

## IN THE SUPREME COURT OF THE STATE OF NEVADA

### INDICATE FULL CAPTION:

KIMBERLY TAYLOR, AN INDIVIDUAL,  
Appellant,  
vs.  
KEITH BRILL, M.D., FACOG, FACS, AN  
INDIVIDUAL; AND WOMEN'S HEALTH  
ASSOCIATES OF SOUTHERN NEVADA-  
MARTIN, PLLC, A NEVADA PROFESSIONAL  
LIMITED LIABILITY COMPANY,  
Respondents.

Electronically Filed  
Dec 13 2021 02:11 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
No. 83847  
**DOCKETING STATEMENT  
CIVIL APPEALS**

### GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

### WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District EIGHTH Department III  
County CLARK Judge HON. MONICA TRUJILLO  
District Ct. Case No. A-18-773472-C

**2. Attorney filing this docketing statement:**

Attorney ADAM J. BREEDEN, ESQ. Telephone (702) 819-7770

Firm BREEDEN & ASSOCIATES, PLLC

Address 376 E. WARM SPRINGS ROAD, SUITE 120  
LAS VEGAS, NEVADA 89119

Client(s) KIMBERLY TAYLOR

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

**3. Attorney(s) representing respondents(s):**

Attorney HEATHER S. HALL, ESQ. Telephone (702) 792-5855

Firm McBRIDE HALL

Address 8329 W. Sunset Road, Suite 260  
Las Vegas, Nevada 89113

Client(s) KEITH BRILL, M.D., FACOG, FACS and WOMEN'S HEALTH ASSOCIATES OF  
SOUTHERN NEVADA-MARTIN, PLLC

Attorney \_\_\_\_\_ Telephone \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Client(s) \_\_\_\_\_  
(List additional counsel on separate sheet if necessary)

**4. Nature of disposition below (check all that apply):**

- |   |   |
|---|---|
| <input type="checkbox"/> Judgment after bench trial             | <input type="checkbox"/> Dismissal:                                 |
| <input checked="" type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Lack of jurisdiction                       |
| <input type="checkbox"/> Summary judgment                       | <input type="checkbox"/> Failure to state a claim                   |
| <input type="checkbox"/> Default judgment                       | <input type="checkbox"/> Failure to prosecute                       |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief      | <input type="checkbox"/> Other (specify): _____                     |
| <input type="checkbox"/> Grant/Denial of injunction             | <input type="checkbox"/> Divorce Decree:                            |
| <input type="checkbox"/> Grant/Denial of declaratory relief     | <input type="checkbox"/> Original                      Modification |
| <input type="checkbox"/> Review of agency determination         | <input type="checkbox"/> Other disposition (specify): _____         |

**5. Does this appeal raise issues concerning any of the following?**

- |   |                |
|---|----------------|
| <input type="checkbox"/> Child Custody                  |                |
| <input type="checkbox"/> Venue                          | NOT APPLICABLE |
| <input type="checkbox"/> Termination of parental rights |                |

**6. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

There are no known related actions.

**7. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

There are no other related actions.

**8. Nature of the action.** Briefly describe the nature of the action and the result below:

This is a medical malpractice action tried to a defense verdict.

**9. Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

The primary issue is whether the District Court wrongly allowed the Defense to present an assumption of the risk defense (that the patient was advised of risks of surgery and chose to proceed regardless), which has been universally barred by every other state considering this legal issue. Other issues include: Refusing Plaintiff the ability to conduct voir dire on juror attitudes toward tort reform, damage caps and KODIN, exclusion of phrases such as "send a message" in closing contrary to Supreme Court precedent, improper introduction of collateral source evidence of insurer write-downs, improper application of the Piroozi case, improperly refusing to give a standard court instruction to the jury not to consider insurance, improperly giving a contradictory "mere happening" or Gunlock instruction, refusal to admit demonstrative evidence, refusal to allow Plaintiff's counsel to argue that the Defense failed to call a witness critical to their defense, improper argument of defense counsel to ignore actual evidence and instead surmise as to different "habit" evidence and personal vouching of defense counsel

**10. Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

Appellant is not aware of any other pending proceeding submitting this legal issue to the Court.



**11. Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

- ☒ N/A
- ☐ Yes
- ☐ No

If not, explain:

**12. Other issues.** Does this appeal involve any of the following issues?

- ☐ Reversal of well-settled Nevada precedent (identify the case(s))
- ☐ An issue arising under the United States and/or Nevada Constitutions
- ☒ A substantial issue of first impression
- ☐ An issue of public policy
- ☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions
- ☐ A ballot question

If so, explain:

Although this appeal presents many allegations of error and disregard of this Court's prior precedent, the main issue is whether the Nevada Supreme Court will recognize consistent with well-reasoned decisions from other states, e.g. *Wilson v. Patel*, 517 S.W.3d 520 (Mo. 2017) and *Wright v. Kaye*, 267 Va. 510, 593 S.E.2d 307 (2004), that there is no assumption of risk defense in a medical malpractice case and therefore evidence that a patient was advised of a "risk" and consented to the procedure regardless is barred at trial as irrelevant and prejudicial. In this case, the main defense of the doctor was that although during a hysteroscopy he burnt or jammed a medical instrument through the patient's uterus and into her small bowel, he had advised the patient of an obscure "risk" of such a botched procedure and she consented anyway, thus he could not be held liable.

The appeal also presents issues of the level of proof a personal injury claimant must have to establish the usual and customary nature of medical expenses. The District Court excluded over \$200,000 of plaintiff's medical bills, holding that neither the bills, nor testimony from a hospital CFO nor testimony from the Plaintiff who had nearly 30 years of experience in the medical billing industry was admissible to establish the amount of the bills, which was otherwise uncontested by the Defense.

**13. Assignment to the Court of Appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

This matter is presumptively assigned to the Court of appeals but should be retained by the Nevada Supreme Court as it presents numerous novel issue of law concerning:

- (1) May an assumption of risk defense be alleged in a medical malpractice case,
- (2) May a billing representative of a medical care provider, for example a hospital CFO, testify as to the usual and customary amount of the provider's medical bills and, generally, what level of proof is required to establish the usual, customary and reasonable nature of medical bills

**14. Trial.** If this action proceeded to trial, how many days did the trial last? 8

Was it a bench or jury trial? Jury Trial

**15. Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

The Appellant does not anticipate such a motion.

## TIMELINESS OF NOTICE OF APPEAL

0. Date of entry of written judgment or order appealed from November 19, 2021

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

1. Date written notice of entry of judgment or order was served November 19, 2021

Was service by:

☐ Delivery

☒ Mail/electronic/fax

2. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

NOT APPLICABLE

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b)      Date of filing \_\_\_\_\_

☐ NRCP 52(b)      Date of filing \_\_\_\_\_

☐ NRCP 59      Date of filing \_\_\_\_\_

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. \_\_\_, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion \_\_\_\_\_

(c) Date written notice of entry of order resolving tolling motion was served \_\_\_\_\_

Was service by:

☐ Delivery

☐ Mail

**0. Date notice of appeal filed** November 22, 2021

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

**1. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other**

NRAP 4(a)

### **SUBSTANTIVE APPEALABILITY**

**2. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

(a)

☒ NRAP 3A(b)(1)

☐ NRS 38.205

☐ NRAP 3A(b)(2)

☐ NRS 233B.150

☐ NRAP 3A(b)(3)

☐ NRS 703.376

☐ Other (specify) \_\_\_\_\_

( ) Explain how each authority provides a basis for appeal from the judgment or order:

This appeal is filed after entry of a defense judgment after a jury trial.



**22. List all parties involved in the action or consolidated actions in the district court:**

(a) Parties:

Kimberly Taylor

Keith Brill, M.D.

Women's Health Associates of Southern Nevada-Martin, PLLC

Bruce Hutchins, RN

Henderson Hospital/Valley Health Systems, LLC

Todd Christensen, MD

Dignity Health d/b/a St. Rose Dominican Hosp.

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

Of the above parties, all other parties settled out prior to trial and were formally dismissed by the court except:

Kimberly Taylor

Keith Brill, M.D.

Women's Health Associates of Southern Nevada-Martin, PLLC

**23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.**

Plaintiff Taylor filed an action for professional negligence/medical malpractice against the Defendants. Defendants Brill and Women's Health Associates were given a defense judgment after jury verdict on November 19, 2021.

**24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

☒ Yes

☐ No

**25. If you answered "No" to question 24, complete the following:**

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☐ No

**26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

**27. Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Kimberly Taylor  
Name of appellant

12-13-2021  
Date

Adam J. Breeden, Esq.  
Name of counsel of record

Adam J. Breeden 8768  
Signature of counsel of record

Clark County, Nevada  
State and county where signed

## CERTIFICATE OF SERVICE

I certify that on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

SEE NEXT PAGE FOR FULL CERTIFICATE OF SERVICE BY MAILING

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_


\_\_\_\_\_  
Signature

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13th day of December, 2021, I served a copy of the foregoing legal document **APPELLANT'S DOCKETING STATEMENT** pursuant to NRAP 25, by placing a copy in the US mail, postage pre-paid to the following counsel of record or parties in proper person:

<p>Heather S. Hall, Esq. McBRIDE HALL 8329 W. Sunset Road, Suite 260 Las Vegas, Nevada 89113 <i>Attorneys for Defendants Keith Brill, M.D. and Women's Health Associates</i></p>	<p>Adam A. Schneider, Esq. JOHN H. COTTON &amp; ASSOC., LTD. 7900 W. Sahara Avenue, Suite 200 Las Vegas, Nevada 89117 <i>Attorneys for Todd Christensen, M.D.</i></p>
<p>Danielle Woodrum, Esq. LEWIS BRISBOIS BISGAARD &amp; SMITH, LLP 6385 S. Rainbow Boulevard, Suite 600 Las Vegas, Nevada 89118 <i>Attorneys for Dignity Health dba St. Rose Dominican Hospital</i></p>	<p>Ian M. Houston, Esq. HALL PRANGLE &amp; SCHOONVELD 1140 N. Town Center Drive, Suite 350 Las Vegas, Nevada 89144 <i>Attorneys for Henderson Hospital &amp; Bruce Hutchins, RN</i></p>
<p>Ishi Kunin, Esq. Kunin Law Group 10161 Park Run Drive, Ste. 150 Las Vegas, Nevada 89145 <i>Settlement Conference Judge</i></p>	

An Attorney or Employee of the  
following firm:



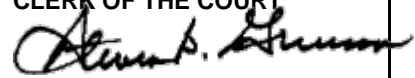
**BREEDEN & ASSOCIATES, PLLC**



## **TABLE OF EXHIBITS**

1.	Complaint filed April 25, 2018
2.	Notice of Entry of Order of Stipulation and Order to Dismiss Nurse Defendant Bruce Hutchins, RN Without Prejudice filed October 24, 2018 (Order actually entered on October 18, 2018)
3.	Notice of Entry of Order of Stipulation and Order to Dismiss Defendant Dignity Health d/b/a St. Rose Dominican Hospital - Siena Campus, filed March 10, 2021 (Order actually entered on March 9, 2021)
4.	Notice of Entry of Stipulation and Order to Dismiss Defendant Valley Health Systems, LLC d/b/a Henderson Hospital with Prejudice and to Amend Caption filed March 19, 2021 (Order actually entered on March 17, 2021)
5.	Notice of Entry of Stipulation and Order for Defendant Christensen, M.D.'s Dismissal with Prejudice Only filed April 22, 2021 (Order actually entered on April 21, 2021)
6.	Notice of Entry of Judgement on Jury Verdict filed November 19, 2021 (Order actually entered on November 19, 2021)

Exhibit “1”



1 **COMP**  
2 **JAMES S. KENT, ESQ.**  
3 Nevada Bar No. 5034  
4 9480 S. Eastern Ave.  
5 Suite 228  
6 Las Vegas, Nevada 89123  
7 (702) 385-1100  
8 Attorney for Plaintiff

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

10 KIMBERLY D. TAYLOR, an Individual, )  
11 )  
12 Plaintiff, )

13 vs. )

14 KEITH BRILL, MD, FACOG, FACS, an )  
15 Individual; WOMEN'S HEALTH ASSOCIATES )  
16 OF SOUTHERN NEVADA - MARTIN, PLLC, a )  
17 Nevada Professional Limited Liability Company; )  
18 BRUCE HUTCHINS, RN, an Individual; )  
19 HENDERSON HOSPITAL and/or VALLEY )  
20 HEALTH SYSTEM, LLC, a Foreign LLC dba )  
21 HENDERSON HOSPITAL, and/or HENDERSON )  
22 HOSPITAL, a subsidiary of UNITED HEALTH )  
23 SERVICES, a Foreign LLC; TODD W. )  
24 CHRISTENSEN, MD, an Individual; DIGNITY )  
25 HEALTH d/b/a ST. ROSE DOMINICAN )  
26 HOSPITAL; DOES I through XXX, inclusive; )  
27 and ROE CORPORATIONS I through XXX, )  
28 inclusive; )

Defendants. )

CASE NO.: A-18-773472-C

DEPT. NO.: Department 10

**EXEMPT FROM ARBITRATION:**  
**COMPLAINT FOR MEDICAL**  
**MALPRACTICE**

**COMPLAINT**

COMES NOW Plaintiff, **KIMBERLY D. TAYLOR (Kimberly)**, an individual, by and through  
his counsel, JAMES S. KENT, ESQ., and for his causes of action against Defendants, and each of them,  
alleges and complains as follows:

///

1 **GENERAL ALLEGATIONS**

2 1. That the Plaintiff, KIMBERLY D. TAYLOR (Kimberly), an individual, was at all times  
3 mentioned herein a resident of the State of Nevada.

4 2. Upon information and belief, Defendant, KEITH BRILL, MD, FACOG, FACS (Dr.  
5 Brill), an individual, was at all times mentioned herein a resident of Clark County, State of Nevada.

6 3. Upon information and belief, Defendant WOMEN'S HEALTH ASSOCIATES OF  
7 SOUTHERN NEVADA - MARTIN, PLLC, (WHASN) was a Nevada Professional Limited Liability  
8 Company and was licensed to do business in, and at all relevant times was doing business in, Clark  
9 County, Nevada.

10 4. Upon information and belief, Defendant, BRUCE HUTCHINS, RN (Hutchins), an  
11 individual, was at all times mentioned herein a resident of Clark County, State of Nevada.

12 5. Upon information and belief, Defendant HENDERSON HOSPITAL and/or VALLEY  
13 HEALTH SYSTEM, LLC, dba HENDERSON HOSPITAL, and/or HENDERSON HOSPITAL, a  
14 subsidiary of UNITED HEALTH SERVICES (HH), was a Foreign LLC and was licensed to do business  
15 in, and at all relevant times was doing business in, Clark County, Nevada.

16 6. Upon information and belief, Defendant, TODD W. CHRISTENSEN, MD, (Dr.  
17 Christensen), an individual, was at all times mentioned herein a resident of Clark County, State of  
18 Nevada.

19 7. Upon information and belief, Defendant DIGNITY HEALTH d/b/a ST. ROSE  
20 DOMINICAN HOSPITAL (St. Rose) was a Foreign Non-Profit Corporation and was licensed to do  
21 business in, and at all relevant times was doing business in, Clark County, Nevada.

22 8. That at all relevant times mentioned herein, Defendant Dr. Brill was a licensed physician  
23 pursuant to NRS §630.014, and was duly admitted and authorized to practice medicine in the State of  
24 Nevada.

25 9. That at all relevant times mentioned herein, Defendant Hutchins was a registered nurse  
26 licensed to practice as a nurse in the State of Nevada.

27 ///

28 ///



1           10.     That at all relevant times mentioned herein, Defendant Dr. Christensen was a licensed  
2 physician pursuant to NRS §630.014, and was duly admitted and authorized to practice medicine in the  
3 State of Nevada.

4           11.     That at all relevant times mentioned herein, Defendant WHASN was the employer for  
5 some or all of the other Defendants herein, all of whom were acting within the scope of their  
6 employment with full authority.

7           12.     That at all relevant times mentioned herein, Defendant HH was the employer for some  
8 or all of the other Defendants herein, all of whom were acting within the scope of their employment with  
9 full authority.

10          13.     That at all relevant times mentioned herein, Defendant St. Rose Dominican was the  
11 employer for some or all of the other Defendants herein, all of whom were acting within the scope of  
12 their employment with full authority.

13          14.     That at all relevant times mentioned herein, Roe Corporation I was the employer for some  
14 or all of the other Defendants herein, all of whom were acting within the scope of their employment with  
15 full authority.

16          15.     That at all times relevant herein, Defendants designated as DOES I through XXX and  
17 ROE CORPORATIONS I through XXX, in their true capacities, whether individual, corporate, associate  
18 or otherwise of the Defendants named herein are unknown to Plaintiff who, therefore, sues said  
19 Defendants by said fictitious names; Plaintiff is informed and believes and thereon alleges that each of  
20 the Defendants designated as a DOES I through XXX and ROE CORPORATIONS I through XXX are  
21 responsible in some manner for the events and happenings referred to herein, and caused damages  
22 proximately to Plaintiff as herein alleged, and Plaintiff will ask leave of this court to amend this  
23 Complaint to insert the true names and capacities of DOES I through XXX and ROE CORPORATIONS  
24 I through XXX, when the same have been ascertained and to join such Defendants in this action.

25          16.     That all events mentioned herein occurred in Clark County, Nevada.

26          17.     On or about April 26, 2017 Plaintiff Kimberly Taylor appeared at Henderson Hospital  
27 to undergo a dilation and curettage with hysteroscopy with fibroid removal and hydrothermal ablation.

28     ///

1           18.     That Dr. Brill was to perform, and did partially perform, the surgery referenced in  
2 Paragraph 17.

3           19.     During the procedure, Dr. Brill perforated Kimberly's uterine wall and her small bowel.

4           20.     Dr. Brill only confirmed the perforation with the hysteroscope and did not perform  
5 laparoscopy to evaluate for bowel or other injury to Kimberly.

6           21.     Dr. Brill continued with the surgical procedure, but ultimately terminated it before  
7 completion.

8           22.     Dr. Brill never informed Kimberly of the complication of perforating her uterine wall.

9           23.     Dr. Brill did not inform the anesthesiologist of the complication of perforating Kimberly's  
10 uterine wall.

11          24.     Dr. Brill informed the PACU that there were no complications as a result of the surgery.

12          25.     After the surgery, Kimberly was transferred to the care of HH and Hutchins.

13          26.     Kimberly was in the care of Hutchins and HH for approximately 7 hours, despite normal  
14 recovery for this procedure being 1-2 hours or less due to the failure to complete the surgical procedure.

15          27.     While in post-operative care, Kimberly complained of severe abdominal pain and nausea.

16          28.     Hutchins gave Kimberly significant amounts and types of medications to address her  
17 concerns.

18          29.     Hutchins and HH never communicated with Dr. Brill, WHASN, or any other physician  
19 during the time Kimberly was in their care.

20          30.     Hutchins and HH released Kimberly without contacting Dr. Brill despite her still having  
21 continuing abdominal pains and nausea.

22          31.     On the evening of April 25/early morning of April 26, 2017, Kimberly was transported  
23 to the St. Rose emergency department via ambulance.

24          32.     Dr. Christensen treated Kimberly at St. Rose for the visit referenced in Paragraph 32.

25          33.     Kimberly appeared at St. Rose with complaints of extreme abdominal pain and diffuse  
26 torso pain.

27     ///

1           34.     Dr. Christensen and St. Rose had a CT Abdomen and Pelvis performed, which noted  
2 postoperative pneumoperitoneum and small to moderate ascites.

3           35.     Dr. Christensen was aware of the surgical procedure Kimberly underwent by Dr. Brill.

4           36.     Dr. Christensen did not seek a consult with an OB/GYN and/or surgeon.

5           37.     Dr. Christensen did not rule out a more serious injury despite the CT findings consistent  
6 with visceral perforation and injury.

7           38.     Despite the forgoing, as well as Kimberly still having ongoing severe abdominal pain,  
8 she was treated for nausea and released after approximately three hours.

9           39.     Later on April 27, 2017, Kimberly appeared yet again at St. Rose, where she was  
10 eventually admitted.

11          40.     Kimberly underwent a surgical consult, which included examination and review of the  
12 previously taken CT scan.

13          41.     Based upon the surgical consults examination findings, the clinical significant pain of  
14 Kimberly, and the CT findings (which findings were consistent with visceral perforation and injury),  
15 Kimberly underwent a diagnostic laparoscopy which was then converted to an exploratory laparotomy  
16 with a small bowel resection.

17          42.     During the surgical procedure referenced in Paragraph 41, a 3 cm perforation of the small  
18 bowel was discovered and a resection was performed; Kimberly was also discovered to have suffered  
19 gross peritonitis in all 4 quadrants.

20          43.     Kimberly thereafter suffered a prolonged, critical, post-operative course, and was  
21 discharged on May 5, 2017.

22          44.     Kimberly continues to suffer ongoing repercussions from the aforementioned treatment  
23 and care.

24          45.     Each of the Defendants were responsible for safely and properly following the standards  
25 of care for the medical treatment rendered to Kimberly for the periods referenced above.

26          46.     As a result of the actions and inactions listed herein, Kimberly has incurred significant  
27 injury to her person and special damages by way of past and future lost personal services, past and future  
28 medical costs for treatment, and other losses that are ongoing and not fully calculated at this time.

**FIRST CLAIM FOR RELIEF**  
**(Medical Malpractice/Professional Negligence of Defendant Dr. Brill (41A.100))**

47. Plaintiff repeats and re-alleges each and every above paragraph as though fully set forth hereunder and incorporate the same by reference.

48. At all times pertinent hereto, Defendant Dr. Brill had a duty to adequately and properly provide competent and reasonably safe medical care within the accepted standard of care to Kimberly, as well as properly supervise, monitor, communicate with others, and otherwise ensure her health and safety while she was under his care and recovering from his treatment.

49. Dr. David Berke, DO, FACOOG, has opined in his report attached as Exhibit 1 that Defendant Dr. Brill's care and treatment of Kimberly, to a reasonable degree of medical probability and certainty, fell below the accepted standards of care as follows:

- a. Not properly performing the surgical procedure, causing perforations of Kimberly's uterine wall and small bowel with use of a thermal instrument;
- b. Continuing the surgery, including use of the curettage, after noting the perforation of the uterine wall;
- c. Failing to properly evaluate and diagnose the extent of damage to Kimberly after the perforation of the uterine wall was noted;
- d. Failing to inform and instruct PACU of the uterine perforation and to look for specific concerns which could evidence additional damage and require additional examination; and
- e. Failing to inform Kimberly of the complications resulting from the surgical procedure.

50. As a direct and proximate result of the medical malpractice, professional negligence and failures to meet the standard of care by Defendant Dr. Brill, Plaintiff Kimberly Taylor suffered injuries and damages, including but not limited to perforation of her uterus, perforation of her small bowel and burn injury to her small bowel, removal of a section of her small bowel, gross peritonitis, and a prolonged, critical, post-operative course, all within a reasonable degree of medical probability and certainty as per Dr. Berke, and all to Plaintiff's damages in an amount in excess of TEN THOUSAND DOLLARS (\$10,000).



51. As a direct and proximate result of the medical malpractice, professional negligence and failures to meet the standard of care by Defendant Dr. Brill, Plaintiff Kimberly Taylor has sustained physical and mental injuries, which have caused and will continue to cause physical and mental pain and suffering with loss of enjoyment of life. For these damages, Plaintiff is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

52. As a direct, proximate, and legal result of the medical malpractice, professional negligence and failures to meet the standard of care by Defendant Dr. Brill, Plaintiff Kimberly Taylor has incurred and will continue to incur medical expenses and other special damages for which Plaintiff Kimberly Taylor is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

53. As a direct, proximate, and legal result of the medical malpractice, professional negligence and failures to meet the standard of care by Defendant Dr. Brill, it has been necessary for Plaintiff Kimberly Taylor to retain the law firm of James S. Kent, Ltd., to prosecute this action, and Plaintiff is entitled to recover reasonable attorney's fees and costs.

**SECOND CLAIM FOR RELIEF**  
**(Medical Malpractice/Professional Negligence of Defendant Hutchins (41A.100))**

54. Plaintiff repeats and re-alleges each and every above paragraph as though fully set forth hereunder and incorporate the same by reference.

55. At all times pertinent hereto, Defendant Hutchinsl had a duty to adequately and properly provide competent and reasonably safe medical care with the accepted standard of care to Kimberly, as well as properly supervise, monitor, communicate with others, and otherwise ensure her health and safety while she was under his care and recovering from his treatment.

56. Dr. David Berke, DO, FACOOG, has opined in his report attached as Exhibit 1 that Defendant Hutchin's care and treatment of Kimberly, to a reasonable degree of medical probability and certainty, fell below the accepted standards of care as follows:

a. Failure to contact Dr. Brill or obtain a GYN consult despite the excessive pain medications being given to Ms. Taylor;

///

- b. Failure to contact Dr. Brill prior to releasing Ms. Taylor; and
- c. Releasing Ms. Taylor despite her ongoing severe abdominal pain.

57. As a direct and proximate result of the medical malpractice, professional negligence and failures to meet the standard of care by Defendant Hutchins, Plaintiff Kimberly Taylor suffered injuries and damages, including but not limited to gross peritonitis and a prolonged, critical, post-operative course, all within a reasonable degree of medical probability and certainty as per Dr. Berke, and all to Plaintiff's damages in an amount in excess of TEN THOUSAND DOLLARS (\$10,000).

58. As a direct and proximate result of the medical malpractice, professional negligence and failures to meet the standard of care by Defendant Hutchins, Plaintiff Kimberly Taylor has sustained physical and mental injuries, which have caused and will continue to cause physical and mental pain and suffering with loss of enjoyment of life. For these damages, Plaintiff is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

59. As a direct, proximate, and legal result of the medical malpractice, professional negligence and failures to meet the standard of care by Defendant Hutchins, Plaintiff Kimberly Taylor has incurred and will continue to incur medical expenses and other special damages for which Plaintiff Kimberly Taylor is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

60. As a direct, proximate, and legal result of the medical malpractice, professional negligence and failures to meet the standard of care by Defendant Hutchins, it has been necessary for Plaintiff Kimberly Taylor to retain the law firm of James S. Kent, Ltd., to prosecute this action, and Plaintiff is entitled to recover reasonable attorney's fees and costs.

**THIRD CLAIM FOR RELIEF  
(Medical Malpractice/Professional Negligence of Defendant Dr. Christensen (41A.100))**

61. Plaintiff repeats and re-alleges each and every above paragraph as though fully set forth hereunder and incorporate the same by reference.

62. At all times pertinent hereto, Defendant Dr. Christensen had a duty to adequately and properly provide competent and reasonably safe medical care with the accepted standard of care to

1 Kimberly, as well as properly supervise, monitor, communicate with others, and otherwise ensure her  
2 health and safety while she was under his care and recovering from his treatment.

3 63. Dr. David Berke, DO, FACOOG, has opined in his report attached as Exhibit 1 that  
4 Defendant Dr. Christensen's care and treatment of Kimberly, to a reasonable degree of medical  
5 probability and certainty, fell below the accepted standards of care as follows:

- 6 a. Failure to obtain a consult with OB/GYN and/or surgeon based upon the CT  
7 report; and
- 8 b. Release of Ms. Taylor despite the CT report and ongoing severe abdominal pain  
9 without ruling out a more serious injury with CT findings consistent with visceral  
10 perforation and injury.

11 64. As a direct and proximate result of the medical malpractice, professional negligence and  
12 failures to meet the standard of care by Defendant Dr. Christensen, Plaintiff Kimberly Taylor suffered  
13 injuries and damages, including but not limited to gross peritonitis and a prolonged, critical, post-  
14 operative course, all within a reasonable degree of medical probability and certainty as per Dr. Berke,  
15 and all to Plaintiff's damages in an amount in excess of TEN THOUSAND DOLLARS (\$10,000).

16 65. As a direct and proximate result of the medical malpractice, professional negligence and  
17 failures to meet the standard of care by Defendant Dr. Christensen, Plaintiff Kimberly Taylor has  
18 sustained physical and mental injuries, which have caused and will continue to cause physical and  
19 mental pain and suffering with loss of enjoyment of life. For these damages, Plaintiff is entitled to be  
20 compensated in an amount to be determined at the time of trial in this matter and which is in excess of  
21 TEN THOUSAND DOLLARS (\$10,000).

22 66. As a direct, proximate, and legal result of the medical malpractice, professional  
23 negligence and failures to meet the standard of care by Defendant Dr. Christensen, Plaintiff Kimberly  
24 Taylor has incurred and will continue to incur medical expenses and other special damages for which  
25 Plaintiff Kimberly Taylor is entitled to be compensated in an amount to be determined at the time of trial  
26 in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

27 67. As a direct, proximate, and legal result of the medical malpractice, professional  
28 negligence and failures to meet the standard of care by Defendant Dr. Christensen, it has been necessary

1 for Plaintiff Kimberly Taylor to retain the law firm of James S. Kent, Ltd., to prosecute this action, and  
2 Plaintiff is entitled to recover reasonable attorney's fees and costs.

3 **FOURTH CLAIM FOR RELIEF**  
4 **(Res Ipsa Loquitur - NRS 41A.100; Medical Malpractice/Professional Negligence of Defendant**  
5 **Dr. Brill)**

6 68. Plaintiff repeats and re-alleges each and every above paragraph as though fully set forth  
7 hereunder and incorporate the same by reference.

8 69. At all times pertinent hereto, Defendant Dr. Brill was the physician performing  
9 Kimberly's dilation and curettage with hysteroscopy with fibroid removal and hydrothermal ablation.

10 70. During the course of his medical care, in particular his surgery, Defendant Dr. Brill  
11 unintentionally caused burn injuries by heat, radiation, or chemicals to Kimberly's uterus and bowel.

12 71. These injuries do not normally occur in the absence of negligence and a failure to meet  
13 the standard of care.

14 72. Kimberly could not and does not have comparative negligence as she was under general  
15 anesthesia, completely dependent, and under the total control of Dr. Brill during the entire period in  
16 which she sustained these injuries, which caused the intestinal contents to leak into the abdominal and  
17 pelvis cavities and directly result in infection and gross peritonitis.

18 73. Pursuant to Nevada Revised Statute 41A.100, Dr. Brill is therefore presumed  
19 professionally negligent (i.e. to have fallen below the standard of care).

20 74. As a direct and proximate result of Defendant Dr. Brill's negligent acts and omissions,  
21 including, but not limited to, the above-stated res ipsa, presumption of professional negligence, Plaintiff  
22 Kimberly suffered injuries and damages, all to Plaintiff Kimberly Taylor's detriment, in an amount in  
23 excess of TEN THOUSAND DOLLARS (\$10,000).

24 75. As a direct and proximate result of Defendant Dr. Brill's negligent acts and omissions,  
25 including, but not limited to, the above-stated res ipsa, presumption of professional negligence, Plaintiff  
26 Kimberly Taylor has sustained physical and mental injuries, which have caused and will continue to  
27 cause physical and mental pain and suffering with loss of enjoyment of life. For these damages, Plaintiff  
28 is entitled to be compensated in an amount to be determined at the time of trial in this matter and which  
is in excess of TEN THOUSAND DOLLARS (\$10,000).

76. As a direct and proximate result of Defendant Dr. Brill's negligent acts and omissions, including, but not limited to, the above-stated res ipsa, presumption of professional negligence, Plaintiff Kimberly Taylor has incurred and will continue to incur medical expenses and other special damages for which Plaintiff Kimberly Taylor is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

77. As a direct and proximate result of Defendant Dr. Brill's negligent acts and omissions, including, but not limited to, the above-stated *res ipsa*, presumption of professional negligence, it has been necessary for Plaintiff Kimberly Taylor to retain the law firm of James S. Kent, Ltd., to prosecute this action, and Plaintiff is entitled to recover reasonable attorney's fees and costs.

**FIFTH CLAIM FOR RELIEF**  
**(Res Ipsa Loquitur - NRS 41A.100; Medical Malpractice/Professional Negligence of Defendant Henderson Hospital et al)**

78. Plaintiff repeats and re-alleges each and every above paragraph as though fully set forth hereunder and incorporate the same by reference.

79. At all times pertinent hereto, Defendants Henderson Hospital et al were the owners, managers, distributors, retailers and/or otherwise providers of Henderson Hospital, its operating facility and surgical equipment, including but not limited to the facility used for and equipment used during Kimberly's surgery by Dr. Brill on April 26, 2017.

80. During the use of this equipment in Defendant Henderson Hospital's facility, Kimberly received multiple unintentional burn injuries caused by heat, radiation, or chemicals to Kimberly's uterus and bowel.

81. These injuries do not normally occur in the absence of negligence and a failure to meet the standard of care.

82. Kimberly could not and does not have comparative negligence as she was under general anesthesia, completely dependent, and under the defendants' control during the entire period in which she sustained these injuries, which caused the intestinal contents to leak into the abdominal and pelvis cavities and directly result in infection and gross peritonitis.

83. Pursuant to Nevada Revised Statute 41A.100, Dr. Brill is therefore presumed professionally negligent (i.e. to have fallen below the standard of care).

1           84.     As a direct and proximate result of Defendant Henderson Hospital et al's negligent acts  
2 and omissions, including, but not limited to, the above-stated res ipsa, presumption of professional  
3 negligence, Plaintiff Kimberly Taylor suffered injuries and damages, all to Plaintiff Kimberly Taylor's  
4 detriment, in an amount in excess of TEN THOUSAND DOLLARS (\$10,000).

5           85.     As a direct and proximate result of Defendant Henderson Hospital et al's negligent acts  
6 and omissions, including, but not limited to, the above-stated res ipsa, presumption of professional  
7 negligence, Plaintiff Kimberly Taylor has sustained physical and mental injuries, which have caused and  
8 will continue to cause physical and mental pain and suffering with loss of enjoyment of life. For these  
9 damages, Plaintiff is entitled to be compensated in an amount to be determined at the time of trial in this  
10 matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

11           86.     As a direct and proximate result of Defendant Henderson Hospital et al's negligent acts  
12 and omissions, including, but not limited to, the above-stated res ipsa, presumption of professional  
13 negligence, Plaintiff Kimberly Taylor has incurred and will continue to incur medical expenses and other  
14 special damages for which Plaintiff Kimberly Taylor is entitled to be compensated in an amount to be  
15 determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS  
16 (\$10,000).

17           87.     As a direct and proximate result of Defendant Henderson Hospital et al's negligent acts  
18 and omissions, including, but not limited to, the above-stated res ipsa, presumption of professional  
19 negligence, it has been necessary for Plaintiff Kimberly Taylor to retain the law firm of James S. Kent,  
20 Ltd., to prosecute this action, and Plaintiff is entitled to recover reasonable attorney's fees and costs.

21                                   **SIXTH CLAIM FOR RELIEF**  
22                                   **(Vicarious Liability of Defendant Women's Health Associates of Southern Nevada)**

23           88.     Plaintiff repeats and re-alleges each and every above paragraph as though fully set forth  
24 hereunder and incorporate the same by reference.

25           89.     Defendant Dr. Brill was an agent and/or employee of Defendant WHASN, and was acting  
26 in the scope of his employment, under WHASN's control, and in furtherance of WHASN's interests at  
27 the time their actions caused Plaintiff's injuries.  
28

90. Defendant WHASN is vicariously liable for damages resulting from their employees', agents', and/or independent contractors' negligent actions against Kimberly during the scope of their employment.

91. That Kimberly entrusted to Defendants Dr. Brill's and WHASN's care and treatment.

92. That as a direct and proximate result of the negligence and failures to meet the standard of care by Defendants Dr. Brill and WHASN, Plaintiff Kimberly Taylor suffered injuries and damages, including but not limited to gross peritonitis and a prolonged, critical, post-operative course, and all to Plaintiff's damages in an amount in excess of TEN THOUSAND DOLLARS (\$10,000).

93. That as a direct and proximate result of the negligence and failures to meet the standard of care by Defendants Dr. Brill and WHASN, Plaintiff Kimberly Taylor has sustained physical and mental injuries, which have caused and will continue to cause physical and mental pain and suffering with loss of enjoyment of life. For these damages, Plaintiff is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

94. That as a direct and proximate result of the negligence and failures to meet the standard of care by Defendants Dr. Brill and WHASN, Plaintiff Kimberly Taylor has incurred and will continue to incur medical expenses and other special damages for which Plaintiff Kimberly Taylor is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

95. As That as a direct and proximate result of the negligence and failures to meet the standard of care by Defendants Dr. Brill and WHASN, it has been necessary for Plaintiff Kimberly Taylor to retain the law firm of James S. Kent, Ltd., to prosecute this action, and Plaintiff is entitled to recover reasonable attorney's fees and costs.

**SIXTH CLAIM FOR RELIEF**  
**(Vicarious Liability of Defendant Henderson Hospital et al)**

96. Plaintiff repeats and re-alleges each and every above paragraph as though fully set forth hereunder and incorporate the same by reference.

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1           97. Defendant Hutchins was an agent and/or employee of Defendant Henderson Hospital and  
2 was acting in the scope of his employment, under HH's control, and in furtherance of HH's interests at  
3 the time their actions caused Plaintiff's injuries.

4           98. Defendant HH is vicariously liable for damages resulting from their employees', agents',  
5 and/or independent contractors' negligent actions against Kimberly during the scope of their  
6 employment.

7           99. That Kimberly entrusted to HH's care and treatment.

8           100. That HH selected the medical care providers who rendered care to Kimberly.

9           101. That Kimberly reasonably believed that the medical care providers selected by HH were  
10 the agents, employees, or servants of HH.

11           102. That as a direct and proximate result of the negligence and failures to meet the standard  
12 of care by Hutchins and/or other employees, agents, or servants of HH, Plaintiff Kimberly Taylor  
13 suffered injuries and damages, including but not limited to gross peritonitis and a prolonged, critical,  
14 post-operative course, and all to Plaintiff's damages in an amount in excess of TEN THOUSAND  
15 DOLLARS (\$10,000).

16           103. That as a direct and proximate result of the negligence and failures to meet the standard  
17 of care by Hutchins and/or other employees, agents, or servants of HH, Plaintiff Kimberly Taylor has  
18 sustained physical and mental injuries, which have caused and will continue to cause physical and  
19 mental pain and suffering with loss of enjoyment of life. For these damages, Plaintiff is entitled to be  
20 compensated in an amount to be determined at the time of trial in this matter and which is in excess of  
21 TEN THOUSAND DOLLARS (\$10,000).

22           104. That as a direct and proximate result of the negligence and failures to meet the standard  
23 of care by Hutchins and/or other employees, agents, or servants of HH, Plaintiff Kimberly Taylor has  
24 incurred and will continue to incur medical expenses and other special damages for which Plaintiff  
25 Kimberly Taylor is entitled to be compensated in an amount to be determined at the time of trial in this  
26 matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

27           105. That as a direct and proximate result of the negligence and failures to meet the standard  
28 of care by Hutchins and/or other employees, agents, or servants of HH, it has been necessary for Plaintiff

1 Kimberly Taylor to retain the law firm of James S. Kent, Ltd., to prosecute this action, and Plaintiff is  
2 entitled to recover reasonable attorney's fees and costs.

3 **EIGHTH CLAIM FOR RELIEF**  
4 **(Vicarious Liability of Defendant St. Rose)**

5 106. Plaintiff repeats and re-alleges each and every above paragraph as though fully set forth  
6 hereunder and incorporate the same by reference.

7 107. Defendant Dr. Christensen was an agent and/or employee and/or independent contractor  
8 of Defendant St. Rose and was acting in the scope of his employment and/or agency and/or contract,  
9 under St. Rose's control, and in furtherance of St. Rose's interests at the time their actions caused  
10 Plaintiff's injuries.

11 108. Defendant St. Rose is vicariously liable for damages resulting from their employees',  
12 agents', and/or independent contractors' negligent actions against Kimberly during the scope of their  
13 employment, agency, appointment, or other similar relationship.

14 109. That Kimberly entrusted to St. Rose's care and treatment.

15 110. That St. Rose selected the doctor, doctors, and/or medical care providers who rendered  
16 care to Kimberly.

17 111. That Kimberly reasonably believed that the doctor, doctors, and/or medical care providers  
18 selected by St. Rose were the agents, employees, or servants of St. Rose.

19 112. That as a direct and proximate result of the negligence and failures to meet the standard  
20 of care by Dr. Christensen and/or other employees, agents, or servants of St. Rose, Plaintiff Kimberly  
21 Taylor suffered injuries and damages, including but not limited to gross peritonitis and a prolonged,  
22 critical, post-operative course, and all to Plaintiff's damages in an amount in excess of TEN  
23 THOUSAND DOLLARS (\$10,000).

24 113. That as a direct and proximate result of the negligence and failures to meet the standard  
25 of care by Dr. Christensen and/or other employees, agents, or servants of St. Rose, Plaintiff Kimberly  
26 Taylor has sustained physical and mental injuries, which have caused and will continue to cause physical  
27 and mental pain and suffering with loss of enjoyment of life. For these damages, Plaintiff is entitled to  
28 be compensated in an amount to be determined at the time of trial in this matter and which is in excess  
of TEN THOUSAND DOLLARS (\$10,000).

114. That as a direct and proximate result of the negligence and failures to meet the standard of care by Dr. Christensen and/or other employees, agents, or servants of St. Rose, Plaintiff Kimberly Taylor has incurred and will continue to incur medical expenses and other special damages for which Plaintiff Kimberly Taylor is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

115. That as a direct and proximate result of the negligence and failures to meet the standard of care by Hutchins and/or other employees, agents, or servants of St. Rose, it has been necessary for Plaintiff Kimberly Taylor to retain the law firm of James S. Kent, Ltd., to prosecute this action, and Plaintiff is entitled to recover reasonable attorney's fees and costs.

**NINTH CLAIM FOR RELIEF**  
**(Negligent Hiring, Training, and Supervision of Defendants Women’s Health Associates of Southern Nevada, Henderson Hospital et al, and St. Rose)**

116. Plaintiff repeats and re-alleges each and every allegation and fact contained herein and incorporate the same by reference.

117. Defendants had a duty to hire, properly train, properly supervise, and properly retain competent employees, agents, independent contractors, and representatives.

118. Defendants breached their duty by improperly hiring, improperly training, improperly supervising, and improperly retaining incompetent persons regarding their examination, diagnosis, and treatment of Kimberly during the times referenced herein.

119. Defendants breached the applicable standard of care directly resulting in Kimberly sustaining significant injuries including but not limited to perforation of her uterus, perforation of her small bowel and burn injury to her small bowel, removal of a section of her small bowel, gross peritonitis, and a prolonged, critical, post-operative course.

120. As a direct and proximate result of the Defendants' negligence, medical malpractice, and carelessness, Plaintiff Kimberly Taylor suffered injuries and damages, including but not limited to perforation of her uterus, perforation of her small bowel and thermal injury to her small bowel, removal of a section of her small bowel, gross peritonitis, and a prolonged, critical, post-operative course, all to Plaintiff's damages in an amount in excess of TEN THOUSAND DOLLARS (\$10,000).

///

121. As a direct and proximate result of the Defendants' negligence, medical malpractice, and carelessness, Plaintiff Kimberly Taylor has sustained physical and mental injuries, which have caused and will continue to cause physical and mental pain and suffering with loss of enjoyment of life. For these damages, Plaintiff is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

122. As a direct and proximate result of the Defendants' negligence, medical malpractice, and carelessness, Plaintiff Kimberly Taylor has incurred and will continue to incur medical expenses and other special damages for which Plaintiff Kimberly Taylor is entitled to be compensated in an amount to be determined at the time of trial in this matter and which is in excess of TEN THOUSAND DOLLARS (\$10,000).

123. As a direct and proximate result of the Defendants' negligence, medical malpractice, and carelessness, it has been necessary for Plaintiff Kimberly Taylor to retain the law firm of James S. Kent, Ltd., to prosecute this action, and Plaintiff is entitled to recover reasonable attorney's fees and costs.


WHEREFORE, Plaintiff Kimberly Taylor, reserving the right to amend this Complaint at the time of trial to include all items of damages not yet ascertained, prays for judgment against the Defendants, and each of them, as follows:

1. FOR EACH AND EVERY CAUSE OF ACTION:

- a. For past and future general damages in a sum in excess of \$10,000.00;
- b. For past and future special damages in a sum in excess of \$10,000.00;
- c. For Plaintiff's Court costs and attorney's fees; and,
- d. For such other and further relief as to the Court may seem proper.

DATED this 25<sup>th</sup> day of April, 2018.

JAMES S. KENT, LTD.



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JAMES S. KENT, ESQ.  
Nevada Bar No. 5034  
9480 S. Eastern Ave., Suite 228  
Las Vegas, Nevada 89123  
(702) 385-1100  
Attorney for Plaintiff

# EXHIBIT 1

1                                    DECLARATION OF DAVID BERKE, DO, FACOG

2    STATE OF CALIFORNIA                                    )  
3    COUNTY OF RIVERSIDE                                   )                    ss:

4            DAVID BERKE, having been duly sworn, deposes and says:

5            1.        I am a board certified Obstetrician and Gynecologist. I am currently in full-time  
6    practice in Riverside, California. All of my licenses are on file with the appropriate authorities in  
7    California. My additional qualifications and training are further set forth in my Curriculum Vitae,  
8    which is attached hereto and incorporated herein by reference. Based upon my training, background,  
9    knowledge, and experience in gynecology and obstetrics, I am familiar with the applicable standards  
10   of care for the treatment of individuals demonstrating the symptoms and conditions presented by the  
11   Plaintiff in this action. Further, I am qualified on the basis of my training, background, knowledge  
12   and experience to offer expert medical care, the breaches thereof in this case, and any resulting  
13   injuries and damages arising therefrom. The opinions I give are within the reasonable medical  
14   probability and certainty.

15           2.        I have reviewed the physician and hospital records pertaining to this matter:

- 16                   a.        Medical records from the office of Keith Brill, M.D./Women's Health  
17                               Associates of Southern Nevada;  
18                   b.        Medical records from Henderson Hospital; and  
19                   c.        Medical records from Dignity Health D/b/a St. Rose Dominican Hospital.

20           3.        My opinions below pertaining to the care of Kimberly D. Taylor are based upon my  
21   review of the aforementioned records, photographs, etc., from the referenced parties.

22           4.        Ms. Taylor was a 45 year old woman who had been treated by Dr. Brill for several  
23   years prior to the incident in question. She had a history of menorrhagia, and had a bicornuate uterus  
24   with a fibroid. After counseling with Dr. Brill, she agreed to dilation and curettage with  
25   hysteroscopy with fibroid removal and hydrothermal ablation, all to be performed by Dr. Brill.

26           5.        On April 26, 2017, Ms. Taylor appeared at Henderson Hospital for the referenced  
27   surgical procedure. During the procedure, Dr. Brill was using a symphion hysteroscope to begin  
28   resecting an apparent uterine septum when he noted a uterine perforation. Despite experiencing a





1 uterine perforation during the use of a device that cuts with energy, Dr. Brill only confirmed the  
2 perforation with the hysteroscope and did not perform laparoscopy to evaluate for bowel or other  
3 injury. He continued with the procedure, thereafter using a #2 sharp curette to remove a small  
4 amount of endometrial tissue, but thereafter terminated the procedure. Ms. Taylor was thereafter  
5 removed to recovery. There was no record of Ms. Taylor being informed of the perforation by Dr.  
6 Brill.

7       6. During a procedure such as the one performed herein, once the perforation of the  
8 uterine wall was noted, the proper standard of care is to identify and locate the extent of the injury,  
9 and cease all further invasive procedures which may cause injury to adjacent structures. Since a  
10 thermal instrument was being used at the time of the injury, a laparoscopy should have been  
11 performed immediately to determine if any further damage occurred, and/or obtain a surgical consult.  
12 The surgeon then has a duty to inform the patient about the condition and what occurred during  
13 surgery. The doctor is also obligated to inform current and subsequent providers of the concern to  
14 insure proper and appropriate treatment to the patient.

15       7. Ms. Taylor was thereafter in recovery at Henderson Hospital under the care of Bruce  
16 Hutchins, RN, where she remained for approximately 7 hours. It appears Ms. Taylor was discharged  
17 despite still complaining of severe abdominal pain. The PACU notes state that per surgeon, there  
18 were no complications. No complications were noted by the anesthesiologist. During her post  
19 operative stay, Ms. Taylor was medicated for ongoing pain and nausea. No communications to Dr.  
20 Brill were noted.

21       8. The normal recovery for the type of procedure performed in this instance would be  
22 an hour or two, and generally with minimal pain medications, and the PACU nurse should know this.  
23 If a patient is in recovery for 7 hours, and having been given significant pain medications to alleviate  
24 the pain being expressed, the proper standard of care is for the PACU nurse to contact the surgeon  
25 and inform the surgeon of the patient's condition so the surgeon may determine if alternative or  
26 additional treatment should be provided.

27       9. Approximately 7.5 hours after being released from Henderson Hospital, Ms. Taylor  
28 appeared via ambulance at St. Rose Dominican ER where she was received by Dr. Todd Christensen.

1 Her complaints at that time were extreme abdominal pain and diffuse torso pain. A CT Abdomen  
2 and Pelvis was performed, noting postoperative pneumoperitoneum and small to moderate ascites.  
3 Despite these findings, she was treated for nausea and released after approximately three hours  
4 without further workup or consultation regarding a possible bowel injury.

5 10. When the CT Abdomen and Pelvis showed "postoperative pneumoperitoneum and  
6 small to moderate ascites" following the procedure noted herein, the proper standard of care would  
7 be to seek a surgical consult to rule out any possible bowel or other injury.

8 11. Ms. Taylor subsequently appeared at St. Rose ER approximately 6 hours later, again  
9 via ambulance, complaining of worsening abdominal pain. A call was placed to Dr. Brill, who was  
10 unavailable. Samantha Schoenhaus, DO, OB-GYN, covering for Dr. Brill, admitted Ms. Taylor,  
11 but despite her condition, there was still no indication any person associated with the matter had any  
12 knowledge that Ms. Taylor's uterine wall had been perforated during the surgery the day before.  
13 Elizabeth Hamilton, M.D., was eventually consulted and was eventually informed by report that a  
14 uterine perforation had occurred during the prior surgery. Based upon her examination findings,  
15 clinical significant pain, and the CT findings (which suggested evidence of perforation), Dr.  
16 Hamilton felt it was highly likely Ms. Taylor had a bowel perforation. Dr. Hamilton performed a  
17 diagnostic laparoscopy which was then converted to an exploratory laparotomy with a small bowel  
18 resection. A 3 cm perforation of the small bowel was discovered and a resection was performed.  
19 Ms. Taylor also suffered gross peritonitis in all 4 quadrants. She was eventually discharged nine  
20 days later.

21 12. It is my professional opinion, to a reasonable degree of medical certainty, that the care  
22 and treatment provided by Dr. Brill, Bruce Hutchins RN, Henderson Hospital, Dr. Christensen, and  
23 St. Rose was grossly deficient, negligent, and below the standard of care, including but not limited  
24 to the following:

25 a. Dr. Brill

26 i. Not properly performing surgical procedure causing perforations of  
27 Ms. Taylor's uterine wall and small bowel with use of a thermal  
28 instrument;

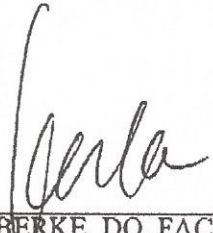




- 1 ii. Continuing the surgery, including use of the curettage, after noting  
2 the perforation of the uterine wall;  
3 iii. Failing to properly evaluate and diagnose the extent of damage to Ms.  
4 Taylor after the perforation of the uterine wall was noted;  
5 iv. Failing to inform and instruct PACU of the uterine perforation and to  
6 look for specific concerns which could evidence additional damage  
7 and require additional examination;  
8 v. Failing to inform Ms. Taylor of the complications resulting from the  
9 surgical procedure;  
10 b. Bruce Hutchins, RN, and Henderson Hospital  
11 i. Failure to contact Dr. Brill or obtain a GYN consult despite the  
12 excessive pain medications being given to Ms. Taylor;  
13 ii. Failure to contact Dr. Brill prior to releasing Ms. Taylor;  
14 iii. Releasing Ms. Taylor despite her ongoing severe abdominal pain;  
15 c. Dr. Christensen and St. Rose (first visit to ER)  
16 i. Failure to obtain a consult with OB/GYN and/or surgeon based upon  
17 the CT report;  
18 ii. Release of Ms. Taylor despite the CT report and ongoing severe  
19 abdominal pain without ruling out a more serious injury with CT  
20 findings consistent with visceral perforation and injury..  
21 13. The actions of Keith Brill, MD, FACOG, FACS; Women's Health Associates of  
22 Southern Nevada - Martin, PLLC; Bruce Hutchins, RN; Henderson Hospital and/or Valley Health  
23 System, LLC and/or Henderson Hospital; Todd W. Christensen, MD; and Dignity Health d/b/a St.  
24 Rose Dominican Hospital, and their employees, agents and/or contractors, fell below the standard  
25 of care and were the direct cause of the injuries sustained by Ms. Taylor, including but not limited  
26 ///  
27 ///  
28 ///

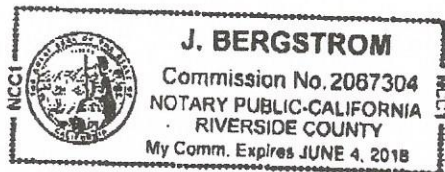
1 to uterine perforation, bowel perforation, bowel resection, gross peritonitis in all 4 quadrants, and  
2 a prolonged, critical, post-operative course.

3 I4. I reserve the rights to amend my findings upon the presentation of additional facts  
4 and/or records related to this matter.

5  
6  
7  
8   
DAVID BERKE, DO, FACOOG

9 SUBSCRIBED AND SWORN to before me  
10 this 25 day of April, 2018.

11  
12   
13 NOTARY PUBLIC



242 EAGLE GROVE AVE • CLAREMONT, CA 91711  
PHONE (909) 910-8364 • E-MAIL DAVID.BERKE108@GMAIL.COM

# DAVID BERKE, DO, FACOOG

## EDUCATION

---

Western University of Health Sciences 6/2003 - 5/2007 Pomona, CA

*Doctor of Osteopathic Medicine*

The George Washington University 8/1992 - 8/1994 Washington, DC

*Bachelor of Science – Physician Assistant*

San Diego State University 8/1987 - 6/1992

San Diego, CA

*Bachelor of Arts – With Distinction in Psychology*

## PROFESSIONAL EXPERIENCE

---

Riverside Medical Clinic 6/2013 – present

Riverside, CA

*Obstetrician and Gynecologist*

- Full spectrum OB/GYN care, with emphasis on minimally invasive Gynecologic procedures, in large multi-specialty Medical Group
- Assistant Clinical Professor, Department of Obstetrics and Gynecology, University of California, Riverside, School of Medicine
- Medical Director of Ambulatory Surgery Center
- Member of Medical Practice and Peer Review Committees

Magnolia Women's Center 7/2011 – 6/2013

Riverside, CA

*Obstetrician and Gynecologist*

Arrowhead Regional Medical Center 7/2008 – 6/2011 Colton, CA

*Resident in Obstetrics and Gynecology*

- Training at both San Bernardino and Riverside's County Hospitals
- Chief Resident 2010-2011

Arrowhead Regional Medical Center 6/2007 – 6/2008 Colton, CA

*Internship – Specialty Track for Obstetrics and Gynecology*

City of Hope National Medical Center 12/1996 –6/2003 Duarte, CA  
*Physician Assistant*

- Department of Medical Oncology and  
Therapeutics Research

Behrooz Tohidi, MD 8/1994 – 12/1996 Oceanside, CA  
*Physician Assistant*

- Orthopedic Surgery

#### RESEARCH

---

Tyrosine Kinase Receptor Inhibition and ET-743 for the Ewing Family of Tumors, presented at Western Student Medical Research Forum 2005

Incidence of Umbilical pH < 7.0 in Elective Cesarean Section at Term, presented at Society for Gynecologic Investigation 2007

#### CURRENT LICENSURE/CERTIFICATION

---

Board Certified in Obstetrics and Gynecology

Licensed to practice Medicine in the State of California

#### PROFESSIONAL MEMBERSHIPS

---

Fellow, American College of Osteopathic Obstetricians and Gynecologists

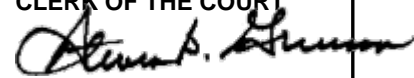
American Osteopathic Association

California Medical Association

Riverside County Medical Society

---

# Exhibit “2”



1 NEO  
2 KENNETH M. WEBSTER, ESQ.  
3 Nevada Bar No. 7205  
4 BRITTANY A. LEWIS, ESQ.  
5 Nevada Bar no. 14565  
6 HALL PRANGLE & SCHOONVELD, LLC  
7 1160 North Town Center Drive, Ste. 200  
8 Las Vegas, Nevada 89144  
9 Phone: 702-889-6400  
10 Facsimile: 702-384-6025  
11 [efile@hpslaw.com](mailto:efile@hpslaw.com)  
12 *Attorneys for Defendants Henderson Hospital*  
13 *and Bruce Hutchins, RN*

9 DISTRICT COURT  
10 CLARK COUNTY, NEVADA

11 KIMBERLY D. TAYLOR, an Individual,  
12 Plaintiff,

13 vs.

14 KEITH BRILL, MD, FACOG, FACS, an  
15 Individual; WOMEN'S HEALTH  
16 ASSOCIATES OF SOUTHERN NEVADA –  
17 MARTIN, PLLC, a Nevada Professional  
18 Limited Liability Company; BRUCE  
19 HUTCHINS, RN, an Individual; HENDERSON  
20 HOSPITAL and/or VALLEY HEALTH  
21 SYSTEM, LLC, a Foreign LLC dba  
22 HENDERSON HOSPITAL and/or  
23 HENDERSON HOSPITAL, a subsidiary of  
24 UNITED HEALTH SERVICES, a Foreign  
25 LLC; TODD W. CHRISTENSEN, MD, an  
26 Individual; DIGNITY HEALTH d/b/a ST.  
27 ROSE DOMINICAN HOSPITAL; DOES I  
28 through XXX, inclusive; and ROE  
CORPORATIONS I through XXX, inclusive;

Defendants.

CASE NO. A-18-773472-C  
DEPT NO. X

**NOTICE OF ENTRY OF ORDER**

///

///

///

1 PLEASE TAKE NOTICE that a Stipulation and Order to Dismiss Nurse Defendant  
2 Bruce Hutchins, RN, without Prejudice in the above entitled Court on the 18<sup>th</sup> day of October,  
3 2018, a copy of which is attached hereto.

4 DATED this 24<sup>th</sup> day of October, 2018.

5 HALL PRANGLE & SCHOONVELD, LLC

6 By: /s/: Brittany A. Lewis, Esq.

7 KENNETH M. WEBSTER, ESQ.

8 Nevada Bar No. 7205

9 BRITTANY A. LEWIS, ESQ.

10 Nevada Bar no. 14565

11 HALL PRANGLE & SCHOONVELD, LLC

12 1160 North Town Center Drive, Ste. 200

13 Las Vegas, Nevada 89144

14 *Attorneys for Defendants Henderson Hospital*  
15 *and Bruce Hutchins, RN*

16  
17  
18  
19  
20  
21  
22  
23  
24 ///

25  
26 ///

27  
28 ///

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of HALL PRANGLE & SCHOONVELD, LLC; that on the 24<sup>th</sup> day of October, 2018, I served a true and correct copy of the foregoing

**NOTICE OF ENTRY OF ORDER** as follows:

XX the E-Service Master List for the above referenced matter in the Eighth Judicial District Court e-filing System in accordance with the electronic service requirements of Administrative Order 14-2 and the Nevada Electronic Filing and Conversion Rules;

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

\_\_\_\_\_ Receipt of Copy at their last known address:

James S. Kent, Esq.  
9480 S. Eastern Ave., Suite 228  
Las Vegas, NV 89123  
[jamie@jamiekent.org](mailto:jamie@jamiekent.org)  
*Attorneys for Plaintiffs*

Robert McBride, Esq.  
Heather Hall, Esq.  
Carroll, Kelly, Trotter, Franzen,  
McBride & Peabody  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
[rcmcbride@cktfmlaw.com](mailto:rcmcbride@cktfmlaw.com)  
[hshall@cktfmlaw.com](mailto:hshall@cktfmlaw.com)  
*Attorneys for Defendant*  
*Keith Brill, MD, FACOG, FACS and Women's*  
*Health Associates of Southern Nevada*

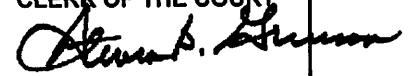
Keith Weaver, Esq.  
Lewis Brisbois Bisgaard & Smith  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118  
[keith.weaver@lewisbrisbois.com](mailto:keith.weaver@lewisbrisbois.com)  
*Attorneys for Dignity Health d/b/a*  
*St. Rose Dominican Hospital*

Kim Irene Mandelbaum, Esq.  
Sherman B. Mayor, Esq.  
Mandelbaum, Ellerton & Associates  
2012 Hamilton Lane  
Las Vegas, Nevada 89106  
[filing@meklaw.net](mailto:filing@meklaw.net)  
*Attorneys for Todd W. Christensen, M.D.*

/s/: Audrey Ann Brown  
An employee of HALL PRANGLE & SCHOONVELD, LLC

4849-3784-3048, v. 1





1 **SAO**

2 **KENNETH M. WEBSTER, ESQ.**

3 Nevada Bar No. 7205

4 **BRITTANY A. LEWIS, ESQ.**

5 Nevada Bar no. 14565

6 **HALL PRANGLE & SCHOONVELD, LLC**

7 1160 North Town Center Drive, Ste. 200

8 Las Vegas, Nevada 89144

9 Phone: 702-889-6400

10 Facsimile: 702-384-6025

11 [efile@hpslaw.com](mailto:efile@hpslaw.com)

12 *Attorneys for Defendants Henderson Hospital*

13 *and Bruce Hutchins, RN*

14 **DISTRICT COURT**  
15 **CLARK COUNTY, NEVADA**

16 **KIMBERLY D. TAYLOR, an Individual,**

17 **Plaintiff,**

18 **vs.**

19 **KEITH BRILL, MD, FACOG, FACS, an**  
20 **Individual; WOMEN'S HEALTH**  
21 **ASSOCIATES OF SOUTHERN NEVADA –**  
22 **MARTIN, PLLC, a Nevada Professional**  
23 **Limited Liability Company; BRUCE**  
24 **HUTCHINS, RN, an Individual; HENDERSON**  
25 **HOSPITAL and/or VALLEY HEALTH**  
26 **SYSTEM, LLC, a Foreign LLC dba**  
27 **HENDERSON HOSPITAL and/or**  
28 **HENDERSON HOSPITAL, a subsidiary of**  
**UNITED HEALTH SERVICES, a Foreign**  
**LLC; TODD W. CHRISTENSEN, MD, an**  
**Individual; DIGNITY HEALTH d/b/a ST.**  
**ROSE DOMINICAN HOSPITAL; DOES I**  
**through XXX, inclusive; and ROE**  
**CORPORATIONS I through XXX, inclusive;**

**Defendants.**

**CASE NO. A-18-773472-C**  
**DEPT NO. X**

**STIPULATION AND ORDER TO**  
**DISMISS NURSE DEFENDANT**  
**BRUCE HUTCHINS, RN WITHOUT**  
**PREJUDICE**

COMES NOW, Plaintiff, KIMBERLY D. TAYLOR, by and through her counsel of  
record JAMES KENT, ESQ., Defendant, HENDERSON HOSPITAL, by and through its counsel

1990-1991, 1991-1992, 1992-1993, 1993-1994, 1994-1995, 1995-1996, 1996-1997, 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023, 2023-2024, 2024-2025, 2025-2026, 2026-2027, 2027-2028, 2028-2029, 2029-2030, 2030-2031, 2031-2032, 2032-2033, 2033-2034, 2034-2035, 2035-2036, 2036-2037, 2037-2038, 2038-2039, 2039-2040, 2040-2041, 2041-2042, 2042-2043, 2043-2044, 2044-2045, 2045-2046, 2046-2047, 2047-2048, 2048-2049, 2049-2050, 2050-2051, 2051-2052, 2052-2053, 2053-2054, 2054-2055, 2055-2056, 2056-2057, 2057-2058, 2058-2059, 2059-2060, 2060-2061, 2061-2062, 2062-2063, 2063-2064, 2064-2065, 2065-2066, 2066-2067, 2067-2068, 2068-2069, 2069-2070, 2070-2071, 2071-2072, 2072-2073, 2073-2074, 2074-2075, 2075-2076, 2076-2077, 2077-2078, 2078-2079, 2079-2080, 2080-2081, 2081-2082, 2082-2083, 2083-2084, 2084-2085, 2085-2086, 2086-2087, 2087-2088, 2088-2089, 2089-2090, 2090-2091, 2091-2092, 2092-2093, 2093-2094, 2094-2095, 2095-2096, 2096-2097, 2097-2098, 2098-2099, 2099-2100, 2100-2101, 2101-2102, 2102-2103, 2103-2104, 2104-2105, 2105-2106, 2106-2107, 2107-2108, 2108-2109, 2109-2110, 2110-2111, 2111-2112, 2112-2113, 2113-2114, 2114-2115, 2115-2116, 2116-2117, 2117-2118, 2118-2119, 2119-2120, 2120-2121, 2121-2122, 2122-2123, 2123-2124, 2124-2125, 2125-2126, 2126-2127, 2127-2128, 2128-2129, 2129-2130, 2130-2131, 2131-2132, 2132-2133, 2133-2134, 2134-2135, 2135-2136, 2136-2137, 2137-2138, 2138-2139, 2139-2140, 2140-2141, 2141-2142, 2142-2143, 2143-2144, 2144-2145, 2145-2146, 2146-2147, 2147-2148, 2148-2149, 2149-2150, 2150-2151, 2151-2152, 2152-2153, 2153-2154, 2154-2155, 2155-2156, 2156-2157, 2157-2158, 2158-2159, 2159-2160, 2160-2161, 2161-2162, 2162-2163, 2163-2164, 2164-2165, 2165-2166, 2166-2167, 2167-2168, 2168-2169, 2169-2170, 2170-2171, 2171-2172, 2172-2173, 2173-2174, 2174-2175, 2175-2176, 2176-2177, 2177-2178, 2178-2179, 2179-2180, 2180-2181, 2181-2182, 2182-2183, 2183-2184, 2184-2185, 2185-2186, 2186-2187, 2187-2188, 2188-2189, 2189-2190, 2190-2191, 2191-2192, 2192-2193, 2193-2194, 2194-2195, 2195-2196, 2196-2197, 2197-2198, 2198-2199, 2199-2200, 2200-2201, 2201-2202, 2202-2203, 2203-2204, 2204-2205, 2205-2206, 2206-2207, 2207-2208, 2208-2209, 2209-2210, 2210-2211, 2211-2212, 2212-2213, 2213-2214, 2214-2215, 2215-2216, 2216-2217, 2217-2218, 2218-2219, 2219-2220, 2220-2221, 2221-2222, 2222-2223, 2223-2224, 2224-2225, 2225-2226, 2226-2227, 2227-2228, 2228-2229, 2229-2230, 2230-2231, 2231-2232, 2232-2233, 2233-2234, 2234-2235, 2235-2236, 2236-2237, 2237-2238, 2238-2239, 2239-2240, 2240-2241, 2241-2242, 2242-2243, 2243-2244, 2244-2245, 2245-2246, 2246-2247, 2247-2248, 2248-2249, 2249-2250, 2250-2251, 2251-2252, 2252-2253, 2253-2254, 2254-2255, 2255-2256, 2256-2257, 2257-2258, 2258-2259, 2259-2260, 2260-2261, 2261-2262, 2262-2263, 2263-2264, 2264-2265, 2265-2266, 2266-2267, 2267-2268, 2268-2269, 2269-2270, 2270-2271, 2271-2272, 2272-2273, 2273-2274, 2274-2275, 2275-2276, 2276-2277, 2277-2278, 2278-2279, 2279-2280, 2280-2281, 2281-2282, 2282-2283, 2283-2284, 2284-2285, 2285-2286, 2286-2287, 2287-2288, 2288-2289, 2289-2290, 2290-2291, 2291-2292, 2292-2293, 2293-2294, 2294-2295, 2295-2296, 2296-2297, 2297-2298, 2298-2299, 2299-2300, 2300-2301, 2301-2302, 2302-2303, 2303-2304, 2304-2305, 2305-2306, 2306-2307, 2307-2308, 2308-2309, 2309-2310, 2310-2311, 2311-2312, 2312-2313, 2313-2314, 2314-2315, 2315-2316, 2316-2317, 2317-2318, 2318-2319, 2319-2320, 2320-2321, 2321-2322, 2322-2323, 2323-2324, 2324-2325, 2325-2326, 2326-2327, 2327-2328, 2328-2329, 2329-2330, 2330-2331, 2331-2332, 2332-2333, 2333-2334, 2334-2335, 2335-2336, 2336-2337, 2337-2338, 2338-2339, 2339-2340, 2340-2341, 2341-2342, 2342-2343, 2343-2344, 2344-2345, 2345-2346, 2346-2347, 2347-2348, 2348-2349, 2349-2350, 2350-2351, 2351-2352, 2352-2353, 2353-2354, 2354-2355, 2355-2356, 2356-2357, 2357-2358, 2358-2359, 2359-2360, 2360-2361, 2361-2362, 23

1998年12月25日 星期三

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

1. The first step in the process is to identify the problem. This involves gathering information about the situation and the people involved.

2. Once the problem is identified, the next step is to analyze it. This involves breaking the problem down into its components and understanding the underlying causes.

3. After analyzing the problem, the next step is to develop a plan. This involves determining the steps that need to be taken to solve the problem.

4. The final step is to implement the plan. This involves putting the plan into action and monitoring the results.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 08-22-2001 BY 60322 UCBAW

2. *Phylogenetic relationships*—The phylogenetic relationships among the 10 species were determined using the parsimony method of Farris (1993) with the computer program PAUP (version 4.0; Farris, 1996). The parsimony method was chosen because of the lack of a priori knowledge of the evolutionary relationships among the species. The parsimony method was used to determine the most parsimonious tree (MPT) for the 10 species. The MPT was determined by the computer program PAUP (version 4.0; Farris, 1996). The MPT was determined by the computer program PAUP (version 4.0; Farris, 1996). The MPT was determined by the computer program PAUP (version 4.0; Farris, 1996).

the 1990s, the number of people in the world who are under 15 years of age is expected to increase by 1.5 billion, from 1.1 billion in 1990 to 2.6 billion in 2010. The number of people aged 65 and over is expected to increase by 1.1 billion, from 0.4 billion in 1990 to 1.5 billion in 2010. The number of people aged 15-64 is expected to increase by 1.1 billion, from 1.1 billion in 1990 to 2.2 billion in 2010. The number of people aged 65 and over is expected to increase by 1.1 billion, from 0.4 billion in 1990 to 1.5 billion in 2010. The number of people aged 15-64 is expected to increase by 1.1 billion, from 1.1 billion in 1990 to 2.2 billion in 2010.

1. *Pharmaceutical industry* – The pharmaceutical industry is a major contributor to the economy of the United States. It is a highly competitive industry with a high barrier to entry. The industry is characterized by a high level of research and development (R&D) spending, which is necessary to develop new drugs. The industry is also characterized by a high level of marketing spending, which is necessary to promote new drugs. The industry is a major source of employment in the United States.

1. The first step is to identify the problem.
 2. The second step is to define the problem.
 3. The third step is to analyze the problem.
 4. The fourth step is to develop a solution.
 5. The fifth step is to implement the solution.
 6. The sixth step is to evaluate the solution.
 7. The seventh step is to monitor the solution.
 8. The eighth step is to maintain the solution.
 9. The ninth step is to improve the solution.
 10. The tenth step is to document the solution.

1. NAME \_\_\_\_\_  
 2. DATE \_\_\_\_\_  
 3. TIME \_\_\_\_\_

DECLASSIFIED BY: 6032  
DATE: 12-10-2013

950

of record, BRITTANY A. LEWIS, ESQ., Defendants, KEITH BRILL, MD, FACOG, FACS and  
WOMEN'S HEALTH ASSOCIATES OF SOUTHERN NEVADA, by and through their counsel  
of record, HEATHER S. HALL, ESQ., Defendant, TODD W. CHRISTENSEN, MD, by and  
through his counsel of record, KIM I. MANDELBAUM, ESQ., and Defendant, ST. ROSE  
DOMINICAN HOSPITAL, by and through its counsel of record, KEITH WEAVER, ESQ.,  
hereby stipulate and agree as follows:

1. BRUCE HUTCHINS, RN at all times relevant to the instant litigation was an  
employee/agent of HENDERSON HOSPITAL and was acting in the course and  
scope of his employment at all times during the care and treatment of KIMBERLY  
TAYLOR as it relates to the allegations found in Plaintiff's complaint; and
2. Nothing in this stipulation will limit the evidence admitted at trial of acts and/or  
omissions of BRUCE HUTCHINS, RN, or discovery related to the same;
3. That Defendant BRUCE HUTCHINS, RN may be dismissed, without prejudice, from  
the instant litigation in case A-18-773472-C, with each party to bear their own  
attorneys' fees and costs; and
4. This matter is to proceed against the remaining Defendants.

IT IS SO STIPULATED.

DATED this 3<sup>rd</sup> day of October, 2018. DATED this 28<sup>th</sup> day of September, 2018.

  
KENNETH M. WEBSTER, ESQ.

Nevada Bar No. 7205

BRITTANY A. LEWIS, ESQ.

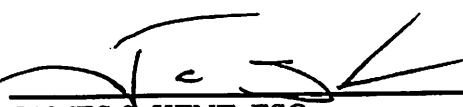
Nevada Bar no. 14565

HALL PRANGLE & SCHOONVELD, LLC

1160 North Town Center Drive, Ste. 200

Las Vegas, Nevada 89144

Attorneys for Defendant Henderson Hospital

  
JAMES S. KENT, ESQ.

Nevada Bar No. 5034

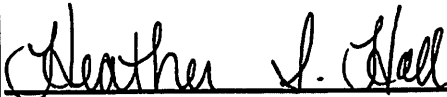
9480 S. Eastern Ave., Suite 228

Las Vegas, NV 89123

Attorneys for Plaintiffs

DATED this 5<sup>th</sup> day of October ~~September~~, 2018.

DATED this 5<sup>th</sup> day of October ~~September~~, 2018.



ROBERT MCBRIDE, ESQ.

Nevada Bar No. 7082

HEATHER HALL, ESQ.

Nevada Bar No. 10608

CARROLL, KELLY, TROTTER, FRANZEN,

MCBRIDE & PEABODY

8329 W. Sunset Road, Suite 260

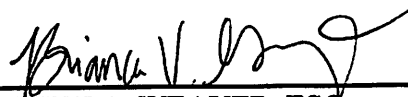
Las Vegas, NV 89113

Attorneys for Defendants Keith Brill, MD,

FACOG, FACS & Women's Health

Associates of Southern Nevada – MARTIN,

PLLC



KEITH A. WEAVER, ESQ.

Nevada Bar No.

DANIELLE WOODRUM, ESQ.

Nevada Bar No.

BIANCA V. GONZALEZ, ESQ.

Nevada Bar No.

LEWIS, BRISBOIS, BISGAARD & SMITH

6385 S. Rainbow Blvd., Suite 600

Las Vegas, NV 89118

Attorneys for Defendant Dignity Health d/b/a

St. Rose Dominican Hospital

**ORDER**

BASED UPON THE FOREGOING STIPULATION OF COUNSEL, THIS COURT  
HEREBY FINDS THAT: BRUCE HUTCHINS, RN at all times relevant to the instant  
litigation were employees/agents of HENDERSON HOSPITAL and were acting in their course  
and scope of their employment at all times during the care and treatment of KIMBERLY  
TAYLOR as it relates to the allegations found in Plaintiff's complaint.

AS A RESULT OF THIS FINDING AND BASED UPON THE STIPULATION OF  
COUNSEL THE COURT ORDERS AS FOLLOWS:

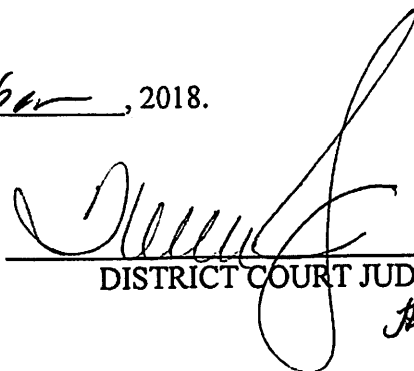
1. IT IS HEREBY ORDERED THAT, Nothing in this stipulation will limit the  
evidence admitted at trial of acts and/or omissions of BRUCE HUTCHINS, RN, or  
discovery related to the same;

///

///

2. IT IS FURTHER ORDERED, That Defendant BRUCE HUTCHINS, RN be dismissed, without prejudice, from the instant litigation in case A-18-773472-C, with each party to bear their own attorneys' fees and costs; and
3. IT IS FURTHER ORDERED, This matter is to proceed against the remaining Defendants.

DATED this 10 day of October, 2018.

  
DISTRICT COURT JUDGE

Respectfully Submitted by:

HALL PRANGLE & SCHOONVELD, LLC

  
KENNETH M. WEBSTER, ESQ.

Nevada Bar No. 7209

CANDACE C. HERLING, ESQ.

Nevada Bar No. 13503

BRITTANY A. LEWIS, ESQ.

Nevada Bar no. 14565

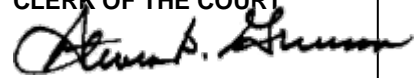
HALL PRANGLE & SCHOONVELD, LLC

1160 North Town Center Drive, Ste. 200

Las Vegas, Nevada 89144

*Attorneys for Defendants Henderson Hospital  
and Bruce Hutchins, RN*

# Exhibit “3”



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 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
5 Las Vegas, Nevada 89118  
702.893.3383  
6 FAX: 702.893.3789  
*Attorneys for Defendant Dignity Health d/b/a*  
7 *St. Rose Dominican Hospital*

8  
9 DISTRICT COURT  
10 CLARK COUNTY, NEVADA  
11

12 KIMBERLY D. TAYLOR, an Individual, ,  
13 Plaintiff,

14 vs.

15 KEITH BRILL, MD, FACOG, FACS, an  
Individual; WOMEN'S HEALTH  
16 ASSOCIATES OF SOUTHERN NEVADA-  
MARTIN, PLLC, a Nevada Professional  
17 Limited Liability Company; BRUCE  
HUTCHINS, RN, an Individual;  
18 HENDERSON HOSPITAL and/or VALLEY  
HEALTH SYSTEM, LLC, a Foreign LLC  
19 dba HENDERSON HOSPITAL, a  
subsidiary of UNITED HEALTH  
20 SERVICES, a Foreign LLC; TODD W.  
CHRISTENSEN, MD, an Individual;  
21 DIGNITY HEALTH d/b/a ST. ROSE  
DOMINICAN HOSPITAL; DOES I through  
22 XXX, inclusive; and ROE  
CORPORATIONS I through XXX,  
23 inclusive,

24 Defendants.  
25

CASE NO. A-18-773472-C  
Dept. No.: III

NOTICE OF ENTRY OF STIPULATION  
AND ORDER TO DISMISS DEFENDANT  
DIGNITY HEALTH D/B/A ST. ROSE  
DOMINICAN HOSPITAL - SIENA  
CAMPUS

26 ///

27 ///

28 ///

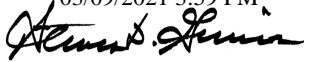
1 PLEASE TAKE NOTICE that the Stipulation and Order to Dismiss Defendant  
2 Dignity Health D/B/A St. Rose Dominican Hospital - Siena Campus was entered on  
3 March 10, 2021, a true and correct copy of which is attached hereto.

4 DATED this 10th day of March, 2021

5 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6  
7

8 By /s/ Danielle Woodrum  
9 KEITH A. WEAVER  
10 Nevada Bar No. 10271  
11 DANIELLE WOODRUM  
12 Nevada Bar No. 12902  
13 6385 S. Rainbow Boulevard, Suite 600  
14 Las Vegas, Nevada 89118  
15 *Attorneys for Defendant Dignity Health d/b/a*  
16 *St. Rose Dominican Hospital*  
17  
18  
19  
20  
21  
22  
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28



  
CLERK OF THE COURT

1 KEITH A. WEAVER  
Nevada Bar No. 10271  
E-Mail: Keith.Weaver@lewisbrisbois.com  
2 DANIELLE WOODRUM  
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3 LEWIS BRISBOIS BISGAARD & SMITH LLP  
4 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
5 702.893.3383  
FAX: 702.893.3789  
6 *Attorneys for Defendant Dignity Health d/b/a*  
*St. Rose Dominican Hospital*

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

11 KIMBERLY D. TAYLOR, an Individual, ,  
12 Plaintiff,

13 vs.

14 KEITH BRILL, MD, FACOG, FACS, an  
Individual; WOMEN'S HEALTH  
15 ASSOCIATES OF SOUTHERN NEVADA-  
MARTIN, PLLC, a Nevada Professional  
16 Limited Liability Company; BRUCE  
HUTCHINS, RN, an Individual;  
17 HENDERSON HOSPITAL and/or VALLEY  
HEALTH SYSTEM, LLC, a Foreign LLC  
18 dba HENDERSON HOSPITAL, a  
subsidiary of UNITED HEALTH  
19 SERVICES, a Foreign LLC; TODD W.  
CHRISTENSEN, MD, an Individual;  
20 DIGNITY HEALTH d/b/a ST. ROSE  
DOMINICAN HOSPITAL; DOES I through  
21 XXX, inclusive; and ROE  
CORPORATIONS I through XXX,  
22 inclusive; ,

23 Defendants.

CASE NO. A-18-773472-C  
Dept. No.: III

**STIPULATION AND ORDER TO  
DISMISS DEFENDANT DIGNITY  
HEALTH D/B/A ST. ROSE DOMINICAN  
HOSPITAL - SIENA CAMPUS**

25 Plaintiff KIMBERLY D. TAYLOR, by and through her undersigned counsel of  
26 record, the law firm BREEDEN & ASSOCIATES, PLLC and Defendant Dignity Health  
27 d/b/a St. Rose Dominican Hospital-Siena Campus, by and through its undersigned

LEWIS  
S  
BRISB  
OIS

1 counsel of record, the law firm LEWIS BRISBOIS BISGAARD & SMITH LLP, hereby  
2 stipulate and agree as follows:

3 FIRST, all claims against Defendant Dignity Health d/b/a St. Rose Dominican  
4 Hospital-Siena Campus be dismissed with prejudice.

5 SECOND, each party shall bear their own attorneys' fees and costs incurred in this  
6 action.

7 THIRD, that this stipulation does not dismiss all claims as to all parties, only those  
8 as to Dignity Health d/b/a St. Rose Dominican Hospital-Siena Campus . Therefore, no  
9 other hearing dates, discovery deadlines or the trial date should be vacated at this time  
10 and this case should remain open.

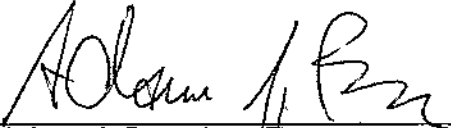
11 IT IS SO STIPULATED.

12 Dated: February 19, 2021  
13 LEWIS BRISBOIS BISGAARD &  
14 SMITH LLP

15 /s/ Danielle Woodrum

16 \_\_\_\_\_  
17 Keith A. Weaver  
18 Nevada Bar No. 10271  
19 Danielle Woodrum  
20 Nevada Bar No. 12902  
21 6385 S. Rainbow Boulevard, Suite  
22 600  
23 Las Vegas, Nevada 89118  
24 Attorneys for Defendant Dignity Health  
25 d/b/a St. Rose Dominican Hospital

Dated: February 17<sup>th</sup>, 2021  
BREEDEN & ASSOCIATES, PLLC

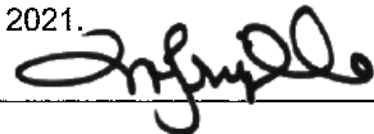
  
\_\_\_\_\_  
Adam J. Breeden, Esq.  
Nevada Bar No. 8768  
376 E. Warm Springs Road, Suite 120  
Las Vegas, NV 89119  
Attorneys for Plaintiff

ORDER

Based upon the foregoing stipulation, IT IS HEREBY ORDERED in the above-entitled action, that DEFENDANT DIGNITY HEALTH D/B/A ST. ROSE DOMINICAN HOSPITAL-SIENA CAMPUS be DISMISSED WITH PREJUDICE and each party shall bear their own attorneys' fees and costs in this matter.

Dated this 9th day of March, 2021

Dated this the \_\_\_\_ day of \_\_\_\_\_, 2021.



DISTRICT COURT JUDGE

Respectfully submitted by:  
LEWIS BRISBOIS BISGAARD & SMITH LLP

009 326 3DEA D366  
Monica Trujillo  
District Court Judge

mg

/s/ Danielle Woodrum

KEITH A. WEAVER  
Nevada Bar No. 10271  
DANIELLE WOODRUM  
Nevada Bar No. 12902  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
*Attorneys for Defendant Dignity Health d/b/a  
St. Rose Dominican Hospital*

1 CERTIFICATE OF SERVICE

2 I hereby certify that on this 10th day of March, 2021, a true and correct copy  
3 of NOTICE OF ENTRY OF STIPULATION AND ORDER TO DISMISS DEFENDANT  
4 DIGNITY HEALTH D/B/A ST. ROSE DOMINICAN HOSPITAL - SIENA CAMPUS was  
5 served by electronically filing with the Clerk of the Court using the Odyssey E-File &  
6 Serve system and serving all parties with an email-address on record, who have agreed  
7 to receive electronic service in this action.

8 Adam J. Breeden, Esq.  
9 BREEDEN & ASSOCIATES, PLLC  
376 E. Warm Springs Road, Suite 120  
Las Vegas, NV 89119  
10 Tel: 702.819.7770  
Fax: 702.819.7771  
11 Email: Adam@Breedendandassociates.com  
*Attorneys for Plaintiff*

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Heather S. Hall, Esq.  
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Las Vegas, NV 89113  
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Email: hshall@mcbridehall.com  
Tel: 702.792.5855  
Fax: 702.796.5855  
*Attorneys for Defendants Keith Brill, M.D.,  
FACOG, FACS and Women's Health  
Associates of Southern Nevada - MARTIN,  
PLLC*

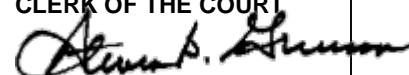
15  
16 Kenneth M. Webster, Esq.  
Candace C. Herling, Esq.  
17 Brittany A. Lewis, Esq.  
HALL PRANGLE & SCHOONVELD, LLC  
18 1140 North Town Center Drive, Ste. 350  
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19 Tel: 702-889-6400  
Fax: 702-384-6025  
20 Email: efile@hpslaw.com  
*Attorneys for Defendants Henderson  
Hospital and Bruce Hutchins, R.N.*

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ADAM A. SCHNEIDER, ESQ.  
Nevada Bar Number 10216  
ASchneider@jhcottonlaw.com  
JOHN H. COTTON & ASSOCIATES, LTD.  
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Telephone: (702) 832-5909  
Facsimile: (702) 832-5910  
*Attorneys for Defendant Todd W.  
Christensen, M.D.*

25 By /s/ Christopher Ouellette

26 An Employee of  
27 LEWIS BRISBOIS BISGAARD & SMITH LLP  
28

Exhibit “4”



KENNETH M. WEBSTER, ESQ.  
NV Bar No. 7205  
IAN M. HOUSTON, ESQ.  
NV Bar No. 11815  
KEVIN J. PETERSON, ESQ.  
NV Bar No. 14598  
HALL PRANGLE & SCHOONVELD, LLC  
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Las Vegas, Nevada 89144  
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[efile@hpslaw.com](mailto:efile@hpslaw.com)  
*Attorneys for Defendants Henderson Hospital  
and Bruce Hutchins, RN*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

KIMBERLY D. TAYLOR, an Individual,  
  
Plaintiff,

vs.

KEITH BRILL, MD, FACOG, FACS, an  
Individual; WOMEN'S HEALTH  
ASSOCIATES OF SOUTHERN NEVADA –  
MARTIN, PLLC, a Nevada Professional  
Limited Liability Company; BRUCE  
HUTCHINS, RN, an Individual; HENDERSON  
HOSPITAL and/or VALLEY HEALTH  
SYSTEM, LLC, a Foreign LLC dba  
HENDERSON HOSPITAL and/or  
HENDERSON HOSPITAL, a subsidiary of  
UNITED HEALTH SERVICES, a Foreign  
LLC; TODD W. CHRISTENSEN, MD, an  
Individual; DIGNITY HEALTH d/b/a ST.  
ROSE DOMINICAN HOSPITAL; DOES I  
through XXX, inclusive; and ROE  
CORPORATIONS I through XXX, inclusive;

Defendants.

CASE NO. A-18-773472-C  
DEPT NO. 3

**NOTICE OF ENTRY OF  
STIPULATION AND ORDER**

1 PLEASE TAKE NOTICE that a Stipulation and Order to Dismiss Defendant Valley  
2 Health System, LLC dba Henderson Hospital with Prejudice and to Amend Caption was entered  
3 on the 17<sup>th</sup> day of March, 2021. A copy of which is attached hereto.

4 DATED this 19<sup>th</sup> day of March, 2021.

5  
6 HALL PRANGLE & SCHOONVELD, LLC

7 By: /s/ Ian Houston

8 KENNETH M. WEBSTER, ESQ.

9 NV Bar No. 7205

10 IAN M. HOUSTON, ESQ.

11 NV Bar No. 11815

12 KEVIN J. PETERSON, ESQ.

13 NV Bar No. 14598

14 HALL PRANGLE & SCHOONVELD, LLC

15 1140 North Town Center Drive, Ste. 350

16 Las Vegas, Nevada 89144

17 *Attorneys for Defendants Henderson Hospital*  
18 *and Bruce Hutchins, RN*  
19  
20  
21  
22  
23  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of HALL PRANGLE & SCHOONVELD, LLC; that on the 19<sup>th</sup> day of March 2021, I served a true and correct copy of the foregoing

**NOTICE OF ENTRY OF STIPULATION AND ORDER** as follows:

XX the E-Service Master List for the above referenced matter in the Eighth Judicial District Court e-filing System in accordance with the electronic service requirements of Administrative Order 14-2 and the Nevada Electronic Filing and Conversion Rules;

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

\_\_\_\_\_ Receipt of Copy at their last known address:

Adam J. Breeden, Esq.  
BREEDEN & ASSOCIATES, PLLC  
376 E. Warm Springs Road, Suite 120  
Las Vegas, NV 89119  
[adam@breedenandassociates.com](mailto:adam@breedenandassociates.com)  
*Attorneys for Plaintiff*

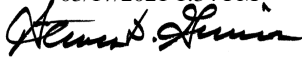
Robert McBride, Esq.  
Heather Hall, Esq.  
McBride Hall  
8329 W. Sunset Road, Suite 260  
Las Vegas, NV 89113  
[rcmcbride@mcbridehall.com](mailto:rcmcbride@mcbridehall.com)  
[hshall@mcbridehall.com](mailto:hshall@mcbridehall.com)  
*Attorneys for Defendant*  
*Keith Brill, MD, FACOG, FACS and Women's*  
*Health Associates of Southern Nevada*

Keith Weaver, Esq.  
Lewis Brisbois Bisgaard & Smith  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118  
[keith.weaver@lewisbrisbois.com](mailto:keith.weaver@lewisbrisbois.com)  
*Attorneys for Dignity Health d/b/a*  
*St. Rose Dominican Hospital*

John H. Cotton, Esq.  
Adam A. Schneider, Esq.  
John H. Cotton & Associates  
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[jhcotton@jhcottonlaw.com](mailto:jhcotton@jhcottonlaw.com)  
[aschneider@jhcottonlaw.com](mailto:aschneider@jhcottonlaw.com)  
*Attorneys for Todd W. Christensen, M.D.*

\_\_\_\_\_  
/s/ Nicole Etienne  
An employee of HALL PRANGLE & SCHOONVELD, LLC



  
CLERK OF THE COURT

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

11 **EIGHTH JUDICIAL DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 KIMBERLY TAYLOR, an individual,  
14  
15 Plaintiff,

CASE NO.: A-18-773472-C

DEPT NO.: III

16 v.

17 KEITH BRILL, M.D., FACOG, FACS, an  
18 individual; WOMEN'S HEALTH  
19 ASSOCIATES OF SOUTHERN NEVADA –  
20 MARTIN, PLLC, a Nevada Professional  
21 Limited Liability Company; BRUCE  
22 HUTCHINS, RN, an individual;  
23 HENDERSON HOSPITAL and/or VALLEY  
24 HEALTH SYSTEM, LLC, a Foreign LLC dba  
25 HENDERSON HOSPITAL, and/or  
26 HENDERSON HOSPITAL, a subsidiary of  
27 UNITED HEALTH SERVICES, a Foreign  
28 LLC; TODD W. CHRISTENSEN, M.D., an  
individual; DIGNITY HEALTH d/b/a ST.  
ROSE DOMINICAN HOSPITAL; DOES I  
through XXX, inclusive; and ROE  
CORPORATIONS I through XXX, inclusive,

**STIPULATION AND ORDER TO  
DISMISS DEFENDANT VALLEY  
HEALTH SYSTEM, LLC d/b/a  
HENDERSON HOSPITAL WITH  
PREJUDICE AND TO AMEND CAPTION**

Defendants.

23 The Parties, Plaintiff, KIMBERLY TAYLOR, by and through her counsel Adam J. Breeden,  
24 Esq. of BREEDEN & ASSOCIATES, PLLC and Defendant, VALLEY HEALTH SYSTEM, LLC  
25 d/b/a HENDERSON HOSPITAL, improperly identified collectively in Plaintiff's Complaint as  
26 "HENDERSON HOSPITAL and/or VALLEY HEALTH SYSTEM, LLC, a Foreign LLC dba  
27 HENDERSON HOSPITAL, and/or HENDERSON HOSPITAL, a subsidiary of UNITED

1 HEALTH SERVICES, a Foreign LLC” (hereinafter “VALLEY HEALTH SYSTEM, LLC d/b/a  
2 HENDERSON HOSPITAL”), by and through their counsel Ian M. Houston, Esq. of HALL  
3 PRANGLE & SCHOONVELD, LLC, KEITH BRILL, M.D. and WOMEN’S HEALTH  
4 ASSOCIATES OF SOUTHERN NEVADA- MARTIN, PLLC by and through their counsel Heather  
5 Hall, Esq. of McBRIDE HALL, and TODD W. CHRISTENSEN, M.D. by and though his counsel  
6 Adam A. Schneider, Esq. of John H. Cotton & Associates, Ltd., hereby enter into the following  
7 stipulation:

8 **IT IS STIPULATED AND AGREED** that Defendant, VALLEY HEALTH SYSTEM,  
9 LLC d/b/a HENDERSON HOSPITAL, be dismissed from the above-referenced matter with  
10 prejudice, each party to bear its own attorney’s fees and costs associated with the action and its own  
11 attorney’s fees and costs associated with the dismissal of VALLEY HEALTH SYSTEM, LLC d/b/a  
12 HENDERSON HOSPITAL.

13 **IT IS FURTHER STIPULATED AND AGREED** that, although this dismissal does  
14 resolve and dismiss all of Plaintiff’s claims as against VALLEY HEALTH SYSTEM, LLC d/b/a  
15 HENDERSON HOSPITAL under any theory of liability, this dismissal does not resolve all claims  
16 as to all parties and therefore this Action shall remain pending as to Defendants KEITH BRILL,  
17 M.D., FACOG, FACS; WOMEN’S HEALTH ASSOCIATES OF SOUTHERN NEVADA -  
18 MARTIN, PLLC; and TODD W. CHRISTENSEN, M.D., and no current trial or discovery dates  
19 shall be vacated at this time by the Court.

20 **IT IS FURTHER STIPULATED AND AGREED** that the caption in this Action shall be  
21 amended to remove “HENDERSON HOSPITAL and/or VALLEY HEALTH SYSTEM, LLC, a  
22 Foreign LLC dba HENDERSON HOSPITAL, and/or HENDERSON HOSPITAL, a subsidiary of  
23 UNITED HEALTH SERVICES, a Foreign LLC” and to remove previously dismissed party  
24 “BRUCE HUTCHINS, RN, an Individual”.

25 ///

26 ///

27 ///

28 ///

1           **IT IS FURTHER STIPULATED AND AGREED** that Co-defendants, KEITH BRILL,  
2 M.D., FACOG, FACS and WOMEN'S HEALTH ASSOCIATES OF SOUTHERN NEVADA –  
3 MARTIN, PLLC, reserve all rights and are signing this Stipulation and Order for the parties to  
4 comply with NRCP 41(a)(1) only.


5           **IT IS SO AGREED.**

6 DATED this 17th day of March, 2021.

DATED this 17th day of March, 2021.

7 **BREEDEN & ASSOCIATES, PLLC**

**HALL PRANGLE & SCHOONVELD**

8   
9 \_\_\_\_\_  
10 **ADAM J. BREEDEN, ESQ.**

/s/ Ian M. Houston, Esq.

**IAN M. HOUSTON, ESQ.**

11 Nevada Bar No. 008768  
12 376 E. Warm Springs Road, Suite 120  
13 Las Vegas, Nevada 89119  
14 Phone: (702) 819-7770  
15 Fax: (702) 819-7771  
16 adam@Breedendandassociates.com  
17 Attorneys for Plaintiff

Nevada Bar No. 11815  
1140 N. Town Center Drive, Suite 350  
Las Vegas, Nevada 89144  
Phone: (702) 889-6400  
Fax: (702) 384-6025  
ihouston@hpslaw.com  
Attorneys for Defendant Valley Health System,  
LLC d/b/a Henderson Hospital

15 DATED this 17th day of March, 2021.

DATED this 17th day of March, 2021.

16 **McBRIDE HALL**

**JOHN H. COTTON &  
ASSOCIATES, LTD.**

18 Heather S. Hall, Esq.

/s/ Adam A. Schneider, Esq.

19 **HEATHER S. HALL, ESQ.**

**JOHN H. COTTON, ESQ.**

20 Nevada Bar No. 010608  
21 8329 W. Sunset Rd., Suite 260  
22 Las Vegas, Nevada 89113  
23 Attorneys for Defendants  
24 Keith Brill, M.D. and  
25 Women's Health Assoc. of S. Nev. –  
26 Martin, PLLC

Nevada Bar No. 5268  
**ADAM A. SCHNEIDER, ESQ.**  
Nevada Bar No. 10216  
7900 W. Sahara Ave., Suite 200  
Las Vegas, Nevada 89117  
Attorneys for Defendant  
Todd W. Christensen, M.D.

**ORDER**

Upon stipulation of the parties, by and through their respective counsel of record, and good cause appearing therefore;

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that pursuant to the stipulation of the parties and for good cause shown Defendant VALLEY HEALTH SYSTEM, LLC d/b/a HENDERSON HOSPITAL, improperly identified collectively in Plaintiff's Complaint as "HENDERSON HOSPITAL and/or VALLEY HEALTH SYSTEM, LLC, a Foreign LLC dba HENDERSON HOSPITAL, and/or HENDERSON HOSPITAL, a subsidiary of UNITED HEALTH SERVICES, a Foreign LLC" (hereinafter "VALLEY HEALTH SYSTEM, LLC d/b/a HENDERSON HOSPITAL"), is dismissed from the above-entitled action with prejudice, with each party to bear its own attorney's fees and costs.

**IT IS FURTHER ORDERED**, that although this dismissal does resolve and dismiss all of Plaintiff's claims as against VALLEY HEALTH SYSTEM, LLC d/b/a HENDERSON HOSPITAL under any theory of liability, this dismissal does not resolve all claims as to all parties and therefore this Action shall remain pending as to Defendants KEITH BRILL, M.D., FACOG, FACS; WOMEN'S HEALTH ASSOCIATES OF SOUTHERN NEVADA - MARTIN, PLLC; and TODD W. CHRISTENSEN, M.D. and therefore all remaining deadlines and the trial date shall remain on calendar and this matter shall not be dismissed in its entirety.

**IT IS FURTHER ORDERED** that the caption in this Action is amended to remove "HENDERSON HOSPITAL and/or VALLEY HEALTH SYSTEM, LLC, a Foreign LLC dba HENDERSON HOSPITAL, and/or HENDERSON HOSPITAL, a subsidiary of UNITED HEALTH SERVICES, a Foreign LLC" and to remove previously dismissed party "BRUCE HUTCHINS, RN, an Individual".

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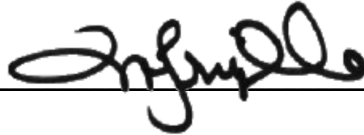
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1           **IT IS FURTHER ORDERED** that Co-defendants, KEITH BRILL, M.D., FACOG, FACS  
2 and WOMEN’S HEALTH ASSOCIATES OF SOUTHERN NEVADA – MARTIN, PLLC, reserve  
3 all rights and are signing this Stipulation and Order for the parties to comply with NRCP 41(a)(1)  
4 only.

5           **IT IS SO ORDERED.**

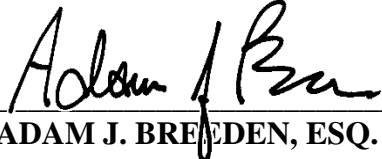
Dated this 17th day of March, 2021

6  
7   
8

9 Respectfully submitted by:

10 **BREEDEN & ASSOCIATES, PLLC**

068 258 9337 11B2  
Monica Trujillo  
District Court Judge

11   
12 **ADAM J. BREEDEN, ESQ.**

Nevada Bar No. 008768  
13 376 E. Warm Springs Road, Suite 120  
14 Las Vegas, Nevada 89119  
15 Phone: (702) 819-7770  
16 Fax: (702) 819-7771  
17 *Attorneys for Plaintiff*  
18  
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25  
26  
27  
28

## Kristy Johnson

---

**From:** Heather S. Hall <hshall@mcbridehall.com> on behalf of Heather S. Hall  
**Sent:** Wednesday, March 17, 2021 10:48 AM  
**To:** Adam Breeden; Kristy Johnson; Adam Schneider; Ian M. Houston  
**Cc:** Candace P. Cullina; Robert McBride; Kristine Herpin  
**Subject:** FW: Taylor v. Brill, M.D., et. al.  
**Attachments:** 2021.03.17 REVISED SAO for Dismissal with Prejudice - Henderson Hospital.pdf

You may use my e-signature.

Heather

---

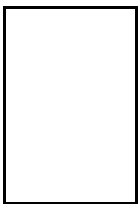
**From:** Adam Breeden <adam@breedenandassociates.com>  
**Sent:** Wednesday, March 17, 2021 9:38 AM  
**To:** Ian M. Houston <ihouston@hpslaw.com>; Heather S. Hall <hshall@mcbridehall.com>; Adam Schneider <aschneider@jhcottonlaw.com>  
**Cc:** Kristy Johnson <kristy@breedenandassociates.com>  
**Subject:** Taylor v. Brill, M.D., et. al.

Counsel,

Our office recently settled all claims with Valley Health/Henderson Hospital and so it is necessary to dismiss that entity from the case. I have attached a stipulation and order to dismiss that legal entity only.

Please kindly review the attached proposed stipulation. We are asking counsel for Dr. Brill and Dr. Christensen to sign off, although this stipulation does not affect those Defendants.

If you approve, please "reply all" so we can submit to the Court with your e-signature.



**Adam J. Breeden**

Trial Attorney, Breeden & Associates, PLLC

(702) 819-7770 | adam@breedenandassociates.com

www.breedenandassociates.com

376 E. Warm Springs Rd., Suite 120 Las Vegas, NV 89119-4262



---

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## Kristy Johnson

---

**From:** Ian M. Houston <ihouston@hpslaw.com> on behalf of Ian M. Houston  
**Sent:** Wednesday, March 17, 2021 10:44 AM  
**To:** Adam Schneider; Adam Breeden; Heather S. Hall  
**Cc:** Kristy Johnson; Nicole M. Etienne  
**Subject:** RE: Taylor v. Brill, M.D., et. al.  
**Attachments:** 2021.03.17 REVISED SAO for Dismissal with Prejudice - Henderson Hospital.pdf

Good Morning,

I approve the use of my electronic signature for use on this document only.

Thank you,

Ian



1140 North Town Center Dr.  
Suite 350  
Las Vegas, NV 89144  
F: 702.384.6025

**Ian Houston**  
Associate  
O: 702.212.1462  
Email: ihouston@hpslaw.com

**Legal Assistant:** Nicole Etienne  
O: 702.212.1446  
Email: netienne@hpslaw.com

**NOTICE:** The information contained in this electronic message is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be attorney-client communication, and as such, is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone or return e-mail and permanently destroy all original messages. Thank you.

---

**From:** Adam Schneider <aschneider@jhcottonlaw.com>  
**Sent:** Wednesday, March 17, 2021 9:56 AM  
**To:** Adam Breeden <adam@breedenandassociates.com>; Ian M. Houston <ihouston@hpslaw.com>; Heather S. Hall <hshall@mcbridehall.com>  
**Cc:** Kristy Johnson <kristy@breedenandassociates.com>  
**Subject:** RE: Taylor v. Brill, M.D., et. al.

[External Email] CAUTION!.

I approve the use of my e-signature.

Adam Schneider, Esq.  
JOHN H. COTTON & ASSOCIATES, LTD.

7900 W. Sahara Ave., Ste. 200  
Las Vegas, NV 89117  
T: (702) 832-5909  
F: (702) 832-5910  
[aschneider@jhcottonlaw.com](mailto:aschneider@jhcottonlaw.com)

---

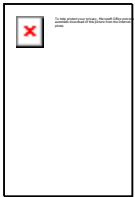
**From:** [Adam Breeden](#)  
**Sent:** Wednesday, March 17, 2021 9:37 AM  
**To:** [Ian M. Houston](#); [Heather S. Hall](#); [Adam Schneider](#)  
**Cc:** [Kristy Johnson](#)  
**Subject:** Taylor v. Brill, M.D., et. al.

Counsel,

Our office recently settled all claims with Valley Health/Henderson Hospital and so it is necessary to dismiss that entity from the case. I have attached a stipulation and order to dismiss that legal entity only.

Please kindly review the attached proposed stipulation. We are asking counsel for Dr. Brill and Dr. Christensen to sign off, although this stipulation does not affect those Defendants.

If you approve, please "reply all" so we can submit to the Court with your e-signature.



**Adam J. Breeden**  
Trial Attorney, Breeden & Associates, PLLC  
(702) 819-7770 | [adam@breedenandassociates.com](mailto:adam@breedenandassociates.com)  
[www.breedenandassociates.com](http://www.breedenandassociates.com)  
376 E. Warm Springs Rd., Suite 120 Las Vegas, NV 89119-4262



---

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1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Kimberly Taylor, Plaintiff(s)

CASE NO: A-18-773472-C

7 vs.

DEPT. NO. Department 3

8 Keith Brill, M.D., Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Stipulation and Order for Dismissal With Prejudice was served via the  
13 court's electronic eFile system to all recipients registered for e-Service on the above entitled  
case as listed below:

14 Service Date: 3/17/2021

15 Adam Breeden

adam@breedenandassociates.com

16 E-File Admin

efile@hpslaw.com

17 Kellie Piet

kpiet@mcbridehall.com

18 Heather Hall

hshall@mcbridehall.com

19 Jody Foote

jfoote@jhcottonlaw.com

20 Jessica Pincombe

jpinnacle@jhcottonlaw.com

21 Robert McBride

rcmcbride@mcbridehall.com

22 Kristine Herpin

kherpin@mcbridehall.com

23 John Cotton

jhcotton@jhcottonlaw.com

24 Adam Schneider

aschneider@jhcottonlaw.com

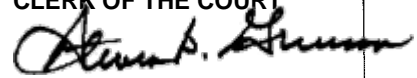
25 Emma Gonzales

emma.gonzales@lewisbrisbois.com

26  
27  
28

1	Keith Weaver	keith.weaver@lewisbrisbois.com
2	Danielle Woodrum	Danielle.Woodrum@lewisbrisbois.com
3	Maceo Butler	Maceo.Butler@lewisbrisbois.com
4	Michelle Newquist	mnewquist@mcbridehall.com
5	Kristy Johnson	kristy@breedenandassociates.com
6	James Kent	jamie@jamiekent.org
7	Michelle Krestyn	michelle.krestyn@lewisbrisbois.com
8	Diana Samora	dsamora@hpslaw.com
9	Charlotte Buys	cbuys@hpslaw.com
10	Alissa Bestick	Alissa.Bestick@lewisbrisbois.com
11	Candace Cullina	ccullina@mcbridehall.com
12	Alex Caceres	alex.caceres@lewisbrisbois.com
13	Reina Claus	rclaus@hpslaw.com
14	Tiffane Safar	tsafar@mcbridehall.com
15	Camie DeVoge	cdevoge@hpslaw.com
16	Melanie Thomas	Melanie.Thomas@lewisbrisbois.com
17	Penny Williams	pwilliams@mcbridehall.com
18	Timothy Evans	tevans@mcbridehall.com
19	Xiao Jin	xiaowen.jin@lewisbrisbois.com
20	Hugo Hernandez-Diaz	hugo.hernandez-diaz@lewisbrisbois.com
21	Christopher Ouellette	Chris.Ouellette@lewisbrisbois.com
22		
23		
24		
25		
26		
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28		

Exhibit “5”



1 **NEOJ**

2 JOHN H. COTTON, ESQ.

3 Nevada Bar Number 5268

4 [JHCotton@jhcottonlaw.com](mailto:JHCotton@jhcottonlaw.com)

5 ADAM A. SCHNEIDER, ESQ.

6 Nevada Bar Number 10216

7 [ASchneider@jhcottonlaw.com](mailto:ASchneider@jhcottonlaw.com)

8 **JOHN H. COTTON & ASSOCIATES, LTD.**

9 7900 West Sahara Avenue, Suite 200

10 Las Vegas, Nevada 89117

11 Telephone: (702) 832-5909

12 Facsimile: (702) 832-5910

13 *Attorneys for Defendant, Todd W. Christensen, M.D.*

14 **DISTRICT COURT**

15 \* \* \*

16 **CLARK COUNTY, NEVADA**

17 KIMBERLY D. TAYLOR, an Individual,

18 Plaintiff,

19 vs.

20 KEITH BRILL, M.D., FACOG, FACS, an  
21 Individual; WOMEN'S HEALTH  
22 ASSOCIATES OF SOUTHERN NEVADA –  
23 MARTIN, PLLC, a Nevada Professional  
24 Limited Liability Company; DIGNITY  
25 HEALTH d/b/a ST. ROSE DOMINICAN  
26 HOSPITAL; DOES I through XXX, inclusive;  
27 and ROE CORPORATIONS I through XXX,  
28 inclusive;

Defendants.

CASE NO.: **A-18-773472-C**

DEPT. NO: **3**

**NOTICE OF ENTRY OF**  
**STIPULATION AND ORDER FOR**  
**DEFENDANT CHRISTENSEN,**  
**M.D.'S DISMISSAL WITH**  
**PREJUDICE ONLY**

PLEASE TAKE NOTICE that an Order was entered on the 21<sup>st</sup> day of April 2021 in the  
above-captioned matter, a copy of which is attached hereto.

Dated this 22<sup>nd</sup> day of April 2021.

**JOHN H. COTTON & ASSOCIATES, LTD.**

7900 West Sahara Avenue, Suite 200

Las Vegas, Nevada 89117

/s/ Adam Schneider

JOHN H. COTTON, ESQ.

ADAM A. SCHNEIDER, ESQ.

John H. Cotton & Associates, Ltd.  
7900 West Sahara, Suite 200  
Las Vegas, Nevada 89117



*Heather Hall*  
CLERK OF THE COURT

1 **SAO**  
2 JOHN H. COTTON, ESQ.  
3 Nevada Bar Number 5268  
4 [JHCotton@jhcottonlaw.com](mailto:JHCotton@jhcottonlaw.com)  
5 ADAM A. SCHNEIDER, ESQ.  
6 Nevada Bar Number 10216  
7 [ASchneider@jhcottonlaw.com](mailto:ASchneider@jhcottonlaw.com)  
8 **JOHN H. COTTON & ASSOCIATES, LTD.**  
9 7900 West Sahara Avenue, Suite 200  
10 Las Vegas, Nevada 89117  
11 Telephone: (702) 832-5909  
12 Facsimile: (702) 832-5910  
13 *Attorneys for Defendant, Todd W. Christensen, M.D.*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

10 KIMBERLY D. TAYLOR, an Individual,  
11 Plaintiff,

CASE NO.: A-18-773472-C  
DEPT. NO: III

12 vs.

13 KEITH BRILL, M.D., FACOG, FACS, an  
14 Individual; WOMEN'S HEALTH  
15 ASSOCIATES OF SOUTHERN NEVADA –  
16 MARTIN, PLLC, a Nevada Professional  
17 Limited Liability Company; TODD W.  
18 CHRISTENSEN, M.D., an individual;  
19 DIGNITY HEALTH d/b/a ST. ROSE  
20 DOMINICAN HOSPITAL; DOES I through  
21 XXX, inclusive; and ROE CORPORATIONS I  
22 through XXX, inclusive;

**STIPULATION AND ORDER FOR  
DEFENDANT CHRISTENSEN,  
M.D.'S DISMISSAL WITH  
PREJUDICE ONLY**

18 Defendants.

19  
20 The Parties, Plaintiff, KIMBERLY TAYLOR, by and through her counsel Adam J.  
21 Breeden, Esq. of BREEDEN & ASSOCIATES, PLLC and Defendant TODD W.  
22 CHRISTENSEN, M.D. by and through his counsel the law firm of JOHN H. COTTON &  
23 ASSOCIATES, LTD., and KEITH BRILL, M.D. and WOMEN'S HEALTH ASSOCIATES OF  
24 SOUTHERN NEVADA- MARTIN, PLLC by and through their counsel Heather Hall, Esq. of  
25 McBRIDE HALL hereby enter into the following stipulation:

26 **IT IS STIPULATED AND AGREED** that Defendant TODD W. CHRISTENSEN,  
27 M.D. be dismissed from the above-referenced matter with prejudice, each party to bear their own  
28

John H. Cotton & Associates, Ltd.  
7900 West Sahara, Suite 200  
Las Vegas, Nevada 89117

1 attorneys' fees and costs associated with the action and its own attorney's fees and costs  
2 associated with the dismissal of TODD W. CHRISTENSEN, M.D.  
3

4 **IT IS FURTHER STIPULATED AND AGREED** that, although this dismissal does  
5 resolve and dismiss all of Plaintiff's claims as against TODD W. CHRISTENSEN, M.D., this  
6 dismissal does not resolve all claims as to all parties and therefore this Action shall remain  
7 pending as to Defendants KEITH BRILL, M.D., FACOG, FACS; WOMEN'S HEALTH  
8 ASSOCIATES OF SOUTHERN NEVADA - MARTIN, PLLC; and no current trial or discovery  
9 dates shall be vacated at this time by the Court.  
10

11 **IT IS FURTHER STIPULATED AND AGREED** that the caption in this Action shall  
12 be amended to remove "TODD W. CHRISTENSEN, M.D."

13 **IT IS FURTHER STIPULATED AND AGREED** that Co-defendants KEITH BRILL,  
14 M.D., FACOG, FACS, and WOMEN'S HEALTH ASSOCIATES OF SOUTHERN NEVADA -  
15 MARTIN, PLLC reserve all rights and are signing this Stipulation and Order for the parties to  
16 comply with NRCP 41(a)(1).  
17

18 **IT IS SO AGREED.**  
19  
20  
21  
22  
23  
24  
25

26 //

27 //

Case name: Taylor v. Brill, et. al.  
Case no.: A-18-773472-C  
Dept no.: III

DATED this 19<sup>th</sup> day of April 2021.

DATED this 19<sup>th</sup> day of April 2021.

JOHN H. COTTON & ASSOCIATES

McBRIDE HALL

*/s/ Adam Schneider*

*/s/ Heather Hall*

ADAM A. SCHNEIDER, ESQ.  
7900 W. Sahara Ave., Ste. 200  
Las Vegas, NV 89117  
*Attorneys for Defendant  
Todd Christensen, M.D.*

HEATHER HALL, ESQ.  
8329 W. Sunset Road, Suite 260  
Las Vegas, Nevada 89113  
*Attorneys for Defendants  
Keith Brill, M.D., FACOG, FACS, and  
Women's Health Associates of Southern  
Nevada- Martin PLLC*

DATED this 19<sup>th</sup> day of April 2021.

ADAM BREEDEN & ASSOCIATES

*/s/ Adam Breeden*

ADAM BREEDEN, ESQ.  
376 E. Warm Springs Rd., Ste. 120  
Las Vegas, Nevada 89119  
*Attorneys for Plaintiff*

### **ORDER**

Upon stipulation of the parties, by and through their respective counsel of record, and good cause appearing therefore:

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that pursuant to the stipulation of the parties and for good cause shown Defendant TODD W. CHRISTENSEN, M.D. is dismissed from the above-entitled action with prejudice, with each party to bear their own attorneys' fees and costs.

**IT IS FURTHER ORDERED** that although this dismissal does resolve and dismiss all of Plaintiff's claims as against TODD W. CHRISTENSEN, M.D., this dismissal does not resolve



John H. Cotton & Associates  
7900 W. Sahara, Suite 200  
Las Vegas, NV 89117

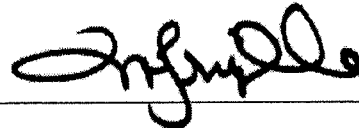
1 all claims as to all parties and therefore this Action shall remain pending as to Defendants  
2  
3 KEITH BRILL, M.D., FACOG, FACS; WOMEN'S HEALTH ASSOCIATES OF SOUTHERN  
4 NEVADA - MARTIN, PLLC; and no current trial or discovery dates shall be vacated at this time  
5 by the Court.

6 **IT IS FURTHER ORDERED** that the caption in this Action shall be amended to  
7 remove "TODD W. CHRISTENSEN, M.D."

8 **IT IS FURTHER ORDERED** that Co-defendants KEITH BRILL, M.D., FACOG,  
9 FACS, and WOMEN'S HEALTH ASSOCIATES OF SOUTHERN NEVADA - MARTIN,  
10 PLLC reserve all rights and are signing this Stipulation and Order for the parties to comply with  
11 NRCP 41(a)(1).  
12

13 **IT IS SO ORDERED.**  
14

Dated this 21st day of April, 2021



17 Submitted by:

18 JOHN H. COTTON & ASSOCIATES

19 /s/ Adam Schneider  
20

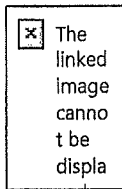
21 ADAM A. SCHNEIDER, ESQ.  
22 7900 W. Sahara Ave., Ste. 200  
23 Las Vegas, NV 89117  
24 Attorneys for Defendant  
25 Todd Christensen, M.D.  
26  
27  
28

ADA B05 445F 8E17  
Monica Trujillo  
District Court Judge

**From:** Adam Breeden  
**Sent:** Monday, April 19, 2021 2:03 PM  
**To:** Heather S. Hall  
**Cc:** Adam Schneider; Jody Foote; Candace P. Cullina; Kristy Johnson  
**Subject:** Re: A-18-773472-C / SAO / Taylor v. Christensen- proposed SAO

Adam,

I also have no objection to the language in the stipulation, go ahead and submit it.



**Adam J. Breeden**  
Trial Attorney, Breeden & Associates, PLLC  
(702) 819-7770 | [adam@breedenandassociates.com](mailto:adam@breedenandassociates.com)  
[www.breedenandassociates.com](http://www.breedenandassociates.com)  
376 E. Warm Springs Rd., Suite 120 Las Vegas, NV 89119-4262  
  

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On Mon, Apr 19, 2021 at 10:06 AM Heather S. Hall <[hshall@mcbridehall.com](mailto:hshall@mcbridehall.com)> wrote:

Adam,

No changes from me. You may use my e-signature. My bar number is 10608 if you need it.

Thanks,

Heather

---

**From:** Adam Schneider <[aschneider@jhcottonlaw.com](mailto:aschneider@jhcottonlaw.com)>  
**Sent:** Monday, April 19, 2021 9:30 AM  
**To:** Adam Breeden <[adam@breedenandassociates.com](mailto:adam@breedenandassociates.com)>; Heather S. Hall <[hshall@mcbridehall.com](mailto:hshall@mcbridehall.com)>

1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA

4  
5  
6 Kimberly Taylor, Plaintiff(s) CASE NO: A-18-773472-C  
7 vs. DEPT. NO. Department 3  
8 Keith Brill, M.D., Defendant(s)  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

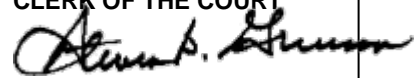
11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Stipulation and Order for Dismissal With Prejudice was served via the  
13 court's electronic eFile system to all recipients registered for e-Service on the above entitled  
case as listed below:

14 Service Date: 4/21/2021

15 Adam Breeden	adam@breedenandassociates.com
16 E-File Admin	efile@hpslaw.com
17 Kellie Piet	kpiet@mcbridehall.com
18 Heather Hall	hshall@mcbridehall.com
19 Jody Foote	jfoote@jhcottonlaw.com
20 Jessica Pincombe	jpinnacle@jhcottonlaw.com
21 Robert McBride	rcmcbride@mcbridehall.com
22 Kristine Herpin	kherpin@mcbridehall.com
23 John Cotton	jhcotton@jhcottonlaw.com
24 Adam Schneider	aschneider@jhcottonlaw.com
25 Michelle Newquist	mnewquist@mcbridehall.com
26	
27	
28	

1	Kristy Johnson	kristy@breedenandassociates.com
2		
3	James Kent	jamie@jamiekent.org
4	Diana Samora	dsamora@hpslaw.com
5	Charlotte Buys	cbuys@hpslaw.com
6	Candace Cullina	ccullina@mcbridehall.com
7	Alex Caceres	alex.caceres@lewisbrisbois.com
8	Reina Claus	relaus@hpslaw.com
9	Tiffane Safar	tsafar@mcbridehall.com
10		
11	Camie DeVoge	cdevoge@hpslaw.com
12	Penny Williams	pwilliams@mcbridehall.com
13	Timothy Evans	tevans@mcbridehall.com
14		
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Exhibit “6”



NEO  
ROBERT C. McBRIDE, ESQ.  
Nevada Bar No. 7082  
HEATHER S. HALL, ESQ.  
Nevada Bar No. 10608  
McBRIDE HALL  
8329 W. Sunset Road, Suite 260  
Las Vegas, Nevada 89113  
Telephone No. (702) 792-5855  
Facsimile No. (702) 796-5855  
E-mail: [rcmcbride@mcbridehall.com](mailto:rcmcbride@mcbridehall.com)  
E-mail: [hshall@mcbridehall.com](mailto:hshall@mcbridehall.com)  
Attorneys for Defendants,  
*Keith Brill, M.D., FACOG and*  
*Women's Health Associates of Southern Nevada –*  
*MARTIN, PLLC*

DISTRICT COURT

CLARK COUNTY, NEVADA

KIMBERLY D. TAYLOR, an Individual,  
  
Plaintiff,

vs.

KEITH BRILL, MD, FACOG, FACS, an  
Individual; WOMEN'S HEALTH  
ASSOCIATES OF SOUTHERN NEVADA –  
MARTIN, PLLC, a Nevada Professional  
Limited Liability Company,  
  
Defendants.

**CASE NO.: A-18-773472-C**  
**DEPT: III**

**NOTICE OF ENTRY OF JUDGMENT ON  
JURY VERDICT**

PLEASE TAKE NOTICE that a JUDGMENT ON JURY VERDICT was entered and filed  
on the 19<sup>th</sup> day of November 2021, a copy of which is attached hereto.

DATED this 19<sup>th</sup> day of November 2021. McBRIDE HALL

*/s/Heather S. Hall*

ROBERT C. McBRIDE, ESQ.  
Nevada Bar No.: 7082  
HEATHER S. HALL, ESQ.  
Nevada Bar No.: 10608  
8329 W. Sunset Road, Suite 260  
Las Vegas, Nevada 89113  
Attorneys For Defendants

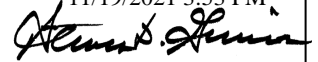
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☒ **VIA ELECTRONIC SERVICE:** By mandatory electronic service (e-service), proof of e-service attached to any copy filed with the Court; or

☐ **VIA U.S. MAIL:** By placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, addressed as indicated on the service list below in the United States mail at Las Vegas, Nevada

☐ **VIA FACSIMILE:** By causing a true copy thereof to be telecopied to the number indicated on the service list below.

/s/Candace Cullina  
An Employee of McBRIDE HALL

  
CLERK OF THE COURT

**JUDG**

ROBERT C. McBRIDE, ESQ.

Nevada Bar No. 7082

HEATHER S. HALL, ESQ.

Nevada Bar No. 10608

McBRIDE HALL

8329 W. Sunset Road, Suite 260

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E-mail: [hshall@mcbridehall.com](mailto:hshall@mcbridehall.com)

Attorneys for Defendants,

*Keith Brill, M.D., FACOG and*

*Women's Health Associates of Southern Nevada –*

*MARTIN, PLLC*

DISTRICT COURT

CLARK COUNTY, NEVADA

KIMBERLY D. TAYLOR, an Individual,

Plaintiff,

vs.

KEITH BRILL, MD, FACOG, FACS, an

Individual; WOMEN'S HEALTH

ASSOCIATES OF SOUTHERN NEVADA –

MARTIN, PLLC, a Nevada Professional

Limited Liability Company,

Defendants.

**CASE NO.: A-18-773472-C**

**DEPT: III**

**JUDGMENT ON JURY VERDICT**

This action came on for trial before the Honorable Monica Trujillo, and a jury on October 11, 2021. Plaintiff and Defendants appeared by and through counsel, and the Court having submitted the case to the jury and the jury having entered a verdict on October 19, 2021, and in accordance with the verdict of the jury,

///

///





**From:** [Adam Breeden](#)  
**To:** [Candace P. Cullina](#)  
**Cc:** [Robert McBride](#); [Heather S. Hall](#)  
**Subject:** Re: Taylor v. Brill  
**Date:** Monday, November 8, 2021 3:41:35 PM  
**Attachments:** [image001.png](#)

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photo



**Adam J. Breeden**

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On Mon, Nov 8, 2021 at 2:54 PM Candace P. Cullina <[ccullina@mcbridehall.com](mailto:ccullina@mcbridehall.com)> wrote:

Hi Adam,

Attached is a Judgment on Jury Verdict for your review. Please let me know if we have your permission to affix your e-signature.

Kind regards,

Candace Cullina

Legal Assistant to Robert C. McBride, Esq.

and Heather S. Hall, Esq.

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1 **CSERV**

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3 DISTRICT COURT  
CLARK COUNTY, NEVADA

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5  
6 Kimberly Taylor, Plaintiff(s)

CASE NO: A-18-773472-C

7 vs.

DEPT. NO. Department 3

8 Keith Brill, M.D., Defendant(s)

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Judgment on Jury Verdict was served via the court's electronic eFile  
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