

Case No. 84081

Supreme Court of Nevada

Electronically Filed  
May 18 2022 11:06 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Zane Michael Floyd,

Appellant,

vs.

The State of Nevada Department of  
Corrections, Charles Daniels,  
Director, Department of  
Corrections; and Ihsan Azzam,  
Chief Medical Officer of The State  
of Nevada,

Appellee.

**Dismissal agreement as to  
Defendant/Appellee Ihsan  
Azzam, M.D.**

DEATH PENALTY CASE

Appellant Zane M. Floyd, through counsel, David Anthony, and  
Brad Levenson, Assistant Federal Public Defenders, and Appellee Ihsan  
Azzam, M.D., through counsel, Crane Pomerantz and Nadia Ahmed,  
stipulate and agree to voluntary dismissal of Defendant Azzam from the  
instant appeal as stated in this dismissal agreement. NRAP 42(b).<sup>1</sup>

Each side will bear its own costs.

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<sup>1</sup> Mr. Floyd still intends to prosecute this appeal against the  
Defendants from the Nevada Department of Corrections (NDOC).

Dated this 18th day of May, 2022

Rene L. Valladares  
Federal Public Defender

/s/ David Anthony

David Anthony  
Nevada Bar No. 7978  
Assistant Federal Public Defender  
Attorneys for Appellant

/s/ Brad D. Levenson

Brad D. Levenson  
Nevada Bar No. 13804C  
Assistant Federal Public Defender  
Attorneys for Appellant

Dated this 18th day of May, 2022

Clark Hill PLLC  
Counsel for Ihsan Azzam, M.D.

/s/ Crane Pomerantz

Crane Pomerantz, Esq.  
Nevada Bar No. 14103  
Attorney for Dr. Azzam  
Attorneys for Appellee

/s/ Nadia Ahmed

Nadia Ahmed, Esq.  
Nevada Bar No. 15489  
Attorney for Dr. Azzam  
Attorneys for Appellee

**Sara Jelinek**

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**Subject:** RE: Dismissal agreement as to Dr. Azzam

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**From:** Pomerantz, Crane <[cpomerantz@clarkhill.com](mailto:cpomerantz@clarkhill.com)>

**Sent:** Wednesday, May 18, 2022 8:16 AM

**To:** David Anthony <[David\\_Anthony@fd.org](mailto:David_Anthony@fd.org)>; Ahmed, Nadia <[nahmed@clarkhill.com](mailto:nahmed@clarkhill.com)>

**Cc:** Brad Levenson <[Brad\\_Levenson@fd.org](mailto:Brad_Levenson@fd.org)>

**Subject:** RE: Dismissal agreement as to Dr. Azzam

**EXTERNAL SENDER**

I meant to send this yesterday – no problem with the stipulation of dismissal. You have permission to use our electronic signature.

Crane

**Crane Pomerantz**

Member

**Clark Hill**

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**From:** David Anthony <[David\\_Anthony@fd.org](mailto:David_Anthony@fd.org)>

**Sent:** Tuesday, May 17, 2022 3:25 PM

**To:** Pomerantz, Crane <[cpomerantz@clarkhill.com](mailto:cpomerantz@clarkhill.com)>; Ahmed, Nadia <[nahmed@clarkhill.com](mailto:nahmed@clarkhill.com)>

**Cc:** Brad Levenson <[Brad\\_Levenson@fd.org](mailto:Brad_Levenson@fd.org)>

**Subject:** Dismissal agreement as to Dr. Azzam

**[External Message]**

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Crane and Nadia:

Attached is a dismissal agreement under NRAP 42(b) as to Dr. Azzam. As we discussed, the dismissal agreement states that each side will bear its own costs. Please let me know if this looks acceptable to file on your end and to affix your electronic signatures.

Thanks.

Dave

## **Certificate of Electronic Service**

I hereby certify that on May 18, 2022, I electronically filed the foregoing document with the Nevada Supreme Court by using the appellate electronic filing system. The following participants in the case will be served by the electronic filing system:

Steven G. Shevorski  
Chief Litigation Counsel  
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Crane Pomerantz, Esq.  
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/s/ Sara Jelinek  
An Employee of the  
Federal Public Defender, District of Nevada