

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

UNITED HEALTHCARE  
INSURANCE COMPANY; UNITED  
HEALTH CARE SERVICES, INC.;  
UMR, INC.; SIERRA HEALTH AND  
LIFE INSURANCE COMPANY,  
INC.; and HEALTH PLAN OF  
NEVADA, INC.,

Appellants,

vs.

FREMONT EMERGENCY  
SERVICES (MANDAVIA), LTD.;  
TEAM PHYSICIANS OF NEVADA-  
MANDAVIA, P.C.; and CRUM  
STEFANKO AND JONES, LTD.,

Respondents.

Case No. 85525      Electronically Filed  
Nov 04 2023 04:46 PM  
Elizabeth A. Brown  
Clerk of Supreme Court  
Appeal from the Eighth Judicial  
District Court, Case No.: A-19-  
792978-B; Dept. No.: 27

**EMERGENCY DEPARTMENT PRACTICE MANAGEMENT  
ASSOCIATION'S PROOF OF SERVICE**

Hector J. Carbajal II, Esq.  
Nevada Bar No. 6247  
CARBAJAL LAW  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Telephone (702) 846-0040  
Facsimile (702) 846-1329  
[hector@claw.vegas](mailto:hector@claw.vegas)

*Attorneys for Amicus Curiae  
Emergency Department Practice Management Association*

Pursuant to NRAP 25(e) and this Court's Notice dated November 3, 2023, I hereby certify that on the 3<sup>rd</sup> day of November, 2023, I electronically filed with the Clerk of the Nevada Supreme Court and served on all counsel to appear in this appeal, the document titled BRIEF FOR AMICUS CURIAE EMERGENCY DEPARTMENT PRACTICE MANAGEMENT ASSOCIATION IN SUPPORT OF RESPONDENTS through the Nevada Supreme Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

DENNIS L. KENNEDY  
TAYLER D. BINGHAM  
**BAILEY KENNEDY**

Email: [dkennedy@baileykennedy.com](mailto:dkennedy@baileykennedy.com)  
[tbingham@baileykennedy.com](mailto:tbingham@baileykennedy.com)

IN ASSOCIATION WITH

JANE LANGDELL ROBINSON  
JOHN ZAVITSANOS  
JOSEPH Y. AHMAD  
**AHMAD, ZAVITSANOS & MENSING,  
PLLC**  
1221 McKinney Street, Suite 2500  
Houston, Texas 77010

Email: [jrobinson@azalaw.com](mailto:jrobinson@azalaw.com)  
[jzavitsanos@azalaw.com](mailto:jzavitsanos@azalaw.com)  
[joeahmad@azalaw.com](mailto:joeahmad@azalaw.com)

JUSTIN C. FINEBERG  
JONATHAN E. SIEGELAUB  
**LASH & GOLDBERG LLP**  
2500 Weston Road, Suite 220  
Fort Lauderdale, Florida  
*Attorneys for Respondents/Real Parties in Interest*

Email: [jfineberg@lashgoldberg.com](mailto:jfineberg@lashgoldberg.com)  
[jsiegelau@lashgoldberg.com](mailto:jsiegelau@lashgoldberg.com)

D. LEE ROBERTS, JR.  
COLBY L. BALKENBUSH  
BRITTANY M. LLEWELLYN  
PHILLIP N. SMITH, JR.  
MARJAN HAJIMIRZAEI

**WEINBERG, WHEELER,  
HUDGINS, GUNN & DIAL, LLC**  
6385 S. Rainbow Boulevard, Suite 400  
Las Vegas, Nevada 89118  
*Attorneys for Appellants/Petitioners*

Email: lroberts@wwhgd.com  
cbalkenbush@wwhgd.com  
bllewellyn@wwhgd.com  
psmithjr@wwhgd.com  
mhajimirzaee@wwhgd.com

PAT LUNDVALL  
KRISTEN T. GALLAGHER  
AMANDA M. PERACH

**McDONALD CARANO LLP**  
2300 W. Sahara Avenue, Suite 1200  
Las Vegas, Nevada 89102  
*Attorneys for Respondents (Case No.  
85525/Real Parties in Interest (Case No.  
85656)*

Email: plundvall@mcdonaldcarano.com  
kgallagher@mcdonaldcarano.com  
aperach@mcdonaldcarano.com

DANIEL F. POLSENBERG  
JOEL D. HENRIOD  
ABRAHAM G. SMITH

**LEWIS ROCA  
ROTHGERBER CHRISTIE LLP**  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169

Email: dpolsenberg@lewisroca.com  
jhenriod@lewisroca.com  
asmith@lewisroca.com

IN ASSOCIATION WITH

JONATHAN HACKER  
K. LEE BLALACK, II  
JEFFREY E. GORDON  
KEVIN D. FEDER  
JASON YAN

**O'MELVENY & MYERS LLP**  
1625 Eye Street NW  
Washington, DC 20006

Email: jhacker@omm.com  
lblalack@omm.com  
jgordon@omm.com  
kfeder@omm.com  
jyan@omm.com

DIMITRI D. PORTNOI  
JASON A. ORR  
ADAM G. LEVINE  
HANNAH DUNHAM  
NADIA L. FARJOOD

**O'MELVENY & MYERS LLP**  
400 South Hope Street, 18th Floor  
Los Angeles, California 90071

Email: dportnoi@omm.com  
jorr@omm.com  
alevine@omm.com  
hdunham@omm.com  
nfarjood@omm.com

PAUL J. WOOTEN  
PHILIP E. LEGENDY

**O'MELVENY & MYERS LLP**  
Times Square Tower  
Seven Times Square  
New York, New York 10036  
*Attorneys for Appellants/Petitioners*

Email: pwooten@omm.com  
plegendy@omm.com

CONSTANCE L. AKRIDGE  
SYDNEY R. GAMBEE

**HOLLAND & HART LLP**  
9555 Hillwood Drive, Second Floor  
Las Vegas, Nevada 89134  
*Attorneys for Amicus Curiae (Case No. 85656)*

Email: clakridge@hollandhart.com

RICHARD I. DREITZER

**FENNEMORE CRAIG, PC**  
9275 W. Russell Road, Suite 240  
Las Vegas, Nevada 89148  
*Attorneys for Real Parties in Interest  
(Case No. 85656)*

Email: rdreitzer@fennemorelaw.com

Certified this 4<sup>th</sup> day of November 2023.

/s/ Brittany Friedman  
An employee of Carbajal Law

Submitted on this 4<sup>th</sup> day of November 2023.

CARBAJAL LAW

/s/ Hector J. Carbajal II

Hector J. Carbajal II

State Bar No. 6247

Hector@CLaw.com

10001 Park Run Dr

Las Vegas, NV 89145

*Attorneys for Amicus Curiae*

*Emergency Department Practice*

*Management Association*

## **CERTIFICATE OF SERVICE**

I hereby certify on this 4<sup>th</sup> day of November 2023, I served the foregoing  
EMERGENCY DEPARTMENT PRACTICE MANAGEMENT ASSOCIATION'S  
PROOF OF SERVICE by electronic mail and United States mail to the following:

DENNIS L. KENNEDY  
TAYLER D. BINGHAM  
**BAILEY KENNEDY**

Email: dkennedy@baileykennedy.com  
tbingham@baileykennedy.com

IN ASSOCIATION WITH

JANE LANGDELL ROBINSON  
JOHN ZAVITSANOS  
JOSEPH Y. AHMAD  
**AHMAD, ZAVITSANOS & MENSING,  
PLLC**  
1221 McKinney Street, Suite 2500  
Houston, Texas 77010

Email: jrobinson@azalaw.com  
jzavitsanos@azalaw.com  
joeahmad@azalaw.com

JUSTIN C. FINEBERG  
JONATHAN E. SIEGELAUB  
**LASH & GOLDBERG LLP**  
2500 Weston Road, Suite 220  
Fort Lauderdale, Florida

Email: jfineberg@lashgoldberg.com  
jsiegelaub@lashgoldberg.com

*Attorneys for Respondents/Real Parties in Interest*

D. LEE ROBERTS, JR.  
COLBY L. BALKENBUSH  
BRITTANY M. LLEWELLYN  
PHILLIP N. SMITH, JR.  
MARJAN HAJIMIRZAEI  
**WEINBERG, WHEELER,  
HUDGINS, GUNN & DIAL, LLC**  
6385 S. Rainbow Boulevard, Suite 400  
Las Vegas, Nevada 89118

Email: lroberts@wwhgd.com  
cbalkenbush@wwhgd.com  
bllewellyn@wwhgd.com  
psmithjr@wwhgd.com  
mhajimirzaee@wwhgd.com

*Attorneys for Appellants/Petitioners*

PAT LUNDVALL

KRISTEN T. GALLAGHER

AMANDA M. PERACH

**McDONALD CARANO LLP**

2300 W. Sahara Avenue, Suite 1200

Las Vegas, Nevada 89102

*Attorneys for Respondents (Case No.*

*85525/Real Parties in Interest (Case No.*

*85656)*

Email: [plundvall@mcdonaldcarano.com](mailto:plundvall@mcdonaldcarano.com)  
[kgallagher@mcdonaldcarano.com](mailto:kgallagher@mcdonaldcarano.com)  
[aperach@mcdonaldcarano.com](mailto:aperach@mcdonaldcarano.com)

DANIEL F. POLSENBERG

JOEL D. HENRIOD

ABRAHAM G. SMITH

**LEWIS ROCA**

**ROTHGERBER CHRISTIE LLP**

3993 Howard Hughes Parkway, Suite 600

Las Vegas, Nevada 89169

Email: [dpolsenberg@lewisroca.com](mailto:dpolsenberg@lewisroca.com)  
[jhenriod@lewisroca.com](mailto:jhenriod@lewisroca.com)  
[asmith@lewisroca.com](mailto:asmith@lewisroca.com)

IN ASSOCIATION WITH

JONATHAN HACKER

K. LEE BLALACK, II

JEFFREY E. GORDON

KEVIN D. FEDER

JASON YAN

**O'MELVENY & MYERS LLP**

1625 Eye Street NW

Washington, DC 20006

Email: [jhacker@omm.com](mailto:jhacker@omm.com)  
[lblalack@omm.com](mailto:lblalack@omm.com)  
[jgordon@omm.com](mailto:jgordon@omm.com)  
[kfeder@omm.com](mailto:kfeder@omm.com)  
[jyan@omm.com](mailto:jyan@omm.com)

DIMITRI D. PORTNOI

JASON A. ORR

ADAM G. LEVINE

HANNAH DUNHAM

NADIA L. FARJOOD

**O'MELVENY & MYERS LLP**

400 South Hope Street, 18th Floor

Los Angeles, California 90071

Email: [dportnoi@omm.com](mailto:dportnoi@omm.com)  
[jorr@omm.com](mailto:jorr@omm.com)  
[alevine@omm.com](mailto:alevine@omm.com)  
[hdunham@omm.com](mailto:hdunham@omm.com)  
[nfarjood@omm.com](mailto:nfarjood@omm.com)

PAUL J. WOOTEN

PHILIP E. LEGENDY

**O'MELVENY & MYERS LLP**

Times Square Tower

Seven Times Square

New York, New York 10036

*Attorneys for Appellants/Petitioners*

Email: [pwooten@omm.com](mailto:pwooten@omm.com)

[plegendy@omm.com](mailto:plegendy@omm.com)

CONSTANCE L. AKRIDGE

SYDNEY R. GAMBEE

**HOLLAND & HART LLP**

9555 Hillwood Drive, Second Floor

Las Vegas, Nevada 89134

*Attorneys for Amicus Curiae (Case No. 85656)*

Email: [clakridge@hollandhart.com](mailto:clakridge@hollandhart.com)

RICHARD I. DREITZER

**FENNEMORE CRAIG, PC**

9275 W. Russell Road, Suite 240

Las Vegas, Nevada 89148

*Attorneys for Real Parties in Interest  
(Case No. 85656)*

Email: [rdreitzer@fennemorelaw.com](mailto:rdreitzer@fennemorelaw.com)

/s/ Brittany Friedman

An employee of Carbajal Law