

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

DARELL L. MOORE; AND CHARLENE )  
A. MOORE, INDIVIDUALLY AND AS )  
HUSBAND AND WIFE, )  
Appellants, )  
vs. )  
JASON LASRY, M.D. INDIVIDUAL; )  
AND TERRY BARTIMUS, RN, APRN, )  
Respondents. )

---

Electronically Filed  
Jul 21 2021 05:14 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Supreme Court No. 81659

**APPEAL**

From the Eighth Judicial District Court, Clark County  
The Honorable Kathleen E. Delaney, District Judge  
District Court Case No.: A-17-766426-C

---

**APPELLANT'S APPENDIX VOLUME II**

---

E. Breen Arntz, Esq.  
Nevada Bar No. 3853  
[Breen@breen.com](mailto:Breen@breen.com)  
Phone: 702-494-4800  
Fax: 702-446-8164

*Attorney for Appellant Darrell Moore and Charlene Moore*

**INDEX TO APPELLANT'S APPENDIX**

VOLUME	DOCUMENT	BATES NUMBER
I	Complaint dated December 18, 2017	AA00001- AA00024
I	Amended Complaint dated December 20, 2017	AA00025- AA00048
I	Proof of Service upon Fremont Emergency Services dated January 5, 2018	AA00049
I	Dignity Health's Answer to Complaint dated January 17, 2018	AA00050- AA00059
I	Proof of Service of Amended Complaint upon Dignity Health dated January 17, 2018	AA00060
I	Proof of Service of Amended Complaint upon Jason Lasry dated January 31, 2018	AA00061
I	Proof of Service of Amended Complaint upon Terry Bartmus dated January 31, 2018	AA00062
I	Fremont Emergency Services and Terry Bartmus's Answer to Complaint dated February 9, 2018	AA00063- AA00072
I	Jason Lasry's Answer to Complaint dated February 12, 2018	AA00073- AA00081
I	Scheduling Order dated May 4, 2018	AA00082- AA00084
I	Stipulation and Order to Dismiss Dignity Health dated May 4, 2018	AA00085- AA00089
I	Notice of Entry of Order re Stipulation and Order to Dismiss Dignity Health dated June 28, 2018	AA00090- AA00098
I	Proof of Service of Deposition Subpoena Duces Tecum, Notice of Taking Deposition and Notice of Service of Subpoena Duces Tecum dated March 22, 2019	AA00099
I	Order Setting Civil Jury Trial dated May 7, 2019	AA00100- AA00101
I	Stipulation and Order re Expert Disclosures dated October 7, 2019	AA00102- AA00106
I	Notice of Entry of Stipulation and Order re Expert Disclosures dated October 7, 2019	AA00107- AA00114

I	Fremont Emergency Services and Terry Bartmus's Order Affirming the Discovery Commissioner's Report dated October 14, 2019	AA00115-AA00116
I	Fremont Emergency Services and Terry Bartmus's Notice of Entry of Order Affirming the Discovery Commissioner's Report dated October 14, 2019	AA00117-AA00121
I	Plaintiffs' Order Affirming the Discovery Commissioner's Report dated October 16, 2019	AA00122-AA00123
I	Order Allowing Plaintiff to amend their Complaint to remove Dignity Health dated October 16, 2019	AA00124-AA00125
I	Plaintiffs' Notice of Entry of Order Affirming the Discovery Commissioner's Report dated October 16, 2019	AA00126-AA00129
I	Notice of Entry of Order removing Dignity Health dated October 21, 2019	AA00130-AA00133
I	Second Amended Complaint dated October 29, 2019	AA00134-AA00157
II	Fremont Emergency Services and Terry Bartmus's Answer to Second Amended Complaint dated November 12, 2019	AA00158-AA00166
II	Jason Lasry's Answer to Second Amended Complaint dated November 12, 2019	AA00167-AA00175
II	Joint Pre-Trial Memorandum dated December 16, 2019	AA00176-AA00208
II	Stipulation and Order to Dismiss Fremont Emergency Service dated December 18, 2019	AA00209-AA00214
II	Notice of Entry of Stipulation and Order to Dismiss Fremont Emergency Service dated December 18, 2019	AA00215-AA00223
II	Jason Lasry's Pretrial Disclosures dated December 27, 2019	AA00224-AA00238
II	Plaintiffs' Pretrial Disclosures dated December 27, 2019	AA00239-AA00249
II	Terry Bartmus's Pretrial Disclosures dated December 27, 2019	AA00250-AA00267
II	Jason Lasry's First Supplement to Pretrial Disclosures dated January 2, 2020	AA00268-AA00285

II	Jason Lasry's Second Supplement to Pretrial Disclosures dated January 9, 2020	AA00286-AA00303
III	Terry Bartmus's First Supplement to Pretrial Disclosures dated January 10, 2020	AA00304-AA00322
III	Jason Lasry's Third Supplement to Pretrial Disclosures dated January 15, 2020	AA00323-AA00340
III	Plaintiffs' Proposed Jury Instructions dated January 24, 2020	AA00341-AA00378
III	Jason Lasry's Proposed Special Verdict dated February 9, 2020	AA00379-AA00382
III	Jury Instructions dated February 13, 2020	AA00383-AA00425
III	Special Verdict dated February 13, 2020	AA00426-AA00428
III	Judgment on Jury Verdict dated March 10, 2020	AA00429-AA00430
III	Notice of Entry of Judgment on Jury Verdict dated March 10, 2020	AA00431-AA00435
IV	Plaintiffs' Motion for New Trial dated April 7, 2020	AA00436-AA00543
V	Terry Bartmus's Opposition to Plaintiffs' Motion for New Trial dated April 21, 2020	AA00544-AA00711
V	Jason Lasry's Joinder to Terry Bartmus's Opposition to Plaintiffs' Motion for New Trial dated April 21, 2020	AA00712-AA00714
VI	Plaintiffs' Reply in Support of Motion for New Trial dated May 4, 2020	AA00715-AA00817
VI	Terry Bartmus's Supplemental Opposition to Plaintiffs' Motion for New Trial dated June 4, 2020	AA00818-AA00828
VI	Order on Plaintiffs' Motion for New Trial dated July 15, 2020	AA00829-AA00831
VI	Notice of Entry of Order on Plaintiffs' Motion for New Trial dated July 16, 2020	AA00832-AA00837
VI	Notice of Appeal dated August 14, 2020	AA00838-AA00840
VII	Trial Transcript for January 27, 2020	AA00841-AA01029

VIII	Trial Transcript for January 28, 2020	AA01030- AA01221
IX	Trial Transcript for January 29, 2020	AA01222- AA01378
X	Trial Transcript for January 30, 2020	AA01379- AA01558
XI	Trial Transcript for January 31, 2020	AA01559- AA01708
XII	Trial Transcript for February 3, 2020	AA01709- AA01878
XIII	Trial Transcript for February 4, 2020	AA01879- AA02060
XIV	Trial Transcript for February 5, 2020	AA02061- AA02218
XV	Trial Transcript for February 6, 2020	AA02219- AA02400
XVI	Trial Transcript for February 7, 2020	AA02401- AA02608
XVII	Trial Transcript for February 10, 2020	AA02609- AA02764
XVIII	Trial Transcript for February 11, 2020	AA02765- AA02985
XIX	Trial Transcripts for February 12, 2020, February 13, 2020 and June 11, 2020	AA02986- AA03225

**ALPHABETICAL INDEX TO APPELLANT APPENDIX**

VOLUME	DOCUMENT	BATES NUMBER
I	Amended Complaint dated December 20, 2017	AA00025- AA00048
I	Complaint dated December 18, 2017	AA00001- AA00024
I	Dignity Health's Answer to Complaint dated January 17, 2018	AA00050- AA00059
I	Fremont Emergency Services and Terry Bartmus's Answer to Complaint dated February 9, 2018	AA00063- AA00072
II	Fremont Emergency Services and Terry Bartmus's Answer to Second Amended Complaint dated November 12, 2019	AA00158- AA00166
I	Fremont Emergency Services and Terry Bartmus's Notice of Entry of Order Affirming the Discovery Commissioner's Report dated October 14, 2019	AA00117- AA00121
I	Fremont Emergency Services and Terry Bartmus's Order Affirming the Discovery Commissioner's Report dated October 14, 2019	AA00115- AA00116
I	Jason Lasry's Answer to Complaint dated February 12, 2018	AA00073- AA00081
II	Jason Lasry's Answer to Second Amended Complaint dated November 12, 2019	AA00167- AA00175
II	Jason Lasry's First Supplement to Pretrial Disclosures dated January 2, 2020	AA00268- AA00285
V	Jason Lasry's Joinder to Terry Bartmus's Opposition to Plaintiffs' Motion for New Trial dated April 21, 2020	AA00712- AA00714
II	Jason Lasry's Pretrial Disclosures dated December 27, 2019	AA00224- AA00238
III	Jason Lasry's Proposed Special Verdict dated February 9, 2020	AA00379- AA00382
II	Jason Lasry's Second Supplement to Pretrial Disclosures dated January 9, 2020	AA00286- AA00303
III	Jason Lasry's Third Supplement to Pretrial Disclosures dated January 15, 2020	AA00323- AA00340

II	Joint Pre-Trial Memorandum dated December 16, 2019	AA00176-AA00208
III	Judgment on Jury Verdict dated March 10, 2020	AA00429-AA00430
III	Jury Instructions dated February 13, 2020	AA00383-AA00425
VI	Notice of Appeal dated August 14, 2020	AA00838-AA00840
III	Notice of Entry of Judgment on Jury Verdict dated March 10, 2020	AA00431-AA00435
VI	Notice of Entry of Order on Plaintiffs' Motion for New Trial dated July 16, 2020	AA00832-AA00837
I	Notice of Entry of Order re Stipulation and Order to Dismiss Dignity Health dated June 28, 2018	AA00090-AA00098
I	Notice of Entry of Order removing Dignity Health dated October 21, 2019	AA00130-AA00133
I	Notice of Entry of Stipulation and Order re Expert Disclosures dated October 7, 2019	AA00107-AA00114
II	Notice of Entry of Stipulation and Order to Dismiss Fremont Emergency Service dated December 18, 2019	AA00215-AA00223
I	Order Allowing Plaintiff to amend their Complaint to remove Dignity Health dated October 16, 2019	AA00124-AA00125
VI	Order on Plaintiffs' Motion for New Trial dated July 15, 2020	AA00829-AA00831
I	Order Setting Civil Jury Trial dated May 7, 2019	AA00100-AA00101
IV	Plaintiffs' Motion for New Trial dated April 7, 2020	AA00436-AA00543
I	Plaintiffs' Notice of Entry of Order Affirming the Discovery Commissioner's Report dated October 16, 2019	AA00126-AA00129
I	Plaintiffs' Order Affirming the Discovery Commissioner's Report dated October 16, 2019	AA00122-AA00123
II	Plaintiffs' Pretrial Disclosures dated December 27, 2019	AA00239-AA00249
III	Plaintiffs' Proposed Jury Instructions dated January 24, 2020	AA00341-AA00378

VI	Plaintiffs' Reply in Support of Motion for New Trial dated May 4, 2020	AA00715-AA00817
I	Proof of Service of Amended Complaint upon Dignity Health dated January 17, 2018	AA00060
I	Proof of Service of Amended Complaint upon Jason Lasry dated January 31, 2018	AA00061
I	Proof of Service of Amended Complaint upon Terry Bartmus dated January 31, 2018	AA00062
I	Proof of Service of Deposition Subpoena Duces Tecum, Notice of Taking Deposition and Notice of Service of Subpoena Duces Tecum dated March 22, 2019	AA00099
I	Proof of Service upon Fremont Emergency Services dated January 5, 2018	AA00049
I	Scheduling Order dated May 4, 2018	AA00082-AA00084
I	Second Amended Complaint dated October 29, 2019	AA00134-AA00157
III	Special Verdict dated February 13, 2020	AA00426-AA00428
I	Stipulation and Order re Expert Disclosures dated October 7, 2019	AA00102-AA00106
I	Stipulation and Order to Dismiss Dignity Health dated May 4, 2018	AA00085-AA00089
II	Stipulation and Order to Dismiss Fremont Emergency Service dated December 18, 2019	AA00209-AA00214
III	Terry Bartmus's First Supplement to Pretrial Disclosures dated January 10, 2020	AA00304-AA00322
V	Terry Bartmus's Opposition to Plaintiffs' Motion for New Trial dated April 21, 2020	AA00544-AA00711
II	Terry Bartmus's Pretrial Disclosures dated December 27, 2019	AA00250-AA00267
VI	Terry Bartmus's Supplemental Opposition to Plaintiffs' Motion for New Trial dated June 4, 2020	AA00818-AA00828
XVII	Trial Transcript for February 10, 2020	AA02609-AA02764
XVIII	Trial Transcript for February 11, 2020	AA02765-AA02985



XII	Trial Transcript for February 3, 2020	AA01709- AA01878
XIII	Trial Transcript for February 4, 2020	AA01879- AA02060
XIV	Trial Transcript for February 5, 2020	AA02061- AA02218
XV	Trial Transcript for February 6, 2020	AA02219- AA02400
XVI	Trial Transcript for February 7, 2020	AA02401- AA02608
VII	Trial Transcript for January 27, 2020	AA00841- AA01029
VIII	Trial Transcript for January 28, 2020	AA01030- AA01221
IX	Trial Transcript for January 29, 2020	AA01222- AA01378
X	Trial Transcript for January 30, 2020	AA01379- AA01558
XI	Trial Transcript for January 31, 2020	AA01559- AA01708
XIX	Trial Transcripts for February 12, 2020, February 13, 2020 and June 11, 2020	AA02986- AA03225

## CERTIFICATE OF SERVICE

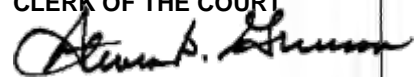
Pursuant to NRAP 25(b), I certify that I am an employee of the law firm and that on this 21<sup>st</sup> day of July, 2021, I served a true and correct copy of the foregoing **APPELLANT'S APPENDIX VOLUME II** as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☐ to be sent via facsimile (as a courtesy only); and/or
- ☐ to be hand-delivered to the attorneys at the address listed below:
- x to be submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

Robert McBride, Esq  
McBride Hall  
8329 W. Sunset Rd., Ste. 260  
Las Vegas, NV 89113

Keith A. Weaver, Esq.  
Lewis Brisbois Bisgaard & Smith, LLP  
6385 S. Rainbow Blvd., Ste. 6000  
Las Vegas, NV 89118

By: /s/ E. Breen Arntz  
An employee of E. Breen Arntz, Chtd.



1 KEITH A. WEAVER  
Nevada Bar No. 10271  
2 E-Mail: Keith.Weaver@lewisbrisbois.com  
DANIELLE WOODRUM  
3 Nevada Bar No. 12902  
E-Mail: Danielle.Woodrum@lewisbrisbois.com  
4 ALISSA BESTICK  
Nevada Bar No. 14979C  
5 E-Mail: Alissa.Bestick@lewisbrisbois.com  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
7 TEL: 702.893.3383  
FAX: 702.893.3789  
8 *Attorneys for Defendants Fremont  
Emergency Services (Mandavia), Ltd. and  
9 Terry Bartmus, A.P.R.N.*

10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA  
12

13 DARELL L. MOORE and CHARLENE A.  
14 MOORE, individually and as husband and  
wife,

15 Plaintiffs,

16 vs.

17 DIGNITY HEALTH d/b/a ST. ROSE  
18 DOMINICAN HOSPITAL - SAN MARTIN  
CAMPUS; JASON LASRY, M.D.,  
19 individually; FREMONT EMERGENCY  
SERVICES (MANDAVIA), LTD.; TERRY  
20 BARTMUS, A.P.R.N.; and DOES I through  
X, inclusive; and ROE CORPORATIONS I  
21 through V, inclusive; ,

22 Defendants.  
23

CASE NO. A-17-766426-C  
Dept. No.: XXVI

DEFENDANTS FREMONT EMERGENCY  
SERVICES (MANDAVIA), LTD. AND  
TERRY BARTMUS, A.P.R.N.'S ANSWER  
TO PLAINTIFFS' SECOND AMENDED  
COMPLAINT

24 Defendants FREMONT EMERGENCY SERVICES (MANDAVIA), LTD. and  
25 TERRY BARTMUS, A.P.R.N. (hereinafter referred to as "Defendants" or "Answering  
26 Defendants"), by and through their counsel of record, LEWIS BRISBOIS BISGAARD &  
27 SMITH LLP, answer Plaintiffs' Second Amended Complaint as follows:

28 ///

GENERAL ALLEGATIONS

1. These Answering Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraphs 1 through 2, and therefore deny those allegations.

2. These Answering Defendants admit the allegations contained in Paragraph

3.

3. Answering Paragraph 4, these Answering Defendants admit Defendant Fremont Emergency Medical Services (Mandavia), Ltd. ("Fremont Emergency Services") is a Nevada Corporation authorized to conduct business in the State of Nevada. The remaining allegations are legal conclusions that do not call for a response from these Answering Defendants. However, to the extent the remaining allegations in Paragraph 4 call for a response from these Answering Defendants, these Answering Defendants are without sufficient facts or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 4, and therefore deny those allegations.

4. Answering Paragraph 5, these Answering Defendants admit Defendant Terry Bartmus, A.P.R.N. ("NP Bartmus") is an Advanced Practice Registered Nurse employed by Fremont Emergency Services. As to the remaining allegations, these Answering Defendants are without sufficient facts or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 5, and therefore deny those allegations.

5. Paragraphs 6 through 9 contain legal conclusions that do not call for a response from these Answering Defendants. To the extent that Paragraphs 6 through 9 requires a response from these Answering Defendants, these Answering Defendants are without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraphs 6 through 9, and therefore deny those allegations.

6. These Answering Defendants deny the allegations in Paragraph 10.

7. These Answering Defendants are without knowledge or information

1 sufficient to form a belief as to the truth or falsity of the allegations contained in  
2 Paragraphs 11 through 20, and therefore deny those allegations.

3 8. These Answering Defendants deny the allegations in Paragraphs 21  
4 through 23.

5 9. Answering Paragraph 24, these Answering Defendants admit R. Scott  
6 Jacobs, M.D.'s report and supplemental report is attached to the Second Amended  
7 Complaint. These Answering Defendants deny that the report and supplemental report  
8 support the allegations contained in the Second Amended Complaint.

9 **SPECIFIC ALLEGATIONS OF NEGLIGENCE**

10 **1<sup>ST</sup> CAUSE OF ACTION**  
11 **PROFESSIONAL NEGLIGENCE**  
12 **(As Against Jason Lasry, M.D.)**

13 10. Answering Paragraph 25, these Answering Defendants repeat and reallege  
14 its responses to Paragraphs 1 through 24 and incorporate the same by reference as  
15 though fully set forth herein.

16 11. Paragraphs 26 through 33 do not call for a response from these Answering  
17 Defendants as they relate to co-Defendant Jason Lasry, M.D. only. To the extent that  
18 Paragraphs 26 through 33 requires a response from these Answering Defendants, these  
19 Answering Defendants are without knowledge or information sufficient to form a belief as  
20 to the truth or falsity of the allegations contained in Paragraphs 26 through 33, and  
21 therefore deny those allegations.

22 **2<sup>ND</sup> CAUSE OF ACTION**  
23 **NEGLIGENT HIRING, TRAINING AND SUPERVISION**  
24 **(As Against FREMONT EMERGENCY SERVICES (MANDAVIA), LTD.)**

25 12. Answering Paragraph 34, these Answering Defendants repeat and reallege  
26 its responses to Paragraphs 1 through 33 and incorporate the same by reference as  
27 though fully set forth herein.

28 13. Paragraphs 35 through 36 contain legal conclusions that do not call for a  
response from these Answering Defendants. To the extent that Paragraphs 35 through  
36 requires a response from these Answering Defendants, these Answering Defendants

1 deny the allegations contained in Paragraphs 35 through 36, as phrased.

2 14. These Answering Defendants deny the allegations contained in Paragraphs  
3 37 through 42.

4 3<sup>RD</sup> CAUSE OF ACTION  
5 CORPORATE NEGLIGENCE/VICARIOUS LIABILITY  
6 (As Against FREMONT EMERGENCY SERVICES (MANDAVIA), LTD.)

7 15. Answering Paragraph 43, these Answering Defendants repeat and reallege  
8 its responses to Paragraphs 1 through 42 and incorporate the same by reference as  
9 though fully set forth herein.

10 16. Answering Paragraph 44, These Answering Defendants admit Fremont  
11 Emergency Services had a duty of care. These Answering Defendants deny any  
12 allegations contained in Paragraph 44 that said duty of care was breached by Fremont  
13 Emergency Services.

14 17. These Answering Defendants deny the allegations contained in Paragraphs  
15 45-49.

16 4<sup>TH</sup> CAUSE OF ACTION  
17 PROFESSIONAL NEGLIGENCE  
18 (As Against TERRY BARTMUS, R.N., A.P.R.N.)

19 18. Answering Paragraph 50, these Answering Defendants repeat and reallege  
20 its responses to Paragraphs 1 through 49 and incorporate the same by reference as  
21 though fully set forth herein.

22 19. These Answering Defendants deny the allegations contained in Paragraphs  
23 51 through 52.

24 20. These Answering Defendants deny the allegations contained in Paragraphs  
25 53, as phrased.

26 21. These Answering Defendants deny the allegations contained in Paragraphs  
27 54 through 58.

28 ///

///

///



1 AFFIRMATIVE DEFENSES

2 FIRST AFFIRMATIVE DEFENSE

3 Plaintiffs' Second Amended Complaint fails to state a claim on which relief may be  
4 granted.

5 SECOND AFFIRMATIVE DEFENSE

6 Plaintiffs' damages, if any, were not proximately caused by these Answering  
7 Defendants' conduct.

8 THIRD AFFIRMATIVE DEFENSE

9 Plaintiffs are comparatively at fault; Plaintiffs' recovery, if any, should be reduced  
10 in proportion to Plaintiffs' fault, or in the event their fault exceeds that of these Answering  
11 Defendants, Plaintiffs are not entitled to any recovery.

12 FOURTH AFFIRMATIVE DEFENSE

13 Plaintiffs' injuries and damages, if any, are the result of forces of nature over which  
14 these Answering Defendants had no control or responsibility.

15 FIFTH AFFIRMATIVE DEFENSE

16 Plaintiffs are barred from asserting any claims against these Answering  
17 Defendants because the alleged damages were the result of one or more unforeseeable  
18 intervening and superseding causes.

19 SIXTH AFFIRMATIVE DEFENSE

20 Plaintiffs are barred from bringing this action for failure to comply with applicable  
21 contractual remedies and requirements, including arbitration, if applicable. Plaintiffs'  
22 failure to comply with the contractual remedies and requirements notwithstanding, these  
23 Answering Defendants reserve their right to enforce any applicable arbitration provision.

24 SEVENTH AFFIRMATIVE DEFENSE

25 The damages, if any, incurred by Plaintiffs were not attributable to any act,  
26 conduct, or omission on the part of these Answering Defendants. These Answering  
27 Defendants deny that they were culpable in any matter or in any degree with respect to  
28 the matters set forth in Plaintiffs' Second Amended Complaint.

1 EIGHTH AFFIRMATIVE DEFENSE

2 Plaintiffs' claims are barred due to the applicable statute of limitations applicable to  
3 each cause of action, and/or the doctrines of estoppel, waiver, laches and/or unclean  
4 hands.

5 NINTH AFFIRMATIVE DEFENSE

6 Plaintiffs' damages, if any, were caused in whole or part by the negligence of third  
7 parties over which these Answering Defendants had no control.

8 TENTH AFFIRMATIVE DEFENSE

9 Plaintiffs failed to take reasonable efforts to mitigate their damages, if any, and are  
10 therefore barred from recovering any damages from these Answering Defendants.

11 ELEVENTH AFFIRMATIVE DEFENSE

12 Plaintiffs' maladies and injuries, if any, were caused by inevitable disease  
13 processes and not by any act of these Answering Defendants.

14 TWELFTH AFFIRMATIVE DEFENSE

15 These Answering Defendants are entitled to all limitations, protections and other  
16 provisions contained within NRS Chapter 41A and/or NRS 42.021.

17 THIRTEENTH AFFIRMATIVE DEFENSE

18 These Answering Defendants deny each and every allegation of Plaintiffs' Second  
19 Amended Complaint not specifically admitted or otherwise pled herein.

20 FOURTEENTH AFFIRMATIVE DEFENSE

21 Plaintiffs have failed to comply with NRS 41A.071.

22 FIFTEENTH AFFIRMATIVE DEFENSE

23 Plaintiffs' non-economic damages, if any, may not exceed \$350,000, pursuant to  
24 NRS 41A.035.

25 SIXTEENTH AFFIRMATIVE DEFENSE

26 To the extent Plaintiffs are entitled to recover any damages from these Answering  
27 Defendants, these Answering Defendants may be held severally liable only for that  
28 portion of any judgment which represents the percentage of negligence attributable these



1 Answering Defendants, pursuant to NRS 41A.045 and NRS 41.141.

2 SEVENTEENTH AFFIRMATIVE DEFENSE

3 Pursuant to NRS 41A.110, these Answering Defendants are entitled to a  
4 conclusive presumption of informed consent.

5 EIGHTEENTH AFFIRMATIVE DEFENSE

6 The damages, if any, alleged by Plaintiffs are not the result of any acts of  
7 omission, commission, or negligence, but were the result of a known risk(s), which were  
8 consented to by Plaintiffs.

9 NINETEENTH AFFIRMATIVE DEFENSE

10 To the extent Plaintiffs are entitled to recover any future damages from these  
11 Answering Defendants, these Answering Defendants may satisfy that amount through  
12 periodic payments pursuant to NRS 42.021.

13 TWENTIETH AFFIRMATIVE DEFENSE

14 Plaintiffs have failed to name an indispensable party whose presence is  
15 indispensable to full relief.

16 TWENTY-FIRST AFFIRMATIVE DEFENSE

17 Pursuant to N.R.C.P. 11, as amended, all affirmative defenses that have not been  
18 alleged herein insofar as sufficient facts are not available after reasonable inquiry upon  
19 the filing of these Answering Defendants' Answer. These Answering Defendants reserve  
20 the right to allege additional affirmative defenses subsequently, if investigation so  
21 warrants.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 TWENTY-SECOND AFFIRMATIVE DEFENSE

2 These Answering Defendants hereby incorporate by reference those affirmative  
3 defenses enumerated in Rule 8 of the Nevada Rules of Civil Procedure as if fully set forth  
4 herein, for the specific purpose of not waiving any such defenses. In the event further  
5 investigation or discovery reveals the applicability of any such defenses, or any other  
6 affirmative defenses, these Answering Defendants reserve the right to seek leave of court  
7 to amend this Answer to specifically assert any such defense.

8 DATED this 12th day of November, 2019

9 LEWIS BRISBOIS BISGAARD & SMITH LLP

10  
11  
12 By

Keith A. Weaver  
13 KEITH A. WEAVER

Nevada Bar No. 10271

14 DANIELLE WOODRUM

Nevada Bar No. 12902

15 ALISSA N. BESTICK

Nevada Bar No. 14979C

16 6385 S. Rainbow Boulevard, Suite 600

Las Vegas, Nevada 89118

17 *Attorneys for Defendants Fremont Emergency*  
18 *Services (Mandavia), Ltd. and Terry Bartmus,*  
19 *A.P.R.N.*

1 CERTIFICATE OF SERVICE

2 I hereby certify that on this 12th day of November, 2019, a true and correct copy  
3 of DEFENDANTS FREMONT EMERGENCY SERVICES (MANDAVIA), LTD. AND  
4 TERRY BARTMUS, A.P.R.N.'S ANSWER TO PLAINTIFFS' SECOND AMENDED  
5 COMPLAINT was served electronically with the Clerk of the Court using the Wiznet  
6 Electronic Service system and serving all parties with an email-address on record, who  
7 have agreed to receive Electronic Service in this action.

8 Matthew W. Hoffmann, Esq.  
9 ATKINSON WATKINS & HOFFMANN, LLP  
10 10789 W. Twain Ave., Suite 100  
11 Las Vegas, NV 89135  
12 Tel: 702.562.6000  
13 Fax: 702.562.6066  
14 Email: [mhoffmann@awhlawyers.com](mailto:mhoffmann@awhlawyers.com)

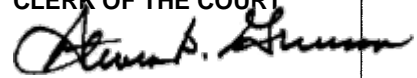
Robert McBride, Esq.  
Chelsea Hueth, Esq.  
CARROLL, KELLY, TROTTER, FRANZEN  
& MCBRIDE  
8329 w. Sunset Road, Suite 260  
Las Vegas, NV 89113  
Tel: 702.792.5855  
Fax: 702.796.5855  
Email: [rcmcbride@cktfmlaw.com](mailto:rcmcbride@cktfmlaw.com)  
Email: [crhueth@cktfmlaw.com](mailto:crhueth@cktfmlaw.com)  
*Attorneys for Defendant Jason Lasry, M.D.*

13 And

14 Breen Artanz, Esq.  
15 5545 Mountain Vista, Suite E  
16 Las Vegas, NV 89120  
17 *Attorneys for Plaintiffs*

17 By 

18 An Employee of  
19 LEWIS BRISBOIS BISGAARD & SMITH LLP  
20  
21  
22  
23  
24  
25  
26  
27  
28



1 **ANS**  
2 ROBERT C. MCBRIDE, ESQ.  
3 Nevada Bar No. 7082  
4 CHELSEA R. HUETH, ESQ.  
5 Nevada Bar No. 10904  
6 CARROLL, KELLY, TROTTER,  
7 FRANZEN & McBRIDE  
8 8329 W. Sunset Road, Suite 260  
9 Las Vegas, Nevada 89113  
10 Telephone No. (702) 792-5855  
11 Facsimile No. (702) 796-5855  
12 E-mail: [rmcbride@cktfmlaw.com](mailto:rmcbride@cktfmlaw.com)  
13 E-mail: [crhueth@cktfmlaw.com](mailto:crhueth@cktfmlaw.com)  
14 Attorneys for Defendant,  
15 *Jason Lasry, M.D.*

DISTRICT COURT

CLARK COUNTY, NEVADA

12 DARELL L. MOORE and CHARLENE A.  
13 MOORE, individually and as husband and  
14 wife;

Plaintiffs,

14 v.

15 JASON LASRY, M.D., individually;  
16 FREMONT EMERGENCY SERVICES  
17 (MANDAVIA), LTD.; TERRY BARTMUS,  
18 RN, APRN; and DOES I through X, inclusive;  
and ROE CORPORATIONS I through V,  
inclusive;

Defendants.

**CASE NO.: A-17-766426-C**  
**DEPT: XXV**

**DEFENDANT, JASON LASRY, M.D.'S ANSWER TO PLAINTIFFS' SECOND  
AMENDED COMPLAINT**

23 COMES NOW, Defendant, JASON LASRY, M.D. by and through his counsel of record,  
24 ROBERT C. McBRIDE, ESQ. and CHELSEA R. HUETH, ESQ. of the law firm of CARROLL,  
25 KELLY, TROTTER, FRANZEN & McBRIDE, and hereby Answers Plaintiffs' Second  
26 Amended Complaint as follows:  
27

28 ///

I.

**GENERAL ALLEGATIONS**

1. Answering Paragraphs 1, 2, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 22 of Plaintiffs' Second Amended Complaint on file herein, this answering Defendant is without sufficient knowledge to form a belief as to the truth of the allegations contained in said paragraphs and therefore denies the same.

2. Answering Paragraph 3 of Plaintiffs' Second Amended Complaint on file herein, this answering Defendant admits the allegations contained herein.

3. Answering Paragraphs 8, 10, 21, and 23 of Plaintiffs' Second Amended Complaint, this answering Defendant denies the allegations as to Jason Lasry, M.D. and as to all remaining allegations, this answering Defendant is without sufficient knowledge and information to formulate a belief as to the truth of the allegations contained therein and, based upon such lack of information and belief, the same are hereby denied.

4. Answering Paragraph 24 of Plaintiffs' Second Amended Complaint, this answering Defendant admits the affidavits of Scott Jacobs, M.D. is attached to Plaintiffs' Complaint.

**SPECIFIC ALLEGATIONS OF NEGLIGENCE**

**1ST CAUSE OF ACTION**  
**PROFESSIONAL NEGLIGENCE**  
**(As Against JASON LASRY, M.D.)**

5. Answering Paragraph 25 of Plaintiffs' Second Amended Complaint on file herein, this answering Defendant repeats each and every response to Paragraphs 1 through 24, inclusive, and incorporate the same by reference as though set forth fully herein.

6. Answering Paragraphs 26 through 33 of Plaintiffs' Second Amended Complaint, this answering Defendant denies all allegations therein.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

3  
4  
5  
6

7  
8  
9

10  
11  
12  
13  
14  
15

16  
17

18  
19  
20  
21

22  
23  
24

25

26

27



1                                    **4TH CAUSE OF ACTION**  
2                                    **PROFESSIONAL NEGLIGENCE**  
3                                    **(As Against TERRY BARTMUS, RN, APRN)**

4            12.     Answering Paragraph 50 of Plaintiffs' Second Amended Complaint on file herein,  
5 this answering Defendant repeats each and every response to Paragraphs 1 through 49, inclusive,  
6 and incorporate the same by reference as though set forth fully herein.

7            13.     Answering Paragraphs 51 through 58 of Plaintiffs' Second Amended Complaint  
8 on file herein, this answering Defendant is without sufficient knowledge to form a belief as to the  
9 truth of the allegations contained in said paragraphs and therefore denies the same.

10                                   **PRAYER FOR RELIEF**

11            This Answering Defendant denies that Plaintiffs are entitled to any of the requested relief  
12 as contained within Plaintiff's Second Amended Complaint.

13                                   **GENERAL DENIAL**

14            This Answering Defendant denies each and every allegation contained in Plaintiffs'  
15 Second Amended Complaint that is not specifically admitted to be true.

16                                   **FIRST AFFIRMATIVE DEFENSE**

17            Defendant alleges that Plaintiffs' Second Amended Complaint on file herein fails to state  
18 claims upon which relief can be granted.

19                                   **SECOND AFFIRMATIVE DEFENSE**

20            Defendant alleges that the damages, if any, were caused in whole or in part, or were  
21 contributed to by reason of the negligence or wrongful conduct of Plaintiffs.

22                                   **THIRD AFFIRMATIVE DEFENSE**

23            All risks and dangers involved in the factual situation described in the Second Amended  
24 Complaint were open, obvious, and known to Plaintiffs and said Plaintiffs voluntarily assumed  
25 said risks and dangers.

1                                   **FOURTH AFFIRMATIVE DEFENSE**

2           The incident alleged in the Second Amended Complaint and the resulting damages, if  
3 any, to Plaintiffs were proximately caused or contributed to by Plaintiffs' own negligence, and  
4 such negligence was greater than the alleged negligence of Defendants.

5                                   **FIFTH AFFIRMATIVE DEFENSE**

6           Defendant alleges that the occurrence referred to in the Second Amended Complaint, and  
7 all injuries and damages, if any, resulting therefrom were caused by the acts or omissions of a  
8 third party over whom Defendant had no control.

9                                   **SIXTH AFFIRMATIVE DEFENSE**

10           Defendant has fully performed and discharged all obligations owed to Plaintiffs,  
11 including meeting the requisite standard of care to which Plaintiffs were entitled.

12                                   **SEVENTH AFFIRMATIVE DEFENSE**

13           Defendant alleges that at all times mentioned in Plaintiffs' Second Amended Complaint,  
14 Plaintiffs were suffering from a medical condition(s) which Defendant did not cause, nor was  
15 Defendant responsible for said medical condition(s).

16                                   **EIGHTH AFFIRMATIVE DEFENSE**

17           If Plaintiffs have sustained any injuries or damages, such were the result of intervening  
18 and/or superseding events, factors, occurrences, or conditions, which were in no way caused by  
19 Defendant, and for which Defendant is not liable.

20                                   **NINTH AFFIRMATIVE DEFENSE**

21           Defendant alleges that pursuant to Nevada law, he would not be jointly liable and that if  
22 liability is imposed, such liability would be several for that portion of Plaintiffs' damages, if any,  
23 that represents the percentage attributable to Defendant.

24           ///



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**TENTH AFFIRMATIVE DEFENSE**

The risks and consequences, if any, attendant to the recommendations and treatment proposed by this Defendant were fully explained to Plaintiffs who freely consented to such treatment and thereby assumed risks involved in such matter.

**ELEVENTH AFFIRMATIVE DEFENSE**

Defendant alleges that Plaintiffs have a duty to mitigate their damages and have failed to do so.

**TWELFTH AFFIRMATIVE DEFENSE**

To the extent Plaintiffs have been reimbursed from any source for any special damages claimed to have been sustained as a result of the incidents alleged in Plaintiffs' Second Amended Complaint, Defendant may elect to offer those amounts into evidence and, if Defendant so elect, Plaintiffs' special damages shall be reduced by those amounts pursuant to NRS 42.021.

**THIRTEENTH AFFIRMATIVE DEFENSE**

All possible affirmative defenses may not have been alleged herein insofar as sufficient facts were not available after reasonable inquiry upon the filing of Defendant's Answer and, therefore, Defendant reserves the right to amend his Answer to allege additional Affirmative Defenses if subsequent investigation so warrants.

**FOURTEENTH AFFIRMATIVE DEFENSE**

Defendant did not violate any statute, ordinance, or regulation referenced in Plaintiffs' Second Amended Complaint herein.

**FIFTEENTH AFFIRMATIVE DEFENSE**

Defendant alleges it has been necessary for this Defendant to employ the services of an attorney to defend this action and a reasonable sum should be allowed to Defendant for attorney's fees, together with costs of suit incurred herein.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

2  
3  
4  
5  
6  
7

## 8

901

4  
5  
6  
7

## 8

20

22

23

24

25

26

27

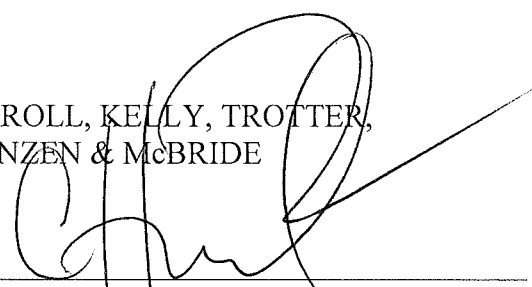
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

WHEREFORE, Defendant prays for relief as follows:

1. That Plaintiffs take nothing by way of the Second Amended Complaint on file herein.
2. For reasonable attorney's fees and costs incurred in defending this litigation.
3. For such other and further relief as this Court deems just and proper in the premises.

DATED this 12<sup>th</sup> day of November, 2019

CARROLL, KELLY, TROTTER,  
FRANZEN & McBRIDE



---

ROBERT C. McBRIDE, ESQ.  
Nevada Bar No.: 7082  
CHELSEA R. HUETH, ESQ.  
Nevada Bar No.: 10904  
8329 W. Sunset Road, Suite 260  
Las Vegas, Nevada 89113  
Attorneys For Defendant,  
*Jason Lasry, M.D.*

1 CERTIFICATE OF SERVICE

2 I HEREBY CERTIFY that on the 12<sup>th</sup> day of November, 2019, I served a true and correct  
3 copy of the foregoing **DEFENDANT, JASON LASRY, M.D.'S ANSWER TO PLAINTIFFS'**  
4 **SECOND AMENDED COMPLAINT** addressed to the following counsel of record at the  
5 following address(es):


- 6 ☒ **VIA ELECTRONIC SERVICE:** *by mandatory electronic service (e-service), proof of e-*  
7 *service attached to any copy filed with the Court; or*
- 8 ☐ **VIA U.S. MAIL:** By placing a true copy thereof enclosed in a sealed envelope with  
9 postage thereon fully prepaid, addressed as indicated on the service list below in the  
10 United States mail at Las Vegas, Nevada
- 11 ☐ **VIA FACSIMILE:** By causing a true copy thereof to be telecopied to the number  
12 indicated on the service list below.

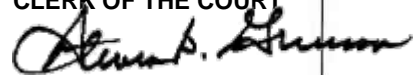
13 Matthew W. Hoffmann, Esq.  
14 ATKINSON WATKINS, & HOFFMANN, LLP  
15 10789 W. Twain Avenue, Suite 100  
16 Las Vegas, NV 89135

17 And

18 Breen Artz, Esq.  
19 5545 Mountain Vista, Suite E  
20 Las Vegas, NV 89120  
21 *Attorneys for Plaintiffs*

Keith A. Weaver, Esq.  
Alissa Bestick, Esq.  
LEWIS BRISBOIS BISGAARD &  
SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
Attorney for Defendant,  
Terry Bartmus, RN, APRN, and  
Fremont Emergency Services (Mandavia),  
Ltd.

22  
23  
24  
25  
26  
27  
28  
  
An Employee of CARROLL, KELLY, TROTTER,  
FRANZEN, McBRIDE & PEABODY



JPTM

MATTHEW W. HOFFMANN, ESQ.  
Nevada Bar No. 009061  
ATKINSON WATKINS & HOFFMANN, LLP  
10789 W. Twain Ave., Suite 100  
Las Vegas, NV 89135  
Telephone: 702-562-6000  
Facsimile: 702-562-6066  
Email: [mhoffmann@awhlawyers.com](mailto:mhoffmann@awhlawyers.com)  
*Attorneys for Plaintiffs*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

DARELL L. MOORE and CHARLENE A.  
MOORE, individually and as husband and  
wife;

Plaintiffs,

v.

JASON LASRY, M.D., individually;  
FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD.; TERRY BARTMUS,  
RN, APRN; and DOES I through X, inclusive;  
and ROE CORPORATIONS I through V,  
inclusive;

Defendants.

CASE NO.: A-17-766426-C

DEPT. NO.: Dept. 25

**JOINT PRE-TRIAL MEMORANDUM**

COME NOW, Plaintiffs, DARELL L. MOORE and CHARLENE A. MOORE (hereinafter referred to as "Plaintiffs"), by and through their attorney of record, MATTHEW W. HOFFMANN, ESQ., of the law firm of ATKINSON WATKINS & HOFFMANN, LLP; Defendant, JASON LASRY, M.D. (hereinafter referred to as "Defendant Lasry"), by and through his attorney of record, CHELSEA HUETH, ESQ., of the law firm of CARROLL, KELLY, TROTTER, FRANZEN & MCBRIDE; and Defendant, TERRY BARTMUS, RN, APRN, (hereinafter referred to as "Defendant Bartmus"), by and through her attorneys of record, KEITH A. WEAVER, ESQ., and ALISSA BESTICK, ESQ., of the law firm of LEWIS BRISBOIS BISGAARD & SMITH, LLP, and hereby submit their Joint Pre-Trial Memorandum.

...

1 **I. STATEMENT OF FACTS**

2 This is a medical malpractice case arising out of allegations concerning the care and  
3 treatment of Plaintiff Darell Moore when he presented to the emergency department at St. Rose  
4 Dominican Hospital – San Martin Campus on December 25, 2016.

5 **II. LIST OF CLAIMS FOR RELIEF**

6 **A. Plaintiffs' Claims for Relief**

- 7 1. Professional Negligence;  
8 2. Negligent Hiring, Training and Supervision;  
9 3. Corporate Negligence/Vicarious Liability;

10 **III. LIST OF AFFIRMATIVE DEFENSES**

11 **Defendant Jason Lasry, M.D.**

12 1. Defendant alleges that Plaintiffs' Second Amended Complaint on file herein failst  
13 to state claims upon which relief can be granted.

14 2. Defendant alleges that the damages, if any, were caused in whole or in part, or were  
15 contributed to by reason of the negligence or wrongful conduct of Plaintiffs.

16 3. All risks and dangers involved in the factual situation describe in the Second  
17 Amended Complaint were open, obvious, and known to Plaintiffs and said Plaintiffs voluntarily  
18 assumed said risks and dangers.

19 4. The incident alleged in the Second Amended Complaint and the resulting damages,  
20 if any, to Plaintiffs were proximately caused or contributed to by Plaintiffs' own negligence, and  
21 such negligence was greater than the alleged negligence of Defendants.

22 5. Defendant alleges that the occurrence referred to in the Second Amended  
23 Complaint, and all injuries and damages, if any, resulting therefrom were caused by the acts or  
24 omissions of a third party over whom Defendant had no control.

25 6. Defendant has fully performed and discharged all obligations owed to Plaintiffs,  
26 including meeting the requisite standard of care to which Plaintiffs were entitled.

27 7. Defendant alleges that at all times mentioned in Plaintiffs' Second Amended  
28 Complaint, Plaintiffs were suffering from a medical condition(s) which Defendant did not cause,

1 nor was Defendant responsible for said medical condition(s).

2 8. If Plaintiffs have sustained any injuries or damages, such were the result of  
3 intervening and/or superseding events, factors, occurrences, or conditions, which were in no way  
4 caused by Defendant, and for which Defendant is not liable.

5 9. Defendant alleges that pursuant to Nevada law, he would not be jointly liable and  
6 that if liability is imposed, such liability would be several for that portion of Plaintiffs' damages, if  
7 any, that represents the percentage attributable to Defendant.

8 10. The risks and consequences, if any, attendant to the recommendations and treatment  
9 proposed by this Defendant were fully explained to Plaintiff who freely consented to such treatment  
10 and thereby assumed risks involved in such matter.

11 11. Defendant alleges that Plaintiffs have a duty to mitigate their damages and have  
12 failed to do so.

13 12. To the extent Plaintiffs have been reimbursed from any source for any special  
14 damages claimed to have been sustained as a result of the incidents alleged in Plaintiffs' Second  
15 Amended Complaint, Defendant may elect to offer those amounts into evidence and, if Defendant  
16 so elect, Plaintiffs' special damages shall be reduced by those amounts pursuant to NRS 45.021.

17 13. All possible affirmative defenses may not have been alleged herein insofar as  
18 sufficient facts were not available after reasonable inquiry upon the filing of Defendant's Answer  
19 and, therefore, Defendant reserves the right to amend his Answer to allege additional Affirmative  
20 Defenses if subsequent investigation so warrants.

21 14. Defendant did not violate and statute, ordinance, or regulation referenced in  
22 Plaintiffs' Second Amended Complaint herein.

23 15. Defendant alleges it has been necessary for this Defendant to employ the services  
24 of an attorney to defend this action and a reasonable sum should be allowed to Defendant for  
25 attorney's fees, together with costs of suit incurred herein.

26 16. Defendant hereby incorporates by reference those affirmative defenses enumerated  
27 in Rule 8 of the Nevada Rules of Civil Procedure as if fully set forth herein. In the event further  
28 investigation or discovery reveals the applicability of any such defenses, Defendant reserves the

1 right to seek leave of Court to amend their Answer to specifically assert the same. Such defenses  
2 are herein incorporated by referenced for the specific purpose of not waiving the same.

3 17. Plaintiffs' non-economic damages, if any, may not exceed \$350,000.00 pursuant to  
4 NRS 41A.035; Defendant is otherwise entitled to all protections, benefits, and set offs available to  
5 Defendant in medical malpractice actions under NRS Chapters 41, 41A and 42.

6 18. To the extent Plaintiffs have been reimbursed from an source for any special  
7 damages claimed to have been sustained as a result of the incidents alleged in Plaintiffs' Second  
8 Amended Complaint, Defendants may elect to offer those amounts into evidence and, if Defendant  
9 so elects, Plaintiffs special damages shall be reduced by those amounts pursuant to NRS 42.021.

10 19. To the extent Plaintiffs are entitled to recover any future damages from Defendant,  
11 Defendant may satisfy that amount through periodic payments pursuant to NRS 42.021(3).

12 **Defendant Terry Bartmus, RN, APRN**

13 1. Plaintiffs' Second Amended Complaint fails to state a claim on which relief may be  
14 granted.

15 2. Plaintiffs' damages, if any, were not proximately caused by these Answering  
16 Defendants' conduct.

17 3. Plaintiffs are comparatively at fault; Plaintiffs' recovery, if any, should be reduced  
18 in proportion to Plaintiffs' fault, or in the event their fault exceeds that of these Answering  
19 Defendants, Plaintiffs are not entitled to any recovery.

20 4. Plaintiffs' injuries and damages, if any, are the result of forces of nature over which  
21 these Answering Defendants had no control or responsibility.

22 5. Plaintiffs are barred from asserting any claims against these Answering Defendants  
23 because the alleged damages were the result of one or more unforeseeable intervening and  
24 superseding causes.

25 6. Plaintiffs are barred from bringing this action for failure to comply with applicable  
26 contractual remedies and requirements, including arbitration, if applicable. Plaintiffs' failure to  
27 comply with the contractual remedies and requirements notwithstanding, these Answering  
28 Defendants reserve their right to enforce any applicable arbitration provision.



1           7.     The damages, if any, incurred by Plaintiffs were not attributable to any act, conduct,  
2 or omission on the part of these Answering Defendants. These Answering Defendants deny that  
3 they were culpable in any matter or in any degree with respect to the matters set forth in Plaintiffs'  
4 Second Amended Complaint.

5           8.     Plaintiffs' claims are barred due to the applicable statute of limitations applicable to  
6 each cause of action, and/or the doctrines of estoppel, waiver, laches and/or unclean hands.

7           9.     Plaintiffs' damages, if any, were caused in whole or part by the negligence of third  
8 parties over which these Answering Defendants had no control.

9     ...

10          10.    Plaintiffs failed to take reasonable efforts to mitigate their damages, if any, and are  
11 therefore barred from recovering any damages from these Answering Defendants.

12          11.    Plaintiffs' maladies and injuries, if any, were caused by inevitable disease processes  
13 and not by any act of these Answering Defendants.

14          12.    These Answering Defendants are entitled to all limitation, protections and other  
15 provisions contained within NRS Chapter 41A and/or NRS 42.021.

16          13.    These Answering Defendants deny each and every allegation of Plaintiffs' Second  
17 Amended Complaint not specifically admitted or otherwise pled herein.

18          14.    Plaintiffs have failed to comply with NRS 41A.071.

19          15.    Plaintiffs' non-economic damages, if any, may not exceed \$350,000, pursuant to  
20 NRS 41A.035.

21          16.    To the extent Plaintiffs are entitled to recover any damages from these Answering  
22 Defendants, these Answering Defendants may be held severally liable only for that portion of any  
23 judgment which represents the percentage of negligence attributable these Answering Defendants,  
24 pursuant to NRS 41A.045 and NRS 41.141.

25          17.    Pursuant to NRS 41A.110, these Answering Defendants are entitled to a conclusive  
26 presumption of informed consent.

27          18.    The damages, if any, alleged by Plaintiffs are not the result of any acts of omission,  
28 commission, or negligence, but were the result of a known risk(s), which were consented to by

1 Plaintiffs.

2 19. To the extent Plaintiffs are entitled to recover any future damages from these  
3 Answering Defendants, these Answering Defendants may satisfy that amount through periodic  
4 payments pursuant to NRS 42.021.

5 20. Plaintiffs have failed to name an indispensable party whose presence is  
6 indispensable to full relief.

7 21. Pursuant to N.R.C.P. 11, as amended, all affirmative defenses that have not been  
8 alleged herein insofar as sufficient facts are not available after reasonable inquiry upon the filing of  
9 these Answering Defendants' Answer. These Answering Defendants reserve the right to allege  
10 additional affirmative defenses subsequently, if investigation so warrants.

11 22. These Answering Defendants hereby incorporate by reference those affirmative  
12 defenses enumerated in Rule 8 of the Nevada Rules of Civil Procedure as if fully set forth herein,  
13 for the specific purpose of not waiving any such defenses. In the event further investigation or  
14 discovery reveals the applicability of any such defenses, or any other affirmative defenses, these  
15 Answering Defendants reserve the right to seek leave of court to amend this Answer to specifically  
16 assert any such defense.

17 **IV. LIST OF CLAIMS OR DEFENSES TO BE ABANDONED**

18 **A. Claims to be Abandoned**

19 None.

20 **B. Defenses to be Abandoned**

21 None.

22 **V. LIST OF EXHIBITS**

23 **A. PLAINTIFFS' PROPOSED EXHIBITS**

- 24 1. St. Rose Dominican Hospital – San Martin Campus' Billing and Medical Records  
25 (PLF000001 – PLF001500);
- 26 2. Fremont Emergency Services Billing Records (PLF001501);
- 27 3. Radiology Associates of Nevada's Billing (PLF001502 – PLF001511);
- 28 4. Desert Radiologists' Billing Records (PLF001512);

5. Shadow Emergency Physicians, PLLC's Billing Records (PLF001513);
6. Advanced Prosthetics and Orthotics' Billing and Medical Records (PLF001514 – PLF001531);
7. Plaintiff's Photographs (PLF001574-PLF001575);
8. Spring Valley Hospital Medical Records (PLF001576-PLF001833);
9. Plaintiff DARELL L. MOORE's CMS Medicare Form (PLF001996);
10. The Journal of Emergency Medicine, article "Corporate and Hospital Profiteering in Emergency Medicine: Problems of the Past, Present, and Future." (PLF002019-PLF002026).
11. Department of Health and Human Services, information publication "Advanced Practice Registered Nurses, Anesthesiologist Assistants, and Physician Assistants." (PLF002027-PLF002044).
12. St. Rose Hospital Audit Trail for Plaintiff Darell Moore from December 25, 2016, through April 1, 2019, as disclosed by St. Rose Hospital (PLF002046);
13. St. Rose Hospital Audit Trail Verification/Affidavit for Plaintiff Darell Moore from December 25, 2016 through April 1, 2019, as disclosed by St. Rose Hospital (PLF002047);
14. Spring Valley Hospital Billing Ledger (PLF002048-PLF002052);
15. Antonio M. Florez Erazo, M.D., Billing Ledger, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 26.
16. Desert Radiologist Medical Records, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 3.
17. Radiology Associates of Nevada Billing Ledger, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 4.
18. Nevada Comprehensive Pain Center Medical Records and Billing Statements, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 28.
19. Las Vegas Healthcare & Rehabilitation c/o Kindred Transitional Care & Rehabilitation Medical Records and Billing Ledger, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 39.

20. Films from St Rose Dominican Hospital: 11/07/12 XRAY Chest, 11/08/12 XRAY Chest, 12/11/14 US Left Lower Extremity Arterial Duplex, 12/11/14 Fluoroscopy Lower Extremities, 12/12/14 Fluoroscopy Lower Extremities, 12/13/14 Fluoroscopy Lower Extremities, 6/27/15 XRAY Chest, 6/27/15 US Left Lower Extremity Venous Duplex, 6/27/15 US Left Lower Extremity Arterial Duplex, 6/27/15 Fluoroscopy Lower Extremities, 6/28/15 Fluoroscopy Lower Extremities, 12/28/16 US Left Lower Extremity Arterial Duplex, 12/25/16 US Left Lower Extremity Venous Duplex, 12/28/16 IR Angiogram Left Lower Extremity, 12/29/16 IR Thrombolysis Art/Ven, 12/30/16 US Right Extremity Non-vascular Complete, 01/03/17 US Bilateral Extremities Venous Duplex, 01/04/17 US Left Upper Extremity Duplex, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 37.

21. Nevada Orthopedic & Spine Center Medical Records and Billing Ledger (PLF002053-PLF002077);

22. Beneficiary Conditional Payment Letter from CMS (PLF002082-PLF002094);

23. Subrogation Claim Payment Report from USAA (PLF002095-PLF002096);

24. USAA Health Insurance ID Card (PLF002097);

25. Medicare Health Insurance ID Card (PLF002098);

26. Various Blow-ups and Demonstrative Exhibits. These may include:

a. Digital images or enlargement of records/documents;

b. Photographs;

c. Medical illustrations and models;

d. Timelines;

e. Records Summaries.

27. Plaintiffs reserve the right to utilize additional demonstrative exhibits;

28. Plaintiffs, without waiving any objections thereto, reserve the right to use any exhibit disclosed by any other party in this matter, including those listed in Defendants' NRCP 16.1 Disclosures and Supplements thereto and listed in Defendants' Pre-Trial Disclosure and any supplements thereto pursuant to NRCP 16.1(A)(3);

1 Plaintiffs reserve the right to supplement this list of documents and other exhibits up to, and  
2 during, trial of this matter.

3 **B. DEFENDANTS' PROPOSED EXHIBITS**

4 **Defendant Jason Lasry, M.D.**

- 5 1. Spring Valley Hospital (SVHMC MR 00001-00260)
- 6 2. St. Rose Hospital, San Martin Campus (SRDSMMR 000001-002865)
- 7 3. St. Rose Hospital, Siena Campus (SRDSMR 0001-0771)
- 8 4. Radiological imaging from Spring Valley Hospital
- 9 5. Radiological imaging from Desert Radiologists
- 10 6. Radiological imaging from St. Rose Hospital
- 11 7. Advanced Prosthetics and Orthotics (APAP 00001, 00004-00020)
- 12 8. Desert Radiologists (DRI 00001-00017)
- 13 9. Irwin Simon, M.D. (ISMD 0001-0042)
- 14 10. Jonathan Riegler, M.D. (JRM 00001-00003)
- 15 11. Sang Tran, M.D. (STM 00001-00002, 00005-00028)
- 16 12. Scott Greaves, M.D. (SGM 00001-00012, 00016)
- 17 13. Shadow Emergency Physicians (SEP 00001-00031)
- 18 14. Noel Shaw, D.C. (NSD 00001-00007)
- 19 15. St. Rose Stanford Clinic (SRSC 00001-00085, 00089)
- 20 16. Nevada Comprehensive Pain Center (NCPC 00001-00237, 00252-00253, 00255-  
21 00260)
- 22 17. Kindred Rehabilitation (LVHR 00001-00238)
- 23 18. Procare Medical Center (PCMC 00001-00002, 00005-00067)
- 24 19. Nevada Ortho & Spine Center (NOSC 00001-00003, 00008-0020)
- 25 20. American College of Surgeons Expert Witness Affirmation
- 26 21. American College of Surgeons Statement on the Physician Acting as an Expert  
27 Witness
- 28 22. Kent Shoji, M.D., F.A.C.E.P., reports and curriculum vitae

23. Samuel Wilson, M.D.'s curriculum vitae and reports
24. John Janzen, Ph.D., CRC's, curriculum vitae and reports
25. Karl Erik Volk, M.A.'s reports and curriculum vitae
26. Darrell Moore's Answers to Defendant Jason Lasry's Interrogatories
27. Darrell Moore's Answers to Defendant Jason Lasry's Request for Production
28. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Interrogatories
29. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Request for Productions
30. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Interrogatories
31. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Request for Productions
32. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of Interrogatories
33. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of Request for Productions
34. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of Requests for Admissions
35. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Requests for Admissions
36. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Request for Admissions
37. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 2nd Set of Interrogatories
38. Darrell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's 2nd Set of Interrogatories

...

1           39.     Charlene Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's 1st  
2 Set of Requests for Admissions

3           40.     Darrell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's 1st  
4 Set of Request for Admissions

5           41.     Darrell Moore's Responses to Defendant Fremont Emergency Services' 2nd Set of  
6 Request for Production of Documents

7           Defendant reserves the right to introduce any and all documents and/or tangible items  
8 identified by any other party to this action, including any and all documents and/or tangible items  
9 identified by any party who is subsequently dismissed and/or discharged as a party to this action.  
10 Defendant also reserves the right to introduce any and all documents and/or tangible items that may  
11 be necessary for impeachment and/or rebuttal purposes and to rely upon any and all of the medical  
12 records from any and all of Plaintiff's treating and/or consulting physicians.

13           Defendant reserves the right to object to any of the documents and/or tangible items  
14 identified by any other parties at the time of trial and to supplement and/or amend this disclosure  
15 as needed before trial.

16     **Defendant Terry Bartmus, RN, APRN**

17           1.     Medical Records from Advanced Prosthetics and Orthotics for Darell L. Moore  
18 (Bates APO 00001-00020);

19           2.     Billing Records from Desert Radiologists for Darell L. Moore (Bates ORB 00001-  
20 00005);

21           3.     Medical Records from Desert Radiologists for Darell L. Moore (Bates DR 00001-  
22 00015);

23           4.     Billing Records from Radiology Associates of Nevada for Darell L. Moore (Bates  
24 RAN 00001-00011);

25           5.     Medical Records from Shadow Emergency Physicians for Darell L. Moore (Bates  
26 SEP 0001-00032);

27           6.     Medical Records from Spring Valley Hospital for Darell L. Moore (Bates SVHMR  
28 00001-00260);

1           7.     Billing Records from St. Rose Dominican Hospital San Martin for Darell L. Moore  
2 (Bates SRDSMB 00001-00041);

3           8.     St. Rose Dominican Hospital - San Martin Campus Billing and Medical Records  
4 (Bates PLF 000001-001500,) produced by Plaintiff;

5           9.     Fremont Emergency Services Billing Records (Bates PLF 001501);

6           10.    Radiology Associates of Nevada's Billing (Bates PLF 001502-001511), produced  
7 by Plaintiff;

8           11.    Desert Radiologists' Billing Records (Bates PLF 001512), produced by Plaintiff;

9           12.    Shadow Emergency Physicians, PLLC's Billing Records (Bates PLF 001513),  
10 produced by Plaintiff;

11          13.    Advanced Prosthetics and Orthotics' Billing and Medical Records (Bates PLF  
12 001514-001531), produced by Plaintiff;

13          14.    Plaintiffs Photographs (Bates PLF 001574-001575), produced by Plaintiff;

14          15.    Spring Valley Hospital Medical Records (Bates PLF 001576-001833), produced  
15 by Plaintiff;

16          16.    Medical Records from St. Rose Dominican Hospital - San Martin (Bates SRSM  
17 000001-001411), produced by Defendant St. Rose;

18          17.    Films from St Rose Dominican Hospital - San Martin: 11/07/12 XRAY Chest,  
19 11/08/12 XRAY Chest, 12/11/14 US Left Lower Extremity Arterial Duplex, 12/11/14 Fluoroscopy  
20 Lower Extremities, 12/12/14 Fluoroscopy Lower Extremities, 12/13/14 Fluoroscopy Lower  
21 Extremities, 6/27/15 XRAY Chest, 6/27/15 US Left Lower Extremity Venous Duplex, 6/27/15 US  
22 Left Lower Extremity Arterial Duplex, 6/27/15 Fluoroscopy Lower Extremities, 6/28/15  
23 Fluoroscopy Lower Extremities, 12/28/16 US Left Lower Extremity Arterial Duplex, 12/25/16 US  
24 Left Lower Extremity Venous Duplex, 12/28/16 IR Angiogram Left Lower Extremity, 12/29/16 IR  
25 Thrombolysis Art/Ven, 12/30/16 US Right Extremity Non-vascular Complete, 01/03/17 US  
26 Bilateral Extremities Venous Duplex, 01/04/17 US Left Upper Extremity Duplex, produced by  
27 Defendant St. Rose.

28    ...



1 18. Billing Records from Antonio Flores Erazo, M.D. for Darell L. Moore (Bates 3  
2 AFEMD-0001-0006);

3 19. Medical Records from Irwin Simon, M.D. for Darell L. Moore (Bates ISMD-0001-  
4 0042);

5 20. Medical Records from Nevada Comprehensive Pain Center for Darell L. Moore  
6 (Bates NCPC-0001-0245);

7 21. Medical Records from Scott Greaves, M.D. for Darell L. Moore (Bates SGMD-  
8 0001-0021);

9 22. Billing Records from Spring Valley Hospital for Darell L. Moore (Bates SVHMCB-  
10 0001-0005);

11 23. Films from Spring Valley Hospital: 214117 Chest X RAY;

12 24. Films from Desert Radiologists: - 0312712015 - CT LS SP WO Contrast 289 -  
13 0312712015 - CT Cervical SP WO Contrast 300 - 0210712015 - X- Ray Ankle Complete Min 3V  
14 Bilat.

15 25. Billing Records from John F. Pinto, M.D. for Darell L. Moore (Bates JPMD-0001-  
16 0002);

17 26. Medical Records from Noel L. Shaw, D.C. for Darell L. Moore (Bates NSDC-0001-  
18 0008).

19 27. Billing Records from St. Rose Dominican Hospital - Siena (Bates SDSB 000001-  
20 000068);

21 28. Medical Records from St. Rose Dominican Hospital - San Martin (Bates  
22 SRDSMMR 000001-002865);

23 29. Films from St. Rose Dominican Hospital: 11/07/12 XRAY Chest, 11/08/12 XRAY  
24 Chest, 12/11/14 US Left Lower Extremity Arterial Duplex, 12/11/14 Fluoroscopy Lower  
25 Extremities, 12/12/14 Fluoroscopy Lower Extremities, 12/13/14 Fluoroscopy Lower Extremities,  
26 6/27/15 XRAY Chest, 6/27/15 US Left Lower Extremity Venous Duplex, 6/27/15 US Left Lower  
27 Extremity Arterial Duplex, 6/27/15 Fluoroscopy Lower Extremities, 6/28/15 Fluoroscopy Lower  
28 Extremities, 12/28/16 US Left Lower Extremity Arterial Duplex, 12/25/16 US Left Lower

1 Extremity Venous Duplex, 12/28/16 IR Angiogram Left Lower Extremity, 12/29/16 IR  
2 Thrombolysis ArtNen, 12/30/16 US Right Extremity Non-vascular Complete, 01/03/17 US  
3 Bilateral Extremities Venous Duplex, 01/04/17 US Left Upper Extremity Duplex.

4 30. Medical Records from St. Rose Dominican Hospital - Siena (Bates SRDSMR-0001  
5 -0764);

6 31. Medical Records from Kindred Rehabilitation (Bates LVHR-0001-0238);

7 32. Billing Records from St. Rose Dominican Hospital - San Martin (Bates SRDSMB -  
8 0001-0054).

9 33. Additional Medical Records from St. Rose Dominican Hospital – Siena (Bates  
10 SRDSMR-0766-0771);

11 34. Medical Records from Johnathan Riegler, M.D. (Bates JRMD-0001-0005);

12 35. Medical Records from Procure Medical Center (Bates PCMC-0001-0067);

13 36. Medical Records from St. Rose Stanford Clinic (Bates SRSC-0001-0088).

14 37. Medical Records from Nevada Ortho & Spine Center (Bates NOSC-0001-0020).

15 38. Additional Medical Records from Nevada Comprehensive Pain Center (Bates  
16 NCPC-0246-0314).

17 Defendants reserve the right to supplement this list of documents as discovery continues.

18 Defendants reserve the right to use at trial any documents listed and/or produced by  
19 Plaintiffs or any other party.

20 **Deposition Transcripts to be used by Plaintiffs**

21 1. Unknown

22 Plaintiffs reserve the right to use any and all deposition transcripts at trial of this matter.

23 **Deposition Transcripts to be used by Defendant Jason Lasry, M.D.**

24 1. Unknown

25 Defendant reserves the right to use any and all deposition transcripts at trial of this matter.

26 **Deposition Transcripts to be used by Defendant Terry Bartmus, RN, PRN**

27 1. Unknown

28 Defendant reserves the right to use any and all deposition transcripts at trial of this matter.

**VI. LIST OF WITNESSES**

**A. PLAINTIFFS' WITNESSES**

1. Darell L. Moore  
c/o Matthew W. Hoffmann, Esq.  
Atkinson Watkins & Hoffmann, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
2. Charlene A. Moore  
c/o Matthew W. Hoffmann, Esq.  
Atkinson Watkins & Hoffmann, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
3. Christopher Owen Moore  
c/o Matthew W. Hoffmann, Esq.  
Atkinson Watkins & Hoffmann, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
4. Terry Bartmus, A.P.R.N.  
c/o Keith A. Weaver, Esq.  
Lewis Brisbois Bisgaard & Smith LLP  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118
5. Jason Lasry, M.D.  
c/o Robert C. McBride, Esq.  
Chelsea R. Hueth, Esq.  
Carroll, Kelly, Trotter, Franzen & McBride  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113
6. Custodian of Records and/or  
Person Most Knowledgeable  
St. Rose Dominican Hospital – San Martin Campus  
Stan T. Liu, M.D.  
8280 West Warm Springs Road  
Las Vegas, NV 89113
7. Custodian of Records and/or  
Person Most Knowledgeable  
Fremont Emergency Services  
Jason Lasry, M.D.  
Logan Cole Sondrup, M.D.  
P.O. Box 638972  
Cincinnati, OH 45263

- 1           8.     Custodian of Records and/or  
2                 Person Most Knowledgeable  
3                 Radiology Associates of Nevada  
4                 Danny Eisenberg, M.D.  
5                 P.O. Box 30077  
6                 Dept. 305  
7                 Salt Lake City, UT 84130
- 8           9.     Custodian of Records and/or  
9                 Person Most Knowledgeable  
10                Desert Radiologists  
11                Ashok Gupta, M.D.  
12                Charles Hales, M.D.  
13                P.O. Box 3057  
14                Indianapolis, IN 46206
- 15          10.    Custodian of Records and/or  
16                Person Most Knowledgeable  
17                Shadow Emergency Physicians, PLLC  
18                Oscar Rago, M.D.  
19                P.O. Box 13917  
20                Philadelphia, PA 19101
- 21          11.    Custodian of Records and/or  
22                Person Most Knowledgeable  
23                Advanced Prosthetics and Orthotics  
24                Holman Chan, M.D.  
25                1505 Wigwam Parkway, Suite 340  
26                Henderson, NV 89074
- 27          12.    Custodian of Records and/or  
28                Person Most Knowledgeable  
               Spring Valley Hospital  
               Irfana Razzaq, M.D.  
               5400 S. Rainbow Blvd.  
               Las Vegas, NV 89118
13.    Custodian of Records and/or  
               Person Most Knowledgeable  
               R. Scott Jacobs, M.D. FAAEM  
               c/o Atkinson Watkins & Hoffmann, LLP  
               1669 Torrance Street  
               San Diego, CA 92103
14.    Custodian of Records and/or  
               Person Most Knowledgeable  
               Scott Greaves, M.D.  
               2120 Golden Hill Road, Suite 102  
               Paso Robles, CA 93446

15. Custodian of Records and/or  
Person Most Knowledgeable  
Johnathan Riegler, M.D.  
1255 Las Tablas Road, Suite 201  
Templeton, CA 93465
16. Custodian of Records and/or  
Person Most Knowledgeable  
James Hayes, M.D.  
St. Rose Hospital San Martin  
8280 W. Warm Springs Road  
Las Vegas, NV 89113
17. Custodian of Records and/or  
Person Most Knowledgeable  
Irwin B. Simon, M.D.  
2150 W. Horizon Ridge Pkwy, Ste. 100  
Henderson, NV 89052
18. Custodian of Records and/or  
Person Most Knowledgeable  
John F. Pinto, M.D.  
1701 N. Green Valley Parkway  
Henderson, NV 89074
19. Custodian of Records and/or  
Person Most Knowledgeable  
Armour Christensen, Chtd.  
2450 W. Horizon Ridge Parkway, Suite 100  
Henderson, NV 89052
20. Custodian of Records and/or  
Person Most Knowledgeable  
Robert Wiencek, M.D.  
St. Rose Sienna  
7190 S. Cimarron Road,  
Las Vegas, NV 89113
21. Custodian of Records and/or  
Person Most Knowledgeable  
Noel L. Shaw, D.C.  
1101 North Wilmot Road, Suite 229  
Tuscon, AZ 85712
22. Custodian of Records and/or  
Person Most Knowledgeable  
Sang Tran, M.D.  
Procure Medical Center

6870 S. Rainbow Blvd., Suite 106  
Las Vegas, NV 89118

23. Custodian of Records and/or  
Person Most Knowledgeable  
Patrick Frank, M.D.  
St. Rose San Martin  
8280 W. Warm Springs Road  
Las Vegas, NV 89113

24. Custodian of Records and/or  
Person Most Knowledgeable  
Paul Wiesner and Associates  
5495 S. Rainbow Blvd.  
Las Vegas, NV 89118

25. Custodian of Records and/or  
Person Most Knowledgeable  
John Oh, M.D.  
8551 W. Lake Mead Blvd.  
Las Vegas, NV 89128

26. Custodian of Records and/or  
Person Most Knowledgeable  
Stephen A. Gephardt, M.D.  
7220 S. Cimarron Road, Suite 270  
Las Vegas, NV 89113

27. Custodian of Records and/or  
Person Most Knowledgeable  
Antonio Flores Erazo, M.D.  
9280 W. Sunset Road, Suite 306  
Las Vegas, NV 89148

28. Custodian of Records and/or  
Person Most Knowledgeable  
Collin Rock, M.D.  
Nevada Comprehensive Pain Center  
1655 W. Horizon Ridge Parkway  
Henderson, NV 89012

29. Custodian of Records and/or  
Person Most Knowledgeable  
Desert Radiologists  
2811 W. Horizon Ridge Parkway  
Henderson, NV 89052

\*\*\*

- 1 30. Custodian of Records and/or  
2 Person Most Knowledgeable  
3 John Henner, M.D.  
4 St. Rose San Martin  
5 8280 W. Warm Springs Road  
6 Las Vegas, NV 89113  
7  
8 31. Custodian of Records and/or  
9 Person Most Knowledgeable  
10 Charles McPherson, M.D.  
11 St. Rose San Martin  
12 8280 W. Warm Springs Road  
13 Las Vegas, NV 89113  
14  
15 32. Custodian of Records and/or  
16 Person Most Knowledgeable  
17 Salvador Borromeo III, M.D.  
18 St. Rose San Martin  
19 8280 W. Warm Springs Road  
20 Las Vegas, NV 89113  
21  
22 33. Custodian of Records and/or  
23 Person Most Knowledgeable  
24 Shannon Berry, M.D.  
25 295 Posada Lane, Suite D  
26 Templeton, CA 93465  
27  
28 34. Custodian of Records and/or  
Person Most Knowledgeable  
Procure Medical Center  
6870 S. Rainbow Blvd., Suite 107  
Las Vegas, NV 89118  
35. Custodian of Records and/or  
Person Most Knowledgeable  
Ida Washington, M.D.  
1000 S. Rainbow Blvd.  
Las Vegas, NV 89145  
36. Custodian of Records and/or  
Person Most Knowledgeable  
Nauman Tahir, M.D.  
500 S. Rancho Drive, Suite 12  
Las Vegas, NV 89106  
37. Custodian of Records and/or  
Person Most Knowledgeable  
Karyn Harries, M.D.  
5320 S. Rainbow Blvd., Suite 150

Las Vegas, NV 89118

38. Custodian of Records and/or  
Person Most Knowledgeable  
C. Edward Yee, M.D.  
2980 S. Jones Blvd., Suite A  
Las Vegas, NV 89146

39. Custodian of Records and/or  
Person Most Knowledgeable  
Mark Barney, M.D.  
2810 W. Charleston Blvd, Suite 47  
Las Vegas, NV 89102

40. Custodian of Records and/or  
Person Most Knowledgeable  
Charina Toste, APRN  
OptumCare Cancer Care  
6190 S. Fort Apache Road  
Las Vegas, NV 89179

41. Custodian of Records and/or  
Person Most Knowledgeable  
Nevada Orthopedic & Spine Center  
7455 W. Washington, Ste. 160  
Las Vegas, NV 89128

42. Custodian of Records and/or  
Person Most Knowledgeable  
Kindred Transitional Care & Rehabilitation  
5650 South Rainbow Blvd.  
Las Vegas, NV 89118

Plaintiffs reserve the right to supplement this list. Plaintiffs reserve the right to call any witnesses disclosed by any party including Defendant.

**B. DEFENDANTS' WITNESSES**

**Defendant Jason Lasry, M.D.**

1. Jason Lasry, M.D., Defendant  
c/o Robert C. McBride, Esq.  
Chelsea R. Hueth, Esq.  
CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
(702) 792-5855



2. Darrell L. Moore, Plaintiff  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
3. Charlene A. Moore, Plaintiff  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
4. Person(s) Most Knowledgeable and/or Custodian of Records at  
Dignity Health d/b/a St. Rose Dominican Hospital – San Martin Campus  
c/o Michael Prangle, Esq.  
HALL PRANGLE & SCHOONVELD, LLC  
1140 North Town Center Drive, Ste. 350  
Las Vegas, Nevada 89144
5. Terry Bartmus, RN, APRN  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118
6. Person(s) Most Knowledgeable and/or Custodian of Records at  
Fremont Emergency Services, (Mandavia) Ltd.  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118
7. Person(s) Most Knowledgeable and/or Custodian of Records at  
Advanced Prosthetics and Orthotics  
7455 W. Washington St., Suite 215  
Las Vegas, Nevada 89128
8. Person(s) Most Knowledgeable and/or Custodian of Records at  
Antonio Flores Erazo, M.D.  
7674 W. Lake Mead Blvd., Suite 215  
Las Vegas, Nevada 89128
9. Person(s) Most Knowledgeable and/or Custodian of Records at  
Desert Radiologists  
3930 S. Eastern Avenue  
Las Vegas, Nevada 89119
10. Person(s) Most Knowledgeable and/or Custodian of Records at  
Irwin Simon, M.D.  
2450 W. Horizon Ridge Parkway, Suite 101  
Henderson, Nevada 89052
11. Person(s) Most Knowledgeable and/or Custodian of Records at  
Jonathan Riegler, M.D.  
1255 Las Tables Road, Suite 201  
Templeton, California 93465

12. Person(s) Most Knowledgeable and/or Custodian of Records at  
Antonio Flores Erazo, M.D.  
7674 W. Lake Mead Blvd., Suite 215  
Las Vegas, Nevada 89128
13. Person(s) Most Knowledgeable and/or Custodian of Records at  
Procure Medical Group  
6870 S. Rainbow Blvd., Suite 106  
Las Vegas, Nevada 89118
14. Person(s) Most Knowledgeable and/or Custodian of Records at  
Spring Valley Hospital  
5400 S. Rainbow Blvd.  
Las Vegas, Nevada 89118
15. James Hayes, M.D.  
3001 St. Rose Parkway  
Henderson, Nevada 89052  
(702) 651-5000
16. Scott Greaves, M.D.  
2120 Golden Hill Road, Suite 102  
Paso Robles, California 93446  
(805) 434-2900
17. Johnathan Riegler, M.D.  
1255 Las Tables Road, Suite 201  
Templeton, California 93465  
(805) 226-4106
18. Irwin Simon, M.D.  
2450 W. Horizon Ridge Pkwy, Ste. 100  
Henderson, Nevada 89052  
(702) 341-7608
19. John Pinto, M.D.  
1701 N. Green Valley Parkway  
Henderson, Nevada 89074  
(702) 734-2292
20. Person(s) Most Knowledgeable and/or Custodian of Records at  
Armour Christensen, Chtd  
2450 W. Horizon Ridge Parkway, Suite 100  
Henderson, Nevada 89052  
(702) 735-2305
21. Robert Wiencek, M.D.  
7190 S. Cimarron Road  
Las Vegas, Nevada 89113  
(702) 490-9954
22. Noel L. Shaw, D.C.  
1101 North Wilmot Road, Suite 229  
Tucson, Arizona 85712  
(520) 721-9331

23. Sang Tran, M.D.  
6870 S. Rainbow Blvd., Suite 106  
Las Vegas, Nevada 89118  
(702) 396-6000
24. Patrick Frank, M.D.  
3001 St. Rose Parkway  
Henderson, Nevada 89052  
(702) 651-5000
25. Person(s) Most Knowledgeable and/or Custodian of Records at  
Paul Wiesner and Associates d/b/a Radiology Associates  
2400 S. Cimarron Road, Suite 100  
Las Vegas, Nevada 89117  
(702) 477-0772
26. John Oh, M.D.  
Radiology Associates  
5495 S. Rainbow Blvd., Suite 203  
Las Vegas, Nevada 89118  
(702) 7077-9706
27. Stephen A. Gephardt, M.D.  
7220 S. Cimarron Road, Suite 270  
Las Vegas, Nevada 89113  
(702) 912-4100
28. Antonio Flores Erazo, M.D.  
9280 W. Sunset Road, Suite 306  
Las Vegas, Nevada 89148  
(702) 696-7256
29. Colin Rock, M.D.  
Nevada Comprehensive Pain Center  
1569 E. Flamingo Road  
Las Vegas, Nevada 89119  
(702) 476-9999
30. John Henner, M.D.  
8670 W. Cheyenne Ave.  
Las Vegas, Nevada 89129  
(702) 576-9608
31. Charles McPherson, M.D.  
3121 S. Maryland Parkway, Suite 502  
Las Vegas, Nevada 89109  
(208) 415-5795
32. Salvador Borromeo III, M.D.  
3009 W. Charleston Blvd.  
Las Vegas, Nevada 89102  
(702) 589-2750

- 1 33. Karyn Harries, M.D.  
2 5320 S. Rainbow Blvd., Suite 150  
3 Las Vegas, Nevada 89118  
4 (702) 944-7105
- 5 34. Nauman Tahir, M.D.  
6 500 S. Rancho Drive, Suite 12  
7 Las Vegas, Nevada 89106  
8 (702) 877-1887
- 9 35. Ida Washington, M.D.  
10 1000 S. Rainbow Blvd.  
11 Las Vegas, Nevada 89145  
12 (702) 259-0088
- 13 36. Jeffrey Germain, R.N.  
14 Address unknown
- 15 37. Amee Kuchinsky, R.N.  
16 Address unknown
- 17 38. Lauren Eastham, R.N.  
18 Address unknown
- 19 39. Danny Eisenberg, M.D.  
20 9 Hawk Ridge Drive  
21 Las Vegas NV 89135
- 22 40. Christopher Owen Moore  
23 c/o Matthew W. Hoffmann, Esq.  
24 Atkinson Watkins & Hoffmann, LLP  
25 10789 W. Twain Avenue, Suite 100  
26 Las Vegas, NV 89135
- 27 41. Holman Chan, M.D.  
28 1505 Wigwam Parkway, Suite 340  
Henderson, NV 89074  
(702) 260-0467
42. Kent Shoji, M.D., F.A.C.E.P.  
6020 Sea Bluff Drive, Unit #1  
Playa Vista, CA 90094
43. Samuel Wilson, M.D.  
University of California, Irvine  
Department of Surgery  
333 City Blvd. West, Suite 1600  
Orange, CA 92868
44. John Janzen, Ed.D., CRC  
7760 West Riverside Drive, Suite 120  
Boise, ID 83714

45. Karl Erik Volk, M.A.  
Senior Managing Economist  
Cohen Volk Economic Consulting Group  
5743 Smithway Street, Suite 106  
Los Angeles, CA 90040

Defendant reserves the right to supplement this list. Defendant reserves the right to call any witnesses disclosed by any party.

**Defendant Terry Bartmus, RN, APRN**

1. Terry Bartmus, A.P.R.N. and  
Fremont Emergency Services  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118
2. Darell Moore, Plaintiff  
c/o Matthew W. Hoffman, Esq.  
ATKINSON WATKINS & HOFFMAN, LLP  
10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135
3. Charlene Moore, Plaintiff  
c/o Matthew W. Hoffman, Esq.  
ATKINSON WATKINS & HOFFMAN, LLP  
10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135
4. R. Scott Jacobs, M.D.  
1669 Torrance Street  
San Diego, CA 92103
5. Jason Lasry, M.D.,  
c/o Robert McBride, Esq. CARROLL, KELLY, TROTTER,  
FRANZEN, & MCBRIDE  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113
6. Person(s) Most Knowledgeable  
Custodian of Records  
St. Rose Dominican Hospital  
8280 W. Warm Springs Road  
Las Vegas, NV 89113

\*\*\*

\*\*\*

7. Person(s) Most Knowledgeable  
Custodian of Records  
Advanced Prosthetics and Orthotics  
1505 Wigwam Parkway Suite 34  
Henderson, NV 89074
8. Person(s) Most Knowledgeable/ Custodian of Records  
Desert Radiologists Inc  
3930 S Eastern Ave.  
Las Vegas, NV 89119
9. Person(s) Most Knowledgeable/  
Custodian of Records  
Danny Eisenberg, M.D.  
John Oh, M.D.  
Radiology Associates of Nevada  
5110 E Clinton Way Suite A  
Fresno, CA 93727
10. Person(s) Most Knowledgeable/  
Custodian of Records  
Shadow Emergency Physicians  
P.O. Box 13917  
Philadelphia, PA 19101
11. Person(s) Most Knowledgeable/  
Custodian of Records  
Spring Valley Hospital Center  
5400 Rainbow Blvd.  
Las Vegas, NV 89118
12. Person(s) Most Knowledgeable/  
Custodian of Records  
Antonio Flores Erazo, M.D.  
7674 W. Lake Mead Blvd  
Las Vegas, NV 89128
13. Person(s) Most Knowledgeable/  
Custodian of Records  
Irwin Simon, M.D.  
2450 W. Horizon Ridge Parkway, Ste. 100  
Henderson, NV 89052
14. Person(s) Most Knowledgeable/  
Custodian of Records  
Collin Rock, M.D.  
Nevada Comprehensive Pain Center  
2809 W. Charleston Blvd., Ste. 150  
Las Vegas, NV 89102

15. Person(s) Most Knowledgeable/  
Custodian of Records  
Scott Greaves, M.D.  
2120 Golden Hill Road, Ste. 102  
Paso Robles, CA 93446
16. Person(s) Most Knowledgeable/  
Custodian of Records Noel Shaw, D.C.  
1101 N. Wilmot Road, Ste. 229  
Tucson, AZ 85712
17. Person(s) Most Knowledgeable/  
Custodian of Records  
John F. Pinto, M.D.  
1000 N. Green Valley Parkway, Ste. 440  
Henderson, NV 89074
18. Person(s) Most Knowledgeable/  
Custodian of Records  
Kindred Rehabilitation  
5650 South Rainbow Blvd  
Las Vegas, NV 89118
19. Person(s) Most Knowledgeable/  
Custodian of Records  
Central Coast Gastroenterology  
Johnathan Riegler, M.D.  
1255 Las Tablas Road, Suite 201  
Templeton, CA 93465
20. Person(s) Most Knowledgeable/  
Custodian of Records  
ProCare Medical Center  
Sang Tran, M.D.  
6870 S. Rainbow Blvd., Suite 106  
Las Vegas, NV 89118
21. Person(s) Most Knowledgeable/  
Custodian of Records  
Nevada Orthopedic and Spine Center  
2809 W. Charleston Blvd., Ste. 150  
Las Vegas, NV 89102
22. Person(s) Most Knowledgeable/  
Custodian of Records  
James Hayes, M.D.  
Patrick Frank, M.D.  
3001 St. Rose Parkway

Henderson, NV 89128

23. Person(s) Most Knowledgeable/  
Custodian of Records  
Robert Wiencek, M.D.  
7190 S. Cimarron Road  
Las Vegas, NV 89113

24. Person(s) Most Knowledgeable/  
Custodian of Records  
John Henner, M.D.  
8670 W. Cheyenne Ave  
Las Vegas, NV 89129

25. Person(s) Most Knowledgeable/  
Custodian of Records  
Charles McPherson, M.D.  
3121 S. Maryland Parkway, Suite 502  
Las Vegas, NV 89109

26. Person(s) Most Knowledgeable/  
Custodian of Records  
Salvador Borromeo III, M.D.  
3009 W. Charleston Blvd.  
Las Vegas, NV 89102

27. Person(s) Most Knowledgeable/  
Custodian of Records  
Karyn Harries, M.D.  
5320 S. Rainbow Blvd., Ste 150  
Las Vegas, NV 89118

28. Person(s) Most Knowledgeable/  
Custodian of Records  
Nauman Tahir, M.D.  
500 S. Rancho Drive, Suite 12  
Las Vegas, NV 89106

29. Person(s) Most Knowledgeable/  
Custodian of Records  
Ida Washington, M.D.  
1000 S. Rainbow Blvd.  
Las Vegas, NV 89145

Defendant reserves the right to supplement this list. Defendant reserves the right to call any witnesses disclosed by any party.

...



1           **C.     PLAINTIFFS' EXPERT WITNESSES**

- 2           1.     R. Scott Jacobs, M.D. FAAEM  
3           2.     Alexander R. Marmureanu, M.D.  
4           3.     David E. Fish, M.D.  
5           4.     Terrence M. Clauretie, Ph.D.

6           **D.     DEFENDANTS' EXPERT WITNESSES**

7           **Defendant Jason Lasry, M.D.**

- 8           1.     Kent Shoji, M.D., FACEP  
9           2.     Samuel Wilson, M.D.  
10          3.     John Janzen, Ed.D., CRC  
11          4.     Jason Lasry, M.D.  
12          5.     Karl Erik Volk, M.A.

13          **Defendant Terry Bartmus, RN, APRN**

- 14          1.     Samuel Eric Wilson, M.D.  
15          2.     John M. Janzen, Ed.D., CRC  
16          3.     Karl Erik Volk, M.A.  
17          4.     David Barcay, M.D.  
18          5.     Terry Bartmus, APRN

19                               **VII. DEMONSTRATIVE EXHIBITS**

20           Plaintiffs and Defendants may offer, at trial, certain exhibits for demonstrative purposes.

21           **VIII. AGREEMENTS AS TO THE LIMITATION OR EXCLUSION OF EVIDENCE**

22           Parties will be bound by the rulings of the Court as it relates to certain Motions in Limine.

23           \*\*\*

24           \*\*\*

25           \*\*\*

26           \*\*\*

1 **IX. PRINCIPAL ISSUES OF LAW THAT MAY BE CONTESTED AT THE TIME OF**  
2 **TRIAL**

- 3 1. Causation  
4 2. Damages  
5 3. Liability

6 **X. ESTIMATE OF THE TIME REQUIRED FOR TRIAL**

7 Parties anticipate that trial will take approximately 8-10 days.

8 **XI. OTHER MATTERS TO BRING TO THE COURT'S ATTENTION**

9 N/A.

10 DATED this 16<sup>th</sup> day of December, 2019.

11 ATKINSON WATKINS & HOFFMANN, LLP

12 

13 MATTHEW W. HOFFMANN, ESQ.  
14 Nevada Bar No. 9061  
15 10789 W. Twain Avenue, Suite 100  
16 Las Vegas, NV 89135  
17 *Attorneys for Plaintiffs*

18 BREEN ARNTZ, ESQ.  
19 Nevada Bar No. 3853  
20 5545 Mountain Vista, Ste. E  
21 Las Vegas, NV 89120  
22 *Co-Counsel for Plaintiffs*

23 DATED this \_\_\_ day of December, 2019.

24 LEWIS BRISBOIS BISGAARD & SMITH,  
25 LLP.

26 KEITH A. WEAVER, ESQ.  
27 Nevada Bar No. 100271

28 ALISSA BESTICK, ESQ.  
Nevada Bar No. 14979  
6385 S. Rainbow Blvd., Ste. 600  
Las Vegas, NV 89118

*Attorneys for Defendant Terry Bartmus,  
A.P.R.N.*

~~DATED this \_\_\_ day of December, 2019.~~

~~CARROLL, KELLY, TROTTER, FRANZEN  
& MCBRIDE~~

~~CHELSEA HUETH, ESQ.~~

~~Nevada Bar No. 10904~~

~~ANNA KARABACHEV, ESQ.~~

~~Nevada Bar No. 14387~~

~~8923 W. Sunset Rd., Ste. 260~~

~~Las Vegas, NV 89113~~

~~*Attorneys for Defendant Jason Lasry, M.D.*~~

1 IX. PRINCIPAL ISSUES OF LAW THAT MAY BE CONTESTED AT THE TIME OF  
2 TRIAL

- 3 1. Causation  
4 2. Damages  
5 3. Liability

6 X. ESTIMATE OF THE TIME REQUIRED FOR TRIAL

7 Parties anticipate that trial will take approximately 8-10 days.

8 XI. OTHER MATTERS TO BRING TO THE COURT'S ATTENTION

9 N/A.

10 DATED this \_\_\_\_ day of December, 2019.

11 ATKINSON WATKINS & HOFFMANN, LLP

12 \_\_\_\_\_  
13 MATTHEW W. HOFFMANN, ESQ.  
14 Nevada Bar No. 9061  
15 10789 W. Twain Avenue, Suite 100  
16 Las Vegas, NV 89135  
17 *Attorneys for Plaintiffs*

18 BREEN ARNTZ, ESQ.  
19 Nevada Bar No. 3853  
20 5545 Mountain Vista, Ste. E  
21 Las Vegas, NV 89120  
22 *Co-Counsel for Plaintiffs*

23 DATED this \_\_\_\_ day of December, 2019.

24 LEWIS BRISBOIS BISGAARD & SMITH,  
25 LLP.

26 \_\_\_\_\_  
27 KEITH A. WEAVER, ESQ.  
28 Nevada Bar No. 100271  
ALISSA BESTICK, ESQ.  
Nevada Bar No. 14979  
6385 S. Rainbow Blvd., Ste. 600  
Las Vegas, NV 89118  
*Attorneys for Defendant Terry Bartimus,*  
*A.P.R.N.*

DATED this 16<sup>th</sup> day of December, 2019.

CARROLL, KELLY, TROTTER, FRANZEN  
& MCBRIDE

\_\_\_\_\_  
CHELSEA HUETH, ESQ.  
Nevada Bar No. 10904  
ANNA KARABACHEV, ESQ.  
Nevada Bar No. 14387  
8923 W. Sunset Rd., Ste. 260  
Las Vegas, NV 89113  
*Attorneys for Defendant Jason Lasry, M.D.*

**IX. PRINCIPAL ISSUES OF LAW THAT MAY BE CONTESTED AT THE TIME OF TRIAL**

1. Causation
2. Damages
3. Liability

**X. ESTIMATE OF THE TIME REQUIRED FOR TRIAL**

Parties anticipate that trial will take approximately 8-10 days.

**XI. OTHER MATTERS TO BRING TO THE COURT'S ATTENTION**

N/A.

DATED this \_\_\_\_ day of December, 2019.

ATKINSON WATKINS & HOFFMANN, LLP

MATTHEW W. HOFFMANN, ESQ.  
Nevada Bar No. 9061  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135  
*Attorneys for Plaintiffs*

BREEN ARNTZ, ESQ.  
Nevada Bar No. 3853  
5545 Mountain Vista, Ste. E  
Las Vegas, NV 89120  
*Co-Counsel for Plaintiffs*

DATED this \_\_\_\_ day of December, 2019.

CARROLL, KELLY, TROTTER, FRANZEN  
& MCBRIDE

CHELSEA HUETH, ESQ.  
Nevada Bar No. 10904  
ANNA KARABACHEV, ESQ.  
Nevada Bar No. 14387  
8923 W. Sunset Rd., Ste. 260  
Las Vegas, NV 89113  
*Attorneys for Defendant Jason Lacey, M.D.*

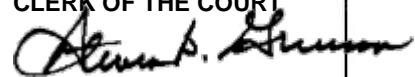
DATED this \_\_\_\_ day of December, 2019.

LEWIS BRISBOIS BISGAARD & SMITH,  
LLP.

*Keith A. Weaver #5250 for*  
KEITH A. WEAVER, ESQ.

Nevada Bar No. 100271  
ALISSA BESTICK, ESQ.  
Nevada Bar No. 14979  
6385 S. Rainbow Blvd., Ste. 600  
Las Vegas, NV 89118  
*Attorneys for Defendant Terry Bartmus,  
A.P.R.N.*

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8



1 KEITH A. WEAVER  
Nevada Bar No. 10271  
2 E-Mail: Keith.Weaver@lewisbrisbois.com  
DANIELLE WOODRUM  
3 Nevada Bar No. 12902  
E-Mail: Danielle.Woodrum@lewisbrisbois.com  
4 ALISSA BESTICK  
Nevada Bar No. 14979C  
5 E-Mail: Alissa.Bestick@lewisbrisbois.com  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
7 702.893.3383  
FAX: 702.893.3789  
8 *Attorneys for Defendants Fremont  
Emergency Services (Mandavia) and Terry  
9 Bartmus, A.P.R.N.*

10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA  
12

13 DARELL L. MOORE and CHARLENE A.  
14 MOORE, individually and as husband and  
wife;

15 Plaintiffs,

16 vs.

17 JASON LASRY, M.D., individually;  
18 FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD.; TERRY BARTMUS,  
19 RN, APRN; and DOES I through X,  
inclusive; and ROE CORPORATIONS I  
20 through V, inclusive;

21 Defendants.  
22

CASE NO. A-17-766426-C  
Dept. No.: XXV

**STIPULATION AND ORDER TO DISMISS  
DEFENDANT FREMONT EMERGENCY  
SERVICE (MANDAVIA), LTD ONLY WITH  
PREJUDICE**

23 ///

24 ///

25 ///

26 ///

27 ///

28

1 IT IS HEREBY STIPULATED by and between the parties through undersigned  
2 counsel of record that:

3 FIRST, all claims against Defendant Fremont Emergency Services (Mandavia),  
4 Ltd. are to be dismissed with prejudice.

5 SECOND, each party shall bear their own attorneys' fees and costs incurred in this  
6 action associated with the claims against Defendant Fremont Emergency Services  
7 (Mandavia), Ltd.

8 ///

9 ///

10 ///

11 ///

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///



1 THIRD, the hearing on the Motion for Summary Judgment regarding the negligent  
2 hiring, training and supervision claim against Defendant Fremont Emergency Services  
3 (Mandavia), Ltd. set for December 10, 2019 at 9:00 a.m. is vacated as moot.

4 Dated: December 9<sup>th</sup>, 2019

Dated: December \_\_\_\_, 2019

5 ATKINSON WATKINS & HOFFMAN, LLP

CARROLL, KELLY, TROTTER,  
FRANZEN & MCBRIDE

7   
8 Matthew W. Hoffman, Esq.  
9 Nevada Bar No.: 9061  
10 10789 W. Twain Avenue, Ste. 100  
11 Las Vegas, NV 89135

Robert McBride, Esq.  
Nevada Bar No.: 7082  
Chelsea R. Hueth, Esq.  
Nevada Bar No.: 10904  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113  
*Attorneys for Defendant, Jason Lasry,  
M.D.*

11 Breen Arntz, Esq.  
12 Nevada Bar No.: 3853  
13 5545 Mountain Vista, Suite E  
14 Las Vegas, NV 89120  
15 *Attorneys for Plaintiffs*

14 Dated: December \_\_\_\_, 2019

16 LEWIS BRISBOIS BISGAARD &  
17 SMITH LLP

18 KEITH A. WEAVER  
19 Nevada Bar No. 10271  
20 DANIELLE WOODRUM  
21 Nevada Bar No. 12902  
22 ALISSA N. BESTICK  
23 Nevada Bar No. 14979C  
24 6385 S. Rainbow Boulevard, Suite 600  
25 Las Vegas, Nevada 89118  
26 *Attorneys for Defendants Fremont  
27 Emergency Services (Mandavia) and Terry  
28 Bartmus, A.P.R.N.*



1 THIRD, the hearing on the Motion for Summary Judgment regarding the negligent  
2 hiring, training and supervision claim against Defendant Fremont Emergency Services  
3 (Mandavia), Ltd. set for December 10, 2019 at 9:00 a.m. is vacated as moot.

4 Dated: December \_\_\_\_, 2019

Dated: December 11, 2019

5 ATKINSON WATKINS & HOFFMAN, LLP  
6

CARROLL, KELLY, TROTTER,  
FRANZEN & MCBRIDE

8 Matthew W. Hoffman, Esq.  
Nevada Bar No.: 9061  
9 10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135

Robert McBride, Esq.  
Nevada Bar No.: 7082  
Chelsea R. Hueth, Esq.  
Nevada Bar No.: 10904  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113  
*Attorneys for Defendant, Jason Lasry,  
M.D.*

10 Breen Arntz, Esq.  
11 Nevada Bar No.: 3853  
5545 Mountain Vista, Suite E  
12 Las Vegas, NV 89120  
*Attorneys for Plaintiffs*

14 Dated: December \_\_\_\_, 2019

16 LEWIS BRISBOIS BISGAARD &  
SMITH LLP

18 KEITH A. WEAVER  
19 Nevada Bar No. 10271  
DANIELLE WOODRUM  
20 Nevada Bar No. 12902  
ALISSA N. BESTICK  
21 Nevada Bar No. 14979C  
6385 S. Rainbow Boulevard, Suite 600  
22 Las Vegas, Nevada 89118  
*Attorneys for Defendants Fremont  
23 Emergency Services (Mandavia) and Terry  
24 Bartmus, A.P.R.N.*

1 THIRD, the hearing on the Motion for Summary Judgment regarding the negligent  
2 hiring, training and supervision claim against Defendant Fremont Emergency Services  
3 (Mandavia), Ltd. set for December 10, 2019 at 9:00 a.m. is vacated as moot.

4 Dated: December \_\_\_\_, 2019

Dated: December \_\_\_\_, 2019

5 ATKINSON WATKINS & HOFFMAN, LLP  
6

CARROLL, KELLY, TROTTER,  
FRANZEN & MCBRIDE


7  
8 Matthew W. Hoffman, Esq.  
Nevada Bar No.: 9061  
9 10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135

10 Breen Arntz, Esq.  
11 Nevada Bar No.: 3853  
5545 Mountain Vista, Suite E  
12 Las Vegas, NV 89120  
13 *Attorneys for Plaintiffs*

Robert McBride, Esq.  
Nevada Bar No.: 7082  
Chelsea R. Hueth, Esq.  
Nevada Bar No.: 10904  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113  
*Attorneys for Defendant, Jason Lasry,  
M.D.*

14 Dated: December 9, 2019

15  
16 LEWIS BRISBOIS BISGAARD &  
SMITH LLP

17   
18 KEITH A. WEAVER  
19 Nevada Bar No. 10271  
DANIELLE WOODRUM  
20 Nevada Bar No. 12902  
ALISSA N. BESTICK  
21 Nevada Bar No. 14979C  
6385 S. Rainbow Boulevard, Suite 600  
22 Las Vegas, Nevada 89118  
23 *Attorneys for Defendants Fremont  
Emergency Services (Mandavia) and Terry  
24 Bartmus, A.P.R.N.*

ORDER

Based on the foregoing stipulation, IT IS HEREBY ORDERED that the Defendant Fremont Emergency Services (Mandavia), Ltd. is hereby DISMISSED WITH PREJUDICE and that each party shall bear their own attorneys' fees and costs associated with the claims against Defendant Fremont Emergency Services (Mandavia), Ltd. in this matter.

IT IS ALSO HEREBY ORDERED that the hearing on the Motion for Summary Judgment regarding the negligent hiring, training and supervision claim against Defendant Fremont Emergency Services (Mandavia), Ltd. set for December 10, 2019 at 9:00 a.m. is vacated as moot.

DATED this the 11<sup>th</sup> day of December, 2019.

  
DISTRICT COURT JUDGE

Respectfully Submitted by:

LEWIS BRISBOIS BISGAARD & SMITH LLP

  
KEITH A. WEAVER

Nevada Bar No. 10271

DANIELLE WOODRUM

Nevada Bar No. 12902

ALISSA N. BESTICK

Nevada Bar No. 14979C

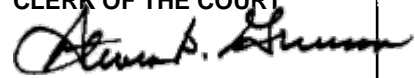
6385 S. Rainbow Boulevard, Suite 600

Las Vegas, Nevada 89118

*Attorneys for Defendants Fremont*

*Emergency Services (Mandavia) and Terry*

*Bartmus, A.P.R.N.*



1 KEITH A. WEAVER  
Nevada Bar No. 10271  
2 E-Mail: Keith.Weaver@lewisbrisbois.com  
DANIELLE WOODRUM  
3 Nevada Bar No. 12902  
E-Mail: Danielle.Woodrum@lewisbrisbois.com  
4 ALISSA BESTICK  
Nevada Bar No. 14979C  
5 E-Mail: Alissa.Bestick@lewisbrisbois.com  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
7 702.893.3383  
FAX: 702.893.3789  
8 *Attorneys for Defendants Fremont  
Emergency Services (Mandavia) and Terry  
9 Bartmus, A.P.R.N.*

10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA  
12

13 DARELL L. MOORE and CHARLENE A.  
14 MOORE, individually and as husband and  
wife;

15 Plaintiffs,  
16

17 vs.

18 JASON LASRY, M.D., individually;  
FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD.; TERRY BARTMUS,  
19 RN, APRN; and DOES I through X,  
inclusive; and ROE CORPORATIONS I  
20 through V, inclusive;

21 Defendants.  
22

CASE NO. A-17-766426-C  
Dept. No.: XXV

NOTICE OF ENTRY OF STIPULATION  
AND ORDER TO DISMISS DEFENDANT  
FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD ONLY

23 ///

24 ///

25 ///

26 ///

27 ///

28



1 PLEASE TAKE NOTICE that the Stipulation and Order to Dismiss Defendant  
2 Fremont Emergency Services (Mandavia), Ltd. only was entered on December 18, 2019,  
3 a true and correct copy of which is attached hereto.

4 DATED this 18<sup>th</sup> day of December, 2019

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

6

7

8

By Ami Bestick  
KEITH A. WEAVER  
Nevada Bar No. 10271  
DANIELLE WOODRUM  
Nevada Bar No. 12902  
ALISSA N. BESTICK  
Nevada Bar No. 14979C  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
*Attorneys for Defendants Fremont Emergency  
Services (Mandavia) and Terry Bartmus,  
A.P.R.N.*

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of December, 2019, a true and correct copy of NOTICE OF ENTRY OF STIPULATION AND ORDER TO DISMISS DEFENDANT FREMONT EMERGENCY SERVICES (MANDAVIA), LTD ONLY was served electronically with the Clerk of the Court using the Wiznet Electronic Service system and serving all parties with an email-address on record, who have agreed to receive Electronic Service in this action.

Matthew W. Hoffman, Esq.  
ATKINSON WATKINS & HOFFMAN, LLP  
10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135  
Tel: 702-562-6000  
Fax: 702-562-6066  
Email: mhoffmann@awhlawyers.com  
*Attorneys for Plaintiffs*


Robert McBride, Esq.  
Chelsea R. Hueth, Esq.  
CARROLL, KELLY, TROTTER,  
FRANZEN & MCBRIDE  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113  
Tel: 702-792-5855  
Fax: 702-796-5855  
Email: rcmcbride@cktfmlaw.com  
Email: crhueth@cktfmlaw.com  
*Attorneys for Defendant, Jason Lasry, M.D.*

Breen Arntz, Esq.  
5545 Mountain Vista, Suite E  
Las Vegas, NV 89120  
Tel: 702-384-8000  
Fax: 702-446-8164  
Email: breen@breen.com  
*Attorneys for Plaintiffs*

By



An Employee of  
LEWIS BRISBOIS BISGAARD & SMITH LLP



1 KEITH A. WEAVER  
Nevada Bar No. 10271  
2 E-Mail: Keith.Weaver@lewisbrisbois.com  
DANIELLE WOODRUM  
3 Nevada Bar No. 12902  
E-Mail: Danielle.Woodrum@lewisbrisbois.com  
4 ALISSA BESTICK  
Nevada Bar No. 14979C  
5 E-Mail: Alissa.Bestick@lewisbrisbois.com  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
7 702.893.3383  
FAX: 702.893.3789  
8 *Attorneys for Defendants Fremont  
Emergency Services (Mandavia) and Terry  
9 Bartmus, A.P.R.N.*

10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA  
12

13 DARELL L. MOORE and CHARLENE A.  
14 MOORE, individually and as husband and  
wife;

15 Plaintiffs,

16 vs.

17 JASON LASRY, M.D., individually;  
18 FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD.; TERRY BARTMUS,  
19 RN, APRN; and DOES I through X,  
inclusive; and ROE CORPORATIONS I  
20 through V, inclusive;

21 Defendants.  
22

CASE NO. A-17-766426-C  
Dept. No.: XXV

STIPULATION AND ORDER TO DISMISS  
DEFENDANT FREMONT EMERGENCY  
SERVICE (MANDAVIA), LTD ONLY WITH  
PREJUDICE

23 ///

24 ///

25 ///

26 ///

27 ///

28

LEWIS  
BRISBOIS  
BISGAARD  
& SMITH LLP  
ATTORNEYS AT LAW

4852-4838-2382.1

1 IT IS HEREBY STIPULATED by and between the parties through undersigned  
2 counsel of record that:

3 FIRST, all claims against Defendant Fremont Emergency Services (Mandavia),  
4 Ltd. are to be dismissed with prejudice.

5 SECOND, each party shall bear their own attorneys' fees and costs incurred in this  
6 action associated with the claims against Defendant Fremont Emergency Services  
7 (Mandavia), Ltd.

8 ///

9 ///

10 ///

11 ///

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///



1 THIRD, the hearing on the Motion for Summary Judgment regarding the negligent  
2 hiring, training and supervision claim against Defendant Fremont Emergency Services  
3 (Mandavia), Ltd. set for December 10, 2019 at 9:00 a.m. is vacated as moot.

4 Dated: December 9th, 2019

Dated: December \_\_\_\_, 2019

5 ATKINSON WATKINS & HOFFMAN, LLP

CARROLL, KELLY, TROTTER,  
FRANZEN & MCBRIDE

6  
7 

8 Matthew W. Hoffman, Esq.  
9 Nevada Bar No.: 9061  
10 10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135

11 Breen Arntz, Esq.  
12 Nevada Bar No.: 3853  
13 5545 Mountain Vista, Suite E  
Las Vegas, NV 89120  
*Attorneys for Plaintiffs*

Robert McBride, Esq.  
Nevada Bar No.: 7082  
Chelsea R. Hueth, Esq.  
Nevada Bar No.: 10904  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113  
*Attorneys for Defendant, Jason Lasry,  
M.D.*

14 Dated: December \_\_\_\_, 2019

15  
16 LEWIS BRISBOIS BISGAARD &  
SMITH LLP

17  
18  
19 KEITH A. WEAVER  
Nevada Bar No. 10271  
20 DANIELLE WOODRUM  
Nevada Bar No. 12902  
21 ALISSA N. BESTICK  
Nevada Bar No. 14979C  
22 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
23 *Attorneys for Defendants Fremont  
24 Emergency Services (Mandavia) and Terry  
Bartmus, A.P.R.N.*

1 THIRD, the hearing on the Motion for Summary Judgment regarding the negligent  
2 hiring, training and supervision claim against Defendant Fremont Emergency Services  
3 (Mandavia), Ltd. set for December 10, 2019 at 9:00 a.m. is vacated as moot.

4 Dated: December \_\_\_\_, 2019

Dated: December 11, 2019

5 ATKINSON WATKINS & HOFFMAN, LLP  
6

CARROLL, KELLY, TROTTER,  
FRANZEN & MCBRIDE

7  
8 Matthew W. Hoffman, Esq.  
Nevada Bar No.: 9061  
9 10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135

Robert McBride, Esq.  
Nevada Bar No.: 7082  
Chelsea R. Hueth, Esq.  
Nevada Bar No.: 10904  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113  
*Attorneys for Defendant, Jason Lasry,  
M.D.*

10 Breen Arntz, Esq.  
11 Nevada Bar No.: 3853  
5545 Mountain Vista, Suite E  
12 Las Vegas, NV 89120  
13 *Attorneys for Plaintiffs*

14 Dated: December \_\_\_\_, 2019

15  
16 LEWIS BRISBOIS BISGAARD &  
SMITH LLP

17  
18 KEITH A. WEAVER  
19 Nevada Bar No. 10271  
DANIELLE WOODRUM  
20 Nevada Bar No. 12902  
ALISSA N. BESTICK  
21 Nevada Bar No. 14979C  
22 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
23 *Attorneys for Defendants Fremont  
Emergency Services (Mandavia) and Terry  
24 Bartmus, A.P.R.N.*

1 THIRD, the hearing on the Motion for Summary Judgment regarding the negligent  
2 hiring, training and supervision claim against Defendant Fremont Emergency Services  
3 (Mandavia), Ltd. set for December 10, 2019 at 9:00 a.m. is vacated as moot.

4 Dated: December \_\_\_\_, 2019

Dated: December \_\_\_\_, 2019

5 ATKINSON WATKINS & HOFFMAN, LLP  
6

CARROLL, KELLY, TROTTER,  
FRANZEN & MCBRIDE


7  
8 Matthew W. Hoffman, Esq.  
Nevada Bar No.: 9061  
9 10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135

10 Breen Arntz, Esq.  
11 Nevada Bar No.: 3853  
5545 Mountain Vista, Suite E  
12 Las Vegas, NV 89120  
13 *Attorneys for Plaintiffs*

Robert McBride, Esq.  
Nevada Bar No.: 7082  
Chelsea R. Hueth, Esq.  
Nevada Bar No.: 10904  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113  
*Attorneys for Defendant, Jason Lasry,  
M.D.*

14 Dated: December 9, 2019

15  
16 LEWIS BRISBOIS BISGAARD &  
SMITH LLP

17  #5258  
18 KEITH A. WEAVER  
19 Nevada Bar No. 10271  
DANIELLE WOODRUM  
20 Nevada Bar No. 12902  
ALISSA N. BESTICK  
21 Nevada Bar No. 14979C  
22 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
23 *Attorneys for Defendants Fremont  
Emergency Services (Mandavia) and Terry  
24 Bartmus, A.P.R.N.*

ORDER

Based on the foregoing stipulation, IT IS HEREBY ORDERED that the Defendant Fremont Emergency Services (Mandavia), Ltd. is hereby DISMISSED WITH PREJUDICE and that each party shall bear their own attorneys' fees and costs associated with the claims against Defendant Fremont Emergency Services (Mandavia), Ltd. in this matter.

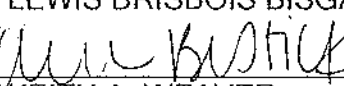
IT IS ALSO HEREBY ORDERED that the hearing on the Motion for Summary Judgment regarding the negligent hiring, training and supervision claim against Defendant Fremont Emergency Services (Mandavia), Ltd. set for December 10, 2019 at 9:00 a.m. is vacated as moot.

DATED this the 11<sup>th</sup> day of December, 2019.

  
DISTRICT COURT JUDGE

Respectfully Submitted by:

LEWIS BRISBOIS BISGAARD & SMITH LLP

  
KEITH A. WEAVER

Nevada Bar No. 10271

DANIELLE WOODRUM

Nevada Bar No. 12902

ALISSA N. BESTICK

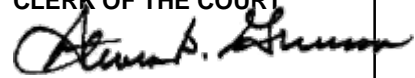
Nevada Bar No. 14979C

6385 S. Rainbow Boulevard, Suite 600

Las Vegas, Nevada 89118

*Attorneys for Defendants Fremont*

*Emergency Services (Mandavia) and Terry  
Bartmus, A.P.R.N.*



1 **PTD**

2 ROBERT C. McBRIDE, ESQ.

3 Nevada Bar No. 7082

4 CHELSEA R. HUETH, ESQ.

5 Nevada Bar No. 10904

6 CARROLL, KELLY, TROTTER,

7 FRANZEN & McBRIDE

8 8329 W. Sunset Road, Suite 260

9 Las Vegas, Nevada 89113

10 Telephone No. (702) 792-5855

11 Facsimile No. (702) 796-5855

12 E-mail: [rcmcbride@cktfmlaw.com](mailto:rcmcbride@cktfmlaw.com)

13 E-mail: [crhueth@cktfmlaw.com](mailto:crhueth@cktfmlaw.com)

14 Attorneys for Defendant

15 *Jason Lasry, M.D.*

16 DISTRICT COURT

17 CLARK COUNTY, NEVADA

18 DARELL L. MOORE and CHARLENE A.  
19 MOORE, individually and as husband and  
20 wife;

21 Plaintiffs,

22 v.

23 JASON LASRY, M.D., individually;  
24 FREMONT EMERGENCY SERVICES  
25 (MANDAVIA), LTD.; TERRY BARTMUS,  
26 RN, APRN; and DOES I through X, inclusive;  
27 and ROE CORPORATIONS I through V,  
28 inclusive;

Defendant.

**CASE NO.: A-17-766426-C**

**DEPT: XXV**

**DEFENDANT JASON LASRY, M.D.'S  
PRETRIAL DISCLOSURES**

21 COMES NOW, Defendant, JASON LASRY, M.D., by and through his counsel of record,  
22 ROBERT C. McBRIDE, ESQ. and CHELSEA R. HUETH, ESQ. of the law firm of CARROLL,  
23 KELLY, TROTTER, FRANZEN & McBRIDE, and hereby submits his Pretrial Disclosures  
24 pursuant to NRCP 16.1(a)(3) as follows

25 ///

26 ///

27 ///

I.

LIST OF WITNESSES

A. Witnesses Defendant Anticipates Calling at Trial

1. Jason Lasry, M.D., Defendant  
c/o Robert C. McBride, Esq.  
Chelsea R. Hueth, Esq.  
CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
(702) 792-5855
2. Darrell L. Moore, Plaintiff  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
3. Charlene A. Moore, Plaintiff  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
4. Terry Bartmus, RN, APRN  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118
5. R. Scott Jacobs M.D., FAAEM  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
6. Irwin Simon, M.D.  
2450 W. Horizon Ridge Pkwy, Ste. 100  
Henderson, Nevada 89052  
(702) 341-7608
7. Robert Wiencek, M.D.  
7190 S. Cimarron Road  
Las Vegas, Nevada 89113  
(702) 490-9954

- 1 8. Noel L. Shaw, D.C.  
2 1101 North Wilmot Road, Suite 229  
3 Tucson, Arizona 85712  
(520) 721-9331
- 4 9. Sang Tran, M.D.  
5 6870 S. Rainbow Blvd., Suite 106  
6 Las Vegas, Nevada 89118  
(702) 396-6000
- 7 10. Patrick Frank, M.D.  
8 3001 St. Rose Parkway  
9 Henderson, Nevada 89052  
(702) 651-5000
- 10 11. John Oh, M.D.  
11 Radiology Associates  
12 5495 S. Rainbow Blvd., Suite 203  
Las Vegas, Nevada 89118  
(702) 7077-9706
- 13 12. Stephen A. Gephardt, M.D.  
14 7220 S. Cimarron Road, Suite 270  
15 Las Vegas, Nevada 89113  
(702) 912-4100
- 16 13. Colin Rock, M.D.  
17 Nevada Comprehensive Pain Center  
18 1569 E. Flamingo Road  
Las Vegas, Nevada 89119  
(702) 476-9999
- 19 14. John Henner, D.O.  
20 8670 W. Cheyenne Ave.  
21 Las Vegas, Nevada 89129  
(702) 576-9608
- 22 15. Charles McPherson, M.D.  
23 3121 S. Maryland Parkway, Suite 502  
24 Las Vegas, Nevada 89109  
(208) 415-5795
- 25 16. Salvador Borromeo III, M.D.  
26 3009 W. Charleston Blvd.  
27 Las Vegas, Nevada 89102  
(702) 589-2750
- 28



- 1 17. Karyn Harries, M.D.  
2 5320 S. Rainbow Blvd., Suite 150  
3 Las Vegas, Nevada 89118  
(702) 944-7105
- 4 18. Nauman Tahir, M.D.  
5 500 S. Rancho Drive, Suite 12  
6 Las Vegas, Nevada 89106  
(702) 877-1887
- 7 19. Ida Washington, M.D.  
8 1000 S. Rainbow Blvd.  
9 Las Vegas, Nevada 89145  
(702) 259-0088
- 10 20. Jeffrey Germain, R.N.  
11 Address unknown
- 12 21. Amee Kuchinsky, R.N.  
13 Address unknown
- 14 22. Lauren Eastham, R.N.  
15 Address unknown
- 16 23. Danny Eisenberg, M.D.  
17 9 Hawk Ridge Drive  
18 Las Vegas NV 89135
- 19 24. Alexander R. Marmureanu, M.D.  
20 c/o Matthew W. Hoffmann, Esq.  
21 ATKINSON WATKINS, & HOFFMANN, LLP  
22 10789 W. Twain Avenue, Suite 100  
23 Las Vegas, NV 89135
- 24 25. David Fish, M.D.  
25 c/o Matthew W. Hoffmann, Esq.  
26 ATKINSON WATKINS, & HOFFMANN, LLP  
27 10789 W. Twain Avenue, Suite 100  
28 Las Vegas, NV 89135
26. Terrence Clauretie, Ph.D.  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135



- 1 27. Christopher Owen Moore  
2 c/o Matthew W. Hoffmann, Esq.  
3 Atkinson Watkins & Hoffmann, LLP  
4 10789 W. Twain Avenue, Suite 100  
5 Las Vegas, NV 89135
- 6 28. Holman Chan, M.D.  
7 1505 Wigwam Parkway, Suite 340  
8 Henderson, NV 89074  
9 (702) 260-0467
- 10 29. Kent Shoji, M.D., F.A.C.E.P.  
11 c/o Robert C. McBride, Esq.  
12 Chelsea R. Hueth, Esq.  
13 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
14 8329 W. Sunset Road, Suite 260  
15 Las Vegas, NV 89113  
16 (702) 792-5855
- 17 30. Samuel Wilson, M.D.  
18 c/o Robert C. McBride, Esq.  
19 Chelsea R. Hueth, Esq.  
20 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
21 8329 W. Sunset Road, Suite 260  
22 Las Vegas, NV 89113  
23 (702) 792-5855
- 24 31. John Janzen, Ed.D., CRC  
25 c/o Robert C. McBride, Esq.  
26 Chelsea R. Hueth, Esq.  
27 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
28 8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
(702) 792-5855
- 29 32. Karl Erik Volk, M.A.  
30 c/o Robert C. McBride, Esq.  
31 Chelsea R. Hueth, Esq.  
32 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
33 8329 W. Sunset Road, Suite 260  
34 Las Vegas, NV 89113  
35 (702) 792-5855

26 ///

27 ///

28 ///

1 **B. Witnesses Defendant May Call at Trial**

- 2 33. Logan Sondrup, M.D.  
3 8280 W. Warm Springs Road  
4 Las Vegas, Nevada 89113  
(702) 492-8000
- 5 34. Person(s) Most Knowledgeable and/or Custodian of Records at  
6 Dignity Health d/b/a St. Rose Dominican Hospital – San Martin Campus  
7 c/o Michael Prangle, Esq.  
8 HALL PRANGLE & SCHOONVELD, LLC  
1140 North Town Center Drive, Ste. 350  
Las Vegas, Nevada 89144
- 9 35. Person(s) Most Knowledgeable and/or Custodian of Records at  
10 Fremont Emergency Services, (Mandavia) Ltd.  
11 c/o Keith A. Weaver, Esq.  
12 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118
- 13 36. Antonio Flores Erazo, M.D.  
14 7674 W. Lake Mead Blvd., Suite 215  
Las Vegas, Nevada 89128
- 15 37. James Hayes, M.D.  
16 3001 St. Rose Parkway  
17 Henderson, Nevada 89052  
(702) 651-5000
- 18 38. Scott Greaves, M.D.  
19 2120 Golden Hill Road, Suite 102  
20 Paso Robles, California 93446  
(805) 434-2900
- 21 39. Johnathan Riegler, M.D.  
22 1255 Las Tables Road, Suite 201  
23 Templeton, California 93465  
(805) 226-4106
- 24 40. John Pinto, M.D.  
25 1701 N. Green Valley Parkway  
26 Henderson, Nevada 89074  
(702) 734-2292

27 ///

28 ///

- 1 41. Person(s) Most Knowledgeable and/or Custodian of Records at  
2 Advanced Prosthetics and Orthotics  
3 7455 W. Washington St., Suite 215  
Las Vegas, Nevada 89128
- 4 42. Person(s) Most Knowledgeable and/or Custodian of Records at  
5 Desert Radiologists  
6 3930 S. Eastern Avenue  
Las Vegas, Nevada 89119
- 7 43. Person(s) Most Knowledgeable and/or Custodian of Records at  
8 Irwin Simon, M.D.  
9 2450 W. Horizon Ridge Parkway, Suite 101  
Henderson, Nevada 89052
- 10 44. Person(s) Most Knowledgeable and/or Custodian of Records at  
11 Jonathan Riegler, M.D.  
12 1255 Las Tables Road, Suite 201  
Templeton, California 93465
- 13 45. Person(s) Most Knowledgeable and/or Custodian of Records at  
14 Antonio Flores Erazo, M.D.  
15 7674 W. Lake Mead Blvd., Suite 215  
Las Vegas, Nevada 89128
- 16 46. Person(s) Most Knowledgeable and/or Custodian of Records at  
17 Procure Medical Group  
18 6870 S. Rainbow Blvd., Suite 106  
Las Vegas, Nevada 89118
- 19 47. Person(s) Most Knowledgeable and/or Custodian of Records at  
20 Los Tables Medical Group  
21 2120 Golden Hill Road, Suite 102  
Paso Robles, California 93446
- 22 48. Person(s) Most Knowledgeable and/or Custodian of Records at  
23 Spring Valley Hospital  
5400 S. Rainbow Blvd.  
Las Vegas, Nevada 89118
- 24 49. Person(s) Most Knowledgeable and/or Custodian of Records at  
25 Armour Christensen, Chtd  
26 2450 W. Horizon Ridge Parkway, Suite 100  
Henderson, Nevada 89052  
27 (702) 735-2305

28 ///

50. Person(s) Most Knowledgeable and/or Custodian of Records at  
Paul Wiesner and Associates d/b/a Radiology Associates  
2400 S. Cimarron Road, Suite 100  
Las Vegas, Nevada 89117  
(702) 477-0772

### C. Witnesses Who Have Been Subpoenaed

None at this time.

**D. Witnesses Whose Testimony May Be Presented by Deposition**

None at this time.

Defendant reserves the right to call any and all treating, examining and consulting physicians of the plaintiff regarding treatment and observations of the injuries alleged as a result of this incident.

Defendant reserves the right to call any witnesses and expert witnesses named by any other party of this case.

Defendant reserves the right to call any witnesses as may be necessary for the purpose of rebuttal or impeachment.

Defendant reserves the right to call any and all other witnesses who may be disclosed by any party.

## II.

## LIST OF DOCUMENTS

### **A. Documents Defendant Anticipates Using at Trial**

1. Spring Valley Hospital (SVHMC MR 00001-00260)
2. St. Rose Hospital, San Martin Campus (SRDSMMR 000001-002865)
3. St. Rose Hospital, Siena Campus (SRDSMR 0001-0771)

///

///

///

1           4.       Radiological imaging from Spring Valley Hospital

2                   02/05/17   TTE w/ Doppler  
3                   02/05/17   U/S LE Venous Duplex Bilateral  
4                   02/04/17   CT Angio Chest w/w/out Contras  
5                   02/04/17   XR Chest

6           5.       Radiological imaging from Desert Radiologists

7                   03/27/15   CT LS SP w/out Contrast  
8                   03/27/15   CT Cervical Spine w/out Contrast  
9                   02/07/15   XR Ankle Complete, Bilateral

10          6.       Radiological imaging from St. Rose Hospital

11                   01/04/17 U/S Ext Lt Ext Venous Doppler  
12                   01/04/17 U/S Ext Bil Venous Doppler  
13                   01/03/17 XR Chest 1 View  
14                   12/30/16 U/S Ext Non Vasc Comp. Rt  
15                   12/29/16 IR Thrombolysis Art/Vein Sub. Day  
16                   12/28/16 IR Angio Ext Lt  
17                   12/28/16 U/S Lowe Ext Art Duplex Lt  
18                   12/25/16 U/S Ext Venous Duplex Lt  
19                   06/28/15 Fluoroscopy of Lower Extremity  
20                   06/27/15 XR Chest  
21                   06/27/15 U/S Lower Ext Art Duplex Lt  
22                   06/27/15 U/S Ext Venous Duplex Lt  
23                   06/27/15 Fluoroscopy of Lower Extremity  
24                   12/13/14 Fluoroscopy of Lower Extremity  
25                   12/12/14 Fluoroscopy of Lower Extremity  
26                   12/11/14 U/S Lower Ext Art Duplex Lt  
27                   12/11/14 U/S Ext Venous Duplex Lt  
28                   12/11/14 Fluoroscopy of Lower Extremity

7.       Advanced Prosthetics and Orthotics (APAP 00001, 00004-00020)

8.       Desert Radiologists (DRI 00001-00017)

9.       Irwin Simon, M.D. (ISMD 0001-0042)

10.      Jonathan Riegler, M.D. (JRM 00001-00003)

11.      Sang Tran, M.D. (STM 00001-00002, 00005-00028)

12.      Scott Greaves, M.D. (SGM 00001-00012, 00016)

13.      Shadow Emergency Physicians (SEP 00001-00031)

14. Noel Shaw, D.C. (NSD 00001-00007)
15. St. Rose Stanford Clinic (SRSC 00001-00085, 00089)
16. Nevada Comprehensive Pain Center (NCPC 00001-00237, 00246-00253, 00255-00314)
17. Kindred Rehabilitation (LVHR 00001-00238)
18. Procure Medical Center (PCMC 00001-00002, 00005-00067)
19. Nevada Ortho & Spine Center (NOSC 00001-00003, 00008-0020)
20. American College of Surgeons Expert Witness Affirmation
21. American College of Surgeons Statement on the Physician Acting as an Expert Witness
22. Kent Shoji, M.D., F.A.C.E.P., report, curriculum vitae, and fee schedule
23. Samuel Wilson, M.D.'s curriculum vitae, testimonial history, and reports
24. John Janzen, Ph.D., CRC's, curriculum vitae, fee schedule, reports
25. Karl Erik Volk, M.A.'s reports, curriculum vitae, fee schedule, testimonial history
26. Darrell Moore's Answers to Defendant Jason Lasry's Interrogatories
27. Darrell Moore's Answers to Defendant Jason Lasry's Request for Production
28. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Interrogatories
29. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Request for Productions
30. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Interrogatories
31. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Request for Productions

- 1 32. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of  
2 Interrogatories
- 3 33. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of Request  
4 for Productions
- 5 34. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of Requests  
6 for Admissions
- 7 35. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of  
8 Requests for Admissions
- 9 36. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Request  
10 for Admissions
- 11 37. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 2nd Set of  
12 Interrogatories
- 13 38. Darrell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's 2nd  
14 Set of Interrogatories
- 15 39. Charlene Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's  
16 1st Set of Requests for Admissions
- 17 40. Darrell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's 1st  
18 Set of Request for Admissions
- 19 41. Darrell Moore's Responses to Defendant Fremont Emergency Services' 2nd Set of  
20 Request for Production of Documents
- 21 42. Deposition transcript of Terry Bartmus, APRN, taken on February 26, 2019, with  
22 exhibit attached thereto.
- 23 43. Deposition transcript of Ruth Camack, taken on April 30, 2019, with exhibit  
24 attached thereto.
- 25  
26  
27  
28

- 1 44. Deposition transcript of Terrence Clauretie, Ph.D., taken on October 25, 2019, with  
2 exhibit attached thereto.
- 3 45. Deposition transcript of David Fish, M.D., taken on October 8, 2019, with exhibit  
4 attached thereto.
- 5 46. Deposition transcript of Jason Lasry, M.D., taken on February 6, 2019, with exhibit  
6 attached thereto.
- 7 47. Deposition transcript of Alexander Marmureanu, M.D., taken on October 2, 2019,  
8 with exhibit attached thereto.
- 9 48. Deposition transcript of Charlene Moore, taken on October 24, 2019, with exhibit  
10 attached thereto.
- 11 49. Deposition transcript of Christopher Moore, taken on February 5, 2019, with  
12 exhibit attached thereto.
- 13 50. Deposition transcript of Darrell Moore, taken on August 15, 2018, with exhibit  
14 attached thereto.
- 15 51. Deposition transcript of R. Scott Jacobs, taken on December 7, 2018, with exhibit  
16 attached thereto.
- 17 52. Fremont Emergency Services Dignity Call Schedule for December 2016  
18 (FES DECEMBER SCHEDULE 000001).

19  
20  
21  
22 **B. Documents Defendant May Use at Trial**

- 23 53. Billing records from Advanced Prosthetics and Orthotics (APAO 0002-00003).
- 24 54. Billing from Antonio Flores Erazo, M.D. (AMFEM 00001-00006).
- 25 55. Billing from Desert Radiologists (DRIB 00001-00005).
- 26 56. Billing from Radiology Associates of Nevada (RAONCM 00001-00007).
- 27 57. Billing records from Sang Tran, M.D. (STM 00003-00004).
- 28



- 1 58. Billing records from Scott Greaves, M.D. (SGM 00013-00015).
- 2 59. Billing records from Spring Valley Hospital (SVHMCB 00001-00012).
- 3 60. Billing records from John Pinto, M.D. (JFPM 00001-00002).
- 4 61. Billing records from Shadow Emergency Physicians (SEP 00032-00033).
- 5 62. Billing records from St. Rose Stanford Clinic (SRSC 00086-00088).
- 6 63. Billing records from Nevada Comprehensive Pain Center (NCPC 00238-00251;
- 7 00254).
- 8 64. Plaintiff's Photographs (PLF 001574-001575)
- 9 65. Billing Records from St. Rose Hospital, Siena (SDSB 000001-000068)
- 10 66. Billing Records from St. Rose Hospital, San Martin (SRDSMB 0001-0054)
- 11 67. Billing Records from Nevada Ortho & Spine Center (NOSC 00004-00007).
- 12 68. Billing records from Nevada Comprehensive Pain Center (NCPC 00252-0000254).

15 Defendant reserves the right to utilize any exhibits and/or documents identified and listed  
16 by any other party.

17 Defendant further anticipates relying on the pertinent medical records which have been  
18 provided by Plaintiff's counsel, and anticipates that such exhibits will be submitted jointly by the  
19 parties once counsel has had an opportunity to exchange and review.

### 20 **III.**

#### 21 **DEFENDANT'S DEMONSTRATIVE EXHIBITS**

22 Defendant will offer at trial, certain Exhibits for demonstrative purposes, including but not  
23 limited to, the following:

- 24 1. Actual diagnostic studies and computer digitized diagnostic studies
- 25 2. Samples of tools used in the surgical procedures involved in Plaintiff's care
- 26 3. Diagrams and videos demonstrating the surgical procedures involved
- 27 4. Timeline of events
- 28 5. Computer re-enactments



1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that on the 27<sup>th</sup> day of December, 2019, I served a true and correct  
3 copy of the foregoing **DEFENDANT JASON LASRY, M.D.'S PRETRIAL DISCLOSURE**  
4 addressed to the following counsel of record at the following address(es):  
5

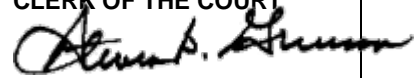
- 6 ☒ **VIA ELECTRONIC SERVICE:** By mandatory electronic service (e-service), proof of e-  
7 service attached to any copy filed with the Court; or  
8 ☐ **VIA U.S. MAIL:** By placing a true copy thereof enclosed in a sealed envelope with  
9 postage thereon fully prepaid, addressed as indicated on the service list below in the United  
10 States mail at Las Vegas, Nevada  
11 ☐ **VIA FACSIMILE:** By causing a true copy thereof to be telecopied to the number  
12 indicated on the service list below.

13 Matthew W. Hoffmann, Esq.  
14 ATKINSON WATKINS, & HOFFMANN, LLP  
15 10789 W. Twain Avenue, Suite 100  
16 Las Vegas, NV 89135  
17 - and -

18 Breen Artz, Esq.  
19 5545 Mountain Vista, Suite E  
20 Las Vegas, NV 89120  
21 *Attorneys for Plaintiffs*

22 Keith A. Weaver, Esq.  
23 LEWIS BRISBOIS BISGAARD & SMITH LLP  
24 6385 S. Rainbow Boulevard, Suite 600  
25 Las Vegas, Nevada 89118  
26 Attorney for Defendant,  
27 *Terry Bartmus, RN, APRN*  
28

  
An Employee of CARROLL, KELLY, TROTTER,  
FRANZEN & McBRIDE



PTD

MATTHEW W. HOFFMANN, ESQ.  
Nevada Bar No. 009061  
ATKINSON WATKINS & HOFFMANN, LLP  
10789 W. Twain Ave., Suite 100  
Las Vegas, NV 89135  
Telephone: 702-562-6000  
Facsimile: 702-562-6066  
Email: [mhoffmann@awhlawyers.com](mailto:mhoffmann@awhlawyers.com)

E. BREEN ARNTZ, ESQ.  
Nevada Bar No. 003853  
2770 S. Maryland Pkwy., Suite 100  
Las Vegas, NV 89109  
Ph: 702-384-1616  
Fax: 702-384-2990  
Email: [breen@breen.com](mailto:breen@breen.com)  
[bartnz@ggrmlawfirm.com](mailto:bartnz@ggrmlawfirm.com)  
*Attorneys for Plaintiffs*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

DARELL L. MOORE and CHARLENE A.  
MOORE, individually and as husband and  
wife;

Plaintiffs,

v.

JASON LASRY, M.D., individually;  
FREMONT EMERGENCY SERVICES  
(MANDAVIA), LTD.; TERRY BARTMUS,  
RN, APRN; and DOES I through X, inclusive;  
and ROE CORPORATIONS I through V,  
inclusive;

Defendants.

CASE NO.: A-17-766426-C

DEPT. NO.: Dept. 25

**PLAINTIFFS' PRE-TRIAL**  
**DISCLOSURES PURSUANT TO**  
**N.R.C.P. 16.1(a)(3)**

COME NOW, Plaintiffs, DARELL L. MOORE and CHARLENE A. MOORE (hereinafter referred to as "Plaintiffs"), by and through their attorney of record, MATTHEW W. HOFFMANN, ESQ., of the law firm of ATKINSON WATKINS & HOFFMANN, LLP, and hereby submit the following list of documents and witnesses pursuant to pursuant to NRCP 16.1(a)(3):

...

...

I.

**LIST OF WITNESSES**

**A. Plaintiffs expect to present the following witnesses at trial:**

1. Darell L. Moore  
c/o Matthew W. Hoffmann, Esq.  
Atkinson Watkins & Hoffmann, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
2. Charlene A. Moore  
c/o Matthew W. Hoffmann, Esq.  
Atkinson Watkins & Hoffmann, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
3. Christopher Owen Moore  
c/o Matthew W. Hoffmann, Esq.  
Atkinson Watkins & Hoffmann, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
4. Terry Bartmus, A.P.R.N.  
c/o Keith A. Weaver, Esq.  
Lewis Brisbois Bisgaard & Smith LLP  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118
5. Jason Lasry, M.D.  
c/o Robert C. McBride, Esq.  
Chelsea R. Hueth, Esq.  
Carroll, Kelly, Trotter, Franzen & McBride  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113
6. Custodian of Records and/or  
Person Most Knowledgeable  
St. Rose Dominican Hospital – San Martin Campus  
Stan T. Liu, M.D.  
8280 West Warm Springs Road  
Las Vegas, NV 89113
7. Custodian of Records and/or  
Person Most Knowledgeable  
Fremont Emergency Services  
Jason Lasry, M.D.

Logan Cole Sondrup, M.D.  
P.O. Box 638972  
Cincinnati, OH 45263

8. Custodian of Records and/or  
Person Most Knowledgeable  
Radiology Associates of Nevada  
Danny Eisenberg, M.D.  
P.O. Box 30077  
Dept. 305  
Salt Lake City, UT 84130

9. Custodian of Records and/or  
Person Most Knowledgeable  
Desert Radiologists  
Ashok Gupta, M.D.  
Charles Hales, M.D.  
P.O. Box 3057  
Indianapolis, IN 46206

10. Custodian of Records and/or  
Person Most Knowledgeable  
Shadow Emergency Physicians, PLLC  
Oscar Rago, M.D.  
P.O. Box 13917  
Philadelphia, PA 19101

11. Custodian of Records and/or  
Person Most Knowledgeable  
Advanced Prosthetics and Orthotics  
Holman Chan, M.D.  
1505 Wigwam Parkway, Suite 340  
Henderson, NV 89074

12. Custodian of Records and/or  
Person Most Knowledgeable  
Spring Valley Hospital  
Irfana Razzaq, M.D.  
5400 S. Rainbow Blvd.  
Las Vegas, NV 89118

13. Custodian of Records and/or  
Person Most Knowledgeable  
R. Scott Jacobs, M.D. FAAEM  
c/o Atkinson Watkins & Hoffmann, LLP  
1669 Torrance Street  
San Diego, CA 92103

14. Custodian of Records and/or  
Person Most Knowledgeable  
Scott Greaves, M.D.  
2120 Golden Hill Road, Suite 102  
Paso Robles, CA 93446
15. Custodian of Records and/or  
Person Most Knowledgeable  
Johnathan Riegler, M.D.  
1255 Las Tablas Road, Suite 201  
Templeton, CA 93465
16. Custodian of Records and/or  
Person Most Knowledgeable  
James Hayes, M.D.  
St. Rose Hospital San Martin  
8280 W. Warm Springs Road  
Las Vegas, NV 89113
17. Custodian of Records and/or  
Person Most Knowledgeable  
Irwin B. Simon, M.D.  
2150 W. Horizon Ridge Pkwy, Ste. 100  
Henderson, NV 89052
18. Custodian of Records and/or  
Person Most Knowledgeable  
John F. Pinto, M.D.  
1701 N. Green Valley Parkway  
Henderson, NV 89074
19. Custodian of Records and/or  
Person Most Knowledgeable  
Armour Christensen, Chtd.  
2450 W. Horizon Ridge Parkway, Suite 100  
Henderson, NV 89052
20. Custodian of Records and/or  
Person Most Knowledgeable  
Robert Wiencek, M.D.  
St. Rose Sienna  
7190 S. Cimarron Road,  
Las Vegas, NV 89113
21. Custodian of Records and/or  
Person Most Knowledgeable  
Noel L. Shaw, D.C.  
1101 North Wilmot Road, Suite 229

Tuscon, AZ 85712

22. Custodian of Records and/or  
Person Most Knowledgeable  
Sang Tran, M.D.  
Procure Medical Center  
6870 S. Rainbow Blvd., Suite 106  
Las Vegas, NV 89118
23. Custodian of Records and/or  
Person Most Knowledgeable  
Patrick Frank, M.D.  
St. Rose San Martin  
8280 W. Warm Springs Road  
Las Vegas, NV 89113
24. Custodian of Records and/or  
Person Most Knowledgeable  
Paul Wiesner and Associates  
5495 S. Rainbow Blvd.  
Las Vegas, NV 89118
25. Custodian of Records and/or  
Person Most Knowledgeable  
John Oh, M.D.  
8551 W. Lake Mead Blvd.  
Las Vegas, NV 89128
26. Custodian of Records and/or  
Person Most Knowledgeable  
Stephen A. Gephardt, M.D.  
7220 S. Cimarron Road, Suite 270  
Las Vegas, NV 89113
27. Custodian of Records and/or  
Person Most Knowledgeable  
Antonio Flores Erazo, M.D.  
9280 W. Sunset Road, Suite 306  
Las Vegas, NV 89148
28. Custodian of Records and/or  
Person Most Knowledgeable  
Collin Rock, M.D.  
Nevada Comprehensive Pain Center  
1655 W. Horizon Ridge Parkway  
Henderson, NV 89012

...



- 1 29. Custodian of Records and/or  
2 Person Most Knowledgeable  
3 Desert Radiologists  
4 2811 W. Horizon Ridge Parkway  
5 Henderson, NV 89052
- 6 30. Custodian of Records and/or  
7 Person Most Knowledgeable  
8 John Henner, M.D.  
9 St. Rose San Martin  
10 8280 W. Warm Springs Road  
11 Las Vegas, NV 89113
- 12 31. Custodian of Records and/or  
13 Person Most Knowledgeable  
14 Charles McPherson, M.D.  
15 St. Rose San Martin  
16 8280 W. Warm Springs Road  
17 Las Vegas, NV 89113
- 18 32. Custodian of Records and/or  
19 Person Most Knowledgeable  
20 Salvador Borromeo III, M.D.  
21 St. Rose San Martin  
22 8280 W. Warm Springs Road  
23 Las Vegas, NV 89113
- 24 33. Custodian of Records and/or  
25 Person Most Knowledgeable  
26 Shannon Berry, M.D.  
27 295 Posada Lane, Suite D  
28 Templeton, CA 93465
34. Custodian of Records and/or  
Person Most Knowledgeable  
Procure Medical Center  
6870 S. Rainbow Blvd., Suite 107  
Las Vegas, NV 89118
35. Custodian of Records and/or  
Person Most Knowledgeable  
Ida Washington, M.D.  
1000 S. Rainbow Blvd.  
Las Vegas, NV 89145

...

- 1           36.   Custodian of Records and/or  
2           Person Most Knowledgeable  
3           Nauman Tahir, M.D.  
4           500 S. Rancho Drive, Suite 12  
5           Las Vegas, NV 89106
- 6           37.   Custodian of Records and/or  
7           Person Most Knowledgeable  
8           Karyn Harries, M.D.  
9           5320 S. Rainbow Blvd., Suite 150  
10          Las Vegas, NV 89118
- 11          38.   Custodian of Records and/or  
12          Person Most Knowledgeable  
13          C. Edward Yee, M.D.  
14          2980 S. Jones Blvd., Suite A  
15          Las Vegas, NV 89146
- 16          39.   Custodian of Records and/or  
17          Person Most Knowledgeable  
18          Mark Barney, M.D.  
19          2810 W. Charleston Blvd, Suite 47  
20          Las Vegas, NV 89102
- 21          40.   Custodian of Records and/or  
22          Person Most Knowledgeable  
23          Charina Toste, APRN  
24          OptumCare Cancer Care  
25          6190 S. Fort Apache Road  
26          Las Vegas, NV 89179
- 27          41.   Custodian of Records and/or  
28          Person Most Knowledgeable  
Nevada Orthopedic & Spine Center  
7455 W. Washington, Ste. 160  
Las Vegas, NV 89128
42.   Custodian of Records and/or  
Person Most Knowledgeable  
Kindred Transitional Care & Rehabilitation  
5650 South Rainbow Blvd.  
Las Vegas, NV 89118

Plaintiffs reserve the right to supplement this list. Plaintiffs reserve the right to call any witnesses disclosed by any party including Defendants and those witnesses listed in Defendants' Pre-Trial Disclosures pursuant to NRCP 16.1(A)(3).

**B. Plaintiffs expect to present the following witnesses at trial if the need arises:**

1. Plaintiffs reserve the right to call any and all witnesses called by any other party.

**C. Plaintiffs' witnesses that have been subpoenaed for trial:**

1. Plaintiffs reserve the right to supplement this list of witnesses.

**D. Plaintiffs expect to present the following witnesses via deposition testimony, if the need arises:**

1. None at this time. Plaintiffs reserve the right to supplement this list of witnesses.

**E. Witnesses that have been subpoenaed for trial:**

1. None at this time. Plaintiffs reserve the right to supplement this list of witnesses.

**II.**

**PLAINTIFFS' LIST OF EXHIBITS**

1. St. Rose Dominican Hospital – San Martin Campus' Billing and Medical Records (PLF000001 – PLF001500);
2. Fremont Emergency Services Billing Records (PLF001501);
3. Radiology Associates of Nevada's Billing (PLF001502 – PLF001511);
4. Desert Radiologists' Billing Records (PLF001512);
5. Shadow Emergency Physicians, PLLC's Billing Records (PLF001513);
6. Advanced Prosthetics and Orthotics' Billing and Medical Records (PLF001514 – PLF001531);
7. Plaintiff's Photographs (PLF001574-PLF001575);
8. Spring Valley Hospital Medical Records (PLF001576-PLF001833);
9. Plaintiff DARELL L. MOORE's CMS Medicare Form (PLF001996);
10. The Journal of Emergency Medicine, article "Corporate and Hospital Profiteering in Emergency Medicine: Problems of the Past, Present, and Future." (PLF002019-PLF002026).
11. Department of Health and Human Services, information publication "Advanced Practice Registered Nurses, Anesthesiologist Assistants, and Physician Assistants." (PLF002027-PLF002044).

...

12. St. Rose Hospital Audit Trail for Plaintiff Darell Moore from December 25, 2016, through April 1, 2019, as disclosed by St. Rose Hospital (PLF002046);

13. St. Rose Hospital Audit Trail Verification/Affidavit for Plaintiff Darell Moore from December 25, 2016 through April 1, 2019, as disclosed by St. Rose Hospital (PLF002047);

14. Spring Valley Hospital Billing Ledger (PLF002048-PLF002052);

15. Antonio M. Florez Erazo, M.D., Billing Ledger, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 26.

16. Desert Radiologist Medical Records, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 3.

17. Radiology Associates of Nevada Billing Ledger, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 4.

18. Nevada Comprehensive Pain Center Medical Records and Billing Statements, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 28.

19. Las Vegas Healthcare & Rehabilitation c/o Kindred Transitional Care & Rehabilitation Medical Records and Billing Ledger, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 39.

20. Films from St Rose Dominican Hospital: 11/07/12 XRA Y Chest, 11/08/12 XRAY Chest, 12/11/14 US Left Lower Extremity Arterial Duplex, 12/11/14 Fluoroscopy Lower Extremities, 12/12/14 Fluoroscopy Lower Extremities, 12/13/14 Fluoroscopy Lower Extremities, 6/27/15 XRAY Chest, 6/27/15 US Left Lower Extremity Venous Duplex, 6/27/15 US Left Lower Extremity Arterial Duplex, 6/27/15 Fluoroscopy Lower Extremities, 6/28/15 Fluoroscopy Lower Extremities, 12/28/16 US Left Lower Extremity Arterial Duplex, 12/25/16 US Left Lower Extremity Venous Duplex, 12/28/16 IR Angiogram Left Lower Extremity, 12/29/16 IR Thrombolysis Art/Ven, 12/30/16 US Right Extremity Non-vascular Complete, 01/03/17 US Bilateral Extremities Venous Duplex, 01/04/17 US Left Upper Extremity Duplex, as previously disclosed by Defendant Fremont Emergency Services and Terry Bartmus as Exhibit 37.

21. Nevada Orthopedic & Spine Center Medical Records and Billing Ledger (PLF002053-PLF002077);

22. Beneficiary Conditional Payment Letter from CMS (PLF002082-PLF002094);
23. Subrogation Claim Payment Report from USAA (PLF002095-PLF002096);
24. USAA Health Insurance ID Card (PLF002097);
25. Medicare Health Insurance ID Card (PLF002098);
26. Various Blow-ups and Demonstrative Exhibits. These may include:
- a. Digital images or enlargement of records/documents;
  - b. Photographs;
  - c. Medical illustrations and models;
  - d. Timelines;
  - e. Records Summaries.
27. Plaintiffs reserve the right to utilize additional demonstrative exhibits;
28. Plaintiffs, without waiving any objections thereto, reserves the right to use any exhibit disclosed by any other party in this matter, including those listed in Defendants' NRCP 16.1 Disclosures and Supplements thereto and listed in Defendants' Pre-Trial Disclosures and any supplements thereto pursuant to NRCP 16.1(A)(3);
29. Plaintiffs reserve the right to supplement this list of documents and other exhibits up to, and during, trial of this matter.

DATED this 27<sup>th</sup> day of December, 2019.

ATKINSON WATKINS & HOFFMANN, LLP

/s/ Matthew W. Hoffmann, Esq.

MATTHEW W. HOFFMANN, ESQ.  
Nevada Bar No. 009061  
10789 W. Twain Ave., Ste. 100  
Las Vegas, NV 89135

E. BREEN ARNTZ, ESQ.  
Nevada Bar No. 003853  
2770 S. Maryland Pkwy., Suite 100  
Las Vegas, NV 89109  
Ph: 702-384-1616  
Fax: 702-384-2990  
*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of ATKINSON WATKINS & HOFFMANN, LLP and that on the 27<sup>th</sup> day of December, 2019, I caused to be served via Odyssey, the Court's mandatory efilng/eservice system a true and correct copy of the document described herein.

**Document Served:** **PLAINTIFFS' PRE-TRIAL DISCLOSURES PURSUANT TO N.R.C.P. 16.1(a)(3)**

**Person(s) Served:**

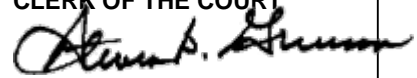
Chelsea Hueth, Esq.  
Nevada Bar No. 10904  
Anna Karabachev, Esq.  
Nevada Bar No. 14387  
CARROLL, KELLY, TROTTER, FRANZEN & MCBRIDE  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
*Attorneys for Defendant Jason Lasry, M.D.*

Keith A. Weaver, Esq.  
Nevada Bar No. 10271  
Bianca Gonzalez, Esq.  
Nevada Bar No. 14529  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118  
*Attorneys for Defendants Fremont Emergency Services (Mandavia), Ltd.  
and Terry Bartmus, A.P.R.N.*

Breen Arntz, Esq.  
Nevada Bar No. 3853  
5545 Mountain Vista, Suite E  
Las Vegas, NV 89120  
Ph: 702-384-8000  
Fax: 702-446-8164  
*Co-Counsel for Plaintiffs*

/s/ Erika Jimenez

An Employee of ATKINSON WATKINS & HOFFMANN, LLP



PTD  
KEITH A. WEAVER  
Nevada Bar No. 10271  
E-Mail: Keith.Weaver@lewisbrisbois.com  
ALISSA N. BESTICK  
Nevada Bar No. 14979C  
E-Mail: Alissa.Bestick@lewisbrisbois.com  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
702.893.3383  
FAX: 702.893.3789  
*Attorneys for Terry Bartmus, A.P.R.N.*

DISTRICT COURT  
CLARK COUNTY, NEVADA

DARELL L. MOORE and CHARLENE A.  
MOORE, individually and as husband and  
wife,;

Plaintiffs,

vs.

DIGNITY HEALTH d/b/a ST. ROSE  
DOMINICAN HOSPITAL-SAN MARTIN  
CAMPUS; JASON LASRY, M.D.,  
individually; FREMONT EMERGENCY  
SERVICES (MANDAVIA), LTD.; TERRY  
BARTMUS, A.P.R.N.; and DOES I through  
X, inclusive; and ROE CORPORATIONS I  
through V, inclusive,;

Defendants.

CASE NO. A-17-766426-C  
Dept. No.: XXV

DEFENDANT TERRY BARTMUS,  
A.P.R.N.'S PRE-TRIAL DISCLOSURE  
PURSUANT TO NRCP 16.1 (a)(3)

Defendant TERRY BARTMUS, A.P.R.N., by and through her attorneys, LEWIS  
BRISBOIS BISGAARD & SMITH LLP, hereby submits the following Pretrial Disclosures  
pursuant to NRCP 16.1(a)(3), as follows:

///

///

///

///

I.

**DEFENDANT'S WITNESSES**

**A. Witnesses Defendant Expects to Present.**

1. Terry Bartmus, R.N, A.P.R.N.  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, NV 89118
2. Person(s) Most Knowledgeable and/or Custodian of Records at  
Fremont Emergency Services, (Mandavia) Ltd.  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, NV 89118
3. Jason Lasry, M.D., Defendant  
c/o Robert C. McBride, Esq.  
Chelsea R. Hueth, Esq.  
CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113
4. Person(s) Most Knowledgeable and/or Custodian of Records at  
Dignity Health d/b/a St. Rose Dominican Hospital - San Martin Campus  
Stan T. Liu, M.D.  
Jeffrey Germain, R.N.  
Amea Kuchinsky, R.N.  
Lauren Eastham, R.N.  
c/o Michael Prangle, Esq.  
HALL PRANGLE & SCHOONVELD, LLC  
1140 North Town Center Drive, Ste. 350  
Las Vegas, NV 89144
5. Kent Shoji, M.D., F.A.C.E.P.  
c/o Robert C. McBride, Esq.  
Chelsea Hueth, Esq.  
CARROLL, KELLY, TROTTER, FRANZEN & MCBRIDE  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
702-792-5855
6. John Janzen, Ed.D., CRC  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, NV 89118



- 1 7. Samuel E. Wilson, M.D.  
2 c/o Keith A. Weaver, Esq.  
3 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, NV 89118
- 4 8. Karl Erik Volk, M.A.  
5 c/o Keith Weaver, Esq.  
6 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Blvd, Suite 600  
Las Vegas, NV 89118
- 7 9. David Barcay, M.D.  
8 c/o Keith Weaver, Esq.  
9 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Blvd, Suite 600  
Las Vegas, NV 89118
- 10 10. Darrell L. Moore, Plaintiff  
11 c/o Matthew W. Hoffmann, Esq.  
12 ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
- 13 11. Charlene A. Moore, Plaintiff  
14 c/o Matthew W. Hoffmann, Esq.  
15 ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
- 16 12. Christopher Owen Moore  
17 c/o Matthew W. Hoffmann, Esq.  
18 Atkinson Watkins & Hoffmann, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
- 19 13. R. Scott Jacobs, M.D.  
20 c/o Matthew W. Hoffmann, Esq.  
21 Atkinson Watkins & Hoffmann, LLP  
22 10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
- 23 14. Irwin Simon, M.D.  
24 2450 W. Horizon Ridge Pkwy., Ste. 100  
Henderson, NV 89052
- 25 15. Robert Wiencek, M.D.  
26 7190 S. Cimarron Road  
Las Vegas, NV 89113

27 ///

28 ///

- 1 16. Alexander Marmureanu, M.D.  
2 c/o Matthew Hoffman, Esq.  
3 ATKINSON WATKINS & HOFFMANN, LLP  
4 10789 W. Twain Avenue, Suite 100  
5 Las Vegas, NV 89135  
6  
7 17. David Fish, M.D.  
8 c/o Matthew Hoffman, Esq.  
9 ATKINSON WATKINS & HOFFMANN, LLP  
10 10789 W. Twain Avenue, Suite 100  
11 Las Vegas, NV 89135  
12  
13 18. Terrence Clauretje, Ph.D.  
14 c/o Matthew Hoffman, Esq.  
15 ATKINSON WATKINS & HOFFMANN, LLP  
16 10789 W. Twain Avenue, Suite 100  
17 Las Vegas, NV 89135

18  
19 **B. Witnesses Defendant May Call if the Need Arises.**

- 20 1. Logan Sondrup, M.D.  
21 8280 W. Warm Springs Road  
22 Las Vegas, NV 89113  
23 702-492-8000  
24  
25 2. Person(s) Most Knowledgeable and  
26 or Custodian of Records at  
27 Dignity Health d/b/a St. Rose Dominican Hospital - San Martin Campus  
28 c/o Michael Prangle, Esq.  
HALL PRANGLE & SCHOONVELD, LLC  
1140 North Town Center Drive, Ste. 350  
Las Vegas, NV 89144  
3  
4. Antonio Flores Erazo, M.D.  
7674 W. Lake Mead Blvd., Suite 215  
Las Vegas, NV 89128  
5  
6. James Hayes, M.D.  
3001 St. Rose Pkwy.  
Henderson, NV 89052  
702-651-5000  
8  
9. Scott Greaves, M.D.  
2120 Golden Hill Road, Suite 102  
Paso Robles, California 93446  
805-434-2900

29 ///

30 ///

- 1 6. Johnathan Riegler, M.D.  
2 1255 Las Tables Road, Suite 201  
3 Templeton, California 93465  
4 805-226-4106
- 5 7. John Pinto, M.D.  
6 1701 N. Green Valley Pkwy.  
7 Henderson, NV 89074  
8 702-734-2292
- 9 8. Person(s) Most Knowledgeable and/  
10 or Custodian of Records at Los Tables Medical Group  
11 2120 Golden Hill Road, Suite 102  
12 Paso Robles, California 93446
- 13 9. Noel L. Shaw, D.O.  
14 1101 North Wilmot Road, Suite 229  
15 Tucson, AZ 85712  
16 520-721-9331
- 17 10. Sang Tran, M.D.  
18 6870 S. Rainbow Blvd., Suite 106  
19 Las Vegas, NV 89118  
20 702-396-6000
- 21 11. Patrick Frank, D.O.  
22 3001 St. Rose Parkway  
23 Henderson, NV 89052  
24 702-651-5000
- 25 12. John Oh, M.D.  
26 Radiology Associates  
27 5495 S. Rainbow Blvd., Suite 203  
28 Las Vegas, NV 89118  
702-707-9706
13. Stephen Gephardt, M.D.  
7220 S. Cimarron Road, Suite 270  
Las Vegas, NV 89113  
702-912-4100
14. Colin Rock, M.D.  
Nevada Comprehensive Pain Center  
1569 E. Flamingo Road  
Las Vegas, NV 89119  
702-476-9999

///

///

- 1 15. John Henner, D.O.  
2 8670 W. Cheyenne Ave.  
3 Las Vegas, NV 89129  
4 702-576-9608
- 5 16. Charles McPherson, M.D.  
6 3121 S. Maryland Pkwy., Suite 502  
7 Las Vegas, NV 89109  
8 208-415-5795
- 9 17. Salvador Borrromeo III, M.D.  
10 3009 W. Charleston Blvd.  
11 Las Vegas, NV 89102  
12 702-589-2750
- 13 18. Danny Eisenberg, M.D.  
14 9 Hawk Ridge Drive  
15 Las Vegas, NV 89135
- 16 19. Lauren Eastham, R.N.  
17 Address unknown
- 18 20. Jeffrey Germain, R.N.  
19 Address unknown
- 20 21. Amee Kuchinsky, R.N.  
21 Address unknown
- 22 22. Karyn Harries, M.D.  
23 5320 S. Rainbow Blvd., Suite 150  
24 Las Vegas, NV 89118  
25 702-944-7105
- 26 23. Nauman Tahir, M.D.  
27 500 S. Rancho Dr., Suite 12  
28 Las Vegas, NV 89106  
702-877-1887
24. Ida Washington, M.D  
1000 S. Rainbow Blvd.  
Las Vegas, NV 89145  
702-259-0088
25. Holman Chan, M.D.  
1505 Wigwam Parkway, Suite 340  
Henderson, NV 89074  
702-260-0467

///

- 1 26. Person(s) Most Knowledgeable and/  
2 or Custodian of Records at  
3 Advanced Prosthetics and Orthotics  
4 Holman Chan, M.D.  
5 7455 W. Washington St., Suite 215  
6 Las Vegas, NV 89128  
7  
8 27. Person(s) Most Knowledgeable and/  
9 or Custodian of Records at  
10 Antonio Flores Erazo, M.D.  
11 7674 W. Lake Mead Blvd, Suite 215  
12 Las Vegas, NV 89128  
13  
14 28. Person(s) Most Knowledgeable and/  
15 or Custodian of Records at  
16 Desert Radiologists  
17 Ashok Gupta, M.D.  
18 Charles Hales, M.D.  
19 3930 S. Eastern Avenue  
20 Las Vegas, NV 89119  
21  
22 29. Person(s) Most Knowledgeable and/  
23 or Custodian of Records at  
24 Central Coast Gastroenterology  
25 Jonathan Riegler, M.D.  
26 1255 Las Tables Road, Suite 201  
27 Templeton, CA 93465  
28  
29 30. Person(s) Most Knowledgeable/  
30 Custodian of Records  
31 Charina Toste, A.P.R.N.  
32 OptumCare Cancer Center  
33 6190 S. Fort Apache Road  
34 Las Vegas, NV 89179  
35  
36 32. Person(s) Most Knowledgeable and/  
37 or Custodian of Records at  
38 Procure Medical Group  
39 Sang Tran, M.D.  
40 6870 S. Rainbow Blvd., Suite 106  
41 Las Vegas, NV 89118  
42  
43 33. Person(s) Most Knowledgeable and/  
44 or Custodian of Records at  
45 Spring Valley Hospital  
46 Irana Razzaq, M.D.  
47 5400 S. Rainbow Blvd.  
48  
49 34. Person(s) Most Knowledgeable/  
50 Custodian of Records  
51 Scott Greaves, M.D.  
52 2120 Golden Hill Road, Suite 102  
53 Paso Robles, CA 93446  
54 (805) 434-2900

- 1 35. Person(s) Most Knowledgeable/  
2 Custodian of Records  
3 Johnathan Riegler, M.D.  
4 1255 Las Tables Road, Suite 201  
5 Templeton, CA 93465  
6 (805) 226-4106
- 7 36. Person(s) Most Knowledgeable/  
8 Custodian of Records  
9 Kindred Rehabilitation  
10 5650 South Rainbow Blvd  
11 Las Vegas, NV 89118
- 12 37. Person(s) Most Knowledgeable/  
13 Custodian of Records  
14 John Pinto, M.D.  
15 1701 N. Green Valley Parkway  
16 Henderson, NV 89074  
17 (702) 734-2292
- 18 38. Person(s) Most Knowledgeable/  
19 Custodian of Records  
20 Armour Christensen, Chtd  
21 Irwin Simon, M.D.  
22 2450 W. Horizon Ridge Parkway, Suite 100  
23 Henderson, NV 89052  
24 (702) 735-2305
- 25 39. Person(s) Most Knowledgeable/  
26 Custodian of Records  
27 Robert Wiencek, M.D.  
28 7190 S. Cimarron Road  
Las Vegas, NV 89113  
(702) 490-9954
40. Person(s) Most Knowledgeable/  
Custodian of Records  
Noel L. Shaw, D.C.  
1101 North Wilmot Road, Suite 229  
Tucson, AZ 85712  
(520) 721-9331
41. Person(s) Most Knowledgeable/  
Custodian of Records  
Nevada Orthopedic and Spine Center  
2809 W. Charleston Blvd., Ste. 150  
Las Vegas, NV 89102
42. Person(s) Most Knowledgeable/  
Custodian of Records  
Patrick Frank, M.D.  
James Hayes, M.D.  
3001 St. Rose Parkway  
Henderson, NV 89052

- 1 43. Person(s) Most Knowledgeable/  
2 Custodian of Records  
3 Paul Wiesner and Associates d/b/a  
4 Radiology Associates  
5 Danny Eisenberg, M.D.  
6 John Oh, M.D.  
7 2400 S. Cimarron Road, Suite 100  
8 Las Vegas, NV 89117  
9 (702) 477-0772
- 10 44. Person(s) Most Knowledgeable/  
11 Custodian of Records  
12 Stephen A. Gephardt, M.D.  
13 7220 S. Cimarron Road, Suite 270  
14 Las Vegas, NV89113  
15 (702) 912-4100
- 16 45. Person(s) Most Knowledgeable/  
17 Custodian of Records  
18 Colin Rock, M.D.  
19 Nevada Comprehensive Pain Center  
20 1569 E. Flamingo Road  
21 Las Vegas, NV 89119  
22 (702) 476-9999
- 23 46. Person(s) Most Knowledgeable/  
24 Custodian of Records  
25 John Henner, M.D.  
26 8670 W. Cheyenne Ave.  
27 Las Vegas, NV 89129  
28 (702) 576-9608
47. Person(s) Most Knowledgeable/  
Custodian of Records  
Charles McPherson, M.D.  
3121 S. Maryland Parkway, Suite 502  
Las Vegas, NV 89109  
(208) 415-5795
48. Person(s) Most Knowledgeable/  
Custodian of Records  
Salvador Borrromeo III, M.D.  
3009 W. Charleston Blvd.  
Las Vegas, NV 89102  
(702) 589-2750
49. Person(s) Most Knowledgeable/  
Custodian of Records  
Karyn Harries, M.D.  
5320 S. Rainbow Blvd., Suite 150  
Las Vegas, NV 89118  
(702) 944-7105

1 50. Person(s) Most Knowledgeable/  
2 Custodian of Records  
3 Nauman Tahir, M.D.  
4 500 S. Rancho Drive, Suite 12  
5 Las Vegas, NV 89106  
6 (702) 877-1887

5 51. Person(s) Most Knowledgeable/  
6 Custodian of Records  
7 Ida Washington, M.D.  
8 1000 S. Rainbow Blvd.  
9 Las Vegas, NV 89145  
10 (702) 259-0088

8 **C. Witnesses Who Have Been Subpoenaed for Trial.**

9 As of this date, Defendant has not served any trial subpoenas. Defendant  
10 reserves the right to serve a trial subpoena upon any and all of the witnesses identified in  
11 Part I above.

12 **II.**

13 **DEFENDANT'S EXHIBITS**

14 **A. Documents Defendant Intends to Offer.**

15 Defendant expects to offer the following documents:

16 1. Medical Records from Advanced Prosthetics and Orthotics for Darell L.  
17 Moore (Bates APO 00001-00020);

18 2. Billing Records from Advanced Prosthetics and Orthotics (APAO 00002-  
19 00003);

20 3. Medical and Billing Records from Sang Tran, M.D. (STM 00001-00028);

21 4. Billing Records from Desert Radiologists for Darell L. Moore (Bates DRB  
22 00001-00005);

23 5. Medical Records from Desert Radiologists for Darell L. Moore (Bates DRI  
24 00001-00017);

25 6. Billing Records from Radiology Associates of Nevada for Darell L. Moore  
26 (Bates RAN 00001-00011);

27 ///



- 1           7.       Medical and Billing Records from Shadow Emergency Physicians for Darell
- 2 L. Moore (Bates SEP 00001-00033);
- 3           8.       Medical Records from Spring Valley Hospital for Darell L. Moore (Bates
- 4 SVHMR 00001-00260);
- 5           9.       Billing Records from St. Rose Dominican Hospital - San Martin for Darell L.
- 6 Moore (Bates SRDSMB 00001-00041);
- 7           10.      Fremont Emergency Services Billing Records (Bates PLF 001501),
- 8 produced by Plaintiff;
- 9           11.      Radiology Associates of Nevada's Billing Records (Bates PLF 001502-
- 10 001511), produced by Plaintiff;
- 11           12.      Medical Records from St. Rose Dominican Hospital - San Martin (Bates
- 12 SRDSMMR 000001-002865);
- 13           13.      Films from St Rose Dominican Hospital;
- 14           14.      Billing Records from Antonio Flores Erazo, M.D. for Darell L. Moore (Bates
- 15 AFEMD-0001-0006);
- 16           15.      Medical Records from Irwin Simon, M.D. for Darell L. Moore (Bates ISMD-
- 17 0001-0042);
- 18           16.      Medical and Billing Records from Nevada Comprehensive Pain Center for
- 19 Darell L. Moore (Bates NCPC-0001-0314);
- 20           17.      Medical Records from Scott Greaves, M.D. for Darell L. Moore (Bates
- 21 SGMD-0001-0021);
- 22           18.      Billing Records from Scott Greaves, M.D. (Bates SGM 00013-00015);
- 23           19.      Billing Records from Spring Valley Hospital for Darell L. Moore (Bates
- 24 SVHMCB-0001-0012);
- 25           20.      Films from Spring Valley Hospital;
- 26           21.      Films from Desert Radiologists;
- 27           22.      Billing Records from John F. Pinto, M.D. for Darell L. Moore (Bates JPMD-
- 28 0001-0002);

- 1           23.     Medical Records from Noel L. Shaw, D.C. for Darell L. Moore (Bates NSDC-  
2 0001-0008).
- 3           24.     Billing Records from St. Rose Dominican Hospital - Siena (Bates SDSB  
4 000001-000068);
- 5           25.     Medical Records from St. Rose Dominican Hospital - San Martin (Bates  
6 SRDSMMR 000001-002865);
- 7           26.     Medical Records from St. Rose Dominican Hospital - Siena (Bates  
8 SRDSMR-0001-0771);
- 9           27.     Medical Records from Kindred Rehabilitation (Bates LVHR-0001-0238);
- 10          28.     Billing Records from St. Rose Dominican Hospital - San Martin (Bates  
11 SRDSMB-0001-0054);
- 12          29.     Medical Records from Jonathan Riegler, M.D. (Bates JRMD-0001-0005);
- 13          30.     Medical Records from Procure Medical Center (Bates PCMC-0001-0067);
- 14          31.     Medical and Billing Records from St. Rose Stanford Clinic (Bates SRSC-  
15 0001-0088);
- 16          32.     Medical Records from Nevada Ortho & Spine Center (Bates NOSC-0001-  
17 0020);
- 18          33.     American College of Surgeons Expert Witness Affirmation;
- 19          34.     American College of Surgeons Statement on the Physician Acting as an  
20 Expert Witness;
- 21          35.     David Barcay, M.D., reports, curriculum vitae and fee schedule;
- 22          36.     Samuel Wilson, M.D., reports, curriculum vitae and fee schedule;
- 23          37.     John Janzen, Ph.D., CRC's reports, curriculum vitae and fee schedule;
- 24          38.     Karl Erik Volk, M.A.'s reports, curriculum vitae and fee schedule;
- 25          39.     Darell Moore's Answers to Defendant Jason Lasry, M.D.'s Interrogatories;
- 26          40.     Darell Moore's Answers to Defendant Jason Lasry, M.D.'s Requests for  
27 Production of Documents;
- 28          41.     Darell Moore's Answers to Defendant Terry Bartmus, APRN's First Set of

1 Interrogatories;

2 42. Darell Moore's Answers to Defendant Terry Bartmus, APRN's First Set of

3 Requests for Production of Documents;

4 43. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's First Set

5 of Interrogatories;

6 44. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's First Set

7 of Requests for Production of Documents;

8 45. Plaintiffs' Answers to Defendant Fremont Emergency Services' First Set of

9 Interrogatories;

10 46. Plaintiffs' Answers to Defendant Fremont Emergency Services' First Set of

11 Requests for Production of Documents;

12 47. Plaintiffs' Answers to Defendant Fremont Emergency Services' First Set of

13 Requests for Admission;

14 48. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's First Set

15 of Requests for Admission;

16 49. Darell Moore's Answers to Defendant Terry Bartmus, APRN's First Set of

17 Requests for Admission;

18 50. Darell Moore's Answers to Defendant Terry Bartmus, APRN's Second Set

19 of Interrogatories;

20 51. Darell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's

21 Second Set of Interrogatories;

22 52. Charlene Moore's Supplemental Answers to Defendant Terry Bartmus,

23 APRN's First Set of Requests for Admission;

24 53. Darell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's

25 First Set of Requests for Admission;

26 54. Darell Moore's Responses to Defendant Fremont Emergency Services'

27 Second Set of Requests for Production of Documents;

28 55. Deposition transcript of Defendant Terry Bartmus, APRN, taken February

1 26, 2019, and exhibits attached thereto;

2 56. Deposition transcript of Ruth Camack, taken April 30, 2019, with exhibits  
3 attached thereto;

4 57. Deposition transcript of Terrence Clauretie, Ph.D., taken October 25, 2019,  
5 with exhibits attached thereto;

6 58. Deposition transcript of David Fish, M.D., taken October 8, 2019, with  
7 exhibits attached thereto;

8 59. Deposition transcript of Jason Lasry M.D., taken February 6, 2019, with  
9 exhibits attached thereto;

10 60. Deposition transcript of Alexander Marmureanu, M.D., taken October 2,  
11 2019, with exhibits attached thereto;

12 61. Deposition transcript of Charlene Moore, taken August 15, 2018, with  
13 exhibits attached thereto;

14 62. Deposition transcript of Darell Moore, taken August 15, 2018, with exhibits  
15 attached thereto;

16 63. Deposition transcript of Christopher Moore, taken February 5, 2019, with  
17 exhibits attached thereto;

18 64. Deposition of R. Scott Jacobs, M.D., taken December 7, 2019, with exhibits  
19 attached thereto;

20 65. Plaintiffs' Photographs (Bates PLF 001574-001575).

21 Defendant reserves the right to offer and rely upon all of the documents disclosed  
22 by any party to this action, including without limitation the documents/tangible items  
23 disclosed/produced by any other party to this action, including but not limited to those  
24 appearing in Pretrial Disclosures Pursuant to NRCP16.1(a)(3), any and all documents  
25 disclosed in any and all original and supplemental NRCP 16.1 disclosures and written  
26 discovery responses made by any and all parties to this action, whether or not such party  
27 remains a party at the time of trial.

28 ///

1 Defendant also reserves the right to amend or supplement this list of documents  
2 as discovery progresses. Further, Defendant in no way waives her rights to object to the  
3 authenticity or admissibility of any documents or tangible items produced by any party  
4 and specifically reserves the right to lodge such objection within a reasonable time after  
5 the production of items determined by Defendant to be objectionable.

6 **B. Documents Which Defendant May Offer If The Need Arises.**

- 7 1. Job files of any party's expert witnesses;
- 8 2. Exhibits attached to deposition transcripts;
- 9 3. Demonstrative exhibits as necessary;
- 10 4. Documents necessary for rebuttal or impeachment purposes;
- 11 5. Deposition transcripts and exhibits as necessary;
- 12 6. Any evidence of collateral benefits or other insurance benefits provided to  
13 Plaintiffs for the purpose of determining the amount of any offset to damages  
14 pursuant to NRS 42.021;
- 15 7. All records produced by Plaintiffs in response to requests for production;
- 16 8. Any party's experts' files, curricula vitae, billing statements, models, charts,  
17 diagrams, literature discussed at an expert's deposition, or referenced in an  
18 expert's report, and/or other items utilized by or relied upon by the expert;
- 19 9. All medical literature listed on the curricula vitae of all parties' experts;
- 20 10. Any previous deposition testimony by any party's experts;
- 21 11. General medical treatises and texts, including but not limited to:
  - 22 a. Dorland's Illustrated Medical Dictionary, 29th Ed., W.B. Saunders  
23 Co., Philadelphia (2007);
  - 24 b. Taber's Cyclopedic Medical Dictionary, F.A. Davis Co.;
  - 25 c. The American Medical Association Encyclopedia of Medicine,  
26 Clayman, C.B., M.D., Random House New York (1989);
  - 27 d. Gray's Anatomy, Lea & Febiger, Philadelphia;
  - 28 e. Bakerman's ABC's of Interpretive Laboratory Data, 4th Ed.,

- 1 Bakerman S., Interpretive Laboratory Data, Inc. (2002);  
2 f. Basic Pathophysiology, 3rd Ed., Groër, R.N., PhD, Shekleton, M.,  
3 R.N., C.V. Mosby Co. (1989);  
4 g. Textbook of Medical Physiology, 10th Ed., Guyton, A., M.D., Hall, J.,  
5 PhD, W.B. Saunders Co., (2000);  
6 h. Diagnostic and Statistical Manual of Mental Disorders (DSM-IV), 4th  
7 Ed., American Psychiatric Association (2000);  
8 i. Physicians' Desk Reference, 2005 Edition, Thomson PDR;  
9 12. Any and all exhibits listed by any other party regardless of whether that  
10 party attempts to de-list the exhibit or fails to use it at the time of trial.

11 **C. Demonstrative Exhibits.**

12 Defendant may offer at trial certain exhibits for demonstrative purposes, including  
13 but not limited to the following:

- 14 1. Power point images, blowups and transparencies of exhibits.  
15 2. Models of various parts of the human body as needed.

16 Defendant reserves the right to introduce demonstrative exhibits such as enlarged  
17 copies of medical records and exemplars from medical texts and treatises as necessary  
18 to educate the jury on various aspects of the medical terminology involved in this case.  
19 Defendant reserves the right to amend and/or supplement this list as trial strategy  
20 evolves. Defendant reserves the right to use any and all other parties' exhibits at the time  
21 of trial.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 D. Objections to Plaintiffs' Pre-Trial Disclosures.

2 Plaintiffs have not yet filed their pre-trial disclosures. Accordingly, Defendant  
3 reserves the right to object to any exhibits offered by Plaintiffs on substantive or other  
4 grounds.

5  
6 DATED this 27<sup>th</sup> day of December, 2019

7 LEWIS BRISBOIS BISGAARD & SMITH LLP

8  
9 By /s/ Alissa Bestick

10 KEITH A. WEAVER

11 Nevada Bar No. 10271

ALISSA N. BESTICK

12 Nevada Bar No. 14979C

6385 S. Rainbow Boulevard, Suite 600

13 Las Vegas, Nevada 89118

14 *Attorneys for Terry Bartmus, A.P.R.N.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

I hereby certify that on this 27<sup>th</sup> day of December, 2019, a true and correct copy of DEFENDANTS TERRY BARTMUS, A.P.R.N.'S PRE-TRIAL DISCLOSURE PURSUANT TO NRCP 16.1 (a)(3) was served electronically with the Clerk of the Court using the Wiznet Electronic Service system and serving all parties with an email-address on record, who have agreed to receive Electronic Service in this action.

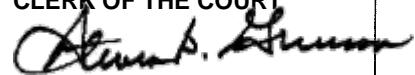
Matthew W. Hoffman, Esq.  
ATKINSON WATKINS & HOFFMAN, LLP  
10789 W. Twain Avenue, Ste. 100  
Las Vegas, NV 89135  
Tel: 702-562-6000  
Fax: 702-562-6066  
Email: mhoffmann@awhlawyers.com  
*Attorneys for Plaintiffs*

Breen Arntz, Esq.  
5545 Mountain Vista, Suite E  
Las Vegas, NV 89120  
Tel: 702-384-8000  
Fax: 702-446-8164  
Email: breen@breen.com  
*Attorneys for Plaintiffs*

Robert McBride, Esq.  
Chelsea R. Hueth, Esq.  
CARROLL, KELLY, TROTTER,  
FRANZEN, MCBRIDE & PEABODY  
8329 W. Sunset Road, Ste. 260  
Las Vegas, NV 89113  
Tel: 702-792-5855  
Fax: 702-796-5855  
Email: rcmcbride@cktfmlaw.com  
Email: crhueth@cktfmlaw.com  
*Attorneys for Defendant, Jason Lasry, M.D.*

By /s/ Emma L. Gonzales  
An Employee of  
LEWIS BRISBOIS BISGAARD & SMITH LLP





1 **PTD**

2 ROBERT C. McBRIDE, ESQ.  
3 Nevada Bar No. 7082  
4 CHELSEA R. HUETH, ESQ.  
5 Nevada Bar No. 10904  
6 CARROLL, KELLY, TROTTER,  
7 FRANZEN & McBRIDE  
8 8329 W. Sunset Road, Suite 260  
9 Las Vegas, Nevada 89113  
10 Telephone No. (702) 792-5855  
11 Facsimile No. (702) 796-5855  
12 E-mail: [rcmcbride@cktfmlaw.com](mailto:rcmcbride@cktfmlaw.com)  
13 E-mail: [crhueth@cktfmlaw.com](mailto:crhueth@cktfmlaw.com)  
14 Attorneys for Defendant  
15 *Jason Lasry, M.D.*

10 DISTRICT COURT  
11 CLARK COUNTY, NEVADA

12 DARELL L. MOORE and CHARLENE A.  
13 MOORE, individually and as husband and  
14 wife;

Plaintiffs,

15 v.

16 JASON LASRY, M.D., individually;  
17 FREMONT EMERGENCY SERVICES  
18 (MANDAVIA), LTD.; TERRY BARTMUS,  
19 RN, APRN; and DOES I through X, inclusive;  
and ROE CORPORATIONS I through V,  
inclusive;

20 Defendant.

**CASE NO.: A-17-766426-C**  
**DEPT: XXV**

**DEFENDANT JASON LASRY, M.D.'S 1<sup>ST</sup>**  
**SUPPLEMENT TO HIS PRETRIAL**  
**DISCLOSURES**

21 COMES NOW, Defendant, JASON LASRY, M.D., by and through his counsel of record,  
22 ROBERT C. McBRIDE, ESQ. and CHELSEA R. HUETH, ESQ. of the law firm of CARROLL,  
23 KELLY, TROTTER, FRANZEN & McBRIDE, and hereby submits his Supplement to his  
24 Pretrial Disclosures pursuant to NRCP 16.1(a)(3) as follows. **Supplement indicated in bold.**

25 ///

26 ///

27 ///

I.

LIST OF WITNESSES

A. Witnesses Defendant Anticipates Calling at Trial

1. Jason Lasry, M.D., Defendant  
c/o Robert C. McBride, Esq.  
Chelsea R. Hueth, Esq.  
CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
(702) 792-5855
2. Darrell L. Moore, Plaintiff  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
3. Charlene A. Moore, Plaintiff  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
4. Terry Bartmus, RN, APRN  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118
5. R. Scott Jacobs M.D., FAAEM  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
6. Irwin Simon, M.D.  
2450 W. Horizon Ridge Pkwy, Ste. 100  
Henderson, Nevada 89052  
(702) 341-7608
7. Robert Wiencek, M.D.  
7190 S. Cimarron Road  
Las Vegas, Nevada 89113  
(702) 490-9954

- 1 8. Noel L. Shaw, D.C.  
2 1101 North Wilmot Road, Suite 229  
3 Tucson, Arizona 85712  
4 (520) 721-9331
- 5 9. Sang Tran, M.D.  
6 6870 S. Rainbow Blvd., Suite 106  
7 Las Vegas, Nevada 89118  
8 (702) 396-6000
- 9 10. Patrick Frank, M.D.  
10 3001 St. Rose Parkway  
11 Henderson, Nevada 89052  
12 (702) 651-5000
- 13 11. John Oh, M.D.  
14 Radiology Associates  
15 5495 S. Rainbow Blvd., Suite 203  
16 Las Vegas, Nevada 89118  
17 (702) 7077-9706
- 18 12. Stephen A. Gephardt, M.D.  
19 7220 S. Cimarron Road, Suite 270  
20 Las Vegas, Nevada 89113  
21 (702) 912-4100
- 22 13. Colin Rock, M.D.  
23 Nevada Comprehensive Pain Center  
24 1569 E. Flamingo Road  
25 Las Vegas, Nevada 89119  
26 (702) 476-9999
- 27 14. John Henner, D.O.  
28 8670 W. Cheyenne Ave.  
Las Vegas, Nevada 89129  
(702) 576-9608
15. Charles McPherson, M.D.  
3121 S. Maryland Parkway, Suite 502  
Las Vegas, Nevada 89109  
(208) 415-5795
16. Salvador Borromeo III, M.D.  
3009 W. Charleston Blvd.  
Las Vegas, Nevada 89102  
(702) 589-2750

- 1 17. Karyn Harries, M.D.  
2 5320 S. Rainbow Blvd., Suite 150  
3 Las Vegas, Nevada 89118  
(702) 944-7105
- 4 18. Nauman Tahir, M.D.  
5 500 S. Rancho Drive, Suite 12  
6 Las Vegas, Nevada 89106  
(702) 877-1887
- 7 19. Ida Washington, M.D.  
8 1000 S. Rainbow Blvd.  
9 Las Vegas, Nevada 89145  
(702) 259-0088
- 10 20. Jeffrey Germain, R.N.  
11 Address unknown
- 12 21. Ameer Kuchinsky, R.N.  
13 Address unknown
- 14 22. Lauren Eastham, R.N.  
15 Address unknown
- 16 23. Danny Eisenberg, M.D.  
17 9 Hawk Ridge Drive  
18 Las Vegas NV 89135
- 19 24. Alexander R. Marmureanu, M.D.  
20 c/o Matthew W. Hoffmann, Esq.  
21 ATKINSON WATKINS, & HOFFMANN, LLP  
22 10789 W. Twain Avenue, Suite 100  
23 Las Vegas, NV 89135
- 24 25. David Fish, M.D.  
25 c/o Matthew W. Hoffmann, Esq.  
26 ATKINSON WATKINS, & HOFFMANN, LLP  
27 10789 W. Twain Avenue, Suite 100  
28 Las Vegas, NV 89135
- 26 26. Terrence Clauretie, Ph.D.  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135

- 1 27. Christopher Owen Moore  
2 c/o Matthew W. Hoffmann, Esq.  
3 Atkinson Watkins & Hoffmann, LLP  
4 10789 W. Twain Avenue, Suite 100  
5 Las Vegas, NV 89135
- 6 28. Holman Chan, M.D.  
7 1505 Wigwam Parkway, Suite 340  
8 Henderson, NV 89074  
9 (702) 260-0467
- 10 29. Kent Shoji, M.D., F.A.C.E.P.  
11 c/o Robert C. McBride, Esq.  
12 Chelsea R. Hueth, Esq.  
13 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
14 8329 W. Sunset Road, Suite 260  
15 Las Vegas, NV 89113  
16 (702) 792-5855
- 17 30. Samuel Wilson, M.D.  
18 c/o Robert C. McBride, Esq.  
19 Chelsea R. Hueth, Esq.  
20 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
21 8329 W. Sunset Road, Suite 260  
22 Las Vegas, NV 89113  
23 (702) 792-5855
- 24 31. John Janzen, Ed.D., CRC  
25 c/o Robert C. McBride, Esq.  
26 Chelsea R. Hueth, Esq.  
27 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
28 8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
(702) 792-5855
- 29 32. Karl Erik Volk, M.A.  
30 c/o Robert C. McBride, Esq.  
31 Chelsea R. Hueth, Esq.  
32 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
33 8329 W. Sunset Road, Suite 260  
34 Las Vegas, NV 89113  
35 (702) 792-5855

///

///

///

1           **First Supplement**

2           **33.     David Barcay, M.D.**  
3                 **c/o Keith A. Weaver, Esq.**  
4                 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
5                 **6385 S. Rainbow Boulevard, Suite 600**  
6                 **Las Vegas, Nevada 89118**

7           **B.     Witnesses Defendant May Call at Trial**

- 8           1.     Logan Sondrup, M.D.  
9                 8280 W. Warm Springs Road  
10                Las Vegas, Nevada 89113  
11                (702) 492-8000
- 12          2.     Person(s) Most Knowledgeable and/or Custodian of Records at  
13                 Dignity Health d/b/a St. Rose Dominican Hospital – San Martin Campus  
14                 c/o Michael Prangle, Esq.  
15                 HALL PRANGLE & SCHOONVELD, LLC  
16                 1140 North Town Center Drive, Ste. 350  
17                 Las Vegas, Nevada 89144
- 18          3.     Person(s) Most Knowledgeable and/or Custodian of Records at  
19                 Fremont Emergency Services, (Mandavia) Ltd.  
20                 c/o Keith A. Weaver, Esq.  
21                 LEWIS BRISBOIS BISGAARD & SMITH LLP  
22                 6385 S. Rainbow Boulevard, Suite 600  
23                 Las Vegas, Nevada 89118
- 24          4.     Antonio Flores Erazo, M.D.  
25                 7674 W. Lake Mead Blvd., Suite 215  
26                 Las Vegas, Nevada 89128
- 27          5.     James Hayes, M.D.  
28                 3001 St. Rose Parkway  
                Henderson, Nevada 89052  
                (702) 651-5000
6.     Scott Greaves, M.D.  
                2120 Golden Hill Road, Suite 102  
                Paso Robles, California 93446  
                (805) 434-2900
7.     Johnathan Riegler, M.D.  
                1255 Las Tables Road, Suite 201  
                Templeton, California 93465  
                (805) 226-4106

- 1 8. John Pinto, M.D.  
2 1701 N. Green Valley Parkway  
3 Henderson, Nevada 89074  
4 (702) 734-2292
- 5 9. Person(s) Most Knowledgeable and/or Custodian of Records at  
6 Advanced Prosthetics and Orthotics  
7 7455 W. Washington St., Suite 215  
8 Las Vegas, Nevada 89128
- 9 10. Person(s) Most Knowledgeable and/or Custodian of Records at  
10 Desert Radiologists  
11 3930 S. Eastern Avenue  
12 Las Vegas, Nevada 89119
- 13 11. Person(s) Most Knowledgeable and/or Custodian of Records at  
14 Irwin Simon, M.D.  
15 2450 W. Horizon Ridge Parkway, Suite 101  
16 Henderson, Nevada 89052
- 17 12. Person(s) Most Knowledgeable and/or Custodian of Records at  
18 Jonathan Riegler, M.D.  
19 1255 Las Tables Road, Suite 201  
20 Templeton, California 93465
- 21 13. Person(s) Most Knowledgeable and/or Custodian of Records at  
22 Antonio Flores Erazo, M.D.  
23 7674 W. Lake Mead Blvd., Suite 215  
24 Las Vegas, Nevada 89128
- 25 14. Person(s) Most Knowledgeable and/or Custodian of Records at  
26 Procure Medical Group  
27 6870 S. Rainbow Blvd., Suite 106  
28 Las Vegas, Nevada 89118
15. Person(s) Most Knowledgeable and/or Custodian of Records at  
Los Tables Medical Group  
2120 Golden Hill Road, Suite 102  
Paso Robles, California 93446
16. Person(s) Most Knowledgeable and/or Custodian of Records at  
Spring Valley Hospital  
5400 S. Rainbow Blvd.  
Las Vegas, Nevada 89118

- 1 17. Person(s) Most Knowledgeable and/or Custodian of Records at  
2 Armour Christensen, Chtd  
3 2450 W. Horizon Ridge Parkway, Suite 100  
4 Henderson, Nevada 89052  
5 (702) 735-2305
- 6 18. Person(s) Most Knowledgeable and/or Custodian of Records at  
7 Paul Wiesner and Associates d/b/a Radiology Associates  
8 2400 S. Cimarron Road, Suite 100  
9 Las Vegas, Nevada 89117  
10 (702) 477-0772

11 **First Supplement**

- 12 19. Christopher Mercado, M.D.  
13 8205 W Warm Springs Rd., Ste. 210  
14 Las Vegas, Nevada 89113  
15 (702) 616-7660
- 16 20. Jody Cearlock, M.D.  
17 2850 S. Maryland Pkwy.  
18 Las Vegas, Nevada 89109  
19 (702) 732-6000
- 20 21. Person(s) Most Knowledgeable and/or Custodian of Records at  
21 Steinberg Diagnostic Medical Imaging Center  
22 2950 S. Maryland Parkway  
23 Las Vegas, Nevada 89109  
24 (702) 732-6000
- 25 22. Person(s) Most Knowledgeable and/or Custodian of Records at  
26 Radiology Associates  
27 5495 S. Rainbow Blvd., Suite 203  
28 Las Vegas, Nevada 89118  
(702) 707-9706
- 29 23. Person(s) Most Knowledgeable and/or Custodian of Records at  
30 Shadow Emergency Physicians  
31 620 Shadow Lane  
32 Las Vegas, Nevada 89106  
33 (800) 355-2470
- 34 24. Oscar Rago, M.D.  
35 DMS-EMCARE  
36 500 N Rainbow Blvd., Ste. 203  
37 Las Vegas, Nevada 89107  
38 (702) 259-1228



- 1           25.    **Irfana Razzaq, M.D.**  
2                   **6273 Narrow Isthmus Ave.**  
3                   **Las Vegas, Nevada 89139-6410**  
                  **(702) 243-8767**
- 4           26.    **Shannon Berry, M.D.**  
5                   **295 Posada Lane**  
6                   **Templeton, California 93465**  
                  **(802) 494-9900**
- 7           27.    **C. Edward Yee, M.D.**  
8                   **2980 S. Jones Blvd., Ste. A**  
9                   **Las Vegas, Nevada 89146**  
                  **(702) 362-3937**
- 10          28.    **Mark Barney, M.D.**  
11                   **2820 W. Washington Blvd., Ste. 33**  
12                   **Las Vegas, Nevada 89102**  
                  **(702) 8880-1558**
- 13          29.    **Person(s) Most Knowledgeable and/or Custodian of Records at**  
14                   **OptumCare Cancer Care**  
15                   **6190 S. Fort Apache Road**  
                  **Las Vegas, Nevada 89179**  
                  **(702) 724-8787**
- 16          30.    **Charina Toste, APRN**  
17                   **OptumCare Cancer Care**  
18                   **6190 S. Fort Apache Road**  
                  **Las Vegas, Nevada 89179**  
                  **(702) 724-8787**
- 19          31.    **Person(s) Most Knowledgeable and/or Custodian of Records at**  
20                   **Nevada Orthopedic and Spine Center**  
21                   **7455 W. Washington, Ste. 160**  
22                   **Las Vegas, Nevada 89128**  
                  **(702) 258-3773**
- 23          32.    **Person(s) Most Knowledgeable and/or Custodian of Records at**  
24                   **Kindred Transitional Care and Rehabilitation**  
25                   **5650 S. Rainbow Blvd.**  
                  **Las Vegas, Nevada 89118**  
                  **(702) 470-1102**
- 26  
27  
28

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

None at this time.

None at this time.

Defendant reserves the right to call any and all other witnesses who may be disclosed by any party.

## LIST OF DOCUMENTS

1. Spring Valley Hospital (SVHMC MR 00001-00260)
2. St. Rose Hospital, San Martin Campus (SRDSMMR 000001-002865)
3. St. Rose Hospital, Siena Campus (SRDSMR 0001-0771)
4. Radiological imaging from Spring Valley Hospital

02/05/17 TTE w/ Doppler  
02/05/17 U/S LE Venous Duplex Bilateral  
02/04/17 CT Angio Chest w/w/out Contras

- 1 02/04/17 XR Chest
- 2 5. Radiological imaging from Desert Radiologists
- 3 03/27/15 CT LS SP w/out Contrast
- 4 03/27/15 CT Cervical Spine w/out Contrast
- 5 02/07/15 XR Ankle Complete, Bilateral
- 6 6. Radiological imaging from St. Rose Hospital
- 7 01/04/17 U/S Ext Lt Ext Venous Doppler
- 8 01/04/17 U/S Ext Bil Venous Doppler
- 9 01/03/17 XR Chest 1 View
- 10 12/30/16 U/S Ext Non Vasc Comp. Rt
- 11 12/29/16 IR Thrombolysis Art/Vein Sub. Day
- 12 12/28/16 IR Angio Ext Lt
- 13 12/28/16 U/S Lowe Ext Art Duplex Lt
- 14 12/25/16 U/S Ext Venous Duplex Lt
- 15 06/28/15 Fluoroscopy of Lower Extremity
- 16 06/27/15 XR Chest
- 17 06/27/15 U/S Lower Ext Art Duplex Lt
- 18 06/27/15 U/S Ext Venous Duplex Lt
- 19 06/27/15 Fluoroscopy of Lower Extremity
- 20 12/13/14 Fluoroscopy of Lower Extremity
- 21 12/12/14 Fluoroscopy of Lower Extremity
- 22 12/11/14 U/S Lower Ext Art Duplex Lt
- 23 12/11/14 U/S Ext Venous Duplex Lt
- 24 12/11/14 Fluoroscopy of Lower Extremity
- 25 7. Advanced Prosthetics and Orthotics (APAP 00001, 00004-00020)
- 26 8. Desert Radiologists (DRI 00001-00017)
- 27 9. Irwin Simon, M.D. (ISMD 0001-0042)
- 28 10. Jonathan Riegler, M.D. (JRM 00001-00003)
11. Sang Tran, M.D. (STM 00001-00002, 00005-00028)
12. Scott Greaves, M.D. (SGM 00001-00012, 00016)
13. Shadow Emergency Physicians (SEP 00001-00031)
14. Noel Shaw, D.C. (NSD 00001-00007)
15. St. Rose Stanford Clinic (SRSC 00001-00085, 00089)
16. Nevada Comprehensive Pain Center (NCPC 00001-00237, 00246-00253, 00255-

- 1 00314)
- 2 17. Kindred Rehabilitation (LVHR 00001-00238)
- 3 18. Procure Medical Center (PCMC 00001-00002, 00005-00067)
- 4 19. Nevada Ortho & Spine Center (NOSC 00001-00003, 00008-0020)
- 5 20. American College of Surgeons Expert Witness Affirmation
- 6 21. American College of Surgeons Statement on the Physician Acting as an Expert
- 7 Witness
- 8 22. Kent Shoji, M.D., F.A.C.E.P., reporst, curriculum vitae, and fee schedule
- 9 23. Samuel Wilson, M.D.'s curriculum vitae, testimonial history, and reports
- 10 24. John Janzen, Ph.D., CRC's, curriculum vitae, fee schedule, reports
- 11 25. Karl Erik Volk, M.A.'s reports, curriculum vitae, fee schedule, testimonial
- 12 history
- 13 26. Darrell Moore's Answers to Defendant Jason Lasry's Interrogatories
- 14 27. Darrell Moore's Answers to Defendant Jason Lasry's Request for Production
- 15 28. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 16 Interrogatories
- 17 29. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 18 Request for Productions
- 19 30. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 20 Interrogatories
- 21 31. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 22 Request for Productions
- 23 32. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of
- 24 Interrogatories
- 25
- 26
- 27
- 28

- 1        33.    Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of
- 2               Request for Productions
- 3        34.    Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of
- 4               Requests for Admissions
- 5        35.    Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 6               Requests for Admissions
- 7        36.    Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 8               Request for Admissions
- 9        37.    Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 2nd Set of
- 10              Interrogatories
- 11        38.    Darrell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's
- 12              2nd Set of Interrogatories
- 13        39.    Charlene Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's
- 14              1st Set of Requests for Admissions
- 15        40.    Darrell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's 1st
- 16              Set of Request for Admissions
- 17        41.    Darrell Moore's Responses to Defendant Fremont Emergency Services' 2nd Set
- 18              of Request for Production of Documents
- 19        42.    Deposition transcript of Terry Bartmus, APRN, taken on February 26, 2019, with
- 20              exhibit attached thereto.
- 21        43.    Deposition transcript of Ruth Camack, taken on April 30, 2019, with exhibit
- 22              attached thereto.
- 23        44.    Deposition transcript of Terrence Clauretie, Ph.D., taken on October 25, 2019,
- 24              with exhibit attached thereto.
- 25
- 26
- 27
- 28

- 1 45. Deposition transcript of David Fish, M.D., taken on October 8, 2019, with exhibit
- 2 attached thereto.
- 3 46. Deposition transcript of Jason Lasry, M.D., taken on February 6, 2019, with
- 4 exhibit attached thereto.
- 5 47. Deposition transcript of Alexander Marmureanu, M.D., taken on October 2, 2019,
- 6 with exhibit attached thereto.
- 7 48. Deposition transcript of Charlene Moore, taken on October 24, 2019, with exhibit
- 8 attached thereto.
- 9 49. Deposition transcript of Christopher Moore, taken on February 5, 2019, with
- 10 exhibit attached thereto.
- 11 50. Deposition transcript of Darrell Moore, taken on August 15, 2018, with exhibit
- 12 attached thereto.
- 13 51. Deposition transcript of R. Scott Jacobs, taken on December 7, 2018, with exhibit
- 14 attached thereto.
- 15 52. Fremont Emergency Services Dignity Call Schedule for December 2016
- 16 (FES DECEMBER SCHEDULE 000001).
- 17
- 18
- 19

20 **First Supplement**

- 21 **53. Medical records from Steinberg Diagnostic Medical Imaging Center**
- 22 **(SDMIC 00001-00002, SDMIC 00004-00013).**

23 **B. Documents Defendant May Use at Trial**

- 24 1. Billing records from Advanced Prosthetics and Orthotics (APAO 0002-00003).
- 25 2. Billing from Antonio Flores Erazo, M.D. (AMFEM 00001-00006).
- 26 3. Billing from Desert Radiologists (DRIB 00001-00005).
- 27 4. Billing from Radiology Associates of Nevada (RAONCM 00001-00007).
- 28

5. Billing records from Sang Tran, M.D. (STM 00003-00004).
6. Billing records from Scott Greaves, M.D. (SGM 00013-00015).
7. Billing records from Spring Valley Hospital (SVHMCB 00001-00012).
8. Billing records from John Pinto, M.D. (JFPM 00001-00002).
9. Billing records from Shadow Emergency Physicians (SEP 00032-00033).
10. Billing records from St. Rose Stanford Clinic (SRSC 00086-00088).
11. Billing records from Nevada Comprehensive Pain Center (NCPC 00238-00251;  
00254).
12. Plaintiff's Photographs (PLF 001574-001575)
13. Billing Records from St. Rose Hospital, Siena (SDSB 000001-000068)
14. Billing Records from St. Rose Hospital, San Martin (SRDSMB 0001-0054)
15. Billing Records from Nevada Ortho & Spine Center (NOSC 00004-00007).
16. Billing records from Nevada Comprehensive Pain Center (NCPC 00252-  
0000254).

**First Supplement**

17. **Billing records from Steinberg Diagnostic Medical Imaging Center  
(SDMIC 00003).**
18. **Records from Walgreens Pharmacy, previously requested and will be  
supplemented upon receipt.**
19. **Records from Dignity Health Clinic, previously requested and will be  
supplemented upon receipt.**
20. **Radiological imaging from Steinberg Diagnostic Medical Imaging Center,  
previously requested and will be supplemented upon receipt.**
21. **Deposition of Alexander Marmureanu, M.D. taken on October 3, 2017.**

1 Defendant reserves the right to utilize any exhibits and/or documents identified and listed  
2 by any other party.

3 Defendant further anticipates relying on the pertinent medical records which have been  
4 provided by Plaintiff's counsel, and anticipates that such exhibits will be submitted jointly by the  
5 parties once counsel has had an opportunity to exchange and review.

6 **III.**

7 **DEFENDANT'S DEMONSTRATIVE EXHIBITS**

8 Defendant will offer at trial, certain Exhibits for demonstrative purposes, including but  
9 not limited to, the following:

- 10 1. Actual diagnostic studies and computer digitized diagnostic studies
- 11 2. Samples of tools used in the surgical procedures involved in Plaintiff's care
- 12 3. Diagrams and videos demonstrating the surgical procedures involved
- 13 4. Timeline of events
- 14 5. Computer re-enactments
- 15 6. Models of the human body related to Plaintiff's alleged injuries
- 16 7. Surgical instrumentation

17 **IV.**

18 **OBJECTIONS TO PLAINTIFFS' PRE-TRIAL DISCLOSURES**

19 Defendant has not yet had an opportunity to fully review Plaintiff's exhibits or list of  
20 witnesses. As such, Defendant reserves the right to object to any exhibits offered by Plaintiff on  
21 substantive or other grounds.

22 Defendant reserves the right to introduce demonstrative exhibits such as enlarged  
23 duplicates of medical records and exemplars from medical texts and treatises as needed to  
24 educate the jury on various aspects of the medical terminology involved in the case. Defendant  
25 reserves

26 ///

27 ///

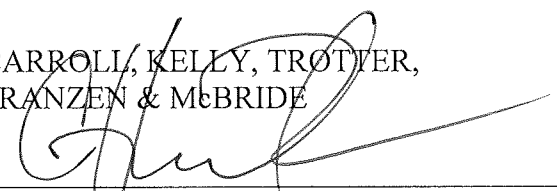
28 ///



1 the right to supplement this list as trial strategy evolves. Defendant further reserves the right to  
2 use any and all of any other parties' exhibits, including Plaintiff, at the time of trial of this  
3 matter.

4 DATED this 2nd day of January, 2020.

CARROLL, KELLY, TROTTER,  
FRANZEN & McBRIDE

  
ROBERT C. McBRIDE, ESQ.

Nevada Bar No.: 7082

CHELSEA R. HUETH, ESQ.

Nevada Bar No.: 10904

8329 W. Sunset Road, Suite 260

Las Vegas, Nevada 89113

Attorneys for Defendant

*Jason Lasry, M.D.*

1 **CERTIFICATE OF SERVICE**

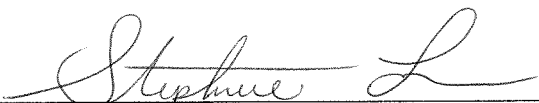
2 I HEREBY CERTIFY that on the 2<sup>nd</sup> day of January, 2020, I served a true and  
3 correct copy of the foregoing **DEFENDANT JASON LASRY, M.D.'S 1<sup>st</sup> SUPPLEMENT TO**  
4 **HIS PRETRIAL DISCLOSURE** addressed to the following counsel of record at the following  
5 address(es):  
6

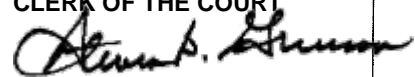
- 7 ☒ **VIA ELECTRONIC SERVICE:** By mandatory electronic service (e-service), proof of  
8 e-service attached to any copy filed with the Court; or  
9 ☐ **VIA U.S. MAIL:** By placing a true copy thereof enclosed in a sealed envelope with  
10 postage thereon fully prepaid, addressed as indicated on the service list below in the  
11 United States mail at Las Vegas, Nevada  
12 ☐ **VIA FACSIMILE:** By causing a true copy thereof to be telecopied to the number  
13 indicated on the service list below.

14 Matthew W. Hoffmann, Esq.  
15 ATKINSON WATKINS, & HOFFMANN, LLP  
16 10789 W. Twain Avenue, Suite 100  
17 Las Vegas, NV 89135

18 - and -  
19 Breen Artanz, Esq.  
20 5545 Mountain Vista, Suite E  
21 Las Vegas, NV 89120  
22 *Attorneys for Plaintiffs*

23 Keith A. Weaver, Esq.  
24 LEWIS BRISBOIS BISGAARD & SMITH LLP  
25 6385 S. Rainbow Boulevard, Suite 600  
26 Las Vegas, Nevada 89118  
27 Attorney for Defendant,  
28 *Terry Bartmus, RN, APRN*

  
An Employee of *CARROLL, KELLY, TROTTER,*  
*FRANZEN & McBRIDE*



1 **PTD**

2 ROBERT C. McBRIDE, ESQ.

3 Nevada Bar No. 7082

4 CHELSEA R. HUETH, ESQ.

5 Nevada Bar No. 10904

6 CARROLL, KELLY, TROTTER,

7 FRANZEN & McBRIDE

8 8329 W. Sunset Road, Suite 260

9 Las Vegas, Nevada 89113

10 Telephone No. (702) 792-5855

11 Facsimile No. (702) 796-5855

12 E-mail: [rcmcbride@cktfmlaw.com](mailto:rcmcbride@cktfmlaw.com)

13 E-mail: [crhueth@cktfmlaw.com](mailto:crhueth@cktfmlaw.com)

14 Attorneys for Defendant

15 *Jason Lasry, M.D.*

DISTRICT COURT

CLARK COUNTY, NEVADA

12 DARELL L. MOORE and CHARLENE A.  
13 MOORE, individually and as husband and  
14 wife;

Plaintiffs,

15 v.

16 JASON LASRY, M.D., individually;  
17 FREMONT EMERGENCY SERVICES  
18 (MANDAVIA), LTD.; TERRY BARTMUS,  
19 RN, APRN; and DOES I through X, inclusive;  
and ROE CORPORATIONS I through V,  
inclusive;

Defendant.

**CASE NO.: A-17-766426-C**

**DEPT: XXV**

**DEFENDANT JASON LASRY, M.D.'S 2<sup>nd</sup>  
SUPPLEMENT TO HIS PRETRIAL  
DISCLOSURES**

21 COMES NOW, Defendant, JASON LASRY, M.D., by and through his counsel of record,  
22 ROBERT C. McBRIDE, ESQ. and CHELSEA R. HUETH, ESQ. of the law firm of CARROLL,  
23 KELLY, TROTTER, FRANZEN & McBRIDE, and hereby submits his Supplement to his  
24 Pretrial Disclosures pursuant to NRCP 16.1(a)(3) as follows. **Supplement indicated in bold.**

25 ///

26 ///

27 ///

I.

LIST OF WITNESSES

A. Witnesses Defendant Anticipates Calling at Trial

1. Jason Lasry, M.D., Defendant  
c/o Robert C. McBride, Esq.  
Chelsea R. Hueth, Esq.  
CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
(702) 792-5855
2. Darrell L. Moore, Plaintiff  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
3. Charlene A. Moore, Plaintiff  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
4. Terry Bartmus, RN, APRN  
c/o Keith A. Weaver, Esq.  
LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118
5. R. Scott Jacobs M.D., FAAEM  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135
6. Irwin Simon, M.D.  
2450 W. Horizon Ridge Pkwy, Ste. 100  
Henderson, Nevada 89052  
(702) 341-7608
7. Robert Wiencek, M.D.  
7190 S. Cimarron Road  
Las Vegas, Nevada 89113  
(702) 490-9954

- 1 8. Noel L. Shaw, D.C.  
2 1101 North Wilmot Road, Suite 229  
3 Tucson, Arizona 85712  
(520) 721-9331
- 4 9. Sang Tran, M.D.  
5 6870 S. Rainbow Blvd., Suite 106  
6 Las Vegas, Nevada 89118  
(702) 396-6000
- 7 10. Patrick Frank, M.D.  
8 3001 St. Rose Parkway  
9 Henderson, Nevada 89052  
(702) 651-5000
- 10 11. John Oh, M.D.  
11 Radiology Associates  
12 5495 S. Rainbow Blvd., Suite 203  
Las Vegas, Nevada 89118  
(702) 7077-9706
- 13 12. Stephen A. Gephardt, M.D.  
14 7220 S. Cimarron Road, Suite 270  
15 Las Vegas, Nevada 89113  
(702) 912-4100
- 16 13. Colin Rock, M.D.  
17 Nevada Comprehensive Pain Center  
18 1569 E. Flamingo Road  
Las Vegas, Nevada 89119  
(702) 476-9999
- 19 14. John Henner, D.O.  
20 8670 W. Cheyenne Ave.  
21 Las Vegas, Nevada 89129  
(702) 576-9608
- 22 15. Charles McPherson, M.D.  
23 3121 S. Maryland Parkway, Suite 502  
24 Las Vegas, Nevada 89109  
(208) 415-5795
- 25 16. Salvador Borromeo III, M.D.  
26 3009 W. Charleston Blvd.  
27 Las Vegas, Nevada 89102  
(702) 589-2750
- 28

- 1 17. Karyn Harries, M.D.  
2 5320 S. Rainbow Blvd., Suite 150  
3 Las Vegas, Nevada 89118  
(702) 944-7105
- 4 18. Nauman Tahir, M.D.  
5 500 S. Rancho Drive, Suite 12  
6 Las Vegas, Nevada 89106  
(702) 877-1887
- 7 19. Ida Washington, M.D.  
8 1000 S. Rainbow Blvd.  
9 Las Vegas, Nevada 89145  
(702) 259-0088
- 10 20. Jeffrey Germain, R.N.  
11 Address unknown
- 12 21. Amee Kuchinsky, R.N.  
13 Address unknown
- 14 22. Lauren Eastham, R.N.  
15 Address unknown
- 16 23. Danny Eisenberg, M.D.  
17 9 Hawk Ridge Drive  
18 Las Vegas NV 89135
- 19 24. Alexander R. Marmureanu, M.D.  
20 c/o Matthew W. Hoffmann, Esq.  
21 ATKINSON WATKINS, & HOFFMANN, LLP  
22 10789 W. Twain Avenue, Suite 100  
23 Las Vegas, NV 89135
- 24 25. David Fish, M.D.  
25 c/o Matthew W. Hoffmann, Esq.  
26 ATKINSON WATKINS, & HOFFMANN, LLP  
27 10789 W. Twain Avenue, Suite 100  
28 Las Vegas, NV 89135
26. Terrence Clauretie, Ph.D.  
c/o Matthew W. Hoffmann, Esq.  
ATKINSON WATKINS, & HOFFMANN, LLP  
10789 W. Twain Avenue, Suite 100  
Las Vegas, NV 89135

- 1 27. Christopher Owen Moore  
2 c/o Matthew W. Hoffmann, Esq.  
3 Atkinson Watkins & Hoffmann, LLP  
4 10789 W. Twain Avenue, Suite 100  
5 Las Vegas, NV 89135
- 6 28. Holman Chan, M.D.  
7 1505 Wigwam Parkway, Suite 340  
8 Henderson, NV 89074  
9 (702) 260-0467
- 10 29. Kent Shoji, M.D., F.A.C.E.P.  
11 c/o Robert C. McBride, Esq.  
12 Chelsea R. Hueth, Esq.  
13 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
14 8329 W. Sunset Road, Suite 260  
15 Las Vegas, NV 89113  
16 (702) 792-5855
- 17 30. Samuel Wilson, M.D.  
18 c/o Robert C. McBride, Esq.  
19 Chelsea R. Hueth, Esq.  
20 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
21 8329 W. Sunset Road, Suite 260  
22 Las Vegas, NV 89113  
23 (702) 792-5855
- 24 31. John Janzen, Ed.D., CRC  
25 c/o Robert C. McBride, Esq.  
26 Chelsea R. Hueth, Esq.  
27 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
28 8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
(702) 792-5855
- 29 32. Karl Erik Volk, M.A.  
30 c/o Robert C. McBride, Esq.  
31 Chelsea R. Hueth, Esq.  
32 CARROLL, KELLY, TROTTER, FRANZEN & McBRIDE  
33 8329 W. Sunset Road, Suite 260  
34 Las Vegas, NV 89113  
35 (702) 792-5855

///

///

///

1        First Supplement

- 2        33.     David Barcay, M.D.  
3                c/o Keith A. Weaver, Esq.  
4                LEWIS BRISBOIS BISGAARD & SMITH LLP  
5                6385 S. Rainbow Boulevard, Suite 600  
6                Las Vegas, Nevada 89118

7        **B.        Witnesses Defendant May Call at Trial**

- 8        1.        Logan Sondrup, M.D.  
9                8280 W. Warm Springs Road  
10                Las Vegas, Nevada 89113  
11                (702) 492-8000
- 12        2.        Person(s) Most Knowledgeable and/or Custodian of Records at  
13                Dignity Health d/b/a St. Rose Dominican Hospital – San Martin Campus  
14                c/o Michael Prangle, Esq.  
15                HALL PRANGLE & SCHOONVELD, LLC  
16                1140 North Town Center Drive, Ste. 350  
17                Las Vegas, Nevada 89144
- 18        3.        Person(s) Most Knowledgeable and/or Custodian of Records at  
19                Fremont Emergency Services, (Mandavia) Ltd.  
20                c/o Keith A. Weaver, Esq.  
21                LEWIS BRISBOIS BISGAARD & SMITH LLP  
22                6385 S. Rainbow Boulevard, Suite 600  
23                Las Vegas, Nevada 89118
- 24        4.        Antonio Flores Erazo, M.D.  
25                7674 W. Lake Mead Blvd., Suite 215  
26                Las Vegas, Nevada 89128
- 27        5.        James Hayes, M.D.  
28                3001 St. Rose Parkway  
              Henderson, Nevada 89052  
              (702) 651-5000
6.        Scott Greaves, M.D.  
              2120 Golden Hill Road, Suite 102  
              Paso Robles, California 93446  
              (805) 434-2900
7.        Johnathan Riegler, M.D.  
              1255 Las Tables Road, Suite 201  
              Templeton, California 93465  
              (805) 226-4106



- 1 8. John Pinto, M.D.  
2 1701 N. Green Valley Parkway  
3 Henderson, Nevada 89074  
4 (702) 734-2292
- 5 9. Person(s) Most Knowledgeable and/or Custodian of Records at  
6 Advanced Prosthetics and Orthotics  
7 7455 W. Washington St., Suite 215  
8 Las Vegas, Nevada 89128
- 9 10. Person(s) Most Knowledgeable and/or Custodian of Records at  
10 Desert Radiologists  
11 3930 S. Eastern Avenue  
12 Las Vegas, Nevada 89119
- 13 11. Person(s) Most Knowledgeable and/or Custodian of Records at  
14 Irwin Simon, M.D.  
15 2450 W. Horizon Ridge Parkway, Suite 101  
16 Henderson, Nevada 89052
- 17 12. Person(s) Most Knowledgeable and/or Custodian of Records at  
18 Jonathan Riegler, M.D.  
19 1255 Las Tables Road, Suite 201  
20 Templeton, California 93465
- 21 13. Person(s) Most Knowledgeable and/or Custodian of Records at  
22 Antonio Flores Erazo, M.D.  
23 7674 W. Lake Mead Blvd., Suite 215  
24 Las Vegas, Nevada 89128
- 25 14. Person(s) Most Knowledgeable and/or Custodian of Records at  
26 Procare Medical Group  
27 6870 S. Rainbow Blvd., Suite 106  
28 Las Vegas, Nevada 89118
15. Person(s) Most Knowledgeable and/or Custodian of Records at  
Los Tables Medical Group  
2120 Golden Hill Road, Suite 102  
Paso Robles, California 93446
16. Person(s) Most Knowledgeable and/or Custodian of Records at  
Spring Valley Hospital  
5400 S. Rainbow Blvd.  
Las Vegas, Nevada 89118

- 1 17. Person(s) Most Knowledgeable and/or Custodian of Records at  
2 Armour Christensen, Chtd  
3 2450 W. Horizon Ridge Parkway, Suite 100  
4 Henderson, Nevada 89052  
5 (702) 735-2305
- 6 18. Person(s) Most Knowledgeable and/or Custodian of Records at  
7 Paul Wiesner and Associates d/b/a Radiology Associates  
8 2400 S. Cimarron Road, Suite 100  
9 Las Vegas, Nevada 89117  
10 (702) 477-0772

11 First Supplement

- 12 19. Christopher Mercado, M.D.  
13 8205 W Warm Springs Rd., Ste. 210  
14 Las Vegas, Nevada 89113  
15 (702) 616-7660
- 16 20. Jody Cearlock, M.D.  
17 2850 S. Maryland Pkwy.  
18 Las Vegas, Nevada 89109  
19 (702) 732-6000
- 20 21. Person(s) Most Knowledgeable and/or Custodian of Records at  
21 Steinberg Diagnostic Medical Imaging Center  
22 2950 S. Maryland Parkway  
23 Las Vegas, Nevada 89109  
24 (702) 732-6000
- 25 22. Person(s) Most Knowledgeable and/or Custodian of Records at  
26 Radiology Associates  
27 5495 S. Rainbow Blvd., Suite 203  
28 Las Vegas, Nevada 89118  
(702) 707-9706
- 29 23. Person(s) Most Knowledgeable and/or Custodian of Records at  
30 Shadow Emergency Physicians  
31 620 Shadow Lane  
32 Las Vegas, Nevada 89106  
33 (800) 355-2470
- 34 24. Oscar Rago, M.D.  
35 DMS-EMCARE  
36 500 N Rainbow Blvd., Ste. 203  
37 Las Vegas, Nevada 89107  
38 (702) 259-1228

- 1 25. Irfana Razzaq, M.D.  
2 6273 Narrow Isthmus Ave.  
3 Las Vegas, Nevada 89139-6410  
(702) 243-8767
- 4 26. Shannon Berry, M.D.  
5 295 Posada Lane  
6 Templeton, California 93465  
(802) 494-9900
- 7 27. C. Edward Yee, M.D.  
8 2980 S. Jones Blvd., Ste. A  
9 Las Vegas, Nevada 89146  
(702) 362-3937
- 10 28. Mark Barney, M.D.  
11 2820 W. Washington Blvd., Ste. 33  
12 Las Vegas, Nevada 89102  
(702) 8880-1558
- 13 29. Person(s) Most Knowledgeable and/or Custodian of Records at  
14 OptumCare Cancer Care  
15 6190 S. Fort Apache Road  
Las Vegas, Nevada 89179  
(702) 724-8787
- 16 30. Charina Toste, APRN  
17 OptumCare Cancer Care  
18 6190 S. Fort Apache Road  
Las Vegas, Nevada 89179  
(702) 724-8787
- 19 31. Person(s) Most Knowledgeable and/or Custodian of Records at  
20 Nevada Orthopedic and Spine Center  
21 7455 W. Washington, Ste. 160  
22 Las Vegas, Nevada 89128  
(702) 258-3773
- 23 32. Person(s) Most Knowledgeable and/or Custodian of Records at  
24 Kindred Transitional Care and Rehabilitation  
25 5650 S. Rainbow Blvd.  
26 Las Vegas, Nevada 89118  
27 (702) 470-1102  
28

1 33. Ashok Gupta, M.D.  
2 Desert Radiology  
3 2020 Palomino Lane, #100  
4 Las Vegas, Nevada 89106  
(702) 759-8600

5 **C. Witnesses Who Have Been Subpoenaed**

6 None at this time.

7 **D. Witnesses Whose Testimony May Be Presented by Deposition**

8 None at this time.

9 Defendant reserves the right to call any and all treating, examining and consulting  
10 physicians of the plaintiff regarding treatment and observations of the injuries alleged as a result  
11 of this incident.

12 Defendant reserves the right to call any witnesses and expert witnesses named by any other  
13 party of this case.

14 Defendant reserves the right to call any witnesses as may be necessary for the purpose of  
15 rebuttal or impeachment.

16 Defendant reserves the right to call any and all other witnesses who may be disclosed by  
17 any party.

18  
19 **II.**

20 **LIST OF DOCUMENTS**

21 **A. Documents Defendant Anticipates Using at Trial**

- 22 1. Spring Valley Hospital (SVHMC MR 00001-00260)  
23 2. St. Rose Hospital, San Martin Campus (SRDSMMR 000001-002865)  
24 3. St. Rose Hospital, Siena Campus (SRDSMR 0001-0771)  
25 4. Radiological imaging from Spring Valley Hospital  
26 02/05/17 TTE w/ Doppler  
27 02/05/17 U/S LE Venous Duplex Bilateral  
28 02/04/17 CT Angio Chest w/w/out Contras

- 1 02/04/17 XR Chest
- 2 5. Radiological imaging from Desert Radiologists
- 3 03/27/15 CT LS SP w/out Contrast
- 4 03/27/15 CT Cervical Spine w/out Contrast
- 5 02/07/15 XR Ankle Complete, Bilateral
- 6 6. Radiological imaging from St. Rose Hospital
- 7 01/04/17 U/S Ext Lt Ext Venous Doppler
- 8 01/04/17 U/S Ext Bil Venous Doppler
- 9 01/03/17 XR Chest 1 View
- 10 12/30/16 U/S Ext Non Vasc Comp. Rt
- 11 12/29/16 IR Thrombolysis Art/Vein Sub. Day
- 12 12/28/16 IR Angio Ext Lt
- 13 12/28/16 U/S Lowe Ext Art Duplex Lt
- 14 12/25/16 U/S Ext Venous Duplex Lt
- 15 06/28/15 Fluoroscopy of Lower Extremity
- 16 06/27/15 XR Chest
- 17 06/27/15 U/S Lower Ext Art Duplex Lt
- 18 06/27/15 U/S Ext Venous Duplex Lt
- 19 06/27/15 Fluoroscopy of Lower Extremity
- 20 12/13/14 Fluoroscopy of Lower Extremity
- 21 12/12/14 Fluoroscopy of Lower Extremity
- 22 12/11/14 U/S Lower Ext Art Duplex Lt
- 23 12/11/14 U/S Ext Venous Duplex Lt
- 24 12/11/14 Fluoroscopy of Lower Extremity
- 25 7. Advanced Prosthetics and Orthotics (APAP 00001, 00004-00020)
- 26 8. Desert Radiologists (DRI 00001-00017)
- 27 9. Irwin Simon, M.D. (ISMD 0001-0042)
- 28 10. Jonathan Riegler, M.D. (JRM 00001-00003)
11. Sang Tran, M.D. (STM 00001-00002, 00005-00028)
12. Scott Greaves, M.D. (SGM 00001-00012, 00016)
13. Shadow Emergency Physicians (SEP 00001-00031)
14. Noel Shaw, D.C. (NSD 00001-00007)
15. St. Rose Stanford Clinic (SRSC 00001-00085, 00089)
16. Nevada Comprehensive Pain Center (NCPC 00001-00237, 00246-00253, 00255-

- 1 00314)
- 2 17. Kindred Rehabilitation (LVHR 00001-00238)
- 3 18. Procare Medical Center (PCMC 00001-00002, 00005-00067)
- 4 19. Nevada Ortho & Spine Center (NOSC 00001-00003, 00008-0020)
- 5 20. American College of Surgeons Expert Witness Affirmation
- 6 21. American College of Surgeons Statement on the Physician Acting as an Expert
- 7 Witness
- 8 22. Kent Shoji, M.D., F.A.C.E.P., report, curriculum vitae, and fee schedule
- 9 23. Samuel Wilson, M.D.'s curriculum vitae, testimonial history, and reports
- 10 24. John Janzen, Ph.D., CRC's, curriculum vitae, fee schedule, reports
- 11 25. Karl Erik Volk, M.A.'s reports, curriculum vitae, fee schedule, testimonial history
- 12 26. Darrell Moore's Answers to Defendant Jason Lasry's Interrogatories
- 13 27. Darrell Moore's Answers to Defendant Jason Lasry's Request for Production
- 14 28. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 15 Interrogatories
- 16 29. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Request
- 17 for Productions
- 18 30. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 19 Interrogatories
- 20 31. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 21 Request for Productions
- 22 32. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of
- 23 Interrogatories
- 24 33. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of Request
- 25
- 26
- 27
- 28

- 1 for Productions
- 2 34. Plaintiffs' Answers to Defendant Fremont Emergency Services' 1st Set of Requests
- 3 for Admissions
- 4 35. Charlene Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of
- 5 Requests for Admissions
- 6 36. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 1st Set of Request
- 7 for Admissions
- 8 37. Darrell Moore's Answers to Defendant Terry Bartmus, APRN's 2nd Set of
- 9 Interrogatories
- 10 38. Darrell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's 2nd
- 11 Set of Interrogatories
- 12 39. Charlene Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's
- 13 1st Set of Requests for Admissions
- 14 40. Darrell Moore's Supplemental Answers to Defendant Terry Bartmus, APRN's 1st
- 15 Set of Request for Admissions
- 16 41. Darrell Moore's Responses to Defendant Fremont Emergency Services' 2nd Set of
- 17 Request for Production of Documents
- 18 42. Deposition transcript of Terry Bartmus, APRN, taken on February 26, 2019, with
- 19 exhibit attached thereto.
- 20 43. Deposition transcript of Ruth Camack, taken on April 30, 2019, with exhibit
- 21 attached thereto.
- 22 44. Deposition transcript of Terrence Clauretie, Ph.D., taken on October 25, 2019, with
- 23 exhibit attached thereto.
- 24 45. Deposition transcript of David Fish, M.D., taken on October 8, 2019, with exhibit
- 25
- 26
- 27
- 28

- 1 attached thereto.
- 2 46. Deposition transcript of Jason Lasry, M.D., taken on February 6, 2019, with exhibit
- 3 attached thereto.
- 4 47. Deposition transcript of Alexander Marmureanu, M.D., taken on October 2, 2019,
- 5 with exhibit attached thereto.
- 6 48. Deposition transcript of Charlene Moore, taken on October 24, 2019, with exhibit
- 7 attached thereto.
- 8 49. Deposition transcript of Christopher Moore, taken on February 5, 2019, with
- 9 exhibit attached thereto.
- 10 50. Deposition transcript of Darrell Moore, taken on August 15, 2018, with exhibit
- 11 attached thereto.
- 12 51. Deposition transcript of R. Scott Jacobs, taken on December 7, 2018, with exhibit
- 13 attached thereto.
- 14 52. Fremont Emergency Services Dignity Call Schedule for December 2016
- 15 (FES DECEMBER SCHEDULE 000001).

16 First Supplement

- 17 53. Medical records from Steinberg Diagnostic Medical Imaging Center
- 18 (SDMIC 00001-00002, SDMIC 00004-00013).

19 Second Supplement

- 20 54. Medical records from Dignity Health Clinic (DHC 00001-00139).
- 21 55. Radiological imaging from Steinberg Diagnostic (CTA Abd. w/ runoff).

22 **B. Documents Defendant May Use at Trial**

- 23 1. Billing records from Advanced Prosthetics and Orthotics (APAO 0002-00003).
- 24 2. Billing from Antonio Flores Erazo, M.D. (AMFEM 00001-00006).
- 25
- 26
- 27
- 28



3. Billing from Desert Radiologists (DRIB 00001-00005).
4. Billing from Radiology Associates of Nevada (RAONCM 00001-00007).
5. Billing records from Sang Tran, M.D. (STM 00003-00004).
6. Billing records from Scott Greaves, M.D. (SGM 00013-00015).
7. Billing records from Spring Valley Hospital (SVHMCB 00001-00012).
8. Billing records from John Pinto, M.D. (JFPM 00001-00002).
9. Billing records from Shadow Emergency Physicians (SEP 00032-00033).
10. Billing records from St. Rose Stanford Clinic (SRSC 00086-00088).
11. Billing records from Nevada Comprehensive Pain Center (NCPC 00238-00251;  
00254).
12. Plaintiff's Photographs (PLF 001574-001575)
13. Billing Records from St. Rose Hospital, Siena (SDSB 000001-000068)
14. Billing Records from St. Rose Hospital, San Martin (SRDSMB 0001-0054)
15. Billing Records from Nevada Ortho & Spine Center (NOSC 00004-00007).
16. Billing records from Nevada Comprehensive Pain Center (NCPC 00252-0000254).

First Supplement

17. Billing records from Steinberg Diagnostic Medical Imaging Center  
(SDMIC 00003).
18. Records from Walgreens Pharmacy, previously requested and will be supplemented  
upon receipt.
19. Records from Dignity Health Clinic, previously requested and will be  
supplemented upon receipt.
20. Radiological imaging from Steinberg Diagnostic Medical Imaging Center,  
previously requested and will be supplemented upon receipt.

21. Deposition of Alexander Marmureanu, M.D. taken on October 3, 2017.

Defendant reserves the right to utilize any exhibits and/or documents identified and listed by any other party.

Defendant further anticipates relying on the pertinent medical records which have been provided by Plaintiff's counsel, and anticipates that such exhibits will be submitted jointly by the parties once counsel has had an opportunity to exchange and review.

### III.

## DEFENDANT'S DEMONSTRATIVE EXHIBITS

Defendant will offer at trial, certain Exhibits for demonstrative purposes, including but not limited to, the following:

1. Actual diagnostic studies and computer digitized diagnostic studies
2. Samples of tools used in the surgical procedures involved in Plaintiff's care
3. Diagrams and videos demonstrating the surgical procedures involved
4. Timeline of events
5. Computer re-enactments
6. Models of the human body related to Plaintiff's alleged injuries
7. Surgical instrumentation

#### IV.

## **OBJECTIONS TO PLAINTIFFS' PRE-TRIAL DISCLOSURES**

Defendant has not yet had an opportunity to fully review Plaintiff's exhibits or list of witnesses. As such, Defendant reserves the right to object to any exhibits offered by Plaintiff on substantive or other grounds.

Defendant reserves the right to introduce demonstrative exhibits such as enlarged duplicates of medical records and exemplars from medical texts and treatises as needed to educate the jury on various aspects of the medical terminology involved in the case. Defendant reserves

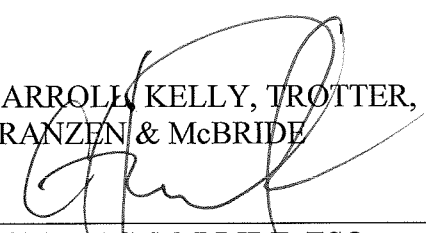
///

///

1 the right to supplement this list as trial strategy evolves. Defendant further reserves the right to  
2 use any and all of any other parties' exhibits, including Plaintiff, at the time of trial of this matter.

3  
4 DATED this 9<sup>th</sup> day of January, 2020.

CARROLL KELLY, TROTTER,  
FRANZEN & McBRIDE

  
\_\_\_\_\_  
ROBERT C. McBRIDE, ESQ.  
Nevada Bar No.: 7082  
CHELSEA R. HUETH, ESQ.  
Nevada Bar No.: 10904  
8329 W. Sunset Road, Suite 260  
Las Vegas, Nevada 89113  
Attorneys for Defendant  
*Jason Lasry, M.D.*

1 **CERTIFICATE OF SERVICE**

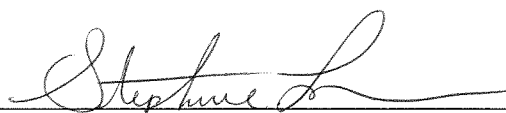
2 I HEREBY CERTIFY that on the 9<sup>th</sup> day of January, 2020, I served a true and correct  
3 copy of the foregoing **DEFENDANT JASON LASRY, M.D.'S 2<sup>nd</sup> SUPPLEMENT TO HIS**  
4 **PRETRIAL DISCLOSURE** addressed to the following counsel of record at the following  
5 address(es):  
6

- 7 ☒ **VIA ELECTRONIC SERVICE:** By mandatory electronic service (e-service), proof of e-  
8 service attached to any copy filed with the Court; or  
9 ☐ **VIA U.S. MAIL:** By placing a true copy thereof enclosed in a sealed envelope with  
10 postage thereon fully prepaid, addressed as indicated on the service list below in the United  
11 States mail at Las Vegas, Nevada  
12 ☐ **VIA FACSIMILE:** By causing a true copy thereof to be telecopied to the number  
13 indicated on the service list below.

14 Matthew W. Hoffmann, Esq.  
15 ATKINSON WATKINS, & HOFFMANN, LLP  
16 10789 W. Twain Avenue, Suite 100  
17 Las Vegas, NV 89135  
18 - and -

17 Breen Artanz, Esq.  
18 5545 Mountain Vista, Suite E  
19 Las Vegas, NV 89120  
20 *Attorneys for Plaintiffs*

20 Keith A. Weaver, Esq.  
21 LEWIS BRISBOIS BISGAARD & SMITH LLP  
22 6385 S. Rainbow Boulevard, Suite 600  
23 Las Vegas, Nevada 89118  
24 Attorney for Defendant,  
25 *Terry Bartmus, RN, APRN*

26   
27 An Employee of CARROLL, KELLY, TROTTER,  
28 FRANZEN & McBRIDE