age/other discrimination / jeopardy to the elderly; (4) negligence jeopardizing patients/others safety related to infectious persons; and (5) failure to expedite medical documentation that jeopardized this patient’s case. *Id.* at 4:9–14; 5:6–12. Plaintiffs state that in the Complaint they requested the ability to amend the Complaint, and they should be allowed to do so in this instance without having all of their non-medical claims dismissed as that would cause significant hardship. *Id.* at 5:12–16.

Plaintiffs then claim they themselves are sufficiently familiar with this case to prepare a joint affidavit that illustrates their education, experience, and caretaking of patients that will suffice until Plaintiffs can obtain a proper medical expert affidavit if required. *Id.* at 6:11–24. Plaintiffs assert it is difficult to obtain written or testimonial support from medical experts because they fear reprisal, damage to their reputation, or denial of hospital rights in speaking out. *Id.* at 8:9–16. Plaintiffs allege Defendants Saint Mary’s failed to perform an investigation into the facts surrounding Ms. Brown’s death and instead engaged in a coverup. *Id.* at 9:16–20. Plaintiffs maintain a jury can evaluate Plaintiffs claims despite any procedural shortcomings, especially those based on the nonmedical functions. *Id.* at 11:14–19. Plaintiffs state that it is the substance rather than the form of the claim that must be examined. *Id.* at 16:21–17:1. Plaintiffs request this Court allow them to amend the Complaint to: (1) add age/other discrimination violations; (2) add Gregory J. Brown as a Plaintiff; (3) clarify, correct, and amend the Complaint; and (4) time to secure a medical expert affidavit if necessary.¹ *Id.* at 20:13–22.

In the Reply, Defendants Saint Mary’s maintain the application of NRS 41A.071 focuses on whether a defendant is a provider of health care and whether the allegations in a complaint contemplate a failure in rendering of services by that provider. Reply at 5:3–7. Defendants Saint Mary’s argue that all of the allegations are in relation to medical care and treatment provided to Ms.

¹ The Amendment to the Complaint adding/substituting parties was filed concurrently with the Opposition on April 13, 2020 and does not allege any claims for discrimination or request additional time to secure a medical expert affidavit.

Brown at Saint Mary's Regional Medical Center, a licensed hospital and the respective physicians who practice there. *Id.* at 5:8–18. Defendants Saint Mary's maintain a plaintiff cannot avoid application of NRS 41A.071 through artful pleading and emphasize Plaintiffs' claims arise out of breaches of duties involving medical judgment, diagnosis, or treatment. *Id.* at 5:19–6:2. Defendants Saint Mary's point out that the Nevada Supreme Court has held that "allegations of negligent maintenance of medical records are properly characterized as medical malpractice." *Id.* at 6:5–8; *Jones v. Wilkin*, 111 Nev. 1335, 1338, 905 P.2d 166, 168 (1995). Defendants Saint Mary's argue Plaintiffs seek to impose liability for treatment Ms. Brown received for a foot wound, an atrial fibrillation, an improper amputation, low oxygen levels, and a pulmonary injury. Reply at 6:14–16. Defendants Saint Mary's state these allegations clearly implicate professional negligence and the Complaint repeatedly describes these claims as one for medical malpractice. *Id.* at 6:14–19. Defendants Saint Mary's also contend Plaintiffs lack standing to bring this suit as self-represented litigants on behalf of their mother's estate. *Id.* at 7:1–8:2.

Having reviewed the pleadings on file and having reviewed the facts and legal support set forth therein, this Court finds good cause to grant the Motion. For NRS 41A.071 to apply to this action, it must be an action for professional negligence. Plaintiffs allege "Defendants did commit Medical Negligent actions to include Medicinal, Treatment, Judgment, protocol, Etc [sic] errors, against the Plaintiffs which led to the Wrongful Suffering and Death of their mother" Compl. at 14:26–27. This language or substantially similar language is repeated three times in this section of the Complaint. *Id.* at 14:22–15:13. Further, all of the allegations contained in the Complaint directly involve medical judgment, diagnosis, or treatment that Ms. Brown allegedly received or should have received, which the Nevada Supreme Court has held means the claim sounds in professional negligence. *Szyborski*, 133 Nev. at 642.

This Court has reviewed the allegations contained in the Complaint. Contrary to Plaintiffs' claim that there are factual allegations in the Complaint that are non-medical (to include failure to follow protocol, lack of communication, age/other discrimination/jeopardy to the elderly, negligence jeopardizing patients/others safety related to infectious persons, and failure to expedite medical documentation that jeopardized this patient's case) each of these allegations is inextricably tied to a

claim for professional negligence and Plaintiffs cannot now claim otherwise for the sole purpose of remedying a violation of NRS 41A.071.

To evaluate whether the medical professionals in this case followed established protocol necessarily requires expert testimony to explain the standard of care. *Id.* The protocol Plaintiffs claim was not followed related to the amount and type of medication administered to Ms. Brown which is rooted in professional negligence, as the Complaint contends that the physicians prescribed the medication. Compl. at 3:22–27.

As to the alleged “lack of communication,” the only usage of the word “communication” in the Complaint deals with “the communication between providers and patients/patients’ families so as to ensure the improvement of quality care, healthcare Improvement and less Medical Medicinal, Judgment mistakes/error that lead to the deteriorating medical condition, suffering and preventable death of patients as what happened in this case” Compl. at 16:26–17:2. The failure of communication alleged is related directly to quality of care, the deteriorating medical condition, suffering and preventable death of Ms. Brown and thus is rooted in professional negligence. *Szymborski*, 133 Nev. at 642. In some instances, the failure to communicate is co-extensive with the failure to follow procedure, and in other instances it overlaps with the failure to provide medical documentation. Mot. at 2:20–22; 9:16–10:2. Regardless, these do not form an independent basis for an ordinary negligence claim such that an expert affidavit would not be required in this case.

Further, the Complaint does not set forth a claim for age discrimination and there is no factual explanation or legal support for the allegation of “jeopardy to the elderly.” Any negligence claim derived from exposure to an infected patient as alleged by Plaintiffs is purported to be the direct result of the medical decisions made for and treatment provided to Ms. Brown and as such falls squarely within the scope of a professional negligence claim. *Szymborski*, 133 Nev. at 642. As for the failure to expedite the medical documentation in this case, the Nevada Supreme Court has held “allegations of negligent maintenance of medical records are properly characterized as medical malpractice.” *Jones*, 111 Nev. at 1338. Failure to expedite the medical documents is pertinent to the diagnosis and treatment of Ms. Brown and therefore does not state a claim for ordinary negligence. *Szymborski*, 133 Nev. at 642.

Moreover, and importantly, there are no separate claims for relief pled in the Complaint related to the purported non-medical claims. The Complaint sets forth a “Statement of Facts Main Medical Malpractice Information Summary,” a “Background History,” a “Primary Background Related to ISSUE AT HAND- Patient Beverly M. Brown,” “ISSUE AT HAND FOR MEDICAL NEGLIGENCE/MALPRACTICE- History and Details,” “MAIN MEDICAL NEGLIGENCE SUMMARY INFORMATION” and “MAIN MEDICAL MALPRACTICE INFORMATION (REITERATED).” With the exception of the “Background” sections, each of these headings references “Medical Malpractice” or “Medical Negligence” or both. There are no allegations in the Complaint related to ordinary negligence. By way of example, a reading of the section labeled “MAIN MEDICAL NEGLIGENCE SUMMARY INFORMATION” reveals allegations that pertain to Ms. Brown that relate to lack of care on behalf of treating physicians to include failure to look at Ms. Brown’s “extensive medical information provided by the family,” an “error in a pulmonary procedure by the Interventional Radiologist as they had been attempting to remove fluid from this patient’s lungs” and removal of “critical life saving medication” “needed to prevent arterial blockages” that “ultimately led to Beverly M. Brown’s blockages, stroke, heart stress/CHF UNCONTROLLABLE AFIB, returned infectious Pneumonia and Death at Renown hospital.” *Id.* at 9:5-10; 10:18-20. To the extent Plaintiffs are now contending that claims for ordinary negligence were pled, they have failed to set forth the necessary elements of those claims and/or factual allegations sufficient to support those claims denying Defendants “adequate notice of the nature of the claim and relief sought” in violation of *Hay*.

Accordingly, this Court finds that Plaintiffs’ Complaint (as originally filed and as amended to add or substitute parties) states a claim or claims for professional negligence and as such NRS 41A.071 applies. Plaintiffs admit that the Complaint does not contain a medical expert affidavit. *Opp.* at 3:3–6. As noted above, the Nevada Supreme Court has held that “a complaint filed without a supporting medical expert affidavit is void ab initio and must be dismissed. Because a void complaint does not legally exist, it cannot be amended . . . and an NRS 41A.071 defect cannot be cured through amendment” as well as pointing out that the word “shall” in NRS 41A.071 “is mandatory and does not denote judicial discretion.” *Washoe Med. Ctr.*, 122 Nev. at 1301–02, 1303.

The Nevada Supreme Court has acknowledged that NRS 41A.071 applies to all medical malpractice actions even if the person is representing themselves. *Anderson v. Sierra Surgery Hosp.*, Case No. 58753, 2012 WL 2308670, *1 (2012).

As such, this Court finds that dismissal of Plaintiffs' Complaint is proper pursuant to NRS 41A.071. This Court does not reach Defendants Saint Mary's argument regarding Plaintiffs' standing because it has found the Complaint to be void ab initio pursuant to NRS 41A.071.

Based upon the foregoing and good cause appearing,

IT IS HEREBY ORDERED that Defendants Saint Mary's *Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with NRS 41A.071* is GRANTED and this case is DISMISSED to include all motions that are pending or have been submitted to this Court.

IT IS SO ORDERED.

DATED this 8th day of June, 2020.


KATHLEEN DRAKULICH
DISTRICT JUDGE

CERTIFICATE OF SERVICE

CASE NO. CV20-00422

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 8th day of June, 2020, I electronically filed the **ORDER GRANTING MOTION TO DISMISS PLAINTIFFS' COMPLAINT FOR FAILURE TO COMPLY WITH NRS 41A.071** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

EDWARD LEMONS, ESQ. for MARK MCALLISTER

RICHARD DE JONG, ESQ. for TAMI EVANS, PREM REDDY, M.D.,
ST. MARY'S REGIONAL MEDICAL CENTER, et al.

ALICE CAMPOS MERCADO, ESQ for MARK MCALLISTER

Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:

MARILEE BROWN
45 NIVES COURT
SPARKS, NV 89441

MARILOU BROWN
45 NIVES COURT
SPARKS, NV 89441

GREGORY J BROWN
45 NIVES COURT
SPARKS, NV 89441


Danielle Redmond
Department 1 Judicial Assistant

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-06-08 08:14:11.25.
RICHARD DE JONG, ESQ. - Notification received on 2020-06-08 08:14:11.146.
ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-06-08 08:14:11.22.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

06-08-2020:08:12:55

Clerk Accepted:

06-08-2020:08:13:38

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Ord Granting Mtn

Filed By:

Judicial Asst. DRedmond

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This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

RICHARD DE JONG, ESQ. for TANZEEL ISLAM,
M.D., SRIDEVI CHALLAPALLI, TAMI EVANS,
ST. MARY'S REGIONAL MEDICAL CENTER,
PREM REDDY, M.D.

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

MARILOU BROWN

TIFFANY COURRY, CEO

MICHAEL E. PRANGLE, ESQ. for TANZEEL
ISLAM, M.D., SRIDEVI CHALLAPALLI, TAMI
EVANS, ST. MARY'S REGIONAL MEDICAL
CENTER, PREM REDDY, M.D.

HEATHER S. HALL, ESQ. for TAMI EVANS, ST.
MARY'S REGIONAL MEDICAL CENTER, PREM
REDDY, M.D.

MARILEE BROWN

MICHAEL E. PRANGLE, ESQ.

Nevada Bar No. 8619

RICHARD D. DEJONG, ESQ

Nevada Bar No. 15207

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Attorneys for Defendant

St. Mary's Regional Medical Center,

Tammy Evans (erroneously named as Tami Evans),

Prem Reddy, M.D., Tanzeel Islam, M.D. and Sri Challapalli, M.D.

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

Marilee Brown, Marilou Brown (for Beverly
M. Brown's Family),

Plaintiffs,

vs.

St. Mary's Regional Medical Center, Tami
Evans, Prem Reddy, M.D., Mark McAllister,
M.D., Tanzeel Islam, M.D., DOES I through
X inclusive; ROES Businesses I through X
inclusive,

Defendants.

CASE NO. CV20-00422
DEPT NO. I

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that the Order Granting Defendants Saint Mary's Regional Medical Center, Tammy Evans (erroneously named as Tami Evans) and Prem Reddy, M.D.'s Motion to Dismiss Plaintiff's Complaint for Failure to Comply with NRS 41A.071 filed March 26, 2020 was entered in the above entitled Court on the 8th day of June 2020.

A copy of the Order is attached hereto.

///

///

///

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned do hereby affirm that the preceding document does not contain the social security number of any person.

DATED this 8th day of June, 2020.

HALL PRANGLE & SCHOONVELD, LLC

/s/ Richard D. De Jong

MICHAEL E. PRANGLE, ESQ.

Nevada Bar No. 8619

RICHARD D. DEJONG, ESQ

Nevada Bar No. 15207

1140 North Town Center Drive, Suite 350

Las Vegas, NV 89144

Attorneys for Defendant St. Mary's Regional Medical Center, Tammy Evans (erroneously named as Tami Evans), Prem Reddy, M.D., Tanzeel Islam, M.D. and Sri Challapalli, M.D.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of HALL PRANGLE & SCHOONVELD, LLC; that on the 8th day of June, 2020, I served a true and correct copy of the foregoing

NOTICE OF ENTRY OF ORDER via:

X E-Flex Electronic Service;

X U.S. Mail, first class postage pre-paid to the following parties at their last known address;

Marilee Brown
Marilou Brown
45 Nives Court
Sparks, NV 89441
Plaintiff in Pro Per

Edward J. Lemons, Esq.
Alice Campos Mercado, Esq.
Lemons, Grundy & Eisenberg
6005 Plumas street, 3rd Floor
Reno, NV 89519
Attorneys for Defendant Mark McAllister, M.D.

/s/ Arla Clark

An employee of HALL PRANGLE & SCHOONVELD, LLC

EXHIBIT A

3060

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

MARILEE BROWN, MARILOU BROWN,
GREGORY J. BROWN (for Beverly M.
Brown's family),

Plaintiffs,

Case No.: CV20-00422

Dept. No.: 1

vs.

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMI EVANS; PREM REDDY,
M.D.; MARK McALLISTER, M.D.; TANZEEL
ISLAM, M.D.; SRIDEVI CHALLAPALLI,
M.D., and DOES I through X, inclusive; ROE
BUSINESSES I through X, inclusive,

Defendants.

**ORDER GRANTING MOTION TO DISMISS PLAINTIFFS' COMPLAINT
FOR FAILURE TO COMPLY WITH NRS 41A.071**

Currently before the Court is Defendants Saint Mary's Regional Medical Center, Tammy Evans (erroneously named as Tami Evans), and Prem Reddy, M.D.'s (collectively "Defendants Saint Mary's") *Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with NRS 41A.071* ("Motion") filed March 26, 2020. On April 13, 2020, Plaintiffs filed an *Opposition to Defendants' Motion to Dismiss – to Include Amendments/Clarification, et al as Specified in Their Civil Complaint; and Amendment Request Here to Include Additional Plaintiff (Return Service of Summons and Additional Laintiff [sic] Documentation Submitted Separately)* ("Opposition"). On April 20, 2020, Defendants filed a *Reply in Support of Motion to Dismiss* and submitted the Motion to the Court for

consideration. On May 15, 2020, Defendants Saint Mary’s filed an *Errata to Defendants St. Mary’s Regional Medical Center, Tammy Evans, and Prem Reddy M.D.’s Reply in Support of Motion to Dismiss*. Plaintiffs filed *Plaintiffs’ (a) Opposition to Defendant Tammy Evans’ (Tiffany Coury) / Prem Reddy MD’s May 15, 2020 Errata Related to Plaintiffs’ May 14, 2020 (& Prior) Default Motions Against Defendants Tanzeel Islam and Sridevi Chapallapalli; (b) in Support of Plaintiffs’ May 6 / 14, 2020 Supplemental & Dismissal Filings Nexused to Defendants’ Replies/Errata; (c) With Plaintiffs’ Notice of Their Request for Submission of all Adjudicated Filings for no Response / Other (Separate Filings)* on May 28, 2020.

I. Background

On March 3, 2020, Plaintiffs filed the *Civil Complaint* (“Complaint”) in this case which alleges medical negligence / malpractice. *See generally* Compl. On April 13, 2020, Plaintiffs filed an *Amendment to Civil Complaint / Return Service of Summons* (“Amendment to Complaint”) which sought to substitute Tiffany Coury for Defendant Tammy Evans and add Mr. Gregory J. Brown as a Plaintiff but did not alter or add to the factual allegations set forth in the Complaint. *See generally* Am. to Compl. Plaintiffs allege Beverly Morris Brown (“Ms. Brown”) died on March 5, 2019 as a result of the treatment she received in December 2018 and February 2019 from Defendants. Mot. at 3:8–12.

II. Relevant Legal Authority

In reviewing a motion to dismiss pursuant to Nevada Rules of Civil Procedure Rule 12(b)(5) for failure to state a claim upon which relief can be granted, the “court must construe the pleadings liberally and accept all factual allegations in the complaint as true . . . [and] draw every fair inference in favor of the non-moving party. ‘A complaint will not be dismissed for failure to state a claim unless it appears beyond a doubt that the plaintiff could prove no set of facts which, if accepted by the trier of fact, would entitle him or her to relief.’” *Blackjack Bonding v. City of Las Vegas Mun. Court*, 116 Nev. 1213, 1217, 14 P.3d 1275, 1278 (2000) (citing *Simpson v. Mars. Inc.*, 113 Nev. 188, 190, 929 P.2d 966, 967 (1997)). As Nevada is a “notice-pleading” jurisdiction, a complaint need only set forth sufficient facts to demonstrate the necessary elements of a claim for relief so that the defending party has “adequate notice of the nature of the claim and relief sought.” *Hay v. Hay*, 100 Nev. 196, 198,

678 P.2d 672, 674 (1984); see also *Stockmeier v. Nevada Dep't of Corrections*, 124 Nev. 313, 316, 183 P.3d 133, 135 (2008) (dismissing a claim, pursuant to NRCP 12(b)(5), is proper where the allegations are insufficient to establish the elements of a claim for relief).

NRS 41A.071 provides:

If an action for professional negligence is filed in the district court, the district court shall dismiss the action, without prejudice, if the action is filed without an affidavit that:

1. Supports the allegations contained in the action;
2. Is submitted by a medical expert who practices or has practiced in an area that is substantially similar to the type of practice engaged in at the time of the alleged professional negligence;
3. Identifies by name, or describes by conduct, each provider of health care who is alleged to be negligent; and
4. Sets forth factually a specific act or acts of alleged negligence separately as to each defendant in simple, concise and direct terms.

The Nevada Supreme Court has held that pursuant to NRS 41A.071 “a complaint filed without a supporting medical expert affidavit is void ab initio and must be dismissed. Because a void complaint does not legally exist, it cannot be amended . . . and an NRS 41A.071 defect cannot be cured through amendment.” *Washoe Med. Ctr. v. Second Judicial Dist. Court of State of Nev. ex rel. Cty. of Washoe*, 122 Nev. 1298, 1301–02, 148 P.3d 790, 792 (2006). The court went on to state that the “shall” in NRS 41A.071 “is mandatory and does not denote judicial discretion.” *Id.* at 1303 (citations omitted).

NRS 41A.015 defines professional negligence as: “[t]he failure of a provider of health care, in rendering services, to use the reasonable care, skill or knowledge used under similar circumstances by similarly trained and experienced providers of health care.” When a plaintiff’s claim is for injuries resulting from negligent medical treatment, the claim sounds in medical malpractice. *Szymborski v. Spring Mountain Treatment Center*, 133 Nev. 638, 642, 403 P.3d 1280, 1284 (2017) (citations omitted). *Szymborski* stands for the proposition that “allegations of breach of duty involving medical judgment, diagnosis, or treatment indicate that a claim is for medical malpractice.” *Id.* When a plaintiff’s claim is for injuries resulting from negligent acts that did not affect the medical treatment of a patient, the claim sounds in ordinary negligence. *Id.* (citations omitted). If the alleged breach of

a duty of care set forth in the complaint is one that was based upon medical art or science, training or expertise, then it is a claim for medical malpractice. *Id.* (citations omitted). By extension, if the jury can only evaluate the plaintiff's claims after presentation of the standards of care by a medical expert, then it is a medical malpractice case. *Id.* (citing, *Humboldt Gen. Hosp. v. Sixth Judicial Dist. Court*, 132 Nev. 544, 550–51, 376 P3d 167, 172 (2016)). If, on the other hand, the reasonableness of the health care provider's actions can be evaluated by jurors on the basis of their common knowledge and experience, then the claim is likely based in ordinary negligence. *Id.* 133 Nev. at 642 (citations omitted). Given the subtle distinction, a single set of circumstances may sound in both ordinary negligence and medical malpractice, and an inartful complaint will likely use terms that invoke both causes of action. *Id.* (citing, *Mayo v. United States*, 785 F.Supp.2d 692, 695 (M.D. Tenn. 2011)). It is the nature of the grievance rather than the form of the pleadings that determines the character of the action. *Id.* (citing, *State Farm Mut. Auto. Ins. Co. v. Wharton*, 88 Nev. 183, 186, 495 P.2d 359, 361 (1972)).

III. Analysis

Defendants Saint Mary's argue all of Plaintiffs' factual claims arise out of medical care, treatment, and alleged breaches of the medical providers' duties of care and therefore sound in medical malpractice. Mot. at 4:3–5; 5:19–22. Defendants Saint Mary's maintain all of Plaintiffs' allegations fall within the definition of professional negligence pursuant to NRS 41A.015. *Id.* at 5:26–6:4. Defendants Saint Mary's contend Plaintiffs failed to satisfy the affidavit requirement pursuant to NRS 41A.071 and the Complaint must be dismissed. *Id.* at 6:5–7:10.

Plaintiffs request a hearing to clarify this matter. Opp. at 1:15. Plaintiffs contend their claims in the Complaint rely upon other statutes. *Id.* at 2:13–14. Plaintiffs assert the Complaint can be tolled pursuant to NRS 41A.097(2) and that should be considered as a mitigating factor and for this Court to maintain all the issues until Plaintiffs can obtain a medical expert affidavit because such a dismissal would be prejudicial to Plaintiffs as they may not be able to re-file any medical issues due to running of the statute of limitations. *Id.* at 2:15–3:5; 5:3–6. Plaintiffs assert it is within this Court's discretion whether to dismiss the action. *Id.* at 3:5–6. Plaintiffs insist the word “shall” in NRS 41A.071 is not mandatory and argue cases should be decided upon the merits rather than dismissed on procedural

grounds. *Id.* at 3:11–4:7. Plaintiffs claim because pleadings of a pro per litigant are held to a less stringent standard, the Complaint should not be dismissed. *Id.* at 4:8–9. Plaintiffs insist there are factual allegations in the Complaint that are non-medical including: (1) failure to follow protocol; (2) lack of communication; (3) age/other discrimination / jeopardy to the elderly; (4) negligence jeopardizing patients/others safety related to infectious persons; and (5) failure to expedite medical documentation that jeopardized this patient’s case. *Id.* at 4:9–14; 5:6–12. Plaintiffs state that in the Complaint they requested the ability to amend the Complaint, and they should be allowed to do so in this instance without having all of their non-medical claims dismissed as that would cause significant hardship. *Id.* at 5:12–16.

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In the Reply, Defendants Saint Mary’s maintain the application of NRS 41A.071 focuses on whether a defendant is a provider of health care and whether the allegations in a complaint contemplate a failure in rendering of services by that provider. Reply at 5:3–7. Defendants Saint Mary’s argue that all of the allegations are in relation to medical care and treatment provided to Ms.

¹ The Amendment to the Complaint adding/substituting parties was filed concurrently with the Opposition on April 13, 2020 and does not allege any claims for discrimination or request additional time to secure a medical expert affidavit.

Brown at Saint Mary's Regional Medical Center, a licensed hospital and the respective physicians who practice there. *Id.* at 5:8–18. Defendants Saint Mary's maintain a plaintiff cannot avoid application of NRS 41A.071 through artful pleading and emphasize Plaintiffs' claims arise out of breaches of duties involving medical judgment, diagnosis, or treatment. *Id.* at 5:19–6:2. Defendants Saint Mary's point out that the Nevada Supreme Court has held that “allegations of negligent maintenance of medical records are properly characterized as medical malpractice.” *Id.* at 6:5–8; *Jones v. Wilkin*, 111 Nev. 1335, 1338, 905 P.2d 166, 168 (1995). Defendants Saint Mary's argue Plaintiffs seek to impose liability for treatment Ms. Brown received for a foot wound, an atrial fibrillation, an improper amputation, low oxygen levels, and a pulmonary injury. Reply at 6:14–16. Defendants Saint Mary's state these allegations clearly implicate professional negligence and the Complaint repeatedly describes these claims as one for medical malpractice. *Id.* at 6:14–19. Defendants Saint Mary's also contend Plaintiffs lack standing to bring this suit as self-represented litigants on behalf of their mother's estate. *Id.* at 7:1–8:2.

Having reviewed the pleadings on file and having reviewed the facts and legal support set forth therein, this Court finds good cause to grant the Motion. For NRS 41A.071 to apply to this action, it must be an action for professional negligence. Plaintiffs allege “Defendants did commit Medical Negligent actions to include Medicinal, Treatment, Judgment, protocol, Etc [sic] errors, against the Plaintiffs which led to the Wrongful Suffering and Death of their mother” Compl. at 14:26–27. This language or substantially similar language is repeated three times in this section of the Complaint. *Id.* at 14:22–15:13. Further, all of the allegations contained in the Complaint directly involve medical judgment, diagnosis, or treatment that Ms. Brown allegedly received or should have received, which the Nevada Supreme Court has held means the claim sounds in professional negligence. *Szymborski*, 133 Nev. at 642.

This Court has reviewed the allegations contained in the Complaint. Contrary to Plaintiffs' claim that there are factual allegations in the Complaint that are non-medical (to include failure to follow protocol, lack of communication, age/other discrimination/jeopardy to the elderly, negligence jeopardizing patients/others safety related to infectious persons, and failure to expedite medical documentation that jeopardized this patient's case) each of these allegations is inextricably tied to a

claim for professional negligence and Plaintiffs cannot now claim otherwise for the sole purpose of remedying a violation of NRS 41A.071.

To evaluate whether the medical professionals in this case followed established protocol necessarily requires expert testimony to explain the standard of care. *Id.* The protocol Plaintiffs claim was not followed related to the amount and type of medication administered to Ms. Brown which is rooted in professional negligence, as the Complaint contends that the physicians prescribed the medication. Compl. at 3:22–27.

As to the alleged “lack of communication,” the only usage of the word “communication” in the Complaint deals with “the communication between providers and patients/patients’ families so as to ensure the improvement of quality care, healthcare Improvement and less Medical Medicinal, Judgment mistakes/error that lead to the deteriorating medical condition, suffering and preventable death of patients as what happened in this case” Compl. at 16:26–17:2. The failure of communication alleged is related directly to quality of care, the deteriorating medical condition, suffering and preventable death of Ms. Brown and thus is rooted in professional negligence. *Szymborski*, 133 Nev. at 642. In some instances, the failure to communicate is co-extensive with the failure to follow procedure, and in other instances it overlaps with the failure to provide medical documentation. Mot. at 2:20–22; 9:16–10:2. Regardless, these do not form an independent basis for an ordinary negligence claim such that an expert affidavit would not be required in this case.

Further, the Complaint does not set forth a claim for age discrimination and there is no factual explanation or legal support for the allegation of “jeopardy to the elderly.” Any negligence claim derived from exposure to an infected patient as alleged by Plaintiffs is purported to be the direct result of the medical decisions made for and treatment provided to Ms. Brown and as such falls squarely within the scope of a professional negligence claim. *Szymborski*, 133 Nev. at 642. As for the failure to expedite the medical documentation in this case, the Nevada Supreme Court has held “allegations of negligent maintenance of medical records are properly characterized as medical malpractice.” *Jones*, 111 Nev. at 1338. Failure to expedite the medical documents is pertinent to the diagnosis and treatment of Ms. Brown and therefore does not state a claim for ordinary negligence. *Szymborski*, 133 Nev. at 642.

Moreover, and importantly, there are no separate claims for relief pled in the Complaint related to the purported non-medical claims. The Complaint sets forth a “Statement of Facts Main Medical Malpractice Information Summary,” a “Background History,” a “Primary Background Related to ISSUE AT HAND- Patient Beverly M. Brown,” “ISSUE AT HAND FOR MEDICAL NEGLIGENCE/MALPRACTICE- History and Details,” “MAIN MEDICAL NEGLIGENCE SUMMARY INFORMATION” and “MAIN MEDICAL MALPRACTICE INFORMATION (REITERATED).” With the exception of the “Background” sections, each of these headings references “Medical Malpractice” or “Medical Negligence” or both. There are no allegations in the Complaint related to ordinary negligence. By way of example, a reading of the section labeled “MAIN MEDICAL NEGLIGENCE SUMMARY INFORMATION” reveals allegations that pertain to Ms. Brown that relate to lack of care on behalf of treating physicians to include failure to look at Ms. Brown’s “extensive medical information provided by the family,” an “error in a pulmonary procedure by the Interventional Radiologist as they had been attempting to remove fluid from this patient’s lungs” and removal of “critical life saving medication” “needed to prevent arterial blockages” that “ultimately led to Beverly M. Brown’s blockages, stroke, heart stress/CHF UNCONTROLLABLE AFIB, returned infectious Pneumonia and Death at Renown hospital.” *Id.* at 9:5-10; 10:18-20. To the extent Plaintiffs are now contending that claims for ordinary negligence were pled, they have failed to set forth the necessary elements of those claims and/or factual allegations sufficient to support those claims denying Defendants “adequate notice of the nature of the claim and relief sought” in violation of *Hay*.

Accordingly, this Court finds that Plaintiffs’ Complaint (as originally filed and as amended to add or substitute parties) states a claim or claims for professional negligence and as such NRS 41A.071 applies. Plaintiffs admit that the Complaint does not contain a medical expert affidavit. *Opp.* at 3:3–6. As noted above, the Nevada Supreme Court has held that “a complaint filed without a supporting medical expert affidavit is void ab initio and must be dismissed. Because a void complaint does not legally exist, it cannot be amended . . . and an NRS 41A.071 defect cannot be cured through amendment” as well as pointing out that the word “shall” in NRS 41A.071 “is mandatory and does not denote judicial discretion.” *Washoe Med. Ctr.*, 122 Nev. at 1301–02, 1303.

The Nevada Supreme Court has acknowledged that NRS 41A.071 applies to all medical malpractice actions even if the person is representing themselves. *Anderson v. Sierra Surgery Hosp.*, Case No. 58753, 2012 WL 2308670, *1 (2012).

As such, this Court finds that dismissal of Plaintiffs' Complaint is proper pursuant to NRS 41A.071. This Court does not reach Defendants Saint Mary's argument regarding Plaintiffs' standing because it has found the Complaint to be void ab initio pursuant to NRS 41A.071.

Based upon the foregoing and good cause appearing,

IT IS HEREBY ORDERED that Defendants Saint Mary's *Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with NRS 41A.071* is GRANTED and this case is DISMISSED to include all motions that are pending or have been submitted to this Court.

IT IS SO ORDERED.

DATED this 8th day of June, 2020.


KATHLEEN DRAKULICH
DISTRICT JUDGE

CERTIFICATE OF SERVICE

CASE NO. CV20-00422

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 8th day of June, 2020, I electronically filed the **ORDER GRANTING MOTION TO DISMISS PLAINTIFFS' COMPLAINT FOR FAILURE TO COMPLY WITH NRS 41A.071** with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

EDWARD LEMONS, ESQ. for MARK MCALLISTER

RICHARD DE JONG, ESQ. for TAMI EVANS, PREM REDDY, M.D.,
ST. MARY'S REGIONAL MEDICAL CENTER, et al.

ALICE CAMPOS MERCADO, ESQ for MARK MCALLISTER

Deposited to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada:

MARILEE BROWN
45 NIVES COURT
SPARKS, NV 89441

MARILOU BROWN
45 NIVES COURT
SPARKS, NV 89441

GREGORY J BROWN
45 NIVES COURT
SPARKS, NV 89441


Danielle Redmond
Department 1 Judicial Assistant

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-06-10 10:57:01.745.

RICHARD DE JONG, ESQ. - Notification received on 2020-06-10 10:57:01.675.

ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-06-10 10:57:01.722.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

06-10-2020:10:55:21

Clerk Accepted:

06-10-2020:10:56:28

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Notice of Entry of Ord

Filed By:

Richard de Jong

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

RICHARD DE JONG, ESQ. for TANZEEL ISLAM,
M.D., SRIDEVI CHALLAPALLI, TAMI EVANS,
ST. MARY'S REGIONAL MEDICAL CENTER,
PREM REDDY, M.D.

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

MARILOU BROWN

TIFFANY COURRY, CEO

MICHAEL E. PRANGLE, ESQ. for TANZEEL
ISLAM, M.D., SRIDEVI CHALLAPALLI, TAMI
EVANS, ST. MARY'S REGIONAL MEDICAL
CENTER, PREM REDDY, M.D.

HEATHER S. HALL, ESQ. for TAMI EVANS, ST.
MARY'S REGIONAL MEDICAL CENTER, PREM
REDDY, M.D.

MARILEE BROWN

Original

FILED

Case No: CV 20-00422

2020 JUN 26 AM 11:52

CODE: 2515

JACQUELINE DRYANT
CLERK OF THE COURTIN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOEMarilee Brown, Marilou Brown, Gregory J. Brown (*Approved Informa Pauperis*)
Pro Se Plaintiffs/Appellants,

v

Case No: CV 20-00422

St. Mary's Regional Medical Center - Tami Evans (Tiffany Coury), Prem Reddy, MD
Tanzeel Islam, MD, Mark McAllister, MD Sridevi Challapalli, MD
DOES I through X inclusive; ROES Businesses I through X, inclusive

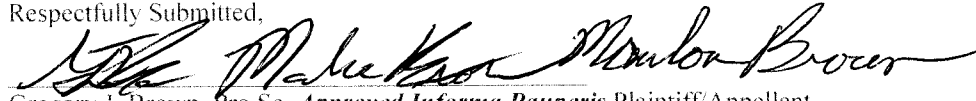
Defendants.

NOTICE OF APPEAL

Notice is hereby given that the above named Plaintiffs/Appellants Appeal to the Supreme Court of Nevada from the District Court Order of June 8, 2020 Dismissing Plaintiffs/Appellants' Complaint in this Action, with nexus to the Court's May 26, 2020/Other Orders;

With Reference to Plaintiffs'/Appellants' May 28, 2020 Opposition in Support of their Default Judgment/Other Supporting Filing Briefs addressing medical and NON MEDICAL issues in this case; for which the Supreme Court has Ruled said NON MEDICAL issues (refute of the District Court's June 8, 2020 Order) are to be Returned Back to District Court for ongoing proceedings (caselaw) - as addressed in Defendants' and Plaintiffs/Appellants' District Court Filings - to be further addressed in Plaintiffs'/Appellants' Informal Appeal Brief later.

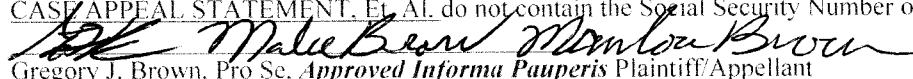
Respectfully Submitted,



Gregory J. Brown, Pro Se, *Approved Informa Pauperis* Plaintiff/Appellant
Marilee Brown, Pro Se, Plaintiff/Appellant
Marilou Brown, Pro Se, Plaintiff/Appellant
45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: June 26, 2020

AFFIRMATION Pursuant to NRS 239B.010

The undersigned do hereby affirm that the preceding documents, NOTICE OF APPEAL and CASE/APPEAL STATEMENT, ET AL do not contain the Social Security Number of any person.

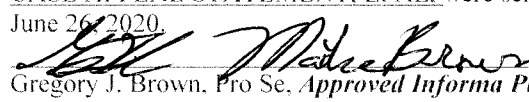




Gregory J. Brown, Pro Se, *Approved Informa Pauperis* Plaintiff/Appellant
Marilee Brown, Pro Se, Plaintiff/Appellant
Marilou Brown, Pro Se, Plaintiff/Appellant
45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216
Date: June 26, 2020

CERTIFICATE OF SERVICE

1/2

The undersigned do hereby affirm that the preceding documents, NOTICE OF APPEAL and
CASE APPEAL STATEMENT, Et AL. were served on Defendant via regular mail on this date
June 26, 2020.

Gregory J. Brown, Pro Se, *Approved Informa Puuperis* Plaintiff/Appellant

Marilee Brown, Pro Se, Plaintiff/Appellant

Marilou Brown, Pro Se, Plaintiff/Appellant

45 Nives Court, Sparks, NV 89441

Telephone: (775) 425-4216

Date: June 26, 2020

FILED

Original

2020 JUN 26 AM 11:53

Dept No: 1

Case No: CV 16-02649

CODE:

JACQUELINE BRYANT
CLERK OF THE COURT*Chryman*IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOEMarilee Brown, Marilou Brown, Gregory J. Brown (*Approved Informa Pauperis*)
Pro Se Plaintiffs/Appellants,

v

Case No: CV 20-00422

St. Mary's Regional Medical Center - Tami Evans (Tiffany Coury), Prem Reddy, MD
Tanzeel Islam, MD, Mark McAllister, MD Sridevi Challapalli, MD
DOES I through X inclusive; ROES Businesses I through X inclusive

Defendants.

PLAINTIFFS'/APPELLANTS' Pro Se CASE APPEAL STATEMENT1. Appellant: Gregory J. Brown, Pro Se (*Approved Informa Pauperis*)
Appellant: Marilee Brown, Pro Se
Appellant: Marilou Brown, Pro Se

2. Plaintiffs/Appellants Appeal to the Supreme Court of Nevada from the District Court Order of June 8, 2020 Dismissing Plaintiffs'/Appellants' Complaint in this Action, with nexus to the Court's May 26, 2020 /Other Orders;

With Reference to Plaintiffs'/Appellants' May 28, 2020 Opposition in support of their Default Judgment/ Other Supporting Filing Briefs addressing medical and NON MEDICAL issues in this case; for which the Supreme Court has Ruled said NON MEDICAL issues (refute of the District Court's June 8, 2020 Order) are to be Returned Back to District Court for ongoing proceedings (caselaw) - as addressed in Defendants' and Plaintiffs'/Appellants' District Court Filings - to be further addressed in Plaintiffs'/Appellants' Informal Appeal Brief later.

From: District Court Judge: Kathleen Drakulich

3. Appellants: Gregory J. Brown, Pro Se (*Approved Informa Pauperis*)
Marilee Brown
Marilou Brown

4. Respondents:

5. N/A Not represented

6. N/A Not represented

7. N/A Not represented

8a. Plaintiff/Appellant Gregory J. Brown **was granted Informa Pauperis by the District Court**

Plaintiffs/Appellants Marilee Brown and Marilou Brown have not applied for Informa Pauperis in this case and paid District Court Filing costs. Same Appellants Request Waiver of Costs however in this Court due to Financial limitations; else this case will simply proceed under Plaintiff/Appellant Gregory J. Brown until such time Plaintiffs/Appellants Marilee Brown and Marilou Brown can proceed otherwise.

8b. Plaintiffs/Appellants request that this Case be heard on the Original Record Without Reproduction of Record Portions. No Transcript exists as there was no trial.

9. Civil Complaint initiated (Case No: CV 20-00422): March 3, 2020

10. This Case was NOT the subject of a prior Appeal, etc in the Supreme Court

11. This Case does Not involve a Child Custody Matter

12. Appellant is Agreeable to Settlement Proceedings

13. Description of Nature of Action, Result in District Court Appealed From:

A. Notice is hereby given that the above named Plaintiffs/Appellants Appeal to the Supreme Court of Nevada from the District Court Order of June 8, 2020 Dismissing Plaintiffs/Appellants' Complaint in this Action, with nexus to the Court's May 26, 2020/Other Orders;

With Reference to Plaintiffs'/Appellants' May 28, 2020 Opposition in support of their Default Judgment/ Other Supporting Filing Briefs addressing medical and NON MEDICAL issues in this case; **for which the Supreme Court has Ruled said NON MEDICAL issues (refute of the District Court's June 8, 2020 Order) are to be Returned Back to District Court for ongoing proceedings (caselaw) - as addressed in Defendants' and Plaintiffs/Appellants' District Court Filings - to be further addressed in Plaintiffs'/Appellants' Informal Appeal Brief later.**

B. Appellant Requests the Court REINSTATE the NON Medical and Default Judgment Aspects of this case for continued proceedings; **And Provide Equitable Relief Deemed appropriate by the Court** For Appellants as Requested in Appellant's Civil Action and Supported by their Filings

C. The District Court Erred, was Mistaken, had Oversight, executed Disparate Treatment, etc in Rulings against Plaintiffs/Appellants related to the aforementioned Appeal issues - all addressed in Plaintiffs'/Appellants' May 28, 2020 **Default Judgment** and other District Court Filings regarding **NON Medical** issues, Judicial Discretion, Default Judgment, Disparate Treatment, etc with a DETAILED Summary to be addressed in Plaintiffs' Appellants' upcoming Docketing and Opening Brief SUBMITTED LATER AS REQUIRED IN THIS APPEAL.

D. 1. * Per Other Court case rulings (August 27, 2018 Order affirmation Pg 3, the Court states:

"Pleadings of a pro per litigant (Plaintiffs- non lawyer) are held to a less stringent standard than formal pleading drafted by lawyers (Defendants) (caselaw)"

"the Nevada Supreme Court held that the basic underlying policy governing the exercise of discretion is to have cases decided upon the merits, rather than dismissed on procedural grounds (caselaw)"

2. Appellants are willing to clarify their arguments further at a Hearing should the Court request same

3a. Prays that the Court will Rule ***Favorably** for Appellants as the ***Non moving Party** pursuant to the Facts and Evidence provided by Appellants and in the Appellate and Nexused District Court Record.

3b. *** Per caselaw - Court May 6, 2019 Order affirmation Pg 3, the Court states "when deciding whether summary judgment is appropriate, the Court must view all evidence in light most favorable to the non-moving party (Plaintiffs) and accept all properly supported evidence, factual allegations, reasonable inferences favorable to non-moving party (Plaintiff) as true".**

4a. Plaintiffs/ Appellants are **Agreeable to any Court Sponsored Mediation/Arbitration.**

4b. Plaintiffs/Appellants are willing to Attend a Settlement Conference before a Settlement Judge.


5. Plaintiffs/Appellants Request Waiver of Costs/Fees And to be Relieved from providing Record Excerpts and Exhibits due to Pro Se (and Approved Informa Pauperis Status for Party Gregory J. Brown), but references Arguments and Exhibits from the Record and Will do so Further in his Appeal in Support of Case Reinstatement.

6. No Transcript is Requested as NO Trial Proceedings Occurred.

7. Appellants Request Relief from the Supreme Court pursuant to the aforementioned arguments, those addressed in the Record, and those further addressed in this Appeal:

- That the Court REINSTATE this case, at least the Default Judgment and NON Medical aspects of same, for continued proceedings: And Provide Equitable Relief Deemed appropriate by the Court For Appellants as requested in Plaintiffs'/Appellants' Civil Action and Supported by their Filings

Respectfully Submitted,



NAME: Gregory J. BROWN

BAR NUMBER: N/A (Pro Se, *Approved Informa Pauperis* litigant)

NAME: Marilee Brown, Pro Se

NAME: Marilou Brown, Pro Se

ADDRESS: 45 Nives Court

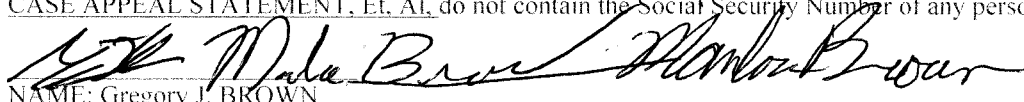
Sparks, NV 89441

TELEPHONE: (775) 425-4216

June 26, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding documents, NOTICE OF APPEAL and CASE APPEAL STATEMENT, Et. Al, do not contain the Social Security Number of any person.



NAME: Gregory J. BROWN

BAR NUMBER: N/A (Pro Se, *Approved Informa Pauperis* litigant)

NAME: Marilee Brown, Pro Se

NAME: Marilou Brown, Pro Se

ADDRESS: 45 Nives Court

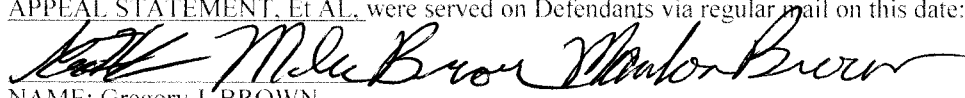
Sparks, NV 89441

TELEPHONE: (775) 425-4216

June 26, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that the preceding documents, NOTICE OF APPEAL and CASE APPEAL STATEMENT, Et. AL, were served on Defendants via regular mail on this date: June 26, 2020.



NAME: Gregory J. BROWN

BAR NUMBER: N/A (Pro Se, *Approved Informa Pauperis* litigant)

NAME: Marilee Brown, Pro Se

NAME: Marilou Brown, Pro Se

ADDRESS: 45 Nives Court

Sparks, NV 89441

TELEPHONE: (775) 425-4216

June 26, 2020

FILED

CODE: 3860

Original
2020 JUN 26 AM 11:53

NAME: Marilee Brown, Marilou Brown Gregory J. BROWN (Approved Informa Pauperis)
 BAR NUMBER: N/A (Pro Se litigants) CLERK OF THE COURT
 ADDRESS: 45 Nives Court
 Sparks, NV 89441
 TELEPHONE: (775) 425-4216

IN THE SECOND JUDICIAL DISTRICT COURT OF

THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

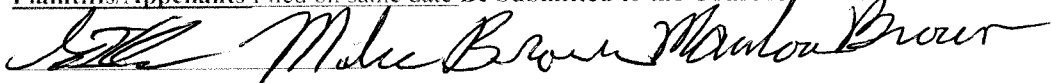
Marilee Brown, Marilou Brown, Gregory J. Brown (Approved Informa Pauperis)
 Pro Se Plaintiffs/Appellants,

v

Case No: CV 20-00422

St. Mary's Regional Medical Center - Tami Evans (Tiffany Coury), Prem Reddy, MD
 Tanzeel Islam, MD, Mark McAllister, MD Sridevi Challapalli, MD
 DOES I through X inclusive: ROES Businesses I through X inclusive

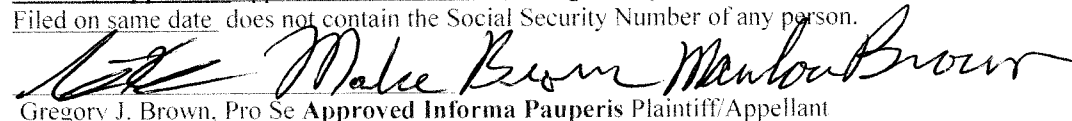
Defendants.

REQUEST FOR SUBMISSION
It is Requested that Plaintiffs'Appellants' NOTICE OF APPEAL and CASE APPEAL STATMENTET AL Filed on June 26, 2020; along with Motion to Proceed on Appeal as **Already Approved Informa****Pauperis** for Gregory J. Brown (Waiver of Filing Costs for Marilee Brown, Marilou Brown noted inCase Statement); and **Already Approved** Application for Electronic Filing Exemption Status for AllPlaintiffs/Appellants Filed on same date Be Submitted to the Court for Decision.



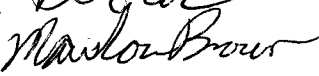
Gregory J. Brown, Pro Se, **Approved Informa Pauperis** Plaintiff/Appellant
 Marilee Brown, Pro Se
 Marilou Brown, Pro Se
 c/o 45 Nives Court
 Sparks, NV 89441
 Telephone: (775) 425-4216
 June 26, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document, Plaintiffs'Appellants' Request For
 Submission of their NOTICE OF APPEAL and CASE APPEAL STATMENT ET AL Filed on June 26,
2020; along with Motion to Proceed on Appeal as **Already Approved Informa Pauperis** for Gregory J.
Brown (Waiver of Filing Costs for Marilee Brown, Marilou Brown noted in Case Statement); and
Already Approved Application for Electronic Filing Exemption Status for All Plaintiffs/Appellants
Filed on same date does not contain the Social Security Number of any person.

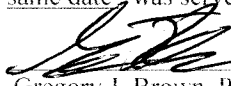
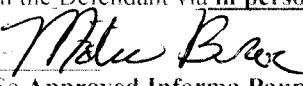



Gregory J. Brown, Pro Se **Approved Informa Pauperis** Plaintiff/Appellant


Marilee Brown, Pro Se

Marilou Brown, Pro Se
c/o 45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216

CERTIFICATE OF SERVICE

The undersigned does hereby affirm that the preceding document, Plaintiff's Request For Submission of their NOTICE OF APPEAL and CASE APPEAL STATMENT ET AL Filed on June 26, 2020; along with Motion to Proceed on Appeal as **Already Approved Informa Pauperis for Gregory J. Brown** (*Waiver of Filing Costs for Marilee Brown, Marilou Brown noted in Case Statement*); and **Already Approved** Application for Electronic Filing Exemption Status **for All Plaintiffs/Appellants** Filed on same date, was served on the Defendant via **in person** or regular mail on this date: June 26, 2020.

  
Gregory J. Brown, Pro Se **Approved Informa Pauperis** Plaintiff/Appellant
Marilee Brown, Pro Se
Marilou Brown, Pro Se
c/o 45 Nives Court
Sparks, NV 89441
Telephone: (775) 425-4216

Marilee Brown
 Name: Gregory Brown
 45 Niver Court
 Sparks, NV 89441
 775 425 4216

FILED

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

2020 JUN 26 AM 11:53

IN AND FOR THE COUNTY OF WASHOE

JACQUELINE BRYANT
CLERK OF THE COURT

Marilee Brown
 Marilee Brown

Gregory J. Brown / Appellants

Plaintiff / Petitioner / Joint Petitioners

St. Mary's Regional Medical Center
 vs. Tami Evans (Tiffany County), Prem Ruddy,
 Mark McAllister, Tanzeel Islam,
~~Stacy [unclear]~~ Sticevi
 Chalappall

Case No

CV20-00427

Dept. No

Defendant / Respondent / Joint Petitioners DOES and
 DOES businesses I through X inclusive

APPLICATION FOR ELECTRONIC FILING AND SERVICE EXEMPTION

ON
APPEAL

I request to be exempt from the mandatory electronic filing and service requirement on the
 above case for the following reason(s):

☒ I do not readily have access to a computer with internet access.

☐ Mandatory electronic filing would cause undue hardship or significant prejudice to me
 because _____

☐ I am a licensed attorney with limited resources and unable to meet the requirements for
 electronic filing. I am requesting a temporary relief from mandatory electronic filing.

I will be prepared to comply with _____

N/A

* Note: Appellants /
Plaintiffs were already approved
 by District Ct for Electronic
 Filing and Service Exemption/
 Combined Request For Submission ON Appeal
 Filed June 26, 2020

☐ Other (please specify): _____

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.*

This document does not contain the personal information of any person as defined by NRS 603A.040.

Date: 06/15/20

Signature: *Marilee Brown*

Print Your Name: Marilee Brown, Marla Brown

GREGORY J. BROWN

Certificate of Service

Appellants certify this Notice of Appeal copy documents were mailed to all counsel of Record on this date

Dated: June 26, 2020

Gregory J. Brown

Gregory J. Brown
Marilee Brown
Marla Brown

* The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00. N.R.S. 119.145

ORIGINAL

CODE: 3860

NAME: Marilee Brown, Marilou Brown, Gregory J. Brown (*and for Beverly M. Brown's family*)

BAR NUMBER: N/A (Pro Se litigants)

ADDRESS: 45 Nives Court

Sparks, NV 89441

TELEPHONE: (775) 425-4216

2020 JUN 26 AM 11:53

JACQUELINE BRYANT
CLERK OF THE COURTIN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOEMarilee Brown, Marilou Brown (*for Beverly M. Brown's family*)

Plaintiffs, in Proper Person

VS

Case No: CV20-00422

Dept No: 1

St. Mary's Regional Medical Center: Tiffany Coury CEO/Prem Reddy, MD (Prime HealthCare)

Mark McAllister, MD (St. Mary's Interventional Radiologist)

Tanzeel Islam, MD (St. Mary's Hospitalist)

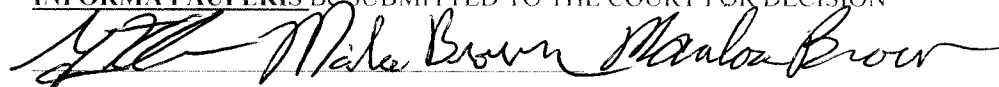

Sridevi Challapalli, MD (St. Mary's Cardiologist),

DOES I through X inclusive; ROES Businesses I through X inclusive,

Defendants

REQUEST FOR SUBMISSION

PLAINTIFFS' REQUEST THAT PLAINTIFF GREGORY J. BROWN's Motion to Proceed INFORMA
PAUPERIS ON APPEAL WITH AFFIDAVIT OF POVERTY IN SUPPORT OF MOTION TO PROCEED
INFORMA PAUPERIS Be SUBMITTED TO THE COURT FOR DECISION

Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro SeGregory J. Brown, Pro Se. **Approved Informa Pauperis.** 

45 Nives Court

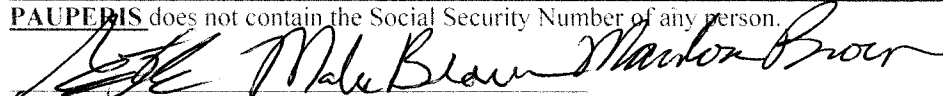

Sparks, NV 89441

Telephone: (775) 425-4216

Date: June 26, 2020

AFFIRMATION Pursuant to NRS 239B.030

The undersigned do hereby affirm that the preceding document in this matter, Plaintiffs' Request For Submission of PLAINTIFF GREGORY J. BROWN's Motion to Proceed INFORMA PAUPERIS ON APPEAL, WITH AFFIDAVIT OF POVERTY IN SUPPORT OF MOTION TO PROCEED INFORMA PAUPERIS does not contain the Social Security Number of any person.

Marilee Brown, Marilou Brown (*and for Beverly M. Brown's family*), Pro SeGregory J. Brown, Pro Se. **Approved Informa Pauperis.** 

45 Nives Court

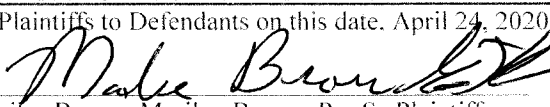


Sparks, NV 89441

Telephone: (775) 425-4216

Date: June 26, 2020

CERTIFICATE OF SERVICE

The undersigned do hereby affirm that Plaintiffs' Request For Submission of **PLAINTIFF GREGORY J. BROWN's Motion to Proceed INFORMA PAUPERIS ON APPEAL, WITH AFFIDAVIT OF POVERTY IN SUPPORT OF MOTION TO PROCEED INFORMA PAUPERIS** was served via regular mail or in person by Plaintiffs to Defendants on this date. April 24, 2020, May 14, 2020


Marilee Brown, Marilou Brown, Pro Se Plaintiffs

Gregory J. Brown, Pro Se. **Approved Informa Pauperis** 
45 Nives Court
Sparks, NV 89441
775-425-4216
Date: June 26, 2020

Code 4132

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

MARILEE BROWN, MARILOU BROWN,
GREGORY J. BROWN (for Beverly M. Brown's
family),

Case No. CV20-00422

Dept. No. 1

Plaintiffs,

vs.

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMI EVANS; PREM REDDY, M.D.;
MARK MCALLISTER, M.D.; TANZEEL
ISLAM, M.D.; SRIDEVI CHALLAPALLI, M.D.
AND DOES I THROUGH X, INCLUSIVE, ROE
BUSINESSES I THROUGH X, INCLUSIVE,

Defendants.

_____ /

NOTICE OF APPEAL DEFICIENCY

TO: Clerk of the Court, Nevada Supreme Court,
and All Parties or their Respective Counsel Of Record:

On June 26TH, 2020, Plaintiffs, Marilee Brown, Marilou Brown and Gregory Brown filed a Notice of Appeal with the Court. Plaintiffs failed to include the Twenty-Four Dollar (\$24.00) District Court Filing Fee, the Five Hundred Dollar (\$500.00) District Court appeal bond, and the Two Hundred Fifty Dollar (\$250.00) Supreme Court filing fee.

Pursuant to NRAP 3(a)(3), on July 1st, 2020, the Notice of Appeal was filed with the Nevada Supreme Court. By copy of this notice Plaintiffs will be notified by mail of the deficiency.

Dated this 1st day of July, 2020.

Jacqueline Bryant
Clerk of the Court

By: /s/YViloria
YViloria
Deputy Clerk

CERTIFICATE OF SERVICE

CASE NO. CV20-00422

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County Of Washoe; that on the 1st day of July, 2020, I electronically filed the Notice of Appeal Deficiency with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

RICHARD DE JONG, ESQ. for TANZEEL ISLAM, M.D., ST. MARY'S REGIONAL MEDICAL CENTER, TAMI EVANS, PREM REDDY, M.D., SRIDEVI CHALLAPALLI

ALICE CAMPOS MERCADO, ESQ. for MARK MCALLISTER

EDWARD LEMONS, ESQ. for MARK MCALLISTER

Deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada:

Gregory Brown
Marilee Brown
Marilou Brown
45 Nives Court
Sparks, Nevada 89441

/s/YViloria
YViloria
Deputy Clerk

Code 1310

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

MARILEE BROWN, MARILOU BROWN,
GREGORY J. BROWN (for Beverly M. Brown's
family),

Case No. CV20-00422

Plaintiffs,

Dept. No. 1

vs.

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMI EVANS; PREM REDDY, M.D.;
MARK MCALLISTER, M.D.; TANZEEL
ISLAM, M.D.; SRIDEVI CHALLAPALLI, M.D.
AND DOES I THROUGH X, INCLUSIVE, ROE
BUSINESSES I THROUGH X, INCLUSIVE,

Defendants.

_____ /

CASE APPEAL STATEMENT

This case appeal statement is filed pursuant to NRAP 3(f).

1. Appellants are Marilee Brown, Marilou Brown and Gregory J. Brown.
2. This appeal is from an order entered by the Honorable Judge Kathleen Drakulich.
3. Appellants are representing themselves in Proper Person on appeal, the Appellant's address is:

Gregory J. Brown
Marilee Brown
Marilou Brown
45 Nives Court
Sparks, Nevada 89441

4. Respondent are Saint Mary's Regional Medical Center, Tammy Evans (erroneously named as Tami Evans), and Prem Reddy, M.D.. Respondents were represented in District Court by:
Michael E. Prangle, Esq. SBN 8619
Richard D. DeJong, Esq. SBN 15207
Hall Prangle & Schoonveld, LLC
1140 North Town Center Drive. Ste. 350
Las Vegas, Nevada 89144
5. Respondent's attorney is not licensed to practice law in Nevada: n/a
6. Appellant s are not represented by counsel in District Court.
7. Appellant s are not represented by counsel on appeal.
8. Appellant filed a Motion to Proceed Informa Pauperis on June 26th, 2020 in the District Court.
9. Proceeding commenced by the filing of a Civil Complaint on March 3rd, 2020.
10. This is a civil proceeding and the Appellant is appealing the Order Granting Motion to Dismiss Plaintiffs' Complaint for Failure to Comply with NRS 41A.071 filed June 8th, 2020.
11. The case has not been the subject of a previous appeals to the Supreme Court.
12. This case does not involve child custody or visitation.
13. It is unknown if the case involves the possibility of a settlement.

Dated this 1st day of July, 2020.

Jacqueline Bryant
Clerk of the Court
By: /s/ YViloria
YViloria
Deputy Clerk

Code 1350

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

MARILEE BROWN, MARILOU BROWN,
GREGORY J. BROWN (for Beverly M. Brown's
family),

Case No. CV20-00422

Dept. No. 1

Plaintiffs,

vs.

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMI EVANS; PREM REDDY, M.D.;
MARK MCALLISTER, M.D.; TANZEEL
ISLAM, M.D.; SRIDEVI CHALLAPALLI, M.D.
AND DOES I THROUGH X, INCLUSIVE, ROE
BUSINESSES I THROUGH X, INCLUSIVE,

Defendants

CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF 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 1st day of July, 2020, I electronically filed the Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

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.

Dated this 1st day of July, 2020.

Jacqueline Bryant
Clerk of the Court
By /s/YViloria
YViloria
Deputy Clerk

Return Of NEF

Recipients

EDWARD LEMONS, ESQ. - Notification received on 2020-07-01 17:12:43.606.

RICHARD DE JONG, ESQ. - Notification received on 2020-07-01 17:12:43.536.

ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-07-01 17:12:43.584.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

07-01-2020:17:10:13

Clerk Accepted:

07-01-2020:17:12:11

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

District Ct Deficiency Notice
Case Appeal Statement
Certificate of Clerk

Filed By:

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

RICHARD DE JONG, ESQ. for TANZEEL ISLAM,
M.D., ST. MARY'S REGIONAL MEDICAL
CENTER, TAMI EVANS, PREM REDDY, M.D.,
SRIDEVI CHALLAPALLI

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

MICHAEL E. PRANGLE, ESQ. for TANZEEL
ISLAM, M.D., ST. MARY'S REGIONAL MEDICAL
CENTER, TAMI EVANS, PREM REDDY, M.D.,
SRIDEVI CHALLAPALLI

TIFFANY COURY, CEO

MARILOU BROWN

MARILEE BROWN

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

MARILEE BROWN; MARILOU BROWN; AND
GREGORY J. BROWN (FOR BEVERLY M.
BROWN'S FAMILY),
Appellants,
vs.

Supreme Court No. 81434
District Court Case No. CV2000422

ST. MARY'S REGIONAL MEDICAL CENTER;
TAMMY EVANS (ERRONEOUSLY NAMED
AS TAMI EVANS); PREM REDDY, M.D.;
TANZEEL ISLAM, M.D.; AND SRIDEVI
CHALLAPALLI, M.D.,
Respondents.

RECEIPT FOR DOCUMENTS

TO: Marilee Brown
Marilou Brown
Gregory J. Brown
Hall Prangle & Schoonveld, LLC/Las Vegas \ Michael E. Prangle
Hall Prangle & Schoonveld/Reno \ Richard D. De Jong
Jacqueline Bryant, Washoe District Court Clerk

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

07/08/2020 Filing Fee due for Appeal. (SC)

07/08/2020 Filed Notice of Appeal/Proper Person. Appeal docketed in the
Supreme Court this day. (SC)

DATE: July 08, 2020

Elizabeth A. Brown, Clerk of Court
lh

Return Of NEF

Recipients

EDWARD LEMONS, ESQ. - Notification received on 2020-07-15 08:26:56.4.
RICHARD DE JONG, ESQ. - Notification received on 2020-07-15 08:26:56.279.
ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-07-15 08:26:56.355.

******* IMPORTANT NOTICE - READ THIS INFORMATION *******

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

07-15-2020:08:25:49

Clerk Accepted:

07-15-2020:08:26:24

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Supreme Court Receipt for Doc

Filed By:

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

RICHARD DE JONG, ESQ. for SRIDEVI
CHALLAPALLI, ST. MARY'S REGIONAL
MEDICAL CENTER, TANZEEL ISLAM, M.D.,
TAMI EVANS, PREM REDDY, M.D.

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

MICHAEL E. PRANGLE, ESQ. for SRIDEVI
CHALLAPALLI, ST. MARY'S REGIONAL
MEDICAL CENTER, TANZEEL ISLAM, M.D.,
TAMI EVANS, PREM REDDY, M.D.

TIFFANY COURRY, CEO

MARILOU BROWN

MARILEE BROWN

GREGORY J BROWN

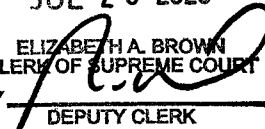
IN THE SUPREME COURT OF THE STATE OF NEVADA

MARILEE BROWN; MARILOU
BROWN; AND GREGORY J. BROWN
(FOR BEVERLY M. BROWN'S
FAMILY),
Appellants,
vs.
ST. MARY'S REGIONAL MEDICAL
CENTER; TAMMY EVANS
(ERRONEOUSLY NAMED AS TAMI
EVANS); PREM REDDY, M.D.;
TANZEEL ISLAM, M.D.; AND SRIDEVI
CHALLAPALLI, M.D.,
Respondents.

No. 81434

FILED

JUL 23 2020

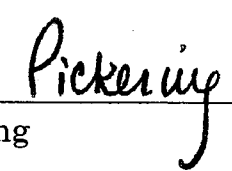
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

*ORDER DIRECTING ENTRY AND
TRANSMISSION OF WRITTEN ORDER*

This pro se appeal was docketed on July 8, 2020, without payment of the requisite filing fee. According to the case appeal statement prepared by the district court clerk, appellant filed an application to proceed in forma pauperis in the district court. However, the documents before this court do not contain a file-stamped order of the district court resolving appellant's application to proceed in forma pauperis.

Accordingly, the district court shall have 30 days from the date of this order to enter a written order ruling on appellant's application to proceed in forma pauperis, in compliance with NRAP 24. In the event the district court enters a written order (or has already entered a written order of which this court is unaware), the clerk of the district court shall immediately transmit a certified copy of the order to the clerk of this court.

It is so ORDERED.

 C.J.
Pickering

cc: Hon. Kathleen M. Drakulich, District Judge
Gregory J. Brown
Marilee Brown
Marilou Brown
Hall Prangle & Schoonveld, LLC/Las Vegas
Hall Prangle & Schoonveld/Reno
Washoe District Court Clerk

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-07-27 15:21:16.376.
RICHARD DE JONG, ESQ. - Notification received on 2020-07-27 15:21:16.309.
ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-07-27 15:21:16.353.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

07-27-2020:15:20:06

Clerk Accepted:

07-27-2020:15:20:45

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Certificate of Clerk

Filed By:

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

RICHARD DE JONG, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TANZEEL
ISLAM, M.D., TAMI EVANS, PREM REDDY,
M.D., SRIDEVI CHALLAPALLI

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

MICHAEL E. PRANGLE, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TANZEEL
ISLAM, M.D., TAMI EVANS, PREM REDDY,
M.D., SRIDEVI CHALLAPALLI

TIFFANY COURRY, CEO

MARILOU BROWN

MARILEE BROWN

GREGORY J BROWN

1 Code: 3370

2
3
4 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
5 IN AND FOR THE COUNTY OF WASHOE

6
7 MARILEE BROWN; MARILOU BROWN; AND
8 GREGORY J. BROWN (FOR BEVERLY M.
BROWN'S FAMILY),

Case No.: CV20-00422

Dept. No.: 1

9 Appellants,

10 v.

11
12 ST. MARY'S REGIONAL MEDICAL CENTER;
13 TAMMY EVANS (ERRONEOUSLY NAMED AS
14 TAMI EVANS); PREM REDDY, M.D.; TANZEEL
ISLAM, M.D.; AND SRIDEVI CHALLAPALLI,
MD.,

15 Respondents.
16

17 **ORDER GRANTING MOTION TO PROCEED INFORMA PAUPERIS**

18 The Court is in receipt of Appellants MARILEE BROWN; MARILOU BROWN; AND
19 GREGORY J. BROWN's ("Appellants") *Motion to Proceed Informa Pauperis* and *Affidavit of*
20 *Poverty in Support* filed June 26, 2020. The *Case Appeal Statement* was thereafter filed July 1,
21 2020. On July 27, 2020, The Supreme Court of the State of Nevada filed an *Order Directing Entry*
22 *and Transmission of Written Order*.

23 Upon review, this Court finds that pursuant to NRS 12.015, Appellants *Motion to Proceed*
24 *Informa Pauperis* is sufficient to grant forma pauperis status at this time.

25 THEREFORE, pursuant to NRS 12.015, Appellants MARILEE BROWN; MARILOU
26 BROWN; AND GREGORY J. BROWN's *Motion to Proceed Informa Pauperis* is **GRANTED**.

27 ///

28 ///

1 IT IS HEREBY ORDERED that the Court allow Appellants to proceed without payment of
2 fees or security thereof;

3 IT IS HEREBY FURTHER ORDERED that the Clerk of the Court shall file and process all
4 pleadings necessary in the prosecution of this action without fees.

5 IT IS SO ORDERED.

6 DATED: this 5th day of August, 2020.

7 
8 DISTRICT JUDGE

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe; that on this 5th day of August, 2020, I deposited for mailing with the United States Postal Service in Reno, Nevada, a true copy of the attached document addressed to:

Marilee Brown
Marilou Brown
Gregory Brown
45 Nives Court
Sparks, NV 89441

Further, I certify that on the 5th day of August, 2020, I electronically filed the foregoing with the Clerk of the Court electronic filing system, which will send notice of electronic filing to the following:

RICHARD DE JONG, ESQ. for ST. MARY'S REGIONAL MEDICAL CENTER,
TANZEEL ISLAM, M.D., TAMI EVANS, PREM REDDY, M.D., SRIDEVI CHALLAPALLI
ALICE CAMPOS MERCADO, ESQ. for MARK MCALLISTER
EDWARD LEMONS, ESQ. for MARK MCALLISTER



Judicial Assistant

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-08-05 13:34:04.713.
RICHARD DE JONG, ESQ. - Notification received on 2020-08-05 13:34:04.633.
ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-08-05 13:34:04.687.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

08-05-2020:13:32:52

Clerk Accepted:

08-05-2020:13:33:34

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Ord Grant in Forma Pauperis

Filed By:

Judicial Asst. BWard

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

RICHARD DE JONG, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TANZEEL
ISLAM, M.D., TAMI EVANS, PREM REDDY,
M.D., SRIDEVI CHALLAPALLI

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

MICHAEL E. PRANGLE, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TANZEEL
ISLAM, M.D., TAMI EVANS, PREM REDDY,
M.D., SRIDEVI CHALLAPALLI

TIFFANY COURRY, CEO

MARILOU BROWN

MARILEE BROWN

GREGORY J BROWN

Code 1350

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

**MARILEE BROWN; MARILOU BROWN; AND
GREGORY J. BROWN (FOR BEVERLY M.
BROWN'S FAMILY),**

Case No. CV20-00422

Dept. No. 1

Appellants,

SCN: 81434

Vs,

**ST. MARY'S REGIONAL MEDICAL CENTER;
TAMMY EVANS (ERRONEOUSLY NAMED AS
TAMI EVANS); PREM REDDY, M.D.; TANZEEL
ISLAM, M.D.; AND SRIDEVI CHALLAPALLI, MD.,**

Respondents.

CERTIFICATE OF CLERK AND TRANSMITTAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County of Washoe. On the 5th day of August, 2020, I electronically filed to the Supreme Court the Order Granting Motion to Proceed Informa Pauperis filed August 5th, 2020. The Order is transmitted pursuant to the Supreme Court's Order Directing Entry and Transmission of Written Order filed July 23rd, 2020.

I further certify that the transmitted record is a copy of the original pleadings on file with the Second Judicial District Court.

Dated this 5th day of August, 2020.

Jacqueline Bryant
Clerk of the Court
By /s/YViloria
YViloria
Deputy Clerk

Return Of NEF**Recipients**

EDWARD LEMONS, ESQ. - Notification received on 2020-08-05 13:50:55.787.

RICHARD DE JONG, ESQ. - Notification received on 2020-08-05 13:50:55.625.

ALICE CAMPOS MERCADO, ESQ. - Notification received on 2020-08-05 13:50:55.753.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CV20-00422

Judge:

HONORABLE KATHLEEN DRAKULICH

Official File Stamp:

08-05-2020:13:49:43

Clerk Accepted:

08-05-2020:13:50:23

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Certificate of Clerk

Filed By:

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

RICHARD DE JONG, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TANZEEL
ISLAM, M.D., TAMI EVANS, PREM REDDY,
M.D., SRIDEVI CHALLAPALLI

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
PREM REDDY, M.D.

MICHAEL E. PRANGLE, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TANZEEL
ISLAM, M.D., TAMI EVANS, PREM REDDY,
M.D., SRIDEVI CHALLAPALLI

TIFFANY COURRY, CEO

MARILOU BROWN

MARILEE BROWN

GREGORY J BROWN

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARILEE BROWN; MARILOU
BROWN; AND GREGORY J. BROWN
(FOR BEVERLY M. BROWN'S
FAMILY),

Appellants,

vs.

ST. MARY'S REGIONAL MEDICAL
CENTER; TAMMY EVANS
(ERRONEOUSLY NAMED AS TAMI
EVANS); PREM REDDY, M.D.;
TANZEEL ISLAM, M.D.; SRIDEVI
CHALLAPALLI, M.D.; AND MARK
MCCALLISTER, M.D.,

Respondents.

No. 81434

FILED

AUG 27 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER DENYING MOTION TO DISMISS AND DIRECTING
TRANSMISSION OF RECORD*

This is a pro se appeal from an order dismissing appellants' medical malpractice complaint for failure to comply with NRS 41A.071. Attorneys Edward J. Lemons and Alice Campos Mercado of Lemons, Grundy & Eisenberg have filed a notice of appearance as counsel for respondent Mark McCallister, M.D. The clerk of this court shall add McCallister as a respondent to the caption on this appeal to conform to the caption on this order and shall add attorneys Lemons and Mercado and the law firm of Lemons, Grundy & Eisenberg as counsel on the docket.

Respondents move to dismiss the appeal on the ground that as non-attorneys appellants lack standing to represent their mother's interests.¹ Appellants oppose the motion, respondents have filed a reply,

¹McCallister has filed a joinder in the motion.

and appellants have filed a response to McCallister's joinder. Having reviewed the arguments of the parties, this court concludes that whether or not appellants have individual standing to prosecute the appeal involves analysis of the merits of the appeal, including the underlying complaint and claims for relief, and is therefore not an appropriate basis for a motion to dismiss. *See Taylor v. Barringer*, 75 Nev. 409, 410, 344 P.2d 676, 676 (1959). Accordingly, the motion to dismiss is denied. This court may reevaluate its jurisdiction as the appeal progresses.

Review of the complete record is warranted. NRAP 10(a)(1). Accordingly, within 30 days from the date of this order, the clerk of the district court shall transmit to the clerk of this court a certified copy of the trial court record in District Court Case No. CV20-00422. *See* NRAP 11(a)(2) (providing that the complete "record shall contain each and every paper, pleading and other document filed, or submitted for filing, in the district court," as well as "any previously prepared transcripts of the proceedings in the district court"). The record shall not include any exhibits filed in the district court. NRAP 11(a)(1).

It is so ORDERED.

Pickering, C.J.

cc: Gregory J. Brown
Marilee Brown
Marilou Brown
Hall Prangle & Schoonveld, LLC/Las Vegas
Hall Prangle & Schoonveld/Reno
Lemons, Grundy & Eisenberg
Washoe District Court Clerk

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Judge:

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Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

MARILEE BROWN ETAL VS. SAINT MARY'S
REGIONAL ETAL

Document(s) Submitted:

Supreme Court Order Denying

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M.D., SRIDEVI CHALLAPALLI

ALICE G. CAMPOS MERCADO, ESQ. for MARK
MCALLISTER

EDWARD J. LEMONS, ESQ. for MARK
MCALLISTER

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HEATHER S. HALL, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TAMI EVANS,
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MICHAEL E. PRANGLE, ESQ. for ST. MARY'S
REGIONAL MEDICAL CENTER, TANZEEL
ISLAM, M.D., TAMI EVANS, PREM REDDY,
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TIFFANY COURRY, CEO

MARILOU BROWN

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