

**IN THE SUPREME COURT OF THE
STATE OF NEVADA**

Electronically Filed
Aug 02 2021 03:26 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

ERRYS DEE DAVIS, a minor, through
her parents TRACI PARKS and
ERRICK DAVIS; THOMAS
ZIEGLER; FREDERICK BICKHAM;
and JANE NELSON;

Petitioners

v.

EIGHTH JUDICIAL DISTRICT
COURT IN AND FOR CLARK
COUNTY, NEVADA, HON. SUSAN
JOHNSON AND HON. VERONICA
BARISICH , Presiding;

Respondents

STEPHANIE A. JONES, D.O.;
DANIEL M. KIRGAN, M.D.; IRA
MICHAEL SCHNEIER, M.D.;
MUHAMMAD SAEED SABIR, M.D.;
and JAYSON AGATON, APRN;

Real Parties in Interest

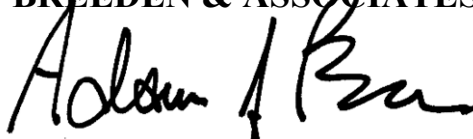
SUPREME COURT CASE NO. 83306

PROOF OF SERVICE

Pursuant to NRAP 21(a)(1), counsel for the Petitioners hereby submits proof of filing of the Notices of Filing of Writ Petition filed in the related District Court cases with service on counsel for all parties in those actions.

Dated this 2nd day of August, 2021.

BREEDEN & ASSOCIATES, PLLC

A handwritten signature in black ink, appearing to read 'Adam J. Breeden', is written over a horizontal line.

ADAM J. BREEDEN, ESQ.

Nevada Bar No. 008768

376 E. Warm Springs Road, Suite 120

Las Vegas, Nevada 89119

Phone: (702) 819-7770

Fax: (702) 819-7771

Adam@breedenandassociates.com

Attorneys for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Breeden & Associates, PLLC, and on the 2nd day of August, 2021, a true and correct copy of the foregoing document was e-filed and e-served on all registered parties to the Supreme Court's electronic filing system. Additionally, a hard copy of the Notice with all documents was served on Respondents by placing a copy in the US Mail, postage pre-paid, on the same date to:

Hon. Susan Johnson, Department 22

EIGHTH JUDICIAL DISTRICT COURT

200 Lewis Avenue

Las Vegas, Nevada 89155

Respondent

Anthony D. Lauria, Esq.

LAURIA TOKUNAGA GATES & LINN

601 South 7th Street

Las Vegas, Nevada 89101

Counsel for Real Party in Interest

Ira Michael Schneier, M.D.

Hon. Veronica Barisich, Department 5

EIGHTH JUDICIAL DISTRICT COURT

200 Lewis Avenue

Las Vegas, Nevada 89155

Respondent

Sean M. Kelly, Esq.

McBRIDE HALL

8329 W. Sunset Road, Suite 260

Las Vegas, Nevada 89113

Counsel for Real Party in Interest

Muhammad Saeed Sabir, M.D.

Anthony D. Lauria, Esq.

LAURIA TOKUNAGA GATES & LINN

601 South 7th Street

Las Vegas, Nevada 89101

Counsel for Real Party in Interest

Stephanie A. Jones, D.O.

Ian M. Houston, Esq.

HALL PRANGLE & SCHOONVELD

1140 N. Town Center Drive, Suite 340

Las Vegas, Nevada 89144

Counsel for Real Party in Interest

Jayson Agaton, APRN

Anthony D. Lauria, Esq.

LAURIA TOKUNAGA GATES & LINN

601 South 7th Street

Las Vegas, Nevada 89101

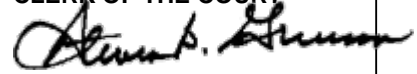
Counsel for Real Party in Interest

Daniel M. Kirgan, M.D.

/s/ Kristy L. Johnson

Attorney or Employee of Breeden & Associates, PLLC

Exhibit 1



NOTC
ADAM J. BREEDEN, ESQ.
Nevada Bar No. 008768
BREEDEN & ASSOCIATES, PLLC
376 E. Warm Springs Road, Suite 120
Las Vegas, Nevada 89119
Phone: (702) 819-7770
Fax: (702) 819-7771
Adam@Breedendandassociates.com
Attorneys for Plaintiff

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

FREDERICK BICKHAM, an individual,

Plaintiff,

CASE NO.: A-20-827155-C

DEPT NO.: XXII

v.

IRA MICHAEL SCHNEIER, M.D., an
individual; MICHAEL SCHNEIER
NEUROSURGICAL CONSULTING, P.C., a
Nevada professional corporation; IMS
NEUROSURGICAL SPECIALISTS LLC, a
Nevada limited liability company; and DOES I
through X; and ROE CORPORATIONS I
through X, inclusive,

Defendants.

**NOTICE OF FILING OF PETITION FOR
WRIT**


TO THE DISTRICT COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

Pursuant to NRAP 21(a)(1) Plaintiff, FREDERICK BICKHAM, by and through his attorneys of record, Adam J. Breeden, Esq. of BREEDEN & ASSOCIATES, PLLC, has filed an original Petition for Writ of Mandamus or, in the alternative, Writ of Prohibition regarding this matter. The Writ was filed on August 2, 2021, and has been assigned Supreme Court Case No. 83306 by the Nevada Supreme Court. At this time, the Supreme Court has not ordered any further briefing or response to the Petition. The relief sought by the Petition is a Writ of Mandamus to the District Court to vacate its rulings dismissing Plaintiff's causes of action other than for "professional negligence" for failure to state a claim and re-instating them. Defendants in this action are Real Parties in Interest and are encouraged to file a Notice of

1 Appearance in the Writ proceeding to ensure proper service of pleadings and filings in that
2 proceeding.

3 DATED this 2nd day of August, 2021.

4 BREEDEN & ASSOCIATES, PLLC

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6 

7 ADAM J. BREEDEN, ESQ.

8 Nevada Bar No. 008768
9 376 E. Warm Springs Road, Suite 120
10 Las Vegas, Nevada 89119
11 *Attorneys for Plaintiff*

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 2nd day of August, 2021, I served a copy of the foregoing legal
3 document **NOTICE OF FILING OF WRIT PETITION** via the method indicated below:

4

5 X

6

7 Pursuant to NRCP 5 and NEFCR 9, by electronically serving all counsel and

8 e-mails registered to this matter on the Court's official service, Wiznet

9 system.

10 Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to

11 the following counsel of record or parties in proper person:

12 Anthony D. Lauria, Esq.
LAURIA TOKUNAGA GATES & LINN, LLP
601 South 7th Street
Las Vegas, Nevada 891010
Attorneys for Defendants

13 Via receipt of copy (proof of service to follow)

14

15 An Attorney or Employee of the following firm:

16 /s/ Kristy Johnson

17 **BREEDEN & ASSOCIATES, PLLC**

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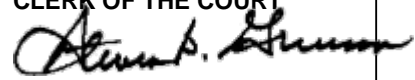
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NOTC
ADAM J. BREEDEN, ESQ.
Nevada Bar No. 008768
BREEDEN & ASSOCIATES, PLLC
376 E. Warm Springs Road, Suite 120
Las Vegas, Nevada 89119
Phone: (702) 819-7770
Fax: (702) 819-7771
Adam@Breedendandassociates.com
Attorneys for Plaintiffs

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ERRYS DEE DAVIS, a minor, by her parents,
TRACI LYNN PARKS and ERRICK DAVIS;
TRACI LYNN PARKS, individually;
ERRICK DAVIS, individually,

Plaintiffs,

v.

STEPHANIE A. JONES, D.O., an individual,
DOES I though X; and ROE
CORPORATIONS XI through XX, inclusive,

Defendants.

CASE NO.: A-20-826513-C

DEPT NO.: V

NOTICE OF FILING WRIT PETITION

TO THE DISTRICT COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

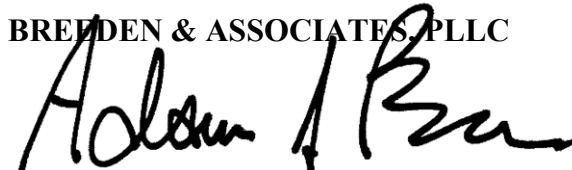
Pursuant to NRAP 21(a)(1) Plaintiff, ERRYS DEE DAVIS, a minor, by her parents, TRACI LYNN PARKS and ERRICK DAVIS, by and through her attorneys of record, Adam J. Breeden, Esq. of BREEDEN & ASSOCIATES, PLLC, has filed an original Petition for Writ of Mandamus or, in the alternative, Writ of Prohibition regarding this matter. The Writ was filed on August 2, 2021, and has been assigned Supreme Court Case No. 83306 by the Nevada Supreme Court. At this time, the Supreme Court has not ordered any further briefing or response to the Petition. The relief sought by the Petition is a Writ of Mandamus to the District Court to vacate its rulings dismissing Plaintiff's causes of action other than for "professional negligence" for failure to state a claim and re-instating them.

Defendants in this action are Real Parties in Interest and are encouraged to file a Notice of

1 Appearance in the Writ proceeding to ensure proper service of pleadings and filings in that
2 proceeding.

3 DATED this 2nd day of August, 2021.

4 BREEDEN & ASSOCIATES, PLLC

5 

6 ADAM J. BREEDEN, ESQ.

7 Nevada Bar No. 008768

8 376 E. Warm Springs Road, Suite 120

9 Las Vegas, Nevada 89119

10 Phone: (702) 819-7770

11 *Attorneys for Plaintiff*

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 2nd day of August, 2021, I served a copy of the foregoing legal
3 document **NOTICE OF FILING WRIT PETITION** via the method indicated below:

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5 X	Pursuant to NRCP 5 and NEFCR 9, by electronically serving all counsel and 6 e-mails registered to this matter on the Court's official service, Wiznet 7 system.
8	Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to 9 the following counsel of record or parties in proper person: 10 Anthony D. Lauria, Esq. 11 LAURIA TOKUNAGA GATES & LINN, LLP 12 601 South 7 th Street Las Vegas, Nevada 891010 <i>Attorneys for Defendant Stephanie A. Jones, D.O.</i>
13	Via receipt of copy (proof of service to follow)

14

15 An Attorney or Employee of the following firm:

16 /s/ Kristy Johnson

17 **BREEDEN & ASSOCIATES, PLLC**

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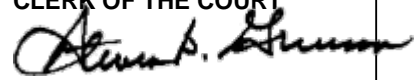
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NOTC
ADAM J. BREEDEN, ESQ.
Nevada Bar No. 008768
BREEDEN & ASSOCIATES, PLLC
376 E. Warm Springs Road, Suite 120
Las Vegas, Nevada 89119
Phone: (702) 819-7770
Fax: (702) 819-7771
Adam@Breedendandassociates.com
Attorneys for Plaintiff

EIGHTH JUDICIAL DISTRICT COURT
STATE OF NEVADA, COUNTY OF CLARK

JANE NELSON, an individual,
Plaintiff,

CASE NO.: A-20-823285-C

DEPT NO.: XXII

v.

NOTICE OF FILING WRIT PETITION

MUHAMMAD SAEED SABIR, M.D., an
individual; JAYSON PAULO ALBERTO
AGATON, APRN, an individual; PIONEER
HEALTH CARE, LLC, a domestic limited
liability company; and DOES I through X; and
ROE CORPORATIONS I through X,
inclusive,
Defendants.

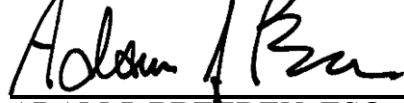
TO THE DISTRICT COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

Pursuant to NRAP 21(a)(1) Plaintiff, JANE NELSON, by and through her attorneys of record, Adam J. Breeden, Esq. of BREEDEN & ASSOCIATES, PLLC, has filed an original Petition for Writ of Mandamus or, in the alternative, Writ of Prohibition regarding this matter. The Writ was filed on August 2, 2021, and has been assigned Supreme Court Case No. 83306 by the Nevada Supreme Court. At this time, the Supreme Court has not ordered any further briefing or response to the Petition. The relief sought by the Petition is a Writ of Mandamus to the District Court to vacate its rulings dismissing Plaintiff's causes of action other than for "professional negligence" for failure to state a claim and re-instating them.

1 Defendants in this action are Real Parties in Interest and are encouraged to file a Notice of
2 Appearance in the Writ proceeding to ensure proper service of pleadings and filings in that
3 proceeding.

4 DATED this 2nd day of August, 2021.

5 **BREEDEN & ASSOCIATES, PLLC**

6 

7 **ADAM J. BREEDEN, ESQ.**

8 Nevada Bar No. 008768

9 376 E. Warm Springs Road, Suite 120

10 Las Vegas, Nevada 89119

11 Phone: (702) 819-7770

12 Fax: (702) 819-7771

13 adam@breedenandassociates.com

14 *Attorneys for Plaintiff*

1 **CERTIFICATE OF SERVICE**

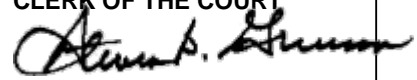
2 I hereby certify that on the 2nd day of August, 2021, I served a copy of the foregoing legal
3 document **NOTICE OF FILING OF WRIT PETITION** via the method indicated below:

4 X	Pursuant to NRCP 5 and NEFCR 9, by electronically serving all counsel and 5 e-mails registered to this matter on the Court's official service, Wiznet 6 system.
7	Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to 8 the following counsel of record or parties in proper person: 9 10 Robert C. McBride, Esq. Sean Kelly, Esq. MCBRIDE HALL 11 8329 W. Sunset Rd., Suite 260 Las Vegas, NV 89113 12 <i>Attorneys for Defendants Pioneer Health Care, LLC</i> <i>and Muhammad Saeed Sabir, M.D.</i> 13 14 Zachary J. Thompson, Esq. Ian M. Houston, Esq. 15 HALL PRANGLE & SCHOONVELD, LLC 1140 N. Town Center Drive, Suite 340 16 Las Vegas, Nevada 89144 <i>Attorneys for Defendant Jayson Paulo Alberto Agaton, APRN</i> 17
18	Via receipt of copy (proof of service to follow)

19
20 An Attorney or Employee of the following firm:

21 /s/ Kristy Johnson

22 **BREEDEN & ASSOCIATES, PLLC**



1 **NOTC**
2 **ADAM J. BREEDEN, ESQ.**
3 Nevada Bar No. 008768
4 **BREEDEN & ASSOCIATES, PLLC**
5 376 E. Warm Springs Road, Suite 120
6 Las Vegas, Nevada 89119
7 Phone: (702) 819-7770
8 Fax: (702) 819-7771
9 Adam@Breedendassociates.com
10 *Attorneys for Plaintiff*

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EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

THOMAS ZIEGLER, an individual,
Plaintiff,

v.

DANIEL M. KIRGAN, M.D., an individual;
CLARK COUNTY, NEVADA d/b/a
UNIVERSITY MEDICAL CENTER, a
political subdivision the State of Nevada; and
DOES I through X; and ROE
CORPORATIONS I through X, inclusive,
Defendants.

CASE NO.: A-20-821720-C

DEPT NO.: XV

NOTICE OF FILING WRIT PETITION

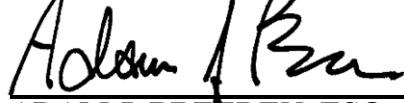
TO THE DISTRICT COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

Pursuant to NRAP 21(a)(1) Plaintiff, THOMAS ZIEGLER, by and through his attorneys of record, Adam J. Breeden, Esq. of BREEDEN & ASSOCIATES, PLLC, has filed an original Petition for Writ of Mandamus or, in the alternative, Writ of Prohibition regarding this matter. The Writ was filed on August 2, 2021, and has been assigned Supreme Court Case No. 83306 by the Nevada Supreme Court. At this time, the Supreme Court has not ordered any further briefing or response to the Petition. The relief sought by the Petition is a Writ of Mandamus to the District Court to vacate its rulings dismissing Plaintiff's causes of action other than for "professional negligence" for failure to state a claim and re-instating them.

1 Defendants in this action are Real Parties in Interest and are encouraged to file a Notice of
2 Appearance in the Writ proceeding to ensure proper service of pleadings and filings in that
3 proceeding.

4 DATED this 2nd day of August, 2021.

5 **BREEDEN & ASSOCIATES, PLLC**

6 

7 **ADAM J. BREEDEN, ESQ.**

8 Nevada Bar No. 008768

9 376 E. Warm Springs Road, Suite 120

10 Las Vegas, Nevada 89119

11 Phone: (702) 819-7770

12 Fax: (702) 819-7771

13 adam@breedenandassociates.com

14 *Attorneys for Plaintiff*

1 **CERTIFICATE OF SERVICE**

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6 Pursuant to NRCP 5 and NEFCR 9, by electronically serving all counsel and e-mails registered to this matter on the Court's official service, Wiznet system.

7 Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to the following counsel of record or parties in proper person:

8

9 Anthony D. Lauria, Esq.
10 LAURIA TOKUNAGA GATES & LINN, LLP
601 South 7th Street
11 Las Vegas, Nevada 891010
Attorneys for Defendant Daniel M. Kirgan, M.D.

12

13 Via receipt of copy (proof of service to follow)

14

15 An Attorney or Employee of the following firm:

16 /s/ Kristy Johnson

17 **BREEDEN & ASSOCIATES, PLLC**

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