

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

ALI KIA, M.D.

Petitioner,

v.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
JUDGE JASMIN LILLY-SPELLS,

Respondents,

and

FRANK J. DELEE, M.D., an individual;  
FRANK J. DELEE, MD, PC, a Domestic  
Professional Corporation, SUNRISE  
HOSPITAL AND MEDICAL CENTER,  
LLC, a Foreign Limited-Liability  
Company; ALI KIA, M.D., an individual;  
and NEVADA HOSPITALIST GROUP,  
LLP,

Real Parties In Interest.

Supreme Court No.: 83357

District Court No. ~~Electronically Filed~~  
Sep 13 2021 11:00 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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**Real Party in Interest Nevada Hospitalist Group, LLP's Motion for Leave to  
Join Petitioner Ali Kia, M.D.'s Petition for Writ of Mandamus**

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S. BRENT VOGEL

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Real Party in Interest Nevada Hospitalist Group, LLP, by and through his counsel of record, S. Brent Vogel, Esq., and Erin E. Jordan, Esq., of the law firm Lewis Brisbois Bisgaard & Smith, LLP, pursuant to Nevada Rule of Appellate Procedure 21 and 27(a)(1), respectfully moves this Court for leave to join Petitioner Ali Kia's Petition for Writ of Mandamus as an additional Petitioner.

This Motion is made and based upon the papers and pleadings on file herein, the Memorandum of Points and Authorities submitted with Ali Kia's Petition for Writ of Mandamus, and such other documentary evidence as may be presented and any oral arguments presented at the time of the hearing of this matter, if any.

With respect to Nevada Hospitalist Group, LLP, good cause exists for granting leave to allow him to join as a Petitioner, as it would aid judicial economy. The issues raised by Petitioner Ali Kia, M.D.'s Petition for Writ of Mandamus apply equally to Real Party of Interest Nevada Hospitalist Group, LLP. The procedural history of Dr. Kia and Nevada Hospitalist Group, LLP is identical and the statute of limitations issues are similarly identical. Because the interests are so aligned, a separate Petition for Writ of Mandamus from this moving party would not materially assist the Court in its disposition of these issues. Lastly, there is no prejudice to Respondents or Real Parties in Interest should Nevada Hospitalist Group, LLP be permitted to join as Petitioner.

For these reasons, this Court should grant Petitioner's Motion for Leave to

Join Petitioner Dr. Kia's Petition for Writ of Mandamus and to file the attached Joinder to be included as a Petitioner in this action.

If this Motion is granted, Nevada Hospitalist Group, LLP will submit a check for \$250.00 for the filing fee, as set forth in NRAP 21(g).

Dated this 13<sup>th</sup> day of September, 2021.

LEWIS BRISBOIS BISGAARD & SMITH LLP

Bv /s/ Erin E. Jordan  
S. Brent Vogel  
Nevada Bar No. 006858  
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[illegible]

1. I am an attorney of record for Real Party in Interest Nevada Hospitalist Group and make this Affidavit pursuant to NRAP 21(a)(5).
2. The facts and procedural history contained in the foregoing Motion are based upon my own personal knowledge as counsel for Real Party in Interest Nevada Hospitalist Group, LLP. This Affidavit is not made by a representative of Nevada Hospitalist Group, LLP personally because the salient issues involve procedural developments and legal analysis.
3. The contents of the foregoing Motion for Leave are true and based upon my personal knowledge, except as to those matters stated on information and belief.
4. This Motion complies with NRAP 21(d) and NRAP 32(c)(2).

/s/ Erin E. Jordan  
ERIN E. JORDAN, ESQ.

**LEWIS  
BRISBOIS  
BISGAARD  
& SMITH LLP**  
ATTORNEYS AT LAW

## CERTIFICATE OF COMPLIANCE

I hereby certify that I have read this appellate brief, and to the best of my knowledge, information, and belief, it is not frivolous or imposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e), which requires every assertion in the brief regarding matters in the record be supported by reference to the page or transcript or appendix where the matter relied upon is found. In addition, I certify that this brief satisfied NRAP 32 with an approximate word count of 926 words. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirement of the Nevada Rules of Appellate Procedure.

Dated this 13<sup>th</sup> day of September, 2021.

By:/s/ Erin E. Jordan  
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## **26.1 DISCLOSURE STATEMENT**

The undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a), and must be disclosed. These representations are made in order that the judges of this court may evaluate possible disqualification or recusal.

Nevada Hospitalist Group, LLP does not have a parent corporation.

Lewis Brisbois Bisgaard & Smith, LLP, attorneys S. Brent Vogel, Esq. and Erin E. Jordan, Esq.

Dated this 13<sup>th</sup> day of September, 2021.

By:/s/ Erin E. Jordan  
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## CERTIFICATE OF MAILING

I hereby certify that on this 13<sup>th</sup> day of September, 2021, I served the foregoing REAL PARTY IN INTEREST NEVADA HOSPITALIST GROUP, LLP'S MOTION FOR LEAVE TO JOIN PETITIONER ALI KIA, M.D.'S PETITION FOR WRIT OF MANDAMUS upon the following parties by placing a true and correct copy thereof in the United States Mail in Las Vegas, Nevada with first class postage fully prepaid:

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By: /s/ Mary Bradley-Estrada  
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