

# IN THE SUPREME COURT OF THE STATE OF NEVADA

## INDICATE FULL CAPTION:

KEITH BRILL, M.D., FACOG, FACS, AN  
INDIVIDUAL; AND WOMEN'S HEALTH  
ASSOCIATES OF SOUTHERN  
NEVADAMARTIN,  
Appellant,  
vs.  
KIMBERLY TAYLOR, AN INDIVIDUAL

No. 84881

Electronically Filed  
Jul 07 2022 03:35 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
DOCKETING  
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 EIGHT Department III

County CLARK Judge HON. MONICA TRUJILLO

District Ct. Case No. A-18-773472-C

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

Attorney HEATHER S. HALL Telephone 702-792-5855

Firm McBRIDE HALL

Address 8329 W. SUNSET ROAD, SUITE 260  
LAS VEGAS, NEVADA 89113

Client(s) Keith Brill, M.D. and Women's Health Associates of Southern NV - Martin, PLLC

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 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

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 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 <input type="checkbox"/> Modification                    |
| <input type="checkbox"/> Review of agency determination     | <input checked="" type="checkbox"/> Other disposition (specify): <u>Post-verdict order</u> |

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

- ☐ Child Custody
- ☐ Venue
- ☐ 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:

This action has three other, related appeals.

In Taylor v. Brill, Case No. 83847 the jury's verdict is appealed. In Taylor v. Brill Case, No. 84421 Ms. Taylor appeals the Denial of Post-Judgment Motion to Disqualify Defense Counsel.

In Brill v. Taylor, Case No. 84492, Defendants appeal the partial granting, partial denial of Plaintiff's post-verdict Motion to Re-tax and Settle Costs.

In the current appeal, Brill v. Taylor, Case No. 84881 Defendants appeal the denial of Defendants' Motion for Attorney's Fees.

**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 lower court actions or actions pending in another jurisdiction.

**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):

Following entry of the judgment, Defendants filed their Verified Memorandum of Costs on November 19, 2021 and their Motion for Attorneys' Fees and Costs on November 22, 2021. On November 22, 2021, Plaintiff filed her Motion to Re-Tax and Settle Costs. Plaintiff's Motion to Re-Tax and Settle Costs and Defendants' Motion for Attorneys' Fees and Costs came on for hearing on January 18, 2022 in Department III, Honorable Michael A. Cherry presiding.

The District Court refused to allow Defendants certain mandatory costs pursuant to NRS 18.005. Further, the District Court denied any award of attorneys' fees to Defendants. This appeal concerns the denial of attorneys' fees. The Order denying attorneys' fees was entered on May 13, 2022.

**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:

Appellants are unaware of any pending proceedings in this Court raising the same or similar issues.

**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:

**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 case is presumptively assigned to the Court of Appeals under NRAP 17(b)(7).

**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 Appellants do not anticipate such a motion.

## TIMELINESS OF NOTICE OF APPEAL

**16. Date of entry of written judgment or order appealed from** May 12, 2022

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

**17. Date written notice of entry of judgment or order was served** May 13, 2022

Was service by:

☐ Delivery

☒ Mail/electronic/fax

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

(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

**19. Date notice of appeal filed** June 13, 2022

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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:

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

NRAP 4(a)(5).

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**SUBSTANTIVE APPEALABILITY**

**21. 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) NRAP 3A(b)(8)- special order filed after judgment

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

Post-verdict, Defendants' Motion for Attorneys' Fees and Costs was heard by the District Court on January 18, 2022 in Department III, Honorable Michael A. Cherry presiding. The Motion for Attorneys' Fees was denied after oral argument.



**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 Hospital

(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 District 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 Ms. Taylor filed an action for professional negligence/medical malpractice against the Defendants. A jury unanimously found in favor of Defendants Dr. Brill and Women's Health Associates, returning a jury verdict in favor of Defendants on October 19, 2021. The judgment on the jury verdict was entered 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.

Keith Brill, M.D. & WHASN - Martin  
Name of appellant

Heather S. Hall  
Name of counsel of record

7/7/2022  
Date

/s/Heather S. Hall  
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 attached.

Dated this 7th day of July, 2022

/s/Candace Cullina  
Signature

**CERTIFICATE OF SERVICE**

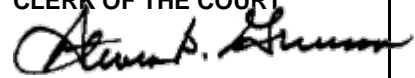
I HEREBY CERTIFY that on the 7th day of July 2022, service of the foregoing **DOCKETING STATEMENT** was served electronically to all parties of interest through the Court's CM/ECF system as follows:

ADAM J. BREEDEN, ESQ.  
Nevada Bar No. 008768  
BREEDEN & ASSOCIATES, PLLC  
376 E. Warm Springs Rd., Suite 120  
Las Vegas, NV 89119  
Attorney for Respondent

*/s/Candace Cullina*

---

An employee of  
McBRIDE HALL



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:

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## GENERAL ALLEGATIONS

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

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

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

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

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

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

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

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

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

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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.

T.S.K

**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 ///

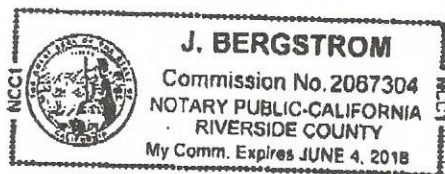
1 to uterine perforation, bowel perforation, bowel resection, gross peritonitis in all 4 quadrants, and  
2 a prolonged, critical, post-operative course.

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

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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

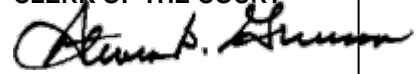
American Osteopathic Association

California Medical Association

Riverside County Medical Society

---





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 ORDER  
DENYING DEFENDANT KEITH BRILL,  
M.D. AND WOMEN'S HEALTH  
ASSOCIATES OF SOUTHERN NEVADA-  
MARTIN, PLLC'S MOTION FOR  
ATTORNEY'S FEES**

PLEASE TAKE NOTICE that an ORDER DENYING DEFENDANT KEITH BRILL,  
M.D. AND WOMEN'S HEALTH ASSOCIATES OF SOUTHERN NEVADA-MARTIN,  
PLLCC'S MOTION FOR ATTORNEY'S FEES was entered and filed on the 12<sup>th</sup> day of May 2022,  
a copy of which is attached hereto.

DATED this 13<sup>th</sup> day of May 2022.

/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

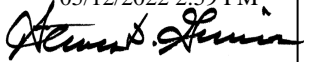
1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that on the 13<sup>th</sup> day of May 2022, I served a true and correct copy  
3 of the foregoing **NOTICE OF ENTRY OF ORDER DENYING DEFENDANT KEITH**  
4 **BRILL, M.D. AND WOMEN'S HEALTH ASSOCIATES OF SOUTHERN NEVADA-**  
5 **MARTIN, PLLC'S MOTION FOR ATTORNEY'S FEES** addressed to the following counsel  
6 of record at the following address(es):  
7

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

15 Adam J. Breeden, Esq.  
16 BREEDEN & ASSOCIATES, PLLC  
17 376 E. Warm Springs Road, Suite 120  
18 Las Vegas, Nevada 89119  
19 *Attorneys for Plaintiff*

20  
21  
22 /s/ Candace Cullina  
23 An Employee of *McBRIDE HALL*  
24  
25  
26  
27  
28

  
CLERK OF THE COURT

**ORDR**

ROBERT C. McBRIDE, ESQ.

Nevada Bar No.: 7082

HEATHER S. HALL, ESQ.

Nevada Bar No.: 10608

McBRIDE HALL

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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; TODD W.  
CHRISTENSEN, MD, an Individual; DOES I  
through XXX, inclusive; and ROE  
CORPORATIONS I through XXX, inclusive;

Defendants.

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

**DEPT: III**

**ORDER DENYING DEFENDANT KEITH  
BRILL, M.D. AND WOMEN'S HEALTH  
ASSOCIATES OF SOUTHERN NEVADA-  
MARTIN, PLLC'S MOTION FOR  
ATTORNEY'S FEES**

**DATE OF HEARING: 1/18/2022**

**TIME OF HEARING: 9:00 A.M.**

Defendants' Motion for Attorney's Fees came for oral argument on January 18, 2022 at 9:00 a.m. Plaintiff, KIMBERLY TAYLOR was represented by her counsel Adam J. Breeden, Esq. of BREEDEN & ASSOCIATES, PLLC. Defendants, KEITH BRILL, M.D. and WOMEN'S HEALTH ASSOCIATES OF SOUTHERN NEVADA- MARTIN, PLLC were represented by



1 their counsel Heather Hall, Esq. of McBRIDE HALL. Hon. Michael Cherry presided over the  
2 hearing. Having reviewed the pleadings and papers on file and heard oral argument;

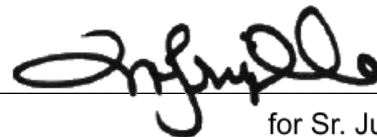
3 **THE COURT FINDS** that attorney's fees are not recoverable under NRS § 18.010(2)(b)  
4 because this action was not filed "without reasonable ground or to harass the prevailing party."  
5 *Duff v. Foster*, 110 Nev. 1306, 1308, 885 P.2d 589, 591 (1994). Attorney's fees are also not  
6 recoverable under NRS § 18.010(2)(a) because the Defendants did not recover on any of their own  
7 claims. *Key Bank v. Donnels*, 106 Nev. 49, 53, 787 P.2d 382, 385 (1990) ("when attorney's fees  
8 are based on the provisions in [NRS 18.010(2)] subsection (a), we have held that an award of a  
9 money judgment is a prerequisite to an award of attorney's fees.").

10 **THE COURT FINDS** that attorney's fees are not recoverable under NRCP 68 either. On  
11 June 29, 2021, Defendants served an offer of judgment for a mutual waiver of attorneys' fees and  
12 costs. Defense attorneys' fees incurred as of the date of service of the Offer were \$41,552.25 and  
13 costs were \$19,200.53. This Offer expired on July 13, 2021. The Court has reviewed the parties'  
14 arguments and the factors under *Beattie v. Thomas*, 99 Nev. 579, 668 P.2d 268 (Nev. 1983) and  
15 *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 455 P. 2d 31, 33 (Nev. 1969). The Court  
16 finds that Defendants' offer of judgment for a mutual waiver of attorneys' fee and costs does not  
17 entitle Defendants to attorneys' fees. Therefore;

18 **IT IS HEREBY ORDERED, ADJUDICATED AND DECREED** that Defendants'  
19 Motion for Attorney Fees is denied, Plaintiff's counsel shall prepare the Order.

20 **IT IS SO ORDERED.**

21  
22 \_\_\_\_\_ Dated this 12th day of May, 2022

23   
24 \_\_\_\_\_

for Sr. Judge Cherry

25 **0CB 53E D335 20C5**  
26 **Monica Trujillo**  
27 **District Court Judge**  
28

Respectfully Submitted by:

DATED this 14<sup>th</sup> day of February, 2022.

McBRIDE HALL

/s/ Heather S. Hall

\_\_\_\_\_  
Heather S. Hall, Esq.  
Nevada Bar No. 10608  
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*

Approved as to Form and Content by:

DATED this    day of February 2022.

BREEDEN & ASSOCIATES, PLLC

*REFUSED TO SIGN*

\_\_\_\_\_  
Adam J. Breeden, Esq.  
Nevada Bar No.: 008768  
376 E. Warm Springs Road, Suite 120  
Las Vegas, Nevada 89119  
Attorneys for Plaintiff

**From:** [Heather S. Hall](#)  
**To:** [Adam Breeden](#)  
**Cc:** [Candace P. Cullina](#); [Robert McBride](#); [Sarah Daniels](#); [Teyla Charlotte Buys](#)  
**Subject:** RE: Taylor v. Brill, A-18-773472-C- Order Regarding Attorney Fees  
**Date:** Wednesday, February 16, 2022 8:23:30 AM  
**Attachments:** [image001.png](#)

---

I will submit a competing order.

---

**From:** Adam Breeden <adam@breedenandassociates.com>  
**Sent:** Wednesday, February 16, 2022 7:58 AM  
**To:** Heather S. Hall <hshall@mcbridehall.com>  
**Cc:** Candace P. Cullina <ccullina@mcbridehall.com>; Robert McBride <rcmcbride@mcbridehall.com>; Sarah Daniels <sarah@breedenandassociates.com>; Teyla Charlotte Buys <tcbuys@mcbridehall.com>  
**Subject:** Re: Taylor v. Brill, A-18-773472-C- Order Regarding Attorney Fees

Heather,

The attorney's fees were denied. Judge Cherry gave little analysis at the hearing on the issue but he apparently adopted Plaintiff's opposition. I felt the order should explain the position and contain some legal analysis. I am inclined to submit my version as a disputed order today, I will notify the Court that it appears you dispute the language of the Order and may submit a competing order.

**Adam Breeden, Esq.**

Trial Attorney, Breeden & Associates

☐ 376 E. Warm Springs Rd. Ste. 120 Las Vegas, NV 89119

☐ [702.819.7770](tel:702.819.7770) ☐ [702.819.7771](tel:702.819.7771) ☐ [adam@breedenandassociates.com](mailto:adam@breedenandassociates.com) ☐

☐ <http://www.breedenandassociates.com/>

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☐

On Mon, Feb 14, 2022 at 2:04 PM Heather S. Hall <[hshall@mcbridehall.com](mailto:hshall@mcbridehall.com)> wrote:

Adam,

Here are my changes to your Order. I am also attaching a copy of the transcript. The comments regarding bad faith, \$0, etc. were your comments and not findings of the Court.

With these changes, you may use my e-signature.

Heather S. Hall, Esq.

[hshall@mcbridehall.com](mailto:hshall@mcbridehall.com) | [www.mcbridehall.com](http://www.mcbridehall.com)

8329 West Sunset Road

Suite 260

Las Vegas, Nevada 89113

Telephone: (702) 792-5855

Facsimile: (702) 796-5855



**MCBRIDE HALL**  
ATTORNEYS AT LAW

NOTICE: THIS MESSAGE IS CONFIDENTIAL, INTENDED FOR THE NAMED RECIPIENT(S) AND MAY CONTAIN INFORMATION THAT IS (I) PROPRIETARY TO THE SENDER, AND/OR, (II) PRIVILEGED, CONFIDENTIAL, AND/OR OTHERWISE EXEMPT FROM DISCLOSURE UNDER APPLICABLE STATE AND FEDERAL LAW, INCLUDING, BUT NOT LIMITED TO, PRIVACY STANDARDS IMPOSED PURSUANT TO THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 ("HIPAA"). IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY REPLY E-MAIL OR BY TELEPHONE AT [\(702\) 792-5855](tel:7027925855), AND DESTROY THE ORIGINAL TRANSMISSION AND ITS ATTACHMENTS WITHOUT READING OR SAVING THEM TO DISK. THANK YOU.

---

**From:** Adam Breeden <[adam@breedenandassociates.com](mailto:adam@breedenandassociates.com)>

**Sent:** Thursday, January 27, 2022 9:26 AM

**To:** Heather S. Hall <[hshall@mcbridehall.com](mailto:hshall@mcbridehall.com)>

**Cc:** Candace P. Cullina <[ccullina@mcbridehall.com](mailto:ccullina@mcbridehall.com)>; Robert McBride <[rcmcbride@mcbridehall.com](mailto:rcmcbride@mcbridehall.com)>; Sarah Daniels <[sarah@breedenandassociates.com](mailto:sarah@breedenandassociates.com)>; Teyla Charlotte Buys <[tcbuys@mcbridehall.com](mailto:tcbuys@mcbridehall.com)>

**Subject:** Re: Taylor v. Brill, A-18-773472-C- Order Regarding Attorney Fees

Heather,

The Court directed my firm to prepare an order on the attorney's fees issues and your firm to prepare an order on the costs issues. I waited a few days but no minutes have posted. I have drafted the attached Order, please advise if I may affix your e-signature and submit to the Court.

**Adam Breeden, Esq.**

Trial Attorney, Breeden & Associates

☐ 376 E. Warm Springs Rd. Ste. 120 Las Vegas, NV 89119

☐ [702.819.7770](tel:702.819.7770) ☐ [702.819.7771](tel:702.819.7771) ☐ [adam@breedenandassociates.com](mailto:adam@breedenandassociates.com) ☐

☐ <http://www.breedenandassociates.com/>

☐ ☐ ☐ ☐

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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 Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 5/12/2022

15 Adam Breeden

adam@breedenandassociates.com

16 E-File Admin

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17 Heather Hall

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Sara Coppage	sara@breedenandassociates.com
Ericka Lemus	elemus@mcbridehall.com